

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 19-0859.01 Richard Sweetman x4333

SENATE BILL 19-144

SENATE SPONSORSHIP

Zenzinger,

HOUSE SPONSORSHIP

Roberts,

Senate Committees
Transportation & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING ALLOWING A DRIVER OF A MOTORCYCLE TO PROCEED**
102 **PAST A MALFUNCTIONING TRAFFIC CONTROL SIGNAL.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill allows a driver of a motorcycle to proceed past a traffic control signal that is inoperative, that remains on steady red or steady yellow for 2 minutes or more, or that fails to recognize the motorcycle for 2 minutes or more.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
Amended 2nd Reading
March 22, 2019

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-612, **amend** (1)
3 as follows:

4 **42-4-612. When signals are inoperative or malfunctioning.**

5 (1) (a) ~~Whenever~~ EXCEPT AS DESCRIBED IN SUBSECTION (1)(c) OF THIS
6 SECTION, WHEN a driver approaches an intersection and faces a traffic
7 control signal which THAT is inoperative, or which THAT remains on
8 steady red or steady yellow during several time cycles, OR THAT DOES NOT
9 RECOGNIZE A MOTORCYCLE THAT IS OPERATED BY THE DRIVER, the rules
10 PROVISIONS controlling entrance to a through street or highway from a
11 stop ~~street~~ SIGN or highway, as provided under section 42-4-703, shall
12 apply until a police officer assumes control of traffic or until THE TRAFFIC
13 CONTROL SIGNAL RESUMES normal operation. ~~is resumed.~~

14 (b) ~~In the event that any~~ EXCEPT AS DESCRIBED IN SUBSECTION
15 (1)(c) OF THIS SECTION, IF A traffic control signal at a place other than an
16 intersection ~~should cease~~ CEASES to operate or ~~should malfunction as set~~
17 ~~forth in this section~~ MALFUNCTIONS AS SPECIFIED IN SUBSECTION (1)(a) OF
18 THIS SECTION, drivers may proceed ~~through~~ PAST the ~~inoperative or~~
19 ~~malfunctioning~~ signal only with caution, as if the signal were ~~one of~~
20 flashing yellow.

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22 **SECTION 2. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly (August
25 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
26 referendum petition is filed pursuant to section 1 (3) of article V of the
27 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect
2 unless approved by the people at the general election to be held in
3 November 2020 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.