

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-0089.01 Jery Payne x2157

SENATE BILL 15-023

SENATE SPONSORSHIP

Crowder,

HOUSE SPONSORSHIP

(None),

Senate Committees

Transportation

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE USE OF AN OFF-HIGHWAY VEHICLE TO CROSS A**
102 **ROADWAY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Currently, off-highway vehicles may cross streets, roads, or highways if the driver complies with certain snowmobile statutory standards. The bill imports the snowmobile standards into the off-highway vehicle statutes. The bill also clarifies that a driver may cross a state highway if the driver complies with these standards.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

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

2 **SECTION 1.** In Colorado Revised Statutes, 33-14.5-108, **amend**

3 (1) (b) as follows:

4 **33-14.5-108. Off-highway vehicle operation prohibited on**
5 **streets, roads, and highways.** (1) No off-highway vehicle may be
6 operated on the public streets, roads, or highways of this state except in
7 the following cases:

8 (b) When crossing streets or when crossing roads, highways, or
9 railroad tracks ~~in the manner provided~~ in ACCORDANCE WITH section
10 ~~33-14-112~~ 33-14.5-108.5;

11 **SECTION 2.** In Colorado Revised Statutes, **add** 33-14.5-108.5
12 as follows:

13 **33-14.5-108.5. Crossing roads, highways, and railroad tracks.**

14 (1) THE DRIVER OF AN OFF-HIGHWAY VEHICLE MAY DIRECTLY CROSS A
15 ROADWAY, INCLUDING A STATE HIGHWAY, AT AN AT-GRADE CROSSING TO
16 CONTINUE USING THE OFF-HIGHWAY VEHICLE ON THE OTHER SIDE; EXCEPT
17 THAT A PERSON SHALL NOT CROSS A STATE HIGHWAY WITHIN THE
18 JURISDICTION OF A MUNICIPALITY.

19 (2) A PERSON SHALL NOT CROSS A HIGHWAY WHILE DRIVING AN
20 OFF-HIGHWAY VEHICLE UNLESS THE CROSSING IS MADE IN ACCORDANCE
21 WITH THE FOLLOWING:

22 (a) THE CROSSING MUST BE MADE AT AN ANGLE OF
23 APPROXIMATELY NINETY DEGREES TO THE DIRECTION OF THE HIGHWAY
24 AND AT A PLACE WHERE NO OBSTRUCTION PREVENTS A QUICK AND SAFE
25 CROSSING.

26 (b) THE OFF-HIGHWAY VEHICLE MUST BE BROUGHT TO A COMPLETE

1 STOP BEFORE CROSSING THE SHOULDER OR, IF NONE, THE ROADWAY
2 BEFORE PROCEEDING.

3 (c) THE DRIVER MUST YIELD THE RIGHT-OF-WAY TO ALL MOTOR
4 VEHICLE TRAFFIC ON THE ROADWAY THAT CONSTITUTES AN IMMEDIATE
5 HAZARD TO THE CROSSING.

6 (d) A DRIVER OF AN OFF-HIGHWAY VEHICLE MUST CROSS A
7 DIVIDED HIGHWAY AT AN INTERSECTION OF THE HIGHWAY WITH ANOTHER
8 ROAD OR HIGHWAY.

9 (3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS
10 2 PETTY OFFENSE AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE
11 OF FIFTY DOLLARS.

12 **SECTION 3. Act subject to petition - effective date -**
13 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
14 the expiration of the ninety-day period after final adjournment of the
15 general assembly (August 5, 2015, if adjournment sine die is on May 6,
16 2015); except that, if a referendum petition is filed pursuant to section 1
17 (3) of article V of the state constitution against this act or an item, section,
18 or part of this act within such period, then the act, item, section, or part
19 will not take effect unless approved by the people at the general election
20 to be held in November 2016 and, in such case, will take effect on the
21 date of the official declaration of the vote thereon by the governor.

22 (2) This act applies to offenses committed on or after the
23 applicable effective date of this act.