

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 18-144

BY SENATOR(S) Kerr, Aguilar, Court, Crowder, Fenberg, Guzman, Hill, Kagan, Kefalas, Merrifield, Moreno, Williams A.;
also REPRESENTATIVE(S) Willett and Hansen, Becker K., Foote, Hamner, Herod, Kennedy, McLachlan, Saine, Young.

CONCERNING THE REGULATION OF BICYCLES APPROACHING INTERSECTIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** 42-4-1412.5 as follows:

42-4-1412.5. Local adoption of alternative regulation of bicycles approaching intersections - alternative regulation described - validity of existing local resolution - definitions. (1) A COUNTY OR MUNICIPALITY MAY ADOPT AN ORDINANCE OR RESOLUTION IMPLEMENTING THIS SECTION. IF A COUNTY OR MUNICIPALITY ADOPTS AN ORDINANCE OR RESOLUTION PURSUANT TO THIS SECTION, THE ORDINANCE OR RESOLUTION MUST SPECIFY THE FOLLOWING:

(a) A PERSON RIDING A BICYCLE OR ELECTRICAL ASSISTED BICYCLE AND APPROACHING AN INTERSECTION OF A ROADWAY WITH A STOP SIGN SHALL SLOW DOWN AND, IF REQUIRED FOR SAFETY, STOP BEFORE ENTERING

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

THE INTERSECTION. IF A STOP IS NOT REQUIRED FOR SAFETY, THE PERSON SHALL SLOW TO A REASONABLE SPEED AND YIELD THE RIGHT-OF-WAY TO ANY TRAFFIC OR PEDESTRIAN IN OR APPROACHING THE INTERSECTION. AFTER THE PERSON HAS SLOWED TO A REASONABLE SPEED AND YIELDED THE RIGHT-OF-WAY IF REQUIRED, THE PERSON MAY CAUTIOUSLY MAKE A TURN OR PROCEED THROUGH THE INTERSECTION WITHOUT STOPPING.

(b) FOR PURPOSES OF THIS SUBSECTION (1), A REASONABLE SPEED IS FIFTEEN MILES PER HOUR OR LESS. A MUNICIPALITY, BY ORDINANCE, OR A COUNTY, BY RESOLUTION, MAY REDUCE THE MAXIMUM REASONABLE SPEED AT ANY INDIVIDUAL INTERSECTION TO TEN MILES PER HOUR OR RAISE THE MAXIMUM REASONABLE SPEED TO TWENTY MILES PER HOUR IF THE MUNICIPALITY OR COUNTY ALSO POSTS SIGNS AT THE INTERSECTION STATING THAT LOWER OR HIGHER SPEED LIMITATION.

(c) A PERSON RIDING A BICYCLE OR ELECTRICAL ASSISTED BICYCLE AND APPROACHING AN INTERSECTION OF A ROADWAY WITH AN ILLUMINATED RED TRAFFIC CONTROL SIGNAL SHALL STOP BEFORE ENTERING THE INTERSECTION AND SHALL YIELD TO ALL OTHER TRAFFIC AND PEDESTRIANS. ONCE THE PERSON HAS YIELDED, THE PERSON MAY CAUTIOUSLY PROCEED IN THE SAME DIRECTION THROUGH THE INTERSECTION OR MAKE A RIGHT-HAND TURN. WHEN A RED TRAFFIC CONTROL SIGNAL IS ILLUMINATED, A PERSON SHALL NOT PROCEED THROUGH THE INTERSECTION OR TURN RIGHT IF AN ONCOMING VEHICLE IS TURNING OR PREPARING TO TURN LEFT IN FRONT OF THE PERSON.

(d) A PERSON RIDING A BICYCLE OR ELECTRICAL ASSISTED BICYCLE APPROACHING AN INTERSECTION OF A ROADWAY WITH AN ILLUMINATED RED TRAFFIC CONTROL SIGNAL MAY MAKE A LEFT-HAND TURN ONLY IF TURNING ONTO A ONE-WAY STREET AND ONLY AFTER STOPPING AND YIELDING TO OTHER TRAFFIC AND PEDESTRIANS. HOWEVER, A PERSON SHALL NOT TURN LEFT IF A VEHICLE IS TRAVELING IN THE SAME DIRECTION AS THE PERSON AND THE VEHICLE IS TURNING OR PREPARING TO TURN LEFT. IF THE PERSON IS NOT TURNING LEFT ONTO A ONE-WAY STREET, THE PERSON SHALL NOT MAKE A LEFT-HAND TURN AT AN INTERSECTION WHILE A RED TRAFFIC CONTROL SIGNAL IS ILLUMINATED.

(2) IF A COUNTY OR MUNICIPALITY ADOPTED A VALID ORDINANCE OR RESOLUTION THAT REGULATES BICYCLES OR ELECTRICAL ASSISTED BICYCLES SUBSTANTIALLY AS DESCRIBED IN SUBSECTION (1) OF THIS SECTION PRIOR TO

THE EFFECTIVE DATE OF THIS SECTION, THAT ORDINANCE OR RESOLUTION REMAINS VALID.

(3) THE ADOPTION OF AN ORDINANCE OR RESOLUTION IN ACCORDANCE WITH THIS SECTION DOES NOT DIMINISH OR ALTER THE AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION OR THE STATE TRANSPORTATION COMMISSION AS THOSE ENTITIES ARE DEFINED IN SECTION 43-1-102 REGARDING THE DEPARTMENT'S OR COMMISSION'S AUTHORITY TO REGULATE MOTOR VEHICLE TRAFFIC ON ANY PORTION OF THE STATE HIGHWAY SYSTEM AS DEFINED IN SECTION 43-2-101 (1).

(4) AS USED IN THIS SECTION:

(a) "ELECTRICAL ASSISTED BICYCLE" MEANS THE TERM AS IT IS DEFINED IN SECTION 42-1-102 (28.5).

(b) "MUNICIPALITY" MEANS A HOME RULE OR STATUTORY CITY, TOWN, OR CITY AND COUNTY.

SECTION 2. In Colorado Revised Statutes, 42-4-1412, **amend** (1) as follows:

42-4-1412. Operation of bicycles and other human-powered vehicles. (1) ~~Every~~ A person riding a bicycle or electrical assisted bicycle ~~shall have~~ HAS all of the rights and duties applicable to the driver of any other vehicle under this ~~article~~ ARTICLE 4, except as to special regulations in this ~~article~~ ARTICLE 4, EXCEPT AS PROVIDED IN SECTION 42-4-1412.5, and except as to those provisions which by their nature can have no application. Said riders shall comply with the rules set forth in this section and section 42-4-221, and, when using streets and highways within incorporated cities and towns, ~~shall be~~ ARE subject to local ordinances regulating the operation of bicycles and electrical assisted bicycles as provided in section 42-4-111. NOTWITHSTANDING ANY CONTRARY PROVISION IN THIS ARTICLE 4, WHEN A COUNTY OR MUNICIPALITY HAS ADOPTED AN ORDINANCE OR RESOLUTION PURSUANT TO SECTION 42-4-1412.5, RIDERS ARE SUBJECT TO THE LOCAL ORDINANCE OR RESOLUTION.

SECTION 3. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Kevin J. Grantham
PRESIDENT OF
THE SENATE

Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO