HOUSE BILL 16-1030

BY REPRESENTATIVE(S) Brown and Court, Becker K., Conti, Coram, Hammer, Mitsch Bush, Roupe, Vigil, Williams, Wilson, Hullinghorst;
also SENATOR(S) Donovan, Crowder, Heath, Hill, Johnston, Roberts, Scott.

AN ACT

CONCERNING THE USE OF OFF-HIGHWAY VEHICLES.

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

SECTION 1. In Colorado Revised Statutes, 33-14.5-108.5, amend (1) as follows:

33-14.5-108.5. Crossing roads, highways, and railroad tracks. (1) The driver of an off-highway vehicle may directly cross a roadway, including a state highway, at an at-grade crossing to continue using the off-highway vehicle on the other side, except that a person shall not cross a state highway within the jurisdiction of a municipality.

SECTION 2. In Colorado Revised Statutes, 33-14.5-110, amend (1) as follows:

33-14.5-110. Regulation by political subdivisions. (1) (a) Except as provided in paragraph (b) of this subsection (1), any county, city and county, city, or town acting by its governing body may regulate the operation of off-highway vehicles on public lands, waters, and property under its jurisdiction and on streets and highways within its boundaries by resolution or ordinance of the governing body and by giving appropriate notice thereof if such regulation is not inconsistent with the provisions of this article and the rules and regulations promulgated pursuant thereto under this article.

(b) (I) Notwithstanding the requirement that its ordinance or resolution not be inconsistent with this article or a rule promulgated under this article, a county, city and county, city, or town may require the driver who is driving an off-highway vehicle on a street, road, or
HIGHWAY WITHIN THE JURISDICTION OF THE COUNTY, CITY AND COUNTY, CITY, OR TOWN TO:

(A) HAVE A DRIVER'S LICENSE; OR

(B) CARRY LIABILITY INSURANCE.

(II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), A COUNTY, CITY AND COUNTY, CITY, OR TOWN DOES NOT HAVE AUTHORITY TO REQUIRE A DRIVER TO HAVE A DRIVER'S LICENSE OR CARRY LIABILITY INSURANCE UNDER THE CIRCUMSTANCES DESCRIBED IN SECTION 33-14.5-108 (1) (a) TO (1) (e) AND (1) (g) TO (1) (i).

SECTION 3. In Colorado Revised Statutes, 33-14.5-110, add (3) as follows:


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, and safety.

Approved: April 12, 2016