

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REENGROSSED

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

LLS NO. 19-0993.01 Richard Sweetman x4333

HOUSE BILL 19-1265

HOUSE SPONSORSHIP

Esgar and Soper, Becker, Benavidez, Cutter, Duran, Gray, Hansen, Hooton, Kipp, McCluskie, McKean, McLachlan, Michaelson Jenet, Snyder, Titone, Valdez A., Valdez D.

SENATE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING THE PENALTY FOR A PERSON WHO PASSES A SNOWPLOW**
102 **THAT IS PERFORMING ITS SERVICE FUNCTION IN ECHELON**
103 **FORMATION WITH AT LEAST ONE OTHER SNOWPLOW, AND, IN**
104 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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>.)

Under current law, a person commits a class B traffic offense if the person fails to exercise more than ordinary care and caution in approaching, overtaking, or passing an authorized service vehicle that is

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
3rd Reading Unamended
April 16, 2019

HOUSE
Amended 2nd Reading
April 12, 2019

performing its service function and displaying its lights. The bill states that a person commits a class A traffic offense if the person passes a snowplow that is operated by a state, county, or local government, displaying its lights, and performing its service function in echelon formation with one or more other such snowplows. "Echelon formation" means a formation in which snowplows are arranged diagonally, with each unit stationed behind and to the right, or behind and to the left, of the unit ahead.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-214, **amend** (1)
3 and (6) as follows:

4 **42-4-214. Visual signals on service vehicles - definition.**

5 (1) Except as otherwise provided in this section, ~~on or after January 1,~~
6 ~~1978,~~ every authorized service vehicle ~~shall~~ MUST, in addition to any
7 other equipment required by this ~~article~~ ARTICLE 4, be equipped with one
8 or more warning lamps mounted as high as practicable, which ~~shall~~ MUST
9 be capable of displaying in all directions one or more flashing, oscillating,
10 or rotating yellow lights. Only yellow and no other color or combination
11 of colors ~~shall~~ MAY be used as a warning lamp on an authorized service
12 vehicle; except that an authorized service vehicle snowplow operated by
13 a ~~general purpose~~ STATE, COUNTY, OR LOCAL government may also be
14 equipped with and use no more than two flashing, oscillating, or rotating
15 blue lights as warning lamps. Lighted directional signs used by police and
16 highway departments to direct traffic need not be visible except to the
17 front and rear. Such lights ~~shall~~ MUST have sufficient intensity to be
18 visible at five hundred feet in normal sunlight.

19 (6) (a) Any person who violates any provision of this section
20 commits a class B traffic infraction; EXCEPT THAT A PERSON COMMITS A
21 CLASS A TRAFFIC INFRACTION IF THE PERSON PASSES AN AUTHORIZED

1 SERVICE VEHICLE SNOWPLOW THAT IS OPERATED BY A STATE, COUNTY, OR
2 LOCAL GOVERNMENT, DISPLAYING LIGHTS AS AUTHORIZED IN SUBSECTION
3 (1) OF THIS SECTION, AND PERFORMING ITS SERVICE FUNCTION IN ECHELON
4 FORMATION WITH ONE OR MORE OTHER SUCH SNOWPLOWS.

5 (b) AS USED IN THIS SUBSECTION (6), UNLESS THE CONTEXT
6 OTHERWISE REQUIRES, "ECHELON FORMATION" MEANS A FORMATION IN
7 WHICH SNOWPLOWS ARE ARRANGED DIAGONALLY, WITH EACH UNIT
8 STATIONED BEHIND AND TO THE RIGHT, OR BEHIND AND TO THE LEFT, OF
9 THE UNIT AHEAD.

10 **SECTION 2.** In Colorado Revised Statutes, 42-4-224, **amend** (6)
11 as follows:

12 **42-4-224. Horns or warning devices - definition.** (6) (a) Any
13 person who violates any provision of this section commits a class B
14 traffic infraction; EXCEPT THAT A PERSON COMMITS A CLASS A TRAFFIC
15 INFRACTION IF THE PERSON PASSES AN AUTHORIZED SERVICE VEHICLE
16 SNOWPLOW THAT IS OPERATED BY A STATE, COUNTY, OR LOCAL
17 GOVERNMENT, DISPLAYING LIGHTS AS AUTHORIZED IN SECTION 42-4-214,
18 AND PERFORMING ITS SERVICE FUNCTION IN ECHELON FORMATION WITH
19 ONE OR MORE OTHER SUCH SNOWPLOWS.

20 (b) AS USED IN THIS SUBSECTION (6), UNLESS THE CONTEXT
21 OTHERWISE REQUIRES, "ECHELON FORMATION" MEANS A FORMATION IN
22 WHICH SNOWPLOWS ARE ARRANGED DIAGONALLY, WITH EACH UNIT
23 STATIONED BEHIND AND TO THE RIGHT, OR BEHIND AND TO THE LEFT, OF
24 THE UNIT AHEAD.

25 **SECTION 3. Appropriation.** For the 2019-20 state fiscal year,
26 \$3,375 is appropriated to the department of revenue for use by the
27 division of motor vehicles. This appropriation is from the licensing

1 services cash fund created in section 42-2-114.5 (1), C.R.S. To implement
2 this act, the department may use this appropriation for DRIVES
3 maintenance and support.

4 **SECTION 4. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part will not take effect
11 unless approved by the people at the general election to be held in
12 November 2020 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.