

**Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 18-0835.01 Kip Kolkmeier x4510

SENATE BILL 18-144

SENATE SPONSORSHIP

Kerr,

HOUSE SPONSORSHIP

Willett and Hansen,

Senate Committees

State, Veterans, & Military Affairs

House Committees

Transportation & Energy

A BILL FOR AN ACT

101 **CONCERNING THE REGULATION OF BICYCLES APPROACHING**
102 **INTERSECTIONS.**

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://leg.colorado.gov>.)

The bill permits a municipality or county to adopt a local ordinance or resolution regulating the operation of bicycles approaching intersections with stop signs or illuminated red traffic control signals. Under a local regulation, a bicyclist approaching a stop sign must slow to a reasonable speed and, when safe to do so, may proceed through the intersection without stopping. A bicyclist approaching an illuminated red

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

HOUSE
Amended 2nd Reading
April 12, 2018

SENATE
3rd Reading Unamended
February 21, 2018

SENATE
Amended 2nd Reading
February 20, 2018

traffic control signal must stop at the intersection and, when safe to do so, may proceed through the intersection. The bill sets the reasonable speed limit at 15 miles per hour. However, a municipality or county may lower the reasonable speed to 10 miles per hour or raise the limit to 20 miles per hour at any individual intersection. If the local government sets a lower or higher reasonable speed limit, the local government must post signage indicating that speed limit at the intersection. If the municipality or county adopts an ordinance or resolution pursuant to the act, it must be consistent with the act. An ordinance adopted before the effective date of the act that similarly regulates bicycles remains valid.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 42-4-1412.5 as
3 follows:

4 **42-4-1412.5. Local adoption of alternative regulation of**
5 **bicycles approaching intersections - alternative regulation described**
6 **- validity of existing local resolution - definitions.** (1) (a) A COUNTY OR

7 MUNICIPALITY MAY ADOPT AN ORDINANCE OR RESOLUTION IMPLEMENTING
8 THIS SECTION. ■ ■ ■ IF A COUNTY OR MUNICIPALITY ADOPTS AN
9 ORDINANCE OR RESOLUTION PURSUANT TO THIS SECTION, THE ORDINANCE
10 OR RESOLUTION MUST SPECIFY THE FOLLOWING:

11 (I) A PERSON RIDING A BICYCLE OR ELECTRICAL ASSISTED BICYCLE
12 AND APPROACHING AN INTERSECTION OF A ROADWAY WITH A STOP SIGN
13 SHALL SLOW DOWN AND, IF REQUIRED FOR SAFETY, STOP BEFORE
14 ENTERING THE INTERSECTION. IF A STOP IS NOT REQUIRED FOR SAFETY,
15 THE PERSON SHALL SLOW TO A REASONABLE SPEED AND YIELD THE
16 RIGHT-OF-WAY TO ANY TRAFFIC OR PEDESTRIAN IN OR APPROACHING THE
17 INTERSECTION. AFTER THE PERSON HAS SLOWED TO A REASONABLE SPEED
18 AND YIELDED THE RIGHT-OF-WAY IF REQUIRED, THE PERSON MAY
19 CAUTIOUSLY MAKE A TURN OR PROCEED THROUGH THE INTERSECTION
20 WITHOUT STOPPING.

1 (II) FOR PURPOSES OF THIS SUBSECTION (1)(a), A REASONABLE
2 SPEED IS FIFTEEN MILES PER HOUR OR LESS. A MUNICIPALITY, BY
3 ORDINANCE, OR A COUNTY, BY RESOLUTION, MAY REDUCE THE MAXIMUM
4 REASONABLE SPEED AT ANY INDIVIDUAL INTERSECTION TO TEN MILES PER
5 HOUR OR RAISE THE MAXIMUM REASONABLE SPEED TO TWENTY MILES PER
6 HOUR IF THE MUNICIPALITY OR COUNTY ALSO POSTS SIGNS AT THE
7 INTERSECTION STATING THAT LOWER OR HIGHER SPEED LIMITATION.

8 (III) A PERSON RIDING A BICYCLE OR ELECTRICAL ASSISTED
9 BICYCLE AND APPROACHING AN INTERSECTION OF A ROADWAY WITH AN
10 ILLUMINATED RED TRAFFIC CONTROL SIGNAL SHALL STOP BEFORE
11 ENTERING THE INTERSECTION AND SHALL YIELD TO ALL OTHER TRAFFIC
12 AND PEDESTRIANS. ONCE THE PERSON HAS YIELDED, THE PERSON MAY
13 CAUTIOUSLY PROCEED IN THE SAME DIRECTION THROUGH THE
14 INTERSECTION OR MAKE A RIGHT-HAND TURN. WHEN A RED TRAFFIC
15 CONTROL SIGNAL IS ILLUMINATED, A PERSON SHALL NOT PROCEED
16 THROUGH THE INTERSECTION OR TURN RIGHT IF AN ONCOMING VEHICLE IS
17 TURNING OR PREPARING TO TURN LEFT IN FRONT OF THE PERSON.

18 (IV) A PERSON RIDING A BICYCLE OR ELECTRICAL ASSISTED
19 BICYCLE APPROACHING AN INTERSECTION OF A ROADWAY WITH AN
20 ILLUMINATED RED TRAFFIC CONTROL SIGNAL MAY MAKE A LEFT-HAND
21 TURN ONLY IF TURNING ONTO A ONE-WAY STREET AND ONLY AFTER
22 STOPPING AND YIELDING TO OTHER TRAFFIC AND PEDESTRIANS. HOWEVER,
23 A PERSON SHALL NOT TURN LEFT IF A VEHICLE IS TRAVELING IN THE SAME
24 DIRECTION AS THE PERSON AND THE VEHICLE IS TURNING OR PREPARING TO
25 TURN LEFT. IF THE PERSON IS NOT TURNING LEFT ONTO A ONE-WAY
26 STREET, THE PERSON SHALL NOT MAKE A LEFT-HAND TURN AT AN
27 INTERSECTION WHILE A RED TRAFFIC CONTROL SIGNAL IS ILLUMINATED.

1 (2) IF A COUNTY OR MUNICIPALITY ADOPTED A VALID ORDINANCE
2 OR RESOLUTION THAT REGULATES BICYCLES OR ELECTRICAL ASSISTED
3 BICYCLES SUBSTANTIALLY AS DESCRIBED IN SUBSECTION (1) OF THIS
4 SECTION PRIOR TO THE EFFECTIVE DATE OF THIS SECTION, THAT
5 ORDINANCE OR RESOLUTION REMAINS VALID.

6 (3) THE ADOPTION OF AN ORDINANCE OR RESOLUTION IN
7 ACCORDANCE WITH THIS SECTION DOES NOT DIMINISH OR ALTER THE
8 AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION OR THE STATE
9 TRANSPORTATION COMMISSION AS THOSE ENTITIES ARE DEFINED IN
10 SECTION 43-1-102 REGARDING THE DEPARTMENT'S OR COMMISSION'S
11 AUTHORITY TO REGULATE MOTOR VEHICLE TRAFFIC ON ANY PORTION OF
12 THE STATE HIGHWAY SYSTEM AS DEFINED IN SECTION 43-2-101 (1).

13 (4) AS USED IN THIS SECTION:

14 (a) "ELECTRICAL ASSISTED BICYCLE" MEANS THE TERM AS IT IS
15 DEFINED IN SECTION 42-1-102 (28.5).

16 (b) "MUNICIPALITY" MEANS A HOME RULE OR STATUTORY CITY,
17 TOWN, OR CITY AND COUNTY.

18 **SECTION 2.** In Colorado Revised Statutes, 42-4-1412, **amend**
19 (1) as follows:

20 **42-4-1412. Operation of bicycles and other human-powered**
21 **vehicles.** (1) ~~Every~~ A person riding a bicycle or electrical assisted bicycle
22 ~~shall have~~ HAS all of the rights and duties applicable to the driver of any
23 other vehicle under this ~~article~~ ARTICLE 4, except as to special regulations
24 in this ~~article~~ ARTICLE 4, EXCEPT AS PROVIDED IN SECTION 42-4-1412.5,
25 and except as to those provisions which by their nature can have no
26 application. Said riders shall comply with the rules set forth in this section
27 and section 42-4-221, and, when using streets and highways within

1 incorporated cities and towns, ~~shall be~~ ARE subject to local ordinances
2 regulating the operation of bicycles and electrical assisted bicycles as
3 provided in section 42-4-111. NOTWITHSTANDING ANY CONTRARY
4 PROVISION IN THIS ARTICLE 4, WHEN A COUNTY OR MUNICIPALITY HAS
5 ADOPTED AN ORDINANCE OR RESOLUTION PURSUANT TO SECTION
6 42-4-1412.5, RIDERS ARE SUBJECT TO THE LOCAL ORDINANCE OR
7 RESOLUTION.

8 **SECTION 3. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, and safety.