

CHAPTER 200

NATURAL RESOURCES

SENATE BILL 95-196

BY SENATORS Wattenberg and Bishop;
also REPRESENTATIVES Entz, George, and Schwarz.

AN ACT

CONCERNING THE ENFORCEMENT OF STATE PARKS AND OUTDOOR RECREATION LAWS.

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

SECTION 1. 33-10-103 (2), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-10-103. Division and board created. (2) The division, the director thereof, and the board shall exercise their powers and perform their duties and functions specified in articles 10 to 15 AND 32 of this title under the department of natural resources and the executive director thereof as if the same were transferred to the department by a **type 1** transfer as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.

SECTION 2. 33-10-106 (1) (a), (1) (b), (3), and (4) (a), Colorado Revised Statutes, 1984 Repl. Vol., are amended to read:

33-10-106. Duties of the board - rules. (1) The board shall:

(a) Promulgate rules ~~regulations~~, and orders relating to parks and outdoor recreation programs which are necessary to carry out the purposes of articles 10 to 15 AND 32 of this title;

(b) Administer the provisions of articles 10 to 15 AND 32 of this title through the division and control, manage, develop, and maintain all state parks and state recreation areas, consistent with the state policy as set forth in section 33-10-101;

(3) Rules ~~or regulations~~ that apply to any particular area under the control of the

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

division shall be prominently posted at such area, and general parks and outdoor recreation rules ~~or regulations~~ applying to all state parks and recreation areas shall be prominently posted at all public entrances to any such areas and at such other places as the division deems necessary. Permission to enter and use any state park or recreation area under the control of the division shall be conditioned upon compliance with the rules ~~or regulations~~ governing any such area, and any person who violates such rules ~~or regulations~~ may be cited for violations thereof, or required to leave the area FOR A TWENTY-FOUR-HOUR PERIOD by division personnel or by other persons specifically authorized to enforce such rules ~~or regulations~~ by the division, OR BOTH.

(4) (a) Rule-making procedures shall be as prescribed in article 4 of title 24, C.R.S., except as otherwise provided in articles 10 to 15 AND 32 of this title. Notice of rules ~~and regulations~~ may also be given such other publicity as the board may deem desirable.

SECTION 3. 33-10-109 (1) (a), (1) (e), and (1) (f), Colorado Revised Statutes, 1984 Repl. Vol., are amended to read:

33-10-109. Powers and duties of the director. (1) It is the duty of the director to:

(a) Appoint such personnel, subject to the provisions of section 13 of article XII of the state constitution, as are necessary for the efficient operation of the division, including such personnel designated as parks and recreation officers. An employee of the division may be certified as a parks and recreation officer by the issuance of a parks and recreation officer law enforcement commission card. The commission card, signed by the director, shall evidence that such parks and recreation officer has satisfied the certification requirements established by the division. Certified parks and recreation officers shall have the power to enforce the provisions of articles 10 to 15 AND 32 of this title relating to parks and outdoor recreation areas and shall cooperate with the division of wildlife in the enforcement of wildlife laws, rules, and regulations.

(e) Authorize, with approval of the board, such studies as are necessary to collect, classify, and disseminate statistics, data, and other information which, in his discretion, tend to accomplish the objectives of articles 10 to 15 AND 32 of this title, consistent with the state policy as set forth in section 33-10-101;

(f) To appoint special parks and recreation officers who shall have the power to enforce the provisions of articles 10 to 15 AND 32 of this title and rules ~~and regulations~~ of the board. Special parks and recreation officers commissions shall not be issued until the applicant has submitted an application to the division setting forth his qualifications. The director may revoke such appointments at any time.

SECTION 4. 33-12-101 (1) (b), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-12-101. Passes and registrations. (1) (b) When, in articles 10 to 15 AND 32 of this title or a rule ~~or regulation~~ adopted pursuant thereto, the doing of an act between certain dates or from one date to another is allowed or prohibited, the period

of time indicated includes both dates specified.

SECTION 5. The introductory portion to 33-13-103 (1) and 33-13-103 (4), Colorado Revised Statutes, 1984 Repl. Vol., are amended to read:

33-13-103. Numbering of vessels required. (1) It is unlawful for any person to operate or use a vessel on the waters of this state unless such vessel has been numbered and a certificate of the number, referred to in this article as a "registration", has been issued to such vessel by the division. The operator of such vessel shall produce the registration for inspection upon demand of any officer authorized to enforce the provisions of articles 10 to 15 AND 32 of this title. The following are exempt from the requirements of this subsection (1) and from the vessel registration fee set forth in section 33-12-102:

(4) Any person who violates subsection (1) of this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 6. 33-15-101, Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-15-101. Powers of officers. (1) Every peace officer, as defined in section 33-10-102 (17), shall have the authority to enforce the provisions of this article and shall assist parks and recreation officers in the enforcement of articles 10 to 15 AND 32 of this title and the rules ~~and regulations~~ of the board adopted pursuant thereto. Each such officer has the full power and authority to arrest any person who ~~he~~ SUCH OFFICER has probable cause to believe is guilty of a violation of articles 10 to 15 OR 32 of this title or any rule ~~or regulation~~ adopted pursuant thereto, and, in accordance with the constitutions and laws of the United States and the state of Colorado, to open, enter, and search all places of concealment including motor vehicles and vessels and all other places as provided by law where ~~he~~ SUCH OFFICER has probable cause to believe evidence relating to a violation of this title is to be found and to seize the same.

(2) When the public health, safety, welfare, or necessity requires, any officer having the power to enforce the provisions of articles 10 to 15 AND 32 of this title shall have the authority to make use of any motor vehicle or other means of transportation, whether privately or publicly owned, to aid ~~him~~ SUCH OFFICER in the performance of ~~his~~ SUCH OFFICER'S duties. In such a case, payment of reasonable compensation shall be made for the use of such motor vehicle or other means of transportation. Any person who refuses to comply with the provisions of this subsection (2) is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of fifty dollars.

SECTION 7. 33-15-102, Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-15-102. Imposition of penalty - procedures. (1) Any person who violates any of the provisions of articles 10 to 15 AND 32 of this title or any rule ~~or regulation~~ of the board that does not have a specific penalty listed is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of

twenty-five dollars.

(2) At the time that any person is charged with violating any PETTY OFFENSE OR misdemeanor provisions of articles 10 to 15 OR 32 of this title or any rule ~~or regulation~~ of the board, the officer shall issue a summons and complaint to the alleged offender or, in the case of a violation for which a fine of a fixed amount is prescribed, may give the alleged offender an opportunity to voluntarily pay the fine in the form of a penalty assessment. Penalty assessments shall not be issued for violations for which minimum and maximum fines have been established. The penalty assessment notice given to the alleged offender shall contain the information required in and be in the form of a summons and complaint and shall specify in dollars the amount of the penalty to be assessed for the alleged offense. If the alleged offender accepts such notice and pays the fine entered thereon to the division within ~~fifteen~~ TWENTY days of issuance of the notice, such acceptance and payment shall constitute an acknowledgement of guilt by such person of the violation set forth in the penalty assessment notice. Any person who accepts a penalty assessment notice but who does not furnish satisfactory evidence of identity or who the officer has reasonable and probable grounds to believe will disregard a written promise to pay the specified fine may be taken by the officer to the nearest known post-office facility and required to remit the amount of the specified fine to the division immediately by mail in United States currency or other legal tender or by money order or personal check. Refusal or inability to remit the specified fine by mail when required shall constitute a refusal to accept a penalty assessment notice. Checks tendered by the violator to and accepted by the division and on which payment is received by the division shall be deemed sufficient receipt. If the fine is not so paid, then the officer who issued the penalty assessment notice shall docket the summons and complaint with a court of competent jurisdiction for appearance by the person to answer the charges therein contained at such time and place as is specified in the summons and complaint.

SECTION 8. 33-15-103 (1) (a), (2), (3), and (4), Colorado Revised Statutes, 1984 Repl. Vol., as amended, are amended to read:

33-15-103. Disposition of fines - notice of court decisions. (1) (a) All moneys collected for fines under this article and articles 10 to 13 AND 32 of this title, either by payment of a penalty assessment or assessed by a court upon conviction, shall be transmitted to the state treasurer, who shall credit one-half to the general fund and one-half to the parks and outdoor recreation cash fund; except that, when an arrest has been made or the citation for any offense, including those committed under article 14 of this title, has been issued by an officer of the division of wildlife, all moneys collected for the fine shall be transmitted to the state treasurer, who shall credit one-half to the wildlife cash fund and one-half to the general fund.

(2) The provisions of the "Colorado Crime Victim Compensation Act", article 4.1 of title 24, C.R.S., shall not apply to articles 10 to 15 OR 32 of this title, and the costs imposed by said act shall not be levied on criminal actions for violations of articles 10 to 15 OR 32 of this title.

(3) It is the duty of every clerk of a court before whom prosecutions and appeals of violators of articles 10 to 15 AND 32 of this title are heard, within twenty days after any such trial, appeal, or dismissal thereof, to notify the division in writing of the result thereof and the amount of fine collected, if any, and the disposition of such fine.

(4) No fine, penalty, or judgment assessed or rendered under the provisions of articles 10 to 15 OR 32 of this title shall be suspended, reduced, or remitted otherwise than as expressly provided by law.

SECTION 9. 33-15-105, Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-15-105. Eluding. It is unlawful for any person to elude or attempt to elude by any means a parks and recreation officer or other commissioned officer of the division after having received a visual or audible signal such as a red or red and blue light, a siren, or a voice command directing him to stop. Any person who violates this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of ~~one~~ THREE hundred dollars.

SECTION 10. 33-15-106, Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-15-106. Fires. (1) ON ANY PROPERTY UNDER THE CONTROL OF THE DIVISION, it is unlawful for any person to:

(a) Leave a fire unattended or ~~build or tend a fire, unless allowed by rule or regulation of the board, on lands under the control of the division. Any person who violates this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of fifty dollars.~~ FAIL TO THOROUGHLY EXTINGUISH A FIRE BEFORE LEAVING IT;

(b) START, BUILD, TEND, OR MAINTAIN A FIRE IN VIOLATION OF THE PROVISIONS OF ANY APPLICABLE ORDER LAWFULLY ISSUED BY A GOVERNMENTAL AUTHORITY THAT PROHIBITS, BANS, OR REGULATES FIRES DURING PERIODS OF EXTREME FIRE HAZARD AND THAT IS DESIGNED TO PROMOTE THE SAFETY OF PERSONS AND PROPERTY.

(2) ANY PERSON WHO VIOLATES PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION IS GUILTY OF A CLASS 2 PETTY OFFENSE AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED BY A FINE OF FIFTY DOLLARS. ANY PERSON WHO VIOLATES PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED BY A FINE OF ONE HUNDRED DOLLARS.

(3) ANY PERSON WHO STARTS, BUILDS, TENDS, OR MAINTAINS A FIRE IN A CARELESS OR RECKLESS MANNER THAT INDICATES EITHER A LACK OF DUE REGARD FOR THE FIRE HAZARD PRESENT OR A WANTON AND WILLFUL DISREGARD FOR THE SAFETY OF PERSONS AND PROPERTY IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED BY A FINE OF ONE THOUSAND DOLLARS.

(4) In addition TO THE PENALTIES PROVIDED BY THIS SECTION, the court may require the defendant to reimburse the division for the costs of fire suppression in the case of wildfires.

SECTION 11. 33-15-109, Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-15-109. Damage to state property. It is unlawful for any person to damage, alter, or destroy any real or personal property or property under the control of the division. Any person who violates this section is ~~guilty~~ **COMMITTS** of a CLASS 2 misdemeanor and ~~upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ **AS PROVIDED IN SECTION 18-1-106, C.R.S.** In addition, the court may require the defendant to reimburse the division for damages.

SECTION 12. 33-15-111, Colorado Revised Statutes, 1984 Repl. Vol., is repealed as follows:

~~**33-15-111. Motor vehicles - reckless operation.** It is unlawful for any person to operate a motor vehicle on any property under the control of the division in such a manner as to indicate either a wanton or a willful disregard for the safety of persons or property. Any person who violates this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.~~

SECTION 13. 33-11-112, Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-11-112. Trails enforcement. It is unlawful for any person, except a parks and recreation officer or other peace officer, to operate a motorized vehicle on a designated nonmotorized trail. Any person who violates this section is guilty of a ~~misdemeanor~~ **CLASS 2 PETTY OFFENSE** and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 14. 33-12-105, Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-12-105. Licensing violations. (1) Except as otherwise provided in section 33-12-104, it is unlawful for any person to transfer, sell, or assign any pass or registration issued under articles 10 to 15 of this title to another person. Any person who violates this subsection (1) is guilty of a ~~misdemeanor~~ **CLASS 2 PETTY OFFENSE** and, upon conviction thereof, shall be punished by a fine of one hundred dollars.

(2) Any person who makes any false statement or gives any false information in connection with purchasing or selling a pass or registration or who makes any alteration of a pass or registration is guilty of a ~~misdemeanor~~ **CLASS 2 PETTY OFFENSE** and, upon conviction thereof, shall be punished by a fine of one hundred dollars, and any such statement, information, or alteration shall render such pass or registration void.

(3) Any person who fails to obtain or make readily available for inspection by a parks and recreation officer or other peace officer an appropriate and valid pass or registration is guilty of a ~~misdemeanor~~ **CLASS 2 PETTY OFFENSE** and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 15. 33-12-107 (2), Colorado Revised Statutes, 1984 Repl. Vol., as

amended, is amended to read:

33-12-107. Agreements with special districts to collect special district tolls for access road maintenance furnished by special districts. (2) Any person refusing to pay a toll pursuant to this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars. Any peace officer, as defined in section 33-10-102 (17), and any parks and recreation officer may enforce the provisions of this section by utilizing the penalty assessment procedure in section 33-15-102.

SECTION 16. 33-13-104 (1) and (2), Colorado Revised Statutes, 1984 Repl. Vol., are amended to read:

33-13-104. Application for vessel number. (1) The owner of each vessel requiring numbering by this state shall file an application for a number with the division or any representative approved by the division on forms approved and furnished by the division. The application shall be signed by the owner of the vessel and shall be accompanied by a fee as required under section 33-12-102; except that those vessels owned and operated by the state or any political subdivision thereof shall be registered without payment of a registration fee. Upon receipt of the application in approved form, the division or its representative shall issue to the applicant a registration stating the number issued to the vessel. The number issued shall be painted on or attached to each side of the bow on the forward half of the vessel or, if there are no such sides, at a corresponding location on both sides of the foredeck of the vessel for which it is issued. The number issued shall read from left to right in block characters of good proportion having a minimum of three inches in height, excluding border or trim, and of a color which contrasts with the color of the background, and so maintained as to be clearly visible and legible. No other number shall be carried on the bow of the vessel. Any person who fails to display a vessel number as required in this subsection (1) is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of ten dollars.

(2) The registration shall be of pocket size and shall be on board and available at all times for inspection whenever the vessel for which it is issued is in operation in this state. Any person who violates this subsection (2) is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars. If a registration is lost or destroyed, the owner shall, within fifteen days, notify the division. The notification shall be in writing, shall describe the circumstances of the loss or destruction, and shall be accompanied by a fee for a replacement registration as required under section 33-12-101.

SECTION 17. 33-13-106 (2), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-13-106. Equipment requirements. (2) Any person who violates subsection (1) of this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 18. 33-13-107 (2), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-13-107. Vessel liveries. (2) Neither the owner or operator of a vessel livery nor ~~his~~ SUCH OWNER'S OR OPERATOR'S agent or employee shall permit any vessel to depart from his OR HER premises unless such vessel is equipped and registered as required by this article and rules ~~and regulations~~ promulgated pursuant thereto. Any person who violates this subsection (2) is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of fifty dollars.

SECTION 19. 33-13-108 (1) (b) and (2), Colorado Revised Statutes, 1984 Repl. Vol., are amended to read:

33-13-108. Prohibited vessel operations. (1) (b) Any person who violates paragraph (a) of this subsection (1) is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

(2) It is unlawful for any person to operate a vessel in a careless or imprudent manner without due regard for zoning, traffic, and other attendant circumstances or as to endanger any person, property, or wildlife. Any person who violates this subsection (2) is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of fifty dollars.

SECTION 20. 33-13-109 (6), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-13-109. Collisions, accidents, and casualties. (6) Any person who violates subsection (1) or (3) of this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 21. 33-13-110 (1) (c) and (2) (d), Colorado Revised Statutes, 1984 Repl. Vol., are amended to read:

33-13-110. Water skis, aquaplanes, surfboards, innertubes, and similar devices. (1) (c) Any person who violates this subsection (1) is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of fifty dollars.

(2) (d) Any person who violates this subsection (2) is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 22. 33-13-111 (3), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-13-111. Authority to close waters. (3) Any person who fails to obey an order issued under this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of fifty dollars.

SECTION 23. 33-14-104 (8), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-14-104. Issuance of registration. (8) (a) Any person who violates subsection (5) of this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of ten dollars.

(b) Any person who violates subsection (6) of this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 24. 33-14-109 (3), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-14-109. Restrictions on young operators. (3) Any person who violates this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 25. 33-14-111 (3), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-14-111. Snowmobile operation on right-of-way of streets, roads, or highways. (3) Any person who violates this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of fifteen dollars.

SECTION 26. 33-14-112 (3), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-14-112. Crossing roads, highways, and railroad tracks. (3) Any person who violates this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 27. 33-14-113, Colorado Revised Statutes, 1984 Repl. Vol., as amended, is amended to read:

33-14-113. Operation of snowmobiles on private property. No snowmobile shall be operated on private property other than that owned or leased by the operator or except when prior permission has been obtained from the owner, lessee, or agent of the owner or lessee. Any person who violates this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of fifty dollars.

SECTION 28. 33-14-114 (3), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-14-114. Required equipment - snowmobiles. (3) Any person who violates this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 29. 33-14-116 (5) and (7), Colorado Revised Statutes, 1984 Repl. Vol., are amended to read:

33-14-116. Other operating restrictions. (5) Any person who violates

subsection (1) of this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of fifty dollars.

(7) Any person who violates subsection (4) of this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 30. 33-14-117 (3), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-14-117. Hunting, carrying weapons on snowmobiles - prohibitions.

(3) Any person who violates subsection (1) of this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty dollars.

SECTION 31. 33-14.5-104 (7), Colorado Revised Statutes, 1984 Repl. Vol., as amended, is amended to read:

33-14.5-104. Issuance of registration. (7) Any person who violates either subsection (5) or subsection (6) of this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 32. 33-14.5-109 (2), Colorado Revised Statutes, 1984 Repl. Vol., as amended, is amended to read:

33-14.5-109. Required equipment - off-highway vehicles. (2) Any person who violates subsection (1) of this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 33. 33-14.5-112 (6), Colorado Revised Statutes, 1984 Repl. Vol., as amended, is amended to read:

33-14.5-112. Off-highway use permit - fees - applications - requirements - exemptions. (6) Any person who violates paragraph (b) of subsection (1) of this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 34. 33-15-107, Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-15-107. Camping. It is unlawful for any person to camp on land or water under the control of the division unless such area is so designated and posted pursuant to rule ~~or regulation~~ of the board. Any person who violates this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 35. 33-15-110 (2), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-15-110. Vehicles and vessels - operation on state property. (2) Any person who violates this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of twenty-five dollars.

SECTION 36. 33-15-112, Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-15-112. Motor vehicles - careless operation. It is unlawful for any person to operate a motor vehicle on any property under the control of the division in a careless or imprudent manner without due regard for the width, grade, corners, or curves of, the traffic on, or the traffic regulations governing public roads and without due regard for all other attendant circumstances. Any person who violates this section is guilty of a ~~misdemeanor~~ CLASS 2 PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of fifty dollars.

SECTION 37. Effective date - applicability. This act shall take effect July 1, 1995, and shall apply to acts committed on or after said date.

SECTION 38. 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: May 25, 1995