

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0120.01 Jason Gelender x4330

HOUSE BILL 22-1046

HOUSE SPONSORSHIP

McLachlan and Catlin,

SENATE SPONSORSHIP

Winter,

House Committees

Transportation & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING AUTHORITY FOR LOCAL GOVERNMENTS TO DESIGNATE
102 HIGHWAYS UNDER THEIR JURISDICTION FOR OVER-SNOW USE
103 ONLY.

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 authorizes a local government to designate all or a portion of a highway under its jurisdiction for over-snow use only when snow-packed conditions exist on the highway or for a designated continuous seasonal period for which the local government determines that snow-packed conditions are likely to exist on the highway.

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.

"Over-snow use" is defined as travel on top of snow by human-powered or animal-powered means or by an off-highway vehicle that is primarily designed or altered for use over snow and runs without tires on a continuous belt track, with or without cleats, or on one or more skis while in use over snow. A local government may limit an over-snow use designation to human-powered or animal-powered travel, or both, only when necessary for the protection and safety of the public.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-106, **amend**
3 (3)(b) and (3)(c); and **add** (3)(d) as follows:

4 **42-4-106. Who may restrict right to use highways - definitions**
5 **- rules.** (3) Local authorities, with respect to highways under their
6 jurisdiction, may also, by ordinance or resolution:

7 (b) Impose limitations as to the weight of trucks or commercial
8 vehicles if the limitations are designated by appropriate signs placed on
9 the highway; ~~or~~

10 (c) Prohibit the operation of motor or off-highway vehicles upon
11 a roughed-in road when necessary for the protection and safety of the
12 public; OR

13 (d) (I) WHEN SNOW-PACKED CONDITIONS EXIST ON A HIGHWAY OR
14 FOR A CONTINUOUS SEASONAL PERIOD DESIGNATED BY THE LOCAL
15 AUTHORITY WHEN SNOW-PACKED CONDITIONS ARE, AS DETERMINED BY
16 THE LOCAL AUTHORITY, LIKELY TO EXIST ON A HIGHWAY, DESIGNATE ALL
17 OR A PORTION OF A HIGHWAY FOR OVER-SNOW USE ONLY, WHICH THE
18 LOCAL JURISDICTION MAY FURTHER LIMIT TO TRAVEL BY
19 HUMAN-POWERED OR ANIMAL-POWERED MEANS, OR BOTH, ONLY WHEN
20 NECESSARY FOR THE PROTECTION AND SAFETY OF THE PUBLIC.

21 (II) AS USED IN THIS SUBSECTION (3)(d), "OVER-SNOW USE" MEANS
22 TRAVEL ON TOP OF SNOW BY HUMAN-POWERED OR ANIMAL-POWERED

1 MEANS OR BY AN OFF-HIGHWAY VEHICLE THAT IS PRIMARILY DESIGNED OR
2 ALTERED FOR USE OVER SNOW AND RUNS WITHOUT TIRES ON A
3 CONTINUOUS BELT TRACK, WITH OR WITHOUT CLEATS, OR ON ONE OR
4 MORE SKIS, WHILE IN USE OVER SNOW.

5 **SECTION 2. Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, or safety.