

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 18-0835.01 Kip Kolkmeier x4510

SENATE BILL 18-144

SENATE SPONSORSHIP

Kerr,

HOUSE SPONSORSHIP

Willett,

Senate Committees

State, Veterans, & Military Affairs

House Committees

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.

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 - legislative declaration -**
6 **alternative regulation described - validity of existing local resolution**
7 **- definitions.** (1) THE GENERAL ASSEMBLY FINDS THAT:

8
9 (a) BICYCLE TRAFFIC HAS TRADITIONALLY BEEN REGULATED AT
10 BOTH THE STATE AND LOCAL LEVELS, WITH MUNICIPAL STREETS AND
11 COUNTY ROADS UNDER LOCAL JURISDICTION AND STATE HIGHWAYS UNDER
12 STATE CONTROL;

13 (b) THERE IS A NEED FOR UNIFORMITY IN THE REGULATION OF
14 TRAFFIC; AND

15 (c) LOCAL REGULATION OF TRAFFIC MAY HAVE AN
16 EXTRATERRITORIAL IMPACT.

17 (2) (a) A COUNTY OR MUNICIPALITY MAY ADOPT AN ORDINANCE
18 OR RESOLUTION IMPLEMENTING THIS SECTION. AN ORDINANCE OR
19 RESOLUTION ADOPTED PURSUANT TO THIS SECTION SHALL NOT APPLY TO
20 ANY PORTION OF THE STATE HIGHWAY SYSTEM AS DEFINED IN SECTION

1 43-2-101 (1). IF A COUNTY OR MUNICIPALITY ADOPTS AN ORDINANCE OR
2 RESOLUTION PURSUANT TO THIS SECTION, THE ORDINANCE OR RESOLUTION
3 MUST SPECIFY THE FOLLOWING:

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

14 (II) FOR PURPOSES OF THIS SUBSECTION (2)(a), A REASONABLE
15 SPEED IS FIFTEEN MILES PER HOUR OR LESS. A MUNICIPALITY, BY
16 ORDINANCE, OR A COUNTY, BY RESOLUTION, MAY REDUCE THE MAXIMUM
17 REASONABLE SPEED AT ANY INDIVIDUAL INTERSECTION TO TEN MILES PER
18 HOUR OR RAISE THE MAXIMUM REASONABLE SPEED TO TWENTY MILES PER
19 HOUR IF THE MUNICIPALITY OR COUNTY ALSO POSTS SIGNS AT THE
20 INTERSECTION STATING THAT LOWER OR HIGHER SPEED LIMITATION.

21 (b) (I) A PERSON RIDING A BICYCLE OR ELECTRICAL ASSISTED
22 BICYCLE AND APPROACHING AN INTERSECTION OF A ROADWAY WITH AN
23 ILLUMINATED RED TRAFFIC CONTROL SIGNAL SHALL STOP BEFORE
24 ENTERING THE INTERSECTION AND SHALL YIELD TO ALL OTHER TRAFFIC
25 AND PEDESTRIANS. ONCE THE PERSON HAS YIELDED, THE PERSON MAY
26 CAUTIOUSLY PROCEED IN THE SAME DIRECTION THROUGH THE
27 INTERSECTION OR MAKE A RIGHT-HAND TURN. WHEN A RED TRAFFIC

1 CONTROL SIGNAL IS ILLUMINATED, A PERSON SHALL NOT PROCEED
2 THROUGH THE INTERSECTION OR TURN RIGHT IF AN ONCOMING VEHICLE IS
3 TURNING OR PREPARING TO TURN LEFT IN FRONT OF THE PERSON.

4 (II) A PERSON RIDING A BICYCLE OR ELECTRICAL ASSISTED
5 BICYCLE APPROACHING AN INTERSECTION OF A ROADWAY WITH AN
6 ILLUMINATED RED TRAFFIC CONTROL SIGNAL MAY MAKE A LEFT-HAND
7 TURN ONLY IF TURNING ONTO A ONE-WAY STREET AND ONLY AFTER
8 STOPPING AND YIELDING TO OTHER TRAFFIC AND PEDESTRIANS. HOWEVER,
9 A PERSON SHALL NOT TURN LEFT IF A VEHICLE IS TRAVELING IN THE SAME
10 DIRECTION AS THE PERSON AND THE VEHICLE IS TURNING OR PREPARING TO
11 TURN LEFT. IF THE PERSON IS NOT TURNING LEFT ONTO A ONE-WAY
12 STREET, THE PERSON SHALL NOT MAKE A LEFT-HAND TURN AT AN
13 INTERSECTION WHILE A RED TRAFFIC CONTROL SIGNAL IS ILLUMINATED.

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

19 (4) AS USED IN THIS SECTION:

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

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

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

26 **42-4-1412. Operation of bicycles and other human-powered**
27 **vehicles.** (1) ~~Every~~ A person riding a bicycle or electrical assisted bicycle

1 ~~shall have~~ HAS all of the rights and duties applicable to the driver of any
2 other vehicle under this ~~article~~ ARTICLE 4, except as to special regulations
3 in this ~~article~~ ARTICLE 4, EXCEPT AS PROVIDED IN SECTION 42-4-1412.5,
4 and except as to those provisions which by their nature can have no
5 application. Said riders shall comply with the rules set forth in this section
6 and section 42-4-221, and, when using streets and highways within
7 incorporated cities and towns, ~~shall be~~ ARE subject to local ordinances
8 regulating the operation of bicycles and electrical assisted bicycles as
9 provided in section 42-4-111. NOTWITHSTANDING ANY CONTRARY
10 PROVISION IN THIS ARTICLE 4, WHEN A COUNTY OR MUNICIPALITY HAS
11 ADOPTED AN ORDINANCE OR RESOLUTION PURSUANT TO SECTION
12 42-4-1412.5, RIDERS ARE SUBJECT TO THE LOCAL ORDINANCE OR
13 RESOLUTION.

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