

**First Regular Session
Sixty-third General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 01-0395.01 Kristen Forrestal

HOUSE BILL 01-1049

HOUSE SPONSORSHIP

Weddig,

SENATE SPONSORSHIP

Hagedorn,

House Committees

Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING SPEED TRANSITION ZONES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Defines a speed transition zone as a portion of a highway where the posted speed limits state a gradual increase or decrease in the maximum lawful speed. Applies the posted maximum lawful speed limits on one side of the highway in a speed transition zone to both sides of the highway. Creates a defense to prosecution for speeding in a speed transition zone, where the defendant was traveling at a rate of speed within the posted limits on the opposite side of the highway and no alternative limits are posted on the side of the highway in which the defendant was traveling. States that a motorist is not liable for traveling

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

at a rate of speed that is within a visible posted limit.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 42-4-1102, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 **42-4-1102. Altering of speed limits.** (2.5) (a) AS USED IN THIS
5 SECTION A "SPEED TRANSITION ZONE" MEANS A PORTION OF A HIGHWAY
6 WHERE THE POSTED SPEED LIMITS STATE A GRADUAL INCREASE OR
7 DECREASE IN THE MAXIMUM LAWFUL SPEED.

8 (b) THE SPEED LIMITS POSTED IN A SPEED TRANSITION ZONE, WHERE
9 THE REQUIRED INCREASE OR DECREASE IN THE MAXIMUM LAWFUL SPEED
10 LIMITS ARE POSTED ON ONE SIDE OF THE HIGHWAY ONLY, SHALL APPLY TO
11 MOTOR VEHICLES OPERATING ON BOTH SIDES OF THE HIGHWAY, UNLESS
12 ALTERNATIVE MAXIMUM LAWFUL SPEED LIMITS ARE POSTED ON THE SIDE
13 OF THE HIGHWAY IN WHICH SUCH MOTOR VEHICLES ARE OPERATING.

14 (c) IT SHALL BE A DEFENSE TO PROSECUTION FOR A VIOLATION OF
15 THE MAXIMUM LAWFUL SPEED LIMIT WHERE, IN A SPEED TRANSITION ZONE,
16 NO MAXIMUM LAWFUL SPEED LIMIT IS POSTED ON THE SIDE OF THE
17 HIGHWAY WHERE THE DEFENDANT'S MOTOR VEHICLE WAS OPERATING
18 WHEN THE CITATION FOR THE VIOLATION WAS RECEIVED, AND THE
19 DEFENDANT WAS OPERATING THE MOTOR VEHICLE WITHIN THE SPEED
20 TRANSITION ZONE'S POSTED SPEED LIMITS.

21 (d) AN OPERATOR OF A MOTOR VEHICLE WITHIN A SPEED
22 TRANSITION ZONE SHALL NOT BE LIABLE FOR TRAVELING AT A RATE OF
23 SPEED THAT IS WITHIN THE POSTED MAXIMUM LAWFUL SPEED LIMIT VISIBLE
24 TO THE OPERATOR OF THE MOTOR VEHICLE WITHOUT THE USE OF ANY
25 VISUAL AIDS EXCEPT FOR CONTACT LENSES OR EYEGLASSES.

1 (e) NOTHING IN THIS SUBSECTION (2.5) SHALL BE CONSTRUED TO
2 MEAN THAT AN OPERATOR OF A MOTOR VEHICLE MAY TRAVEL ON A
3 HIGHWAY AT A SPEED GREATER THAN IS REASONABLE AND PRUDENT UNDER
4 THE CONDITIONS THEN EXISTING.

5 **SECTION 2. Effective date - applicability.** (1) This act shall
6 take effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly that is
8 allowed for submitting a referendum petition pursuant to article V, section
9 1 (3) of the state constitution; except that, if a referendum petition is filed
10 against this act or an item, section, or part of this act within such period,
11 then the act, item, section, or part, if approved by the people, shall take
12 effect on the date of the official declaration of the vote thereon by
13 proclamation of the governor.

14 (2) This act shall apply to acts committed on or after the applicable
15 effective date of this act.