



## Legislation Text

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**File #:** 24-102, **Version:** 2

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Ordinance No. 24-33 Amending Section 101 (Penalties) and Repealing and Reordaining Section 115 (Automated Vehicle Identification System (AVIS)) Both of Part 1 (General Provisions), Amending Section 202 (Definitions) of Part 2 (Definitions) of Article 1 (Administration and Enforcement), Amending Section 104 (Exceeding Posted Speed Limit) of Article 5 (Speed Regulations), and Amending Section 105 (Traffic Control Signal Legend) of Article 17 (Official Control Signal Legend) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, As Amended, Pertaining to Automated Vehicle Identification Systems.

### **Presenter:**

Chief Adrian Vasquez, Colorado Springs Police Department  
Commander Pamela Castro, Colorado Springs Police Department  
Shantel Withrow, Division Chief - Prosecution, City Attorney's Office

### **Summary:**

The proposed ordinance changes will ensure city ordinances reflect changes to state law regarding automated vehicle identification systems for our current Photo Red Light Safety Program, and it will allow the City the option to establish and utilize Speed Safety Cameras (Photo Radar). The changes will also update outdated language and simplify the code throughout the relevant sections.

### **Background:**

The Colorado Springs Police Department (CSPD) has researched additional options to improve traffic safety. CSPD currently enforces traffic violations through traditional traffic stops and through the Photo Red Light Safety Program. CSPD seeks to implement a Speed Safety Cameras (Photo Radar) program.

City Code section 10.1.115 addresses Automated Vehicle Identification System (AVIS) usage which applies to existing photo red light technology and would apply to future speed safety cameras. It establishes requirements for the implementation of AVIS, where they can be used, the fines associated with them, the responsibility of registered vehicle owners for violations, the enforcement process, and the court process for challenges to alleged violations. The purpose is to ensure AVIS systems are implemented, deployed, and administered legally based on existing Colorado state law.

### **Addition of Speed Safety Camera**

CSPD is proposing to expand its current Photo Red Light Safety Program to include two mobile Speed Safety Camera vehicles for speed enforcement using AVIS. The implementation of this program would provide an opportunity as a force multiplier, an alternative response method to address the dangerous driving behavior of speeding in school zones, near parks, residential areas, and construction zones. It leverages proven technology and procedures that provide due process and mechanisms for payment or challenges in court.

Generally, City Code sections 10.1.115, 10.5.104F, and 10.17.105C5 specifically assign CSPD the responsibilities of:

- \* Working within current state law and AVIS technology to implement programs that can enforce speed and red light ordinance violations through use of cameras and technology in coordination with CSPD employees.
- \* Establishing the process by which potential violations are automatically detected, manually reviewed for accuracy, and Notices of Violation are issued, as well as payments are collected or court challenges initiated (10.1.115).
- \* Establishing AVIS violations for speeding (10.5.104F).
- \* Establishing AVIS violations for disobeying a traffic control signal legend (10.17.105C5).

CSPD recommends repealing and reordaining the main section of City Code which deals with AVIS violations, section 10.1.115. CSPD also recommends amending language throughout sections 1.1.201 (General Penalty), 10.1.101 (Penalties), 10.1.202 (Definitions), 10.5.104 (Exceeding Posted Speed Limit), and 10.17.105C5 (Traffic Control Signal Legend) to be consistent internally and with Colorado state law.

Should these ordinance changes be approved, CSPD will continue enforcement through AVIS with the Photo Red Light Safety Program and will also start a pilot program and contract with a company to provide two vehicles containing the speed safety camera equipment. CSPD will also hire two civilian employees to drive and deploy the vehicles to approved locations which will be identified in conjunction with Traffic Engineering. The pilot program will allow the City to work through various options and refine new processes before determining whether or not to expand implementation.

**Previous Council Action:**

In 2021, City Code § 10.1.115 was amended to reflect then current state law and allow implementation of AVIS systems in Colorado Springs in coordination with the other referenced ordinance sections

**Financial Implications:**

City Code § 10.1.115 allows the City to issue civil penalty assessments for violations of the speed limit ordinance, as well as violations of the red light ordinance. Fines are limited, and prescribed by state statute. The revenue from each is collected by the Municipal Court and then deposited into the City's General Fund. Additionally, expenses related to the implementation of this program include two new Photo Enforcement Technician positions and a contract for vendor-supplied equipment and related services. The cost of the contract for vendor-supplied equipment and related services is not tied to the number of citations that are issued nor the amount of revenue that is generated. Instead, the compensation to the vendor will be based solely on the value of the equipment and services to the City.

**City Council Appointed Board/Commission/Committee Recommendation:**

N/A

**Stakeholder Process:**

Starting in January 2024, CSPD began meeting with community stakeholders and providing an information presentation about the option of speed safety cameras. So far presentations have been made to: 1) Neighborhood Watch Area Block Captains, 2) Area school district's security directors, 3) Parks and Recreation, 4) Chief Municipal Court Judge, and the 5) City Attorney's Office. Additional

presentations to Utilities, Streets, and local hospitals are in the process of being scheduled.

**Alternatives:**

City Council can adopt the proposed ordinances as presented, amend the proposed ordinances, or decline to adopt the proposed ordinances.

**Proposed Motion:**

Move approval of Ordinance No. 24-33 Amending Section 101 (Penalties) and Repealing and Reordaining Section 115 (Automated Vehicle Identification System (AVIS)) Both of Part 1 (General Provisions), Amending Section 202 (Definitions) of Part 2 (Definitions) of Article 1 (Administration and Enforcement), Amending Section 104 (Exceeding Posted Speed Limit) of Article 5 (Speed Regulations), and Amending Section 105 (Traffic Control Signal Legend) of Article 17 (Official Control Signal Legend) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, As Amended, Pertaining to Automated Vehicle Identification Systems.

An Ordinance repealing and reordaining portions and amending portions of the City Code pertaining AVIS implementation, deployment, application, and administration.