

CHAPTER 148

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 12-013

BY SENATOR(S) Schwartz, Aguilar, Cadman, Foster, Guzman, King S., Lundberg, White, Williams S.;
also REPRESENTATIVE(S) Jones, Fields, Fischer, Hulinghorst, Lee, Levy, Todd, Vigil, Williams A., Wilson, Young.

AN ACT**CONCERNING LOW-SPEED ELECTRIC VEHICLES.**

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

SECTION 1. In Colorado Revised Statutes, 42-4-109.5, **amend** (1) as follows:

42-4-109.5. Low-speed electric vehicles. (1) (a) A low-speed electric vehicle may be operated only on a roadway that has a speed limit equal to or less than thirty-five miles per hour; except that it may be operated to directly cross a roadway that has a speed limit greater than thirty-five miles per hour at an at-grade crossing to continue traveling along a roadway with a speed limit equal to or less than thirty-five miles per hour.

(b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (1), A LOW-SPEED ELECTRIC VEHICLE MAY BE OPERATED ON A STATE HIGHWAY THAT HAS A SPEED LIMIT EQUAL TO FORTY MILES PER HOUR OR CROSS A ROADWAY WITH A SPEED LIMIT EQUAL TO FORTY MILES PER HOUR TO CROSS AT-GRADE, IF:

(I) SUCH ROADWAY'S LANE WIDTH IS ELEVEN FEET OR GREATER;

(II) SUCH ROADWAY PROVIDES TWO OR MORE LANES IN EITHER DIRECTION; AND

(III) THE DEPARTMENT DETERMINES, IN CONSULTATION WITH LOCAL GOVERNMENT AND LAW ENFORCEMENT, UPON THE BASIS OF A TRAFFIC INVESTIGATION, SURVEY, APPROPRIATE DESIGN STANDARDS, OR PROJECTED VOLUMES, THAT THE OPERATION OF A LOW-SPEED ELECTRIC VEHICLE ON THE ROADWAY POSES NO SUBSTANTIAL SAFETY RISK OR HAZARD TO MOTORISTS, BICYCLISTS, PEDESTRIANS, OR OTHER PERSONS.

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

(c) THE DEPARTMENT MAY WAIVE THE NECESSITY OF A TRAFFIC INVESTIGATION OR SURVEY PURSUANT TO SECTION 42-4-1102 OR MAY CONDUCT A TRAFFIC INVESTIGATION OR SURVEY TO DETERMINE WHERE LOW-SPEED ELECTRIC VEHICLES CAN BE DRIVEN SAFELY ON STATE HIGHWAYS OR PORTIONS THEREOF. THE DEPARTMENT SHALL CONDUCT THIS TRAFFIC INVESTIGATION OR SURVEY USING EXISTING APPROPRIATIONS.

SECTION 2. In Colorado Revised Statutes, 42-4-111, **amend** (1) (bb) (II) as follows:

42-4-111. Powers of local authorities. (1) This article shall not be deemed to prevent local authorities, with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power, except those streets and highways that are parts of the state highway system that are subject to section 43-2-135, C.R.S., from:

(bb) Authorizing and regulating the operation of golf cars on roadways by resolution or ordinance of the governing body, if the authorization or regulation is consistent with this title and does not authorize:

(II) Operation of a golf car by a person under ~~fourteen~~ SIXTEEN years of age; or

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.

Approved: May 3, 2012