



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado’s Legislature

SB 26-152: CHANGES AUTOMATED VEHICLE ID SYSTEM USAGE

Prime Sponsors:

Sen. Ball; Pelton B.

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Fiscal note status: The fiscal note reflects the introduced bill.

Summary Information

Overview. The bill makes changes to restrictions, requirements, and penalties concerning the use of automated vehicle identification systems.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Revenue
- Minimal State Expenditures
- Local Government

Appropriations. No appropriation is required.

**Table 1
State Fiscal Impacts**

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

The bill modifies the use of automated vehicle identification systems (AVIS) by:

- modifying public notification requirements for state agencies or local governments prior to installing a new AVIS;
- allowing a registered motor vehicle owner to prove that they were not the driver of the motor vehicle at the time of a violation detected by an AVIS, which may relieve the registered owner from penalties;
- requiring that, if a variable speed limit is in effect or a speed limit is otherwise temporarily lowered due to hazardous weather or other traffic conditions, the state or a local government may only issue a notice of violation and civil penalty for speeding that exceeds the regular maximum posted speed limit for that location;
- establishing a penalty structure for AVIS violations, including a maximum fine of \$120 for violations of 25 miles per hour or more over the speed limit, allowing penalties for AVIS violations in construction zones, and further increasing maximum penalty amounts beginning on January 1, 2035; and,
- requiring compensation to the state, a county, a city and county, or a municipality paid to a manufacturer or vendor of an AVIS be a flat monthly rate.

Background

The Colorado Department of Transportation (CDOT) operates AVIS in two work zones between Boulder and Longmont on Colorado State Highway 119 and on Interstate 25 between Mead and Berthoud. CDOT currently assesses penalties of \$75 for violations detected in these zones.

Comparable Crime Analysis

Legislative Council Staff is required to include certain analysis in the fiscal note for any bill that creates a new crime, or that either reclassifies or creates a new factual basis for an existing crime. This section identifies comparable crimes and discusses assumptions on future conviction rates resulting from the bill.

Prior Conviction Data and Assumptions

This bill creates the new offense of a registered owner of a vehicle submitting a false affidavit that the vehicle was in the care, custody, or control of another person at the time of a violation detected by AVIS, a class 2 misdemeanor. To form an estimate on the prevalence of this new

crime, the fiscal note analyzed the existing offense of making a false affidavit or knowingly swearing or affirming falsely to any matter regarding drivers' licenses as a comparable crime. From FY 2022-23 to FY 2024-25, zero offenders have been sentenced and convicted for this existing offense; therefore, the fiscal note assumes that there will be minimal or no additional case filings or convictions for the new offense under the bill. Because the bill is not expected to have a tangible impact on criminal justice related revenue or expenditures at the state or local levels, these potential impacts are not discussed further in this fiscal note. Visit the [Fiscal Notes website](#) for more information about criminal justice costs in fiscal notes.

State Revenue

The bill impacts revenue to the State Highway Fund in CDOT. The bill may increase revenue by allowing CDOT to assess penalties of up to \$80 for certain violations, and assess penalties for violations for driving 25 miles per hour or more over the speed limit. Revenue will also increase for all AVIS violations beginning January 1, 2035. At the same time, by establishing a process for drivers to dispute who was driving a vehicle at the time of a violation, the bill may reduce revenue if fewer violations are paid. Any impact to revenue is expected to be minimal. Revenue to the State Highway Fund is subject to TABOR.

State Expenditures

The bill increases workload for CDOT to review additional driver disputes, and to process and assess penalties for violations for driving 25 miles per hour over the speed limit. Any increase in workload is absorbable with existing resources.

Local Government

Similar to the state, the bill may increase revenue to certain local governments for certain AVIS violations, and for all AVIS violations beginning on January 1, 2035. At the same time, increased driver disputes may reduce revenue if fewer violations are paid.

The bill may increase workload and expenditures for local governments to meet public notification requirements prior to installing a new AVIS. Workload may also increase for local governments to review additional driver disputes.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Counties	Public Safety
Judicial	Revenue
Local Affairs	Special District Association
Municipalities	Transportation
Natural Resources	

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).