



Colorado Transportation Investment Office Memorandum

To: CTIO Board of Directors
From: Dragisa Trifkovic
Date: February 18, 2026

Subject: Public Comment

Email Received February 6, 2026

Dear Ms. Darlington,

Please distribute the email below and the attached evidence to **Chair Gutierrez, Vice-Chair Moran, and the full CTIO Board of Directors** immediately.

I am requesting that this report be entered into the public record for the next Board meeting. It details a systemic failure where CTIO's approved Business Rules (specifically Rule G10) are in direct conflict with Colorado State Statute, resulting in a denial of due process and the enforcement of illegal penalties.

Sincerely,

Dragisa Trifkovic

----- Forwarded Message -----

From: Dragisa Trifkovic <attlegal@trifco.com>

Date: On Friday, February 6th, 2026 at 2:13 PM

Subject: URGENT: Administrative Failure & Due Process Violation - CDOT/CTIO Hearing Process

To: Governorpolis@state.co.us <Governorpolis@state.co.us>

Dear Governor Polis

I am writing to report a systemic failure of due process and competence within the CTIO/High Performance Transportation Enterprise adjudication system.

The Incident:

On Feb 6, 2026, I attended a hearing for a Civil Penalty (Case #901-000-102-296). The issue was dispositive: The vehicle was driven by a visiting relative without the owner's knowledge or consent, a defense explicitly codified in **C.R.S. § 42-4-1701**.

The Administrative Failure:

1. **Judicial Incompetence:** The presiding Hearing Officer admitted on the record that she was "not familiar" with the specific Colorado Statute (C.R.S. § 42-4-1701) cited in my defense. I was forced to share my own screen during the video call just to show the Judge the text of the State Statute she was supposed to be adjudicating. After glancing at the law on my screen, she dismissed it in less than 30 seconds, comparing a statutory defense under State Law to a "parking ticket" situation and stating the hearing was "only

to determine if the violation occurred," effectively ignoring the statutory defense of non-liability entirely.

2. **Bad Faith & Internal Contradiction:** I submitted internal CDOT emails (obtained via CORA Request #00163780) where **CDOT's own Policy Lead, Simon Logan, admitted in writing** that I was citing the correct regulatory defense (CCR 606-1 Rule 6.02.4). The Hearing Officer ignored this internal admission of validity.
3. **Systemic Flaw:** The internal documents reveal that CTIO's software literally lacks a "Reason Code" for this valid statutory defense (see attached Business Rules). This software limitation forces staff to auto-deny valid claims, pushing citizens into "kangaroo court" hearings where officers are unprepared and dismissive of the law.

I have paid the \$180 fine today **under protest** solely to protect my vehicle registration. However, I am requesting an oversight review of the CTIO adjudication process. When an agency's internal policy experts admit a citizen is right, but their software is too broken to process it and their judges have to read the law off the defendant's screen, the system has failed the taxpayers of Colorado.

Attached Evidence:

1. **Exhibit F:** Internal CDOT Email (Simon Logan) admitting the validity of my legal citation.
2. **Exhibit G:** CTIO Business Rules showing the software defect (missing Reason Code).
3. **Exhibit A:** Sworn Affidavit of the actual driver (*Passport ID provided to court but omitted here for privacy*).



STATE OF COLORADO

Haddaway - CDOT, Emily <emily.haddaway@state.co.us>

Fwd: Fort Collins Constituent – CTIO Wrongfully Denied Express Lane Dispute Despite Perfect Evidence (Notice 901-000-102-296)

Logan - CDOT, Simon <simon.logan@state.co.us>
To: "Haddaway - CDOT, Emily" <emily.haddaway@state.co.us>

Wed, Dec 3, 2025 at 3:33 PM

Looks great. Thanks, Emily.

Simon

Simon Logan | Special Projects Lead & Policy Analyst | Phone: 303-757-9380

CTIO Transportation Investment Office
2829 W. Howard Place, Denver, CO 80204

On Wed, Dec 3, 2025 at 3:30 PM Haddaway - CDOT, Emily <emily.haddaway@state.co.us> wrote:
I think it makes sense to say some variation of this back, could you edit or advise otherwise?

Hi Senator,

Below is the CCR snippet your constituent is referencing. You are correct that if an owner is claiming their vehicle is stolen, they must provide a police report (6.02.2). Based on her email, though, I don't think she is claiming the vehicle is stolen. She is citing 6.02.4 (Other rights or defenses available under applicable law.) She then cites C.R.S. § 42-4-1701(4)(a)(I)(C) as her defense, which is outside the governing statute of the STEP program and pertains to traffic infractions. I am not a lawyer, so I can't advise on how a hearing officer would respond to this defense or whether it has been used before, but the process exists for her to make her case. For that reason, I think it makes sense to direct her through the hearing process, does that help a bit more?

6.00 Presumptions of Liability for Toll Evasion 6.01 Presumption Regarding the Registered Owner of a Vehicle.

The Responsible Party shall be presumed liable for the Toll and Civil Penalty imposed by the HPTE or a Contractor on its behalf. See § 43-4-808(2)(f)(I), C.R.S.

6.02 The Responsible Party involved in a Toll Evasion violation may rebut the presumption of liability for the violation by proving by a preponderance of the evidence that:

6.02.1 The owner sold or otherwise transferred ownership of the vehicle to another person before the date of the violation as evidenced by a bill of sale or similar document;

or 6.02.2 The owner did not have custody and control of the vehicle at the time of the violation due to theft as evidenced by a report to a law enforcement agency;

or 6.02.3 The person operating the vehicle in the Peak Period Shoulder Lane was operating an authorized emergency vehicle, as defined in §42-1-102(6), C.R.S., or an authorized service vehicle, as defined in §42-1-102(7), C.R.S., or was using the lane in the case of an emergency;

or 6.02.4 Other rights or defenses available under applicable law.

----- Forwarded message -----

From: Senator Cathy Kipp <cathy.kipp.senate@coleg.gov>
Date: Wed, Dec 3, 2025 at 2:58 PM
Subject: Re: Fort Collins Constituent – CTIO Wrongfully Denied Express Lane Dispute Despite Perfect Evidence (Notice 901-000-102-296)
To: Haddaway - CDOT, Emily <emily.haddaway@state.co.us>
Cc: Rep. Zokaie <yara.zokaie.house@coleg.gov>

Thanks for your response, Emily. I will share this information with our constituent.

But none of this answers the question of what does CDOT say constitutes standards for a vehicle to be considered stolen (or used outside of a person's control) to be? I assume, if anyone can just say "my vehicle was borrowed without my permission", that is a giant loophole. So I am assuming CDOT requires some kind of a police report? Or CDOT must have some kind of standards?

I will certainly relay to my constituent that she needs to wait for her hearing. But if I can relay to her that her interpretation of the law is incorrect, and that she will just end up owing more money, perhaps she will choose not to pursue the hearing. And presumably, in the meantime, she will need to pay the fine in order to avoid having a registration hold placed on her vehicle?

Thanks again!

Best,
Cathy

Senator Cathy Kipp
She/Her

G-Notice Disputes and Dismissals

Rule	Description	Accepted	Date
G10	<p>Violation disputes will be allowed and entered into the Vendor's system under the following reason codes:</p> <ul style="list-style-type: none"> • Vehicle was stolen • I have never owned this vehicle • Rental • I no longer own this vehicle • Death certificate • Leased • I was forced into the express lane • Bankruptcy filed • Weather (snow no visibility) • Other reasons escalated to CTIO 	<input type="checkbox"/> CTIO <input type="checkbox"/> SWC	
G20	Authorized users will review the dispute and grant or reject the request within 10 business days of the dispute. CSRs may request additional information from ROVs.	<input type="checkbox"/> CTIO <input type="checkbox"/> SWC	
G20-A	ROVs are granted 10 business days to respond to CSR's additional requested information.	<input type="checkbox"/> CTIO <input type="checkbox"/> SWC	
G30	The request for a dispute will pause the Escalation process or assessment of fees.	<input type="checkbox"/> CTIO <input type="checkbox"/> SWC	
G40	If the license plate lookup determines the ROV to be deceased, an authorized user will update the Notice based on the death the certificate and will dismiss the Notice.	<input type="checkbox"/> CTIO <input type="checkbox"/> SWC	
G50	<p>"If a dispute claims the ROV has filed a Petition for bankruptcy, sufficient evidence of this defense shall include both: (I) a signed copy of a Discharge Order (or similar final order discharging debts) listing the ROV as the debtor and (II) such Discharge Order (or similar final order discharging debts) is dated <i>after</i> the date of the alleged violation(s).</p> <p>In instances where the Respondent provides a Petition for Bankruptcy or other court filing evidencing an open bankruptcy case for Respondent, the petition for bankruptcy is sufficient evidence for dismissal so long as the Petition is not more than two years old."</p>		

— IZJAVA —

Ja, Dragan Petrović, rođen 19.09.1954, adresa: Kičevska 6, Vračar, 11000 Beograd, Srbija, izjavljujem da sam oko 11. oktobra 2025. vozio automobil Jovane Trifković bez njenog znanja i dozvole. Slučajno sam ušao u Express Lane na autoputu u Koloradu. Svu odgovornost preuzimam na sebe. Jovana nije znala ništa o tome.

Datum: 10.11.2025.

Potpis: 

(Dragan Petrović)

CTIO Response Sent February 11, 2026

Dear Mr. Trifkovic,

Thank you for reaching out concerning your Civil Penalty. CTIO is in receipt of your email dated February 6th, 2026 and was passed along to me, the Safety and Toll Enforcement Program Administrator (STEP), from the Colorado Transportation Investment Office (CTIO), the business enterprise owned by CDOT that oversees the Safety and Toll Enforcement Program.

Your email and CTIO's responses will be submitted to the Board as public record.

Per our records, Civil Penalty 901-000-102-296 issued to license plate, DCX030 has not been paid. If you choose to do so, you may file an appeal with the county court in which the violation occurred. Per Colorado Rules 2 CCR 606-1 (7.07.1 & 7.07.3) The administrative adjudication of a Toll Evasion is subject to judicial review and may be appealed as to matters of law and fact to the county court for the county in which the violation occurred. See § 43-4-808 (2)(d)(VI), C.R.S. 7.07.3. The county court shall conduct a de novo review upon appeal. If you choose to file an appeal, please visit <https://expresslanesafety.com/CO/faq> and select the drop-down option "How do I file an appeal with the County Court?" If you have additional questions about how to appeal to the county court, call 833-816-0305.

Please see responses to the Administrative Failure points below:

Mr. Trifkovic Public Comment:

- 1. Judicial Incompetence: The presiding Hearing Officer admitted on the record that she was "not familiar" with the specific Colorado Statute (C.R.S. § 42-4-1701) cited in my defense. I was forced to share my own screen during the video call just to show the Judge the text of the State Statute she was supposed to be adjudicating. After glancing at the law on my screen, she dismissed it in less than 30 seconds, comparing a statutory defense under State Law to a "parking ticket" situation and stating the hearing was "only to determine if the violation occurred," effectively ignoring the statutory defense of non-liability entirely.***

CTIO Response: CTIO disagrees with your assertion that C.R.S. § 42-4-1701 applies to the civil penalty. Your email does not explain how or why that statutory provision is relevant. Should you disagree with the Hearing Officer's findings and conclusions, you may appeal to the county court in the county in which the violation occurred. Please see instructions at the beginning of this email on how to file an appeal with the county court.

2. ***Bad Faith & Internal Contradiction:*** *I submitted internal CDOT emails (obtained via CORA Request #00163780) where CDOT's own Policy Lead, Simon Logan, admitted in writing that I was citing the correct regulatory defense (CCR 606-1 Rule 6.02.4). The Hearing Officer ignored this internal admission of validity.*

CTIO Response: Your email does not explain how or why C.R.S. § 42-4-1701 (a provision regarding traffic infractions) applies to the civil penalty in question or why it provides a defense. CTIO disagrees with your characterization in the email. Your recourse should you disagree with the Hearing Officer's findings and conclusion would be a court appeal. Please see the instructions at the beginning of this email on how to file an appeal with the county court.

3. ***Systemic Flaw:*** *The internal documents reveal that CTIO's software literally lacks a "Reason Code" for this valid statutory defense (see attached Business Rules). This software limitation forces staff to auto-deny valid claims, pushing citizens into "kangaroo court" hearings where officers are unprepared and dismissive of the law.*

CTIO Response: Please see responses for numbers 1 and 2.

Your feedback is appreciated, and we do take it seriously. CTIO compiles a list of feedback received and will include your feedback as part of our ongoing program review. Please let us know if there is any additional feedback you would like to provide that will be considered as part of our ongoing review to improve the program.

Regards,
Dina Hildreth | STEP Administrator |