

CHAPTER 94

TRANSPORTATION

HOUSE BILL 22-1046

BY REPRESENTATIVE(S) McLachlan and Catlin, Duran, Exum, Gray, Jodeh, Lontine, Lynch, McCluskie, Pico, Rich, Titone, Bird, Lindsay, Valdez D., Will;
also SENATOR(S) Winter and Woodward, Bridges, Pettersen.

AN ACT**CONCERNING AUTHORITY FOR LOCAL GOVERNMENTS TO DESIGNATE HIGHWAYS UNDER THEIR JURISDICTION FOR OVER-SNOW USE ONLY.**

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

SECTION 1. In Colorado Revised Statutes, 42-4-106, **amend** (3)(b) and (3)(c); and **add** (3)(d) as follows:

42-4-106. Who may restrict right to use highways - definitions - rules.

(3) Local authorities, with respect to highways under their jurisdiction, may also, by ordinance or resolution:

(b) Impose limitations as to the weight of trucks or commercial vehicles if the limitations are designated by appropriate signs placed on the highway; ~~or~~

(c) Prohibit the operation of motor or off-highway vehicles upon a roughed-in road when necessary for the protection and safety of the public; OR

(d) (I) WHEN SNOW-PACKED CONDITIONS EXIST ON A HIGHWAY OR FOR A CONTINUOUS SEASONAL PERIOD DESIGNATED BY THE LOCAL AUTHORITY WHEN SNOW-PACKED CONDITIONS ARE, AS DETERMINED BY THE LOCAL AUTHORITY, LIKELY TO EXIST ON A HIGHWAY, DESIGNATE ALL OR A PORTION OF A HIGHWAY FOR OVER-SNOW USE ONLY, WHICH THE LOCAL JURISDICTION MAY FURTHER LIMIT TO TRAVEL BY HUMAN-POWERED OR ANIMAL-POWERED MEANS, OR BOTH.

(II) AS USED IN THIS SUBSECTION (3)(d), "OVER-SNOW USE" MEANS TRAVEL ON TOP OF SNOW BY HUMAN-POWERED OR ANIMAL-POWERED MEANS OR BY AN OFF-HIGHWAY VEHICLE THAT IS PRIMARILY DESIGNED OR ALTERED FOR USE OVER

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

SNOW AND RUNS WITHOUT TIRES ON A CONTINUOUS BELT TRACK OR ON ONE OR MORE SKIS WHILE IN USE OVER SNOW.

(III) NOTHING IN THIS SUBSECTION (3)(d) AFFECTS OR LIMITS THE PROVISIONS OF SECTION 33-14-110 GOVERNING THE OPERATION OF SNOWMOBILES ON ANY COUNTY ROAD, CITY STREET, OR HIGHWAY.

(IV) WHEN WHEELED WINTER ACCESS IS REQUESTED ALONG A HIGHWAY, NOTHING IN THIS SUBSECTION (3)(d) PROHIBITS A LOCAL AUTHORITY FROM ENTERING INTO PRIVATE WINTER MAINTENANCE AGREEMENTS AND SUCH REQUESTS SHALL BE CONSIDERED.

SECTION 2. In Colorado Revised Statutes, 33-14-110, **amend** (1) as follows:

33-14-110. Snowmobile operation on roadway of streets and highways. (1) A snowmobile may be operated on the roadway of a street, ROAD, or highway in this state only as provided in this section AND SECTION 42-4-106 (3)(d).

SECTION 3. In Colorado Revised Statutes, 42-4-109, **amend** (9) as follows:

42-4-109. Low-power scooters, animals, skis, skates, and toy vehicles on highways. (9) No person shall use the highways for traveling on skis, toboggans, coasting sleds, skates, or similar devices. It is unlawful for any person to use any roadway of this state as a sled or ski course for the purpose of coasting on sleds, skis, or similar devices. It is also unlawful for any person upon roller skates or riding in or by means of any coaster, toy vehicle, or similar device to go upon any roadway except while crossing a highway in a crosswalk, and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This subsection (9) does not apply to any public way which is set aside by proper authority as a play street and which is adequately roped off or otherwise marked for such purpose OR TO ANY HIGHWAY OR PORTION OF A HIGHWAY DESIGNATED FOR OVER-SNOW USE ONLY BY A LOCAL AUTHORITY PURSUANT TO SECTION 42-4-106 (3)(d).

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: April 12, 2022