

## Legal Authorities Related to OHV Use on County Roads

Citation	Text
C.R.S. 33-14.5-108	<p><b>(1) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:</b></p> <p>(a) When a street, road, or highway is designated open by the state or any agency or political subdivision thereof;</p> <p>(b) When crossing streets or when crossing roads, highways, or railroad tracks in the manner provided in section 33-14-112;</p> <p>(c) When traversing a bridge or culvert;</p> <p>(d) During special off-highway vehicle events lawfully conducted pursuant to the authority granted to local political subdivisions in this article;</p> <p>(e) During emergency conditions declared by the proper state or local authority;</p> <p><b>(f) When local political subdivisions have authorized by ordinance or resolution the establishment of off-highway vehicle routes to permit the operation of off-highway vehicles on city streets or county roads, but no street or road which is part of the state highway system may be so designated;</b></p> <p>(g) When using an off-highway vehicle for agricultural purposes;</p>
2 CCR 405-5 #504 Operation of Off-Highway Vehicles	<p>B. Where the State, the United States, or any agency thereof, has designated any public street, road, or highway of this state open to off-highway vehicles or where local political subdivisions have authorized by ordinance or resolution the establishment of off-highway vehicle routes to permit the operation of off-highway vehicles on city streets or county roads pursuant to the authority granted in C.R.S. 33-14.5-108(1), no person under the age of ten years may operate an off-highway vehicle on such public street, road, or highway of this state or on such city street or county road. No person ten years of age or older may operate an off-highway vehicle on such public street, road, or highway of this state or on such city street or county road unless:</p> <ol style="list-style-type: none"> <li>1. The person has in his possession a valid driver's license issued by the State of Colorado or another state; or</li> <li>2. The person is accompanied by and under the immediate supervision</li> </ol>

	<p>of a person who has in his possession a valid driver's license issued by the State of Colorado or another state. The phrase "under immediate supervision" shall mean that, at a minimum, the unlicensed operator is within direct visual contact of the licensed supervisor.</p>
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Off-Highway Vehicles Titled by Type and County

July 1, 2014 - August 1, 2015

County	ATV / UTV	Dirt Bikes	Snow Mobile	Total
PHILLIPS	2	0	0	2
SEDGWICK	2	0	1	3
SAN JUAN	6	0	0	6
WASHINGTON	7	1	0	8
CHEYENNE	8	0	0	8
HINSDALE	8	0	2	10
LINCOLN	8	0	0	8
BACA	9	0	0	9
KIOWA	9	1	0	10
CROWLEY	11	1	0	12
BENT	13	0	0	13
DOLORES	14	0	1	15
PROWERS	16	3	0	19
KIT CARSON	19	3	0	22
MINERAL	19	0	7	26
SAN MIGUEL	20	4	14	38
COSTILLA	23	0	1	24
BROOMFIELD	24	18	5	47
GILPIN	25	6	3	34
HUERFANO	25	0	0	25
PITKIN	29	18	17	64
OURAY	34	6	4	44
LAKE	36	13	7	56
LOGAN	38	7	0	45
CLEAR CREEK	41	5	12	58
JACKSON	41	5	14	60
SAGUACHE	43	2	1	46
OTERO	45	4	1	50
YUMA	45	1	1	47
LAS ANIMAS	52	4	1	57
CUSTER	54	1	5	60
SUMMIT	54	44	53	151
CONEJOS	55	6	7	68
ALAMOSA	57	15	4	76
STATE	61	50	3	114
MORGAN	72	20	5	97
ARCHULETA	80	9	20	109
CHAFFEE	85	6	14	105
GUNNISON	95	28	76	199
RIO GRANDE	103	5	9	117
RIO BLANCO	104	13	20	137
EAGLE	109	35	69	213
PARK	133	18	15	166
GRAND	139	33	199	371
BOULDER	155	59	24	238

Off-Highway Vehicles Titled by Type and County

July 1, 2014 - August 1, 2015

County	ATV / UTV	Dirt Bikes	Snow Mobile	Total
ELBERT	161	22	24	207
MOFFAT	168	18	24	210
ROUTT	176	59	200	435
DENVER	179	55	42	276
TELLER	182	70	7	259
FREMONT	219	30	3	252
MONTEZUMA	243	10	10	263
GARFIELD	247	43	94	384
DELTA	284	42	59	385
MONTROSE	293	68	46	407
LA PLATA	294	95	79	468
PUEBLO	319	69	10	398
ARAPAHOE	372	135	49	556
DOUGLAS	377	142	39	558
ADAMS	496	193	41	730
LARIMER	571	238	52	861
JEFFERSON	616	223	123	962
WELD	663	192	37	892
EL PASO	720	265	26	1,011
MESA	828	123	79	1,030
Total	9,436	2,536	1,659	13,631

**To:** Committee Members - 2015 Off-Highway Vehicle Interim Committee

**From:** Robert M. Ferm, on behalf of the American Insurance Association

**Date:** August 5, 2015

**Re:** Testimony for 2015 Off-Highway Vehicle Interim Committee

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## Memorandum

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This memorandum has been prepared and is submitted on behalf of the American Insurance Association (AIA) and its member companies. AIA is the leading property and casualty insurance trade organization, representing more than 325 insurance companies that write more than \$127 billion in premiums each year. We appreciate the opportunity to present our concerns for your consideration as you deliberate issues before the interim committee.

AIA requests that the committee consider that off-road vehicles should not be subject to the same auto insurance laws as on-road vehicles operated in normal conditions. Simply put, they are not the equivalent of automobiles and trucks that have a whole array of safety obligations and features associated with their manufacture and operation.

Auto insurers base their premiums in large part on known vehicles that meet known standards of road worthiness for all uses and which operate in a known universe of paved roadways. Off-road vehicles do not meet the same standards of road or crash worthiness, and are often operated in a more dangerous environment that increases the chances of harm to the occupants and others. Such vehicles should not be subject to the same auto insurance laws as well-known vehicles operated in well-known situations.

During testimony before the interim committee on July 20, 2015, the Colorado State Patrol (CSP) provided testimony about safety concerns associated with the operation of off-road vehicles. It is our understanding that the CSP indicated it would be neutral on legislation that contained certain elements, including that the vehicle would be insured. Should the committee consider an insurance requirement in legislation, it would be important to differentiate between an off-road liability coverage from those coverages normally required for an on-road vehicle under our current automobile financial responsibility laws.

Thank you for your consideration.

Very truly yours,



Robert M. Ferm, Esq.  
On Behalf of The American  
Insurance Association