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### Amending 13-5-130, Colorado Revised Statutes 1963, as Amended, Concerning Penalties for the Violation of the Motor Vehicle Laws

Colorado General Assembly

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## CHAPTER 76

## AUTOMOBILES AND OTHER MOTOR VEHICLES

## OPERATION OF VEHICLES

House Bill No. 1286. By Representatives Bryant, Bishop, Pepper, and Strang.

## A N A C T

AMENDING 13-5-130, COLORADO REVISED STATUTES 1963, AS AMENDED, CONCERNING PENALTIES FOR THE VIOLATION OF THE MOTOR VEHICLE LAWS.

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

Section 1. 13-5-130 (3) (a) (i) and (4) (a), Colorado Revised Statutes 1963, as amended, are amended to read:

13-5-130. Penalties for a misdemeanor. (3) (a) (i) Every person who is convicted of a violation of any provision of this chapter to which the provisions of subsections (4) (a) or (4) (b) of this section apply shall be fined in accordance with the following schedule, whether the violator acknowledges his guilt in accordance with the procedure set forth by subsection (4) (a) of this section, or is found guilty by a court of competent jurisdiction:

Section Violated	Penalty	Section Violated	Penalty
13-5-33	\$25.00	13-5-51	8.00
13-5-37	10.00	13-5-53	8.00
13-5-43	10.00	13-5-54	8.00
13-5-67	10.00	13-5-57	8.00
13-3-22	10.00	13-5-69	8.00
13-5-46	8.00	13-5-120	8.00
13-5-45	8.00	13-5-121	8.00
13-5-39	8.00	13-5-124	8.00
13-5-40	8.00	13-5-125	8.00
13-5-41	8.00	13-5-82	8.00

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

Section Violated	Penalty	Section Violated	Penalty
13-5-129	8.00	13-5-96	5.00
13-5-119	8.00	13-5-97	5.00
13-5-47	5.00	13-5-99	5.00
13-5-122	5.00	13-5-100	5.00
13-5-110	5.00	13-5-101	5.00
13-5-144	5.00	13-5-113	5.00
13-5-13	5.00	13-5-117	5.00
13-5-14	5.00	13-5-73	5.00
13-5-65	5.00	13-5-74	5.00
13-5-66	5.00	13-5-75	5.00
13-5-48	5.00	13-5-76	5.00
13-5-44	5.00	13-5-123	5.00
13-5-52	5.00	13-5-103	5.00
13-5-98	5.00	13-5-104	5.00
13-5-90	5.00	13-5-105	5.00
13-5-91	5.00	13-5-106	5.00
13-5-92	5.00	13-5-107	5.00
13-5-93	5.00	13-5-88	5.00
13-5-94	5.00	13-4-1(1)	10.00
13-5-95	5.00		

(4) (a) At the time that any person is arrested for the commission of any of the misdemeanors set forth in the schedule contained within subsection (3) of this section, the arresting officer shall, MAY, except when the provisions of subsection (4) (c) of this section prohibit it, offer to give a notice to the person in charge of, or operating, the motor vehicle involved, which notice shall be in the form of a penalty assessment notice. Such notice shall contain all the information required by subsection (2) of section 13-5-134. Should the person to whom the penalty assessment notice is tendered accept said notice, such acceptance shall constitute an acknowledgment of guilt by such person of his or her violation of the offense stated in such notice and a promise on such person's part to pay the fine specified in the schedule contained in subsection (3) of this section for the violation involved at the office of the Colorado department of revenue, motor vehicle division, Denver, Colorado, either in person or by mail within five days from the date of arrest, BUT ANY ARRESTED PERSON WHO ACCEPTS A PENALTY ASSESSMENT NOTICE BUT WHO DOES NOT FURNISH SATISFACTORY EVIDENCE OF IDENTITY OR WHO THE OFFICER HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE WILL DISREGARD A WRITTEN PROMISE TO PAY THE SPECIFIED FINE MAY BE TAKEN BY THE OFFICER TO THE NEAREST KNOWN POST OFFICE FACILITY AND REQUIRED TO REMIT THE

AMOUNT OF THE SPECIFIED FINE TO THE DEPARTMENT OF REVENUE IMMEDIATELY BY MAIL IN UNITED STATES CURRENCY, OTHER LEGAL TENDER, MONEY ORDER, OR PERSONAL CHECK. REFUSAL OR INABILITY TO REMIT THE SPECIFIED FINE BY MAIL WHEN REQUIRED SHALL CONSTITUTE A REFUSAL TO ACCEPT A PENALTY ASSESSMENT NOTICE. THE OFFICER SHALL ADVISE THE PERSON ARRESTED OF THE POINTS TO BE ASSESSED IN ACCORDANCE WITH SECTION 13-4-23. Acceptance and payment of the prescribed fine shall be deemed a complete satisfaction for the violation, and the violator shall be given a receipt which so states when such fine is paid in currency or other form of legal tender. Checks tendered by the violator to and accepted by the department and on which payment is received by the department, shall be deemed sufficient receipt.

**Section 2. Effective date — applicability.** This act shall take effect July 1, 1971, and shall apply only to violations alleged to have been committed on or after such date.

**Section 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 7, 1971