

CHAPTER 18

NATURAL RESOURCES

SENATE BILL 16-008

BY SENATOR(S) Crowder, Baumgardner, Cooke, Donovan, Garcia, Grantham, Jahn, Lambert, Lundberg, Marble, Neville T., Roberts, Scheffel, Scott, Sonnenberg, Tate, Woods;
also REPRESENTATIVE(S) Vigil, Fields, Humphrey, Klingenschmitt, Priola, Wilson, Windholz.

AN ACT**CONCERNING THE USE OF AN OFF-HIGHWAY VEHICLE TO CROSS STATE HIGHWAYS WITHIN THE JURISDICTION OF A MUNICIPALITY.**

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

SECTION 1. In Colorado Revised Statutes, 33-14.5-108.5, **amend** (1) as follows:

33-14.5-108.5. Crossing roads, highways, and railroad tracks. (1) The driver of an off-highway vehicle may directly cross a roadway, including a state highway, at an at-grade crossing to continue using the off-highway vehicle on the other side. ~~except that a person shall not cross a state highway within the jurisdiction of a municipality.~~

SECTION 2. In Colorado Revised Statutes, 33-14.5-110, **add** (3) as follows:

33-14.5-110. Regulation by political subdivisions. (3) FOR A CITY OR TOWN TO REGULATE THE CROSSING OF A STATE HIGHWAY UNDER THE JURISDICTION OF THE COLORADO DEPARTMENT OF TRANSPORTATION, THE CITY OR TOWN MUST REQUEST IN WRITING THAT THE REGIONAL OFFICE OF THE DEPARTMENT APPROVE THE REGULATION. THE REGIONAL OFFICE SHALL NOT UNREASONABLY WITHHOLD APPROVAL. IF THE REGIONAL OFFICE DOES NOT APPROVE OR DENY THE REQUEST WITHIN SIXTY DAYS AFTER RECEIVED, THE REQUEST IS DEEMED APPROVED.

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

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: March 16, 2016