



Legislative Council Staff

Research Note

Version: Final

Date: 3/24/2016

Bill Number

House Bill 16-1039

Sponsors

***Representatives Mitsch Bush &
Rankin
Senators Todd & Donovan***

Short Title

***Interstate 70 Motor Vehicle
Traction Equipment***

Research Analyst

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Status

This research note reflects the final version of the bill. The bill was postponed indefinitely by the Senate Transportation Committee on March 24, 2016.

Summary

The bill requires motor vehicles driving on Interstate 70 between milepost 133 (Dotsero) and milepost 259 (Morrison), from October 1 to May 15, to be equipped with:

- tire chains or an equivalent traction control device (i.e. cable chains);
- four-wheel drive or all-wheel drive, and tires with a tread depth of one-eighth of an inch; or
- tires with any form of the mountain-snowflake symbol or "mud and snow" lettering (i.e., M/S and M+S) on the side wall of the tire and a tread depth of one-eighth of an inch.

Under the bill, "equipped" means that a motor vehicle uses or carries the appropriate traction equipment if icy or snow-packed conditions are not present, and that a motor vehicle uses the appropriate traction equipment if icy or snow-packed conditions are present.

A noncommercial violator of these requirements commits a class B traffic infraction and is subject to a \$100 fine and a \$32 surcharge. If a violation results in the closure of at least one lane of traffic, the violator is subject to an enhanced penalty of \$500 and a \$156 surcharge.

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Background

Under current law, the Colorado Department of Transportation (CDOT) has the authority to close any portion of a state highway to public travel or to prohibit travel by vehicles that are not equipped with tire chains, four-wheel or all-wheel drive with adequate tires for existing conditions, or snow tires with a "mud and snow" or all-weather rating from the manufacturer. CDOT can do this whenever it considers such a closure or restriction of use necessary for the protection and safety of the public. Highway closures and restrictions are achieved with cooperation from the Colorado State Patrol (CSP).

The Transportation Commission has statutory authority to promulgate rules to implement Colorado's chain laws, which apply to all state, federal, and interstate highways. For noncommercial vehicles, the commission has determined two levels of chain law: "traction law" and "passenger vehicle chain law."

Traction law. This level, known as a Code 15, requires the use of snow tires or traction devices such as cable chains. Snow tires must have the M/S or all-weather rating from the manufacturer on the side wall. Four-wheel and all-wheel drive vehicles are permitted to operate without a traction device, but all tires must have a minimum one-eighth of an inch tread depth.

Passenger vehicle chain law. When this level, known as a Code 16, is in effect, use of conventional, steel-link chains or an approved traction control device is required for all vehicles. Four-wheel drive and all-wheel drive vehicles are not permitted to operate without tire chains.

House Action

House Transportation & Energy Committee (January 27, 2016). At the hearing, representatives of the Colorado State Patrol, Colorado Department of Transportation, I-70 Coalition, Colorado Wyoming Petroleum Marketers Association, Colorado Motor Carriers Association, Denver Metro Chamber of Commerce, Vail Resorts, Colorado Ski Country USA, Colorado Competitive Council, Colorado Hotel and Lodging Association, Vail Police Department, and the Eagle County Ambulance District testified in support of the bill. The committee adopted amendments L.003 and L.004, and referred the bill, as amended, to the House Committee of the Whole. Amendment L.003 specifies that vehicles between Morrison and Dotsero must be equipped with adequate traction control from October 1 to May 15 of each year. Amendment L.004 adds to the bill's legislative declaration a statement that it is not the intent nor effect of the bill to create checkpoints for determining adequate traction control.

House second reading (February 1, 2016). The House adopted the House Transportation committee report and passed the bill on second reading.

House third reading (February 2, 2016). The House passed the bill on third reading.

Senate Action

Senate Transportation Committee (March 24, 2016). At the hearing, representatives of the Colorado State Patrol, Colorado Department of Transportation, I-70 Coalition, Colorado Wyoming Petroleum Marketers Association, Colorado Motor Carriers Association, Denver Metro Chamber of Commerce, Vail Resorts, Colorado Ski Country USA, Colorado Competitive Council, Colorado Hotel and Lodging Association, Vail Police Department, Eagle County Ambulance District, and Eagle County testified in support of the bill. The bill was postponed indefinitely by the committee.

Relevant Research

Legislative Council Staff, *Transportation Legislation Review Committee Report to the Colorado General Assembly*, December 2015, <http://tinyurl.com/zhgjels>.