

House Bill 08-1010: Selected Penalty Changes of Interest to the TMVLA

Effective July 1, 2008

| Statute | Brief Description | Old Penalty | New Penalty |
|-----------------------------------|---|---|--|
| Teen/Minor Drivers | | | |
| 42-2-105 | Drivers <18 can not operate commercial vehicles or school buses without passing an exam | \$35 +\$10 Surcharge | \$70 +\$10 Surcharge |
| 42-2-105.5 | Restrictions on minor drivers <18: all occupants must be secured in seat belts or child restraints; only one passenger in the front seat and no more passengers than seat belts in the back | \$50 (1 st offense) + \$10 Surcharge \$130 (2 nd offense) \$150 (3 rd offense) | \$ 65 (1 st offense) + \$10 Surcharge \$130 (2 nd offense) + \$10 Surcharge \$195 (3 rd offense) + \$10 Surcharge |
| 42-2-106 | Driver with instruction permit can only drive with individuals that signed the affidavit; supervisor must be in the front seat | \$35 +\$10 Surcharge | \$70 +\$10 Surcharge |
| 42-4-1301 (2) (a.5) | Minors <21 with BAC of 0.02-0.05 at time of driving or within 2 hours | \$50 +\$16 Surcharge | \$100 + \$16 Surcharge |
| Other Restraint Violations | | | |
| 42-4-236 | Child restraint systems required (CPS Laws) | \$50 + \$16 Surcharge | \$65 \$16 Surcharge |
| 42-4-237 | Safety belt systems-mandatory use- (secondary violation) | \$15 + \$6 Surcharge | \$65 + \$6 Surcharge |
| Speeding Violations | | | |
| 42-4-1101 (1) or (8) (b) | 1-4 miles over the reasonable and prudent speed or over the maximum lawful speed limit of 75 mph | \$15 + \$6 Surcharge | \$30 + \$6 Surcharge |

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| 42-4-1101 (1) or (8) (b) | 5-9 miles over the reasonable and prudent speed or over the maximum lawful speed limit of 75 mph | \$35 + \$10 Surcharge | \$70 + \$10 Surcharge |
| 42-4-1101 (1) or (8) (b) | 10-19 miles over the reasonable and prudent speed or over the maximum lawful speed limit of 75 mph | \$50 + \$16 Surcharge | \$135 + \$16 Surcharge |
| 42-4-1101 (1) or (8) (b) | 20-29 miles over the reasonable and prudent speed or over the maximum lawful speed limit of 75 mph | \$100 + \$32 Surcharge | \$200 + \$32 Surcharge |
| 42-4-1101 (3) | Failure to decrease speed when a special hazard exists | \$35 + \$10 Surcharge | \$100 + \$10 Surcharge |
| 42-4-1103 | Driving too slow | \$15 + \$6 Surcharge | \$50 +\$6 Surcharge |
| 42-4-1104 | Stopping, standing or parking prohibited in specified places (sidewalks, within an intersection, crosswalk, safety zone, bridges, railroad tracks, controlled access highway, any other place where official signs prohibit) | \$15 + \$6 Surcharge | \$30 +\$6 Surcharge |

DUI And DWAI Violations

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| 42-4-1301 (7) (a) (I) | Every person who is convicted of DUI | \$300- \$1000 (court's discretion) | \$600- \$1000 (court's discretion) |
| 42-4-1301 (7) (II) (A) or (B) | Second or Subsequent DUI | \$500- \$1500 (court's discretion) | \$1000- \$1500 (court's discretion) |
| 42-4-1301 (7) (a) (IV) (B) | Person who had a DWAI conviction and then is convicted of a subsequent DUI | \$400- \$1500 (court's discretion) | \$900- \$1500 (court's discretion) |
| 42-4-1301 (7) (b) (I) (B) | Every person who is convicted of DWAI | \$100- \$500 (court's discretion) | \$200- \$500 (court's discretion) |
| 42-4-1301 (7) (b) (II) (B) | Second or subsequent offence of DWAI | \$300- \$1000 (court's discretion) | \$600- \$1000 (court's discretion) |
| 42-4- | Person who has had a previous DUI | \$400- | \$800- |

| | | | |
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| 1301 (7) (b) (III) (B) | conviction, vehicular homicide conviction, vehicular assault conviction, or driving while license is restricted and then is convicted of a DWAI | \$1200 (court's discretion) | \$1200 (court's discretion) |
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Please note this is only a partial list of the penalty increases included in HB 08-1010.

See also the [Full text of HB 1010](#) and the [Colorado Revised Statutes](#).