

**NOTE: The governor signed this measure on 3/13/2015.**

# An Act

SENATE BILL 15-023

BY SENATOR(S) Crowder, Baumgardner, Cooke, Jahn, Lambert, Neville T., Roberts, Scheffel, Scott, Sonnenberg, Woods, Cadman; also REPRESENTATIVE(S) Vigil, Brown, Fields, Pettersen, Priola, Rosenthal, Saine, Salazar, Tate.

CONCERNING THE USE OF AN OFF-HIGHWAY VEHICLE TO CROSS A ROADWAY.

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

**SECTION 1.** In Colorado Revised Statutes, 33-14.5-108, **amend** (1) (b) as follows:

**33-14.5-108. Off-highway vehicle operation prohibited on streets, roads, and highways.** (1) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

(b) When crossing streets or when crossing roads, highways, or railroad tracks ~~in the manner provided in~~ ACCORDANCE WITH section ~~33-14-112~~ 33-14.5-108.5;

**SECTION 2.** In Colorado Revised Statutes, **add** 33-14.5-108.5 as

---

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

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.

(2) A PERSON SHALL NOT CROSS A HIGHWAY WHILE DRIVING AN OFF-HIGHWAY VEHICLE UNLESS THE CROSSING IS MADE IN ACCORDANCE WITH THE FOLLOWING:

(a) THE CROSSING MUST BE MADE AT AN ANGLE OF APPROXIMATELY NINETY DEGREES TO THE DIRECTION OF THE HIGHWAY AND AT A PLACE WHERE NO OBSTRUCTION PREVENTS A QUICK AND SAFE CROSSING.

(b) THE OFF-HIGHWAY VEHICLE MUST BE BROUGHT TO A COMPLETE STOP BEFORE CROSSING THE SHOULDER OR, IF NONE, THE ROADWAY BEFORE PROCEEDING.

(c) THE DRIVER MUST YIELD THE RIGHT-OF-WAY TO ALL MOTOR VEHICLE TRAFFIC ON THE ROADWAY THAT CONSTITUTES AN IMMEDIATE HAZARD TO THE CROSSING.

(d) A DRIVER OF AN OFF-HIGHWAY VEHICLE MUST CROSS A DIVIDED HIGHWAY AT AN INTERSECTION OF THE HIGHWAY WITH ANOTHER ROAD OR HIGHWAY.

(3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 2 PETTY OFFENSE AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE OF FIFTY DOLLARS.

**SECTION 3. Act subject to petition - effective date - applicability.** (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will

not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to offenses committed on or after the applicable effective date of this act.

---

Bill L. Cadman  
PRESIDENT OF  
THE SENATE

---

Dickey Lee Hullinghorst  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

---

Cindi L. Markwell  
SECRETARY OF  
THE SENATE

---

Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

---

John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO