



Rules Governing Automated Vehicle Speed Identification System in the Enforcement of Traffic Laws

Fact Sheet and Presentation July 2025

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STATUTORY BACKGROUND

- As part of SB24-195 (vulnerable road users), in 2024 the General Assembly amended 42-4-110.5, C.R.S. (Automated vehicle identification systems).
- The law requires, among other things, for CDOT to create new rules to govern the administration of a statewide AVIS Program. The statute requires that the rules:
 - Contain prioritization criteria CDOT will use to determine which local entity is authorized to use an AVIS (if multiple entities seek to use it on same area of state highway;
 - Outline the process that the Department will use to notify a county, city and county, or municipality that the state will be using an AVIS within its jurisdiction;
 - Establish the amount of Civil Penalty imposed for traffic violations detected through the CDOT's use of AVIS; and
 - Establish the administrative and enforcement process that the CDOT will use to administer, hear, and resolve a traffic violation detected through the use by the Department of an AVIS, including the administrative hearing process.
- The purpose of the rules is to to govern CDOT's use of Automated Vehicle Identification System (AVIS) on state and US highways and the administrative processes that govern and meet the requirements of section 42-4-110.5, C.R.S.

PROGRAM BACKGROUND

- The rules were drafted and reviewed by CDOT and the CO Attorney General.
- Once the rules are finalized they will be made effective when the CDOT Executive Director signs them.
- The new program will be managed by Traffic Safety and Engineering at CDOT
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What do the rules do?

- Establish, subject to the statutory caps, the amount of Civil Penalty imposed for traffic violations detected through CDOT's use of AVIS;
- Outline the Warning Period for Notices of Violations;

- Contain the requirements for what must be included by law in a Notice of Violation and/or Civil Penalty Assessment;
- Establish the administrative and enforcement process that CDOT will use to administer, hear, and resolve a traffic violation detected through CDOT's use of an AVIS, including the administrative hearing process;
- Outlines the prioritization criteria that CDOT will use to determine which entity is authorized to use an AVIS if multiple entities seek authorization to use an AVIS on the same portion of a state highway and the process that the Department will use to notify a county, city and county, or municipality that the state will be using an AVIS within its jurisdiction; and
- Establishes the collections process for unpaid Notices of Violations and/or Civil Penalty Assessments.
- Nothing in these rules apply to the use of automated vehicle identification systems for the purpose of collecting tolls, fees, or Civil Penalty in accordance with Colorado Revised Statutes section 43-4-501 (Public Highway Authority Law) and section 43-4-808 (toll highways).