

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0372.01 Jerry Barry x4341

SENATE BILL 20-061

SENATE SPONSORSHIP

Foote,

HOUSE SPONSORSHIP

(None),

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT TO YIELD TO A BICYCLE IN A BICYCLE**
102 **LANE.**

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 creates a new traffic offense for failing to yield to a bicycle in a bicycle lane. The offense is a class A traffic offense unless it is the proximate cause of a crash or if it causes bodily injury, then it is careless driving and is punished under the careless driving offense.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **add** (10.3)
3 as follows:

4 **42-1-102. Definitions.** As used in articles 1 to 4 of this title 42,
5 unless the context otherwise requires:

6 (10.3) "BICYCLE LANE" MEANS A PORTION OF THE ROADWAY THAT
7 HAS BEEN DESIGNATED BY STRIPING, SIGNAGE, OR PAVEMENT MARKINGS
8 FOR THE EXCLUSIVE USE OF BICYCLISTS. "BICYCLE LANE" INCLUDES AN
9 INTERSECTION IF THE BICYCLE LANE IS MARKED ON OPPOSITE SIDES OF THE
10 INTERSECTION IN THE SAME DIRECTION OF TRAVEL AS THE AUTOMOBILE
11 TRAFFIC.

12 **SECTION 2.** In Colorado Revised Statutes, **add** 42-4-714 as
13 follows:

14 **42-4-714. Bicycle in bicycle lane.** (1) THE DRIVER OF A VEHICLE
15 SHALL YIELD THE RIGHT-OF-WAY TO A BICYCLE IN A BICYCLE LANE.

16 (2) (a) EXCEPT AS PROVIDED IN SUBSECTION (2)(b) OF THIS
17 SECTION, ANY PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION
18 COMMITS A CLASS A TRAFFIC INFRACTION.

19 (b) (I) IF A PERSON VIOLATES SUBSECTION (1) OF THIS SECTION
20 AND THE PERSON'S ACTIONS ARE THE PROXIMATE CAUSE OF A CRASH, THE
21 PERSON COMMITS CARELESS DRIVING AND SHALL BE PUNISHED AS
22 DESCRIBED IN SECTION 42-4-1402 (2)(a).

23 (II) IF A PERSON VIOLATES SUBSECTION (1) OF THIS SECTION AND
24 THE PERSON'S ACTIONS ARE THE PROXIMATE CAUSE OF BODILY INJURY TO
25 ANOTHER PERSON, THE PERSON COMMITS CARELESS DRIVING AND SHALL
26 BE PUNISHED AS DESCRIBED IN SECTION 42-4-1402 (2)(b).

27 **SECTION 3.** In Colorado Revised Statutes, 42-2-127, **amend**

1 (5)(n); and **add** (5)(bb.5) as follows:

2 **42-2-127. Authority to suspend license - to deny license - type**
3 **of conviction - points.** (5) Point system schedule:

4 Type of conviction	5 Points
6 (n) Failure to yield right-of-way, except as provided in paragraphs 7 (y) to (bb) of this subsection (5) SUBSECTIONS (5)(y) TO (5)(bb.5) OF THIS 8 SECTION	9 3
10 (bb.5) FAILURE TO YIELD RIGHT-OF-WAY TO A BICYCLE IN A 11 BICYCLE LANE THAT IS THE PROXIMATE CAUSE OF A BODILY INJURY . . .	12 4

13 **SECTION 4.** In Colorado Revised Statutes, 42-4-1701, **amend**
14 (4)(a)(I)(H) as follows:

15 **42-4-1701. Traffic offenses and infractions classified -**
16 **penalties - penalty and surcharge schedule - repeal.** (4) (a) (I) Except
17 as provided in subsection (5)(c) of this section, every person who is
18 convicted of, who admits liability for, or against whom a judgment is
19 entered for a violation of this title 42 to which subsection (5)(a) or (5)(b)
20 of this section applies shall be fined or penalized and have a surcharge
21 levied in accordance with sections 24-4.1-119 (1)(f) and 24-4.2-104
22 (1)(b)(I), in accordance with the penalty and surcharge schedule set forth
23 in subsections (4)(a)(I)(A) to (4)(a)(I)(P) of this section; or, if no penalty
24 or surcharge is specified in the schedule, the penalty for class A and class
25 B traffic infractions is fifteen dollars, and the surcharge is four dollars.
26 These penalties and surcharges apply whether the defendant
27 acknowledges the defendant's guilt or liability in accordance with the
procedure set forth by subsection (5)(a) of this section, is found guilty by
a court of competent jurisdiction, or has judgment entered against the
defendant by a county court magistrate. Penalties and surcharges for

1 violating specific sections are as follows:

2	Section Violated	Penalty	Surcharge
3	(H) Rights-of-way violations:		
4	42-4-701	\$ 70.00	\$ 10.00
5	42-4-702	70.00	10.00
6	42-4-703	70.00	10.00
7	42-4-704	70.00	10.00
8	42-4-705	70.00	16.00
9	42-4-706	70.00	10.00
10	42-4-707	70.00	10.00
11	42-4-708	35.00	10.00
12	42-4-709	70.00	10.00
13	42-4-710	70.00	10.00
14	42-4-711	100.00	10.00
15	42-4-712	70.00	10.00
16	<i>42-4-714</i>	<i>70.00</i>	<i>10.00</i>

17 **SECTION 5. Effective date - applicability.** This act takes effect
18 July 1, 2020, and applies to offenses committed on or after said date.

19 **SECTION 6. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, or safety.