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Debra A Green
Park County Clerk

No fee

PARK COUNTY, COLORADO

Ordinance No. 16-04

AN ORDINANCE OF PARK COUNTY, COLORADO ADOPTING BY REFERENCE THE 2010 EDITION OF THE MODEL TRAFFIC CODE FOR COLORADO AND REPEALING PARK COUNTY ORDINANCE NO. 04-01, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, Park County, Colorado possesses the authority pursuant to C.R.S. §30-11-101(2), C.R.S. §30-11-101(2)15-401(1)(g) and C.R.S. §42-4-110(1)(b) to adopt the model traffic code promulgated by the Colorado Department of Transportation; and

WHEREAS, the Park County Board of County from time to time has adopted the then-current edition of the Model Traffic Code for Colorado; and

WHEREAS, Ordinance No. 04-01 was the most recent such ordinance enacted by the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners wishes to adopt the 2010 edition of the Model Traffic Code for Colorado by reference;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR PARK COUNTY, THAT:

Section 1. Model Traffic Code for Colorado adopted. There is hereby adopted the 2010 edition of the *Model Traffic Code* promulgated and published by the Colorado Department of Transportation, Safety and Traffic Engineering Branch, 4201 East Arkansas Avenue, EP 700., Denver, CO 80222. The subject matter of the *Model Traffic Code* relates primarily to comprehensive traffic control regulations for the County. The purpose of this Ordinance and the Code adopted herein is to provide a system of traffic regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation. Three (3) copies of the *Model Traffic Code* adopted herein are now filed in the office of the Park County Clerk and Recorder Clerk and may be inspected during regular business hours.

Section 2. Penalties.

- a. Any person who violates any provision of this Ordinance commits a traffic infraction. Except when otherwise prohibited herein, the penalty assessment procedure provided in C.R.S. § 42-4-1701 may be followed by the assessing deputy for any such violation of this Ordinance. In addition to the penalties prescribed in this section, persons convicted of a violation of this Ordinance are subject to a surcharge as set forth in C.R.S. § 30-15-402 and C.R.S. § 42-4-1208. The fines and the surcharges shall be paid to the county court by each defendant. The clerk of the county court or the county court administrator shall credit such surcharge to the Victims and Witness Assistance and Law Enforcement Fund established pursuant to C.R.S. § 24-4.2-103, the Disabled Park Education and Enforcement Fund established pursuant to C.R.S. § 42-1-226 and the Colorado Traumatic Brain Injury Trust Fund established pursuant to C.R.S.

§ 26-1-309. Court costs, if any, shall be paid directly to the clerk of the county court by each defendant.

- b. Traffic infractions are divided into two classes denoted by "TIA" for Class A Traffic Infractions, and "TIB" for Class B Traffic Infractions.
- c. In the case of multiple traffic offenses involving aggressive driving, the applicable penalty or penalty assessment shall be doubled for each traffic offense. For purposes of this subsection, "aggressive driving" means committing any two or more of the following violations in a single act or series of acts in close proximity to another motor vehicle: (1) exceeding the speed limits (1001); (2) following too closely (1008); (3) failure to obey official traffic control devices (603); (4) passing on shoulder of road (1004); (5) failure to give an adequate signal (903); (6) failure to yield right-of-way (701, 702, 703); and (7) unsafe lane change (903).

The penalties for violating specific Sections of this ordinance shall be as follows:

Traffic Code Section	CRS Ref	Violation Description	Class-Fine or Summons	Code	Surcharge
Traffic Regulation – Generally					
0109	42-4-109(6.5)	Operated or permitted operation of motorized bicycles, skates, skis, toy vehicles and recreational vehicles on highways by minors—use of low powered scooter by minor without helmet or carrying minor passenger without helmet.	TIB-\$100.00	170	\$10.00
0109	42-4-109(9)	Operated or permitted operation of motorized bicycles, skates, skis, toy vehicles and recreational vehicles on highways-ticket for use of prohibited vehicle/toy on highway	TIB-\$15.00	926	\$10.00
0109	42-4-109(11)	Operated or permitted operation of motorized bicycles, skates, skis, toy vehicles and recreational vehicles on highways by minors—ticket for use vehicle were suitable bike path or available.	TIB-\$15.00	926	\$10.00
0109	42-4-109(12)	Operated or permitted operation of motorized bicycles, skates, skis, toy vehicles and recreational vehicles on highways by minors—ticket for who authorizes or knowingly allows a minor to violate this provision.	TIB-\$100.00	901	\$10.00

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Traffic Code Section	CRS Ref	Violation Description	Class-Fine or Summon	Code	Surcharge
Vehicle Equipment					
0201	42-4-201	Obstruction of view or interference with driving mechanism	TIA-\$35.00	450	\$10.00
0202	42-4-202	Unsafe vehicle	TIA-\$35.00	542	\$10.00
0204	42-4-204	When lighted lamps required	TIA-\$15.00	611	\$10.00
0205	42-4-205	Head lamps on motor vehicles	TIB-\$15.00	613	\$10.00
0206	42-4-206	Tail lamps and reflectors	TIB-\$15.00	615	\$10.00
0207	42-4-207	Clearance and identification	TIB-\$15.00	620	\$10.00
0208	42-4-208	Stop lamps and turn signals	TIB-\$15.00	623	\$10.00
0209	42-4-209	Lamp or flag on a projecting load	TIA-\$15.00	543	\$10.00
0210	42-4-210	Lamps on parked vehicles	TIB-\$15.00	350	\$10.00
0211	42-4-211	Lamps on farm equipment and other vehicles and equipment	TIB-\$15.00	627	\$10.00
0212	42-4-212	Vehicle spot lamps and auxiliary	TIB-\$15.00	544	\$10.00
0213	42-4-213	Audible and visual signals on emergency vehicle	TIA-\$15.00	545	\$10.00
0214	42-4-214	Visual signals on a service vehicle	TIB-15.00	645	\$10.00
0215	42-4-215	Signal lamps, devices and additional lighting equipment	TIB-15.00	629	\$10.00
0216	42-4-216	Multiple-beam road lights	TIB-\$15.00	631	\$10.00
0217	42-4-217	Use of multiple beam lights	TIA-\$15.00	632	\$10.00
0218	42-4-218	Single-beam road-lighting equipment	TIB-\$15.00	634	\$10.00
0219	42-4-219	Number of lamps permitted	TIB-\$15.00	635	\$10.00
0220	42-4-220	Motorized bicycles – motor driven cycles – lighting equipment – department control – use and	TIB-\$15.00	931	\$10.00
0221	42-4-221	Bicycle equipment	TIB-\$15.00	931	\$10.00
0222	42-4-222(1)	Volunteer firemen – volunteer ambulance attendants – special lights and alarm systems	TIB-\$15.00	638	\$10.00
0223	42-4-223	Brake equipment required	TIA-\$15.00	549	\$10.00
0224	42-4-224	Horn and warning devices	TIB-\$15.00	551	\$10.00
0225	42-4-225	Mufflers – prevention of noise	TIB-\$15.00	552	\$10.00
0226	42-4-226	Mirrors – exterior placements	TIB-\$15.00	553	\$10.00
0227	42-4-227(2)	Windows unobstructed – certain materials prohibited – windshield wiper requirement	TIB-\$15.00	466	\$10.00
0228	42-4-228(1), (2), (3), (5), or	Restrictions on tire equipment	TIA-\$15.00	556	\$10.00
0229	42-4-229	Safety glazing materials in motor vehicle	TIB-\$15.00	572	\$10.00

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Traffic Code Section	CRS Ref	Violation Description Vehicle Equipment Continued	Class- Fine or Summons	Code	Surcharge
0230	42-4-230	Emergency lighting equipment – who must carry	TIB-\$15.00	640	\$10.00
0231	42-4-231	Parking lights	TIB-\$15.00	642	\$10.00
0232	42-4-232	Minimum safety standards for motorcycles and motor driven cycles	TIA-\$15.00	161	\$10.00
0234	42-4-234	Slow moving vehicle – display of emblem	TIB-\$15.00	565	\$10.00
0236	42-4-236	Child restraint system/safety belt required	TIB-\$65.00	574	\$10.00
0237	42-4-237	Safety belt system – mandatory use	TIB-\$65.00	575	\$10.00
0239	42-4-239(5)(a)	Misuse of wireless telephone (second violation)	TIA-\$50.00 (TIA-\$100.00)	585 (586)	\$10.00 (\$10.00)
		Misuse of wireless telephone by individual under 18 years of age (second violation)	TIA-\$50.00 (TIA-\$100.00)	587 (588)	\$10.00 (\$10.00)
0240	42-4-240	Low-speed electric vehicle equipment requirements	TIB-\$15.00	559	\$10.00

Overweight – Oversized Vehicles					
0502	42-4-502	Overwidth vehicle	TIB-\$75.00	561	\$10.00
0503	42-4-503	Projected loads on passenger vehicle	TIB-\$15.00	515	\$10.00
0504	42-4-504	Height and length of vehicles	TIB-\$75.00	529	\$10.00
0506	42-4-506	Trailers and towed vehicles	TIB-\$15.00	471	\$10.00
0512	42-4-512	Operated vehicle/object/contrivance that caused damage to a highway/highway structure – liability for damage to highway	TIA-\$75.00	495	\$10.00

Signals – Signs – Markings					
0603	42-4-603	Obedience (disregard) official traffic control devices	TIA-\$100.00	999	\$10.00
0604	42-4-604	Traffic control signal legend	TIA-100.00	220	\$10.00
0605	42-4-605	Flashing signals	TIA-\$70.00	310	\$10.00
0606	42-4-606	Display of unauthorized signs or devices	TIA-\$15.00	311	\$10.00
0607	42-4-	Interference with official devices	TIB-\$50.00	314	\$10.00
0607	42-4-607(2)(a)	Interference with official devices	TIA-\$100	312	\$10.00
0608	42-4-	Signals by hand or signal device	TIA-\$70.00	436	\$10.00
0608	42-4-	Signals by hand or signal device	TIA-\$15.00	540	\$10.00
0609	42-4-609	Method of giving hand arm signals	TIA-\$15.00	433	\$10.00
0610	42-4-610	Unauthorized insignia	TIB-\$15.00	541	\$10.00

Traffic Code Section	CRS Ref	Violation Description Signals – Signs – Markings Continued	Class- Fine or Summon	Code	Surcharge
0612	42-4-612	When signals are inoperative or malfunctioning	TIA-\$70.00	320	\$10.00
0613	42-4-613	Failure to pay toll established by regional transportation	TIA-\$35.00	966	\$10.00

Rights of Way					
0701	42-4-701	Vehicles approaching or entering intersection	TIA-\$70.00	371	\$10.00
0702	42-4-702	Vehicle turning left	TIA-\$70.00	278	\$10.00
0703	42-4-703	Entering through highway – stop or yield intersection	TIA-\$70.00	319	\$10.00
0704	42-4-704	Vehicle entering roadway	TIA-\$70.00	374	\$10.00
0705	42-4-705	Operation on approach of an emergency vehicle	TIA-\$70.00	375	\$10.00
0706	42-4-706	Obedience to railroad signal	TIA-\$70.00	315	\$10.00
0707	42-4-707	Certain vehicles must stop at railroad grade crossings	TIA-\$70.00	317	\$10.00
0708	42-4-708	Moving heavy equipment at railroad grade crossing	TIB-\$35.00	318	\$10.00
0709	42-4-709	Stop when traffic obstructed	TIA-\$70.00	952	\$10.00
0710	42-4-710	Emerging from or entering alley, driveway or building	TIA-\$70.00	378	\$10.00
0711	42-4-711	Driving on mountain highways	TIA-\$100.00	146	\$10.00
0712	42-4-712	Driving in highway work area	TIA-\$70.00	382	\$10.00

Pedestrians					
0801	42-4-801	Pedestrian obedience to traffic control devices and traffic	TIB-\$15.00	401	\$10.00
0802	42-4-802(1), (4), or (5)	Pedestrians' right-of-way in	TIA-\$30.00	376	\$10.00
		(1) Failure to yield to pedestrian no traffic signals in place	TIA-\$15.00	411	\$10.00
		(3) No pedestrian shall suddenly a curb in front of a moving vehicle	TIA-\$30.00	203	\$10.00
		(4) Passing a vehicle that is yielding a pedestrian	TIA-\$30.00	377	\$10.00
		(5) Failure to yield right-of-way to a pedestrian at a signalized intersection	TIB-\$15.00	402	\$10.00
0803	42-4-803	Crossing at other than a crosswalk	TIB-\$15.00	802	\$10.00
0805	42-4-805	Pedestrian was under the influence of alcohol or drug while on a roadway	TIB-\$15.00	803	\$10.00
		Rider of an animal was under the influence of alcohol or drug while on roadway	TIA-\$70.00	145	\$10.00
0806	42-4-806	Driving through safety zone	TIA-\$70.00	381	\$10.00
0807	42-4-807	Drivers to exercise due care	TIA-\$70.00		

Traffic Code Section	CRS Ref	Violation Description	Class-Fine or Summon	Code	Surcharge
Pedestrians Continued					
0808	42-4-808	Drivers and pedestrians, other than persons in wheelchairs, to yield to persons with disabilities	TIA-\$70.00	380	\$10.00
Turning - Stopping					
0901	42-4-901	Required position and method of turning	TIA-\$70.00	273	\$10.00
0902	42-4-902	Limitations on turning around (U-turn)	TIA-\$70.00	270	\$10.00
0903	42-4-903	Turning movements and required signals	TIA-\$70.00	433	\$10.00

Driving - Overtaking - Passing					
1001	42-4-1001	Drive on right side exceptions	TIA-\$70.00	250	\$10.00
1002	42-4-1002	Passing oncoming vehicles	TIA-\$100.00	190	\$10.00
1003	42-4-1003	Overtaking vehicle on left	TIA-\$100.00	193	\$10.00
1004	42-4-1004	When overtaking on right is permitted	TIA-\$100.00	194	\$10.00
1005	42-4-1005	Limitations on overtaking on left	TIA-\$100.00	195	\$10.00
1006	42-4-1006	Drove the wrong way on a one-way roadway and rotary traffic	TIA-\$70.00	256	\$10.00
1007	42-4-1007	Driving on roadways laned for traffic	TIA-\$100.00	222	\$10.00
1008	42-4-1008	Following too closely	TIA-\$100.00	142	\$10.00
1009	42-4-1009	Coasting prohibited	TIA-\$70.00	147	\$10.00
1010	42-4-1010	Driving on divided or controlled access highway	TIA-\$70.00	253	\$10.00
1011	42-4-1011	Use of runaway vehicle ramp	TIA-\$200.00	231	\$10.00
1012	42-4-1012	High occupancy vehicle lane (Three or more times - within a 12 month period)	TIA-\$65.00 (\$125.00)	232	\$10.00
1013	42-4-1013	Passing lane	TIA-\$100.00	204	\$10.00

Speed Regulations					
1101	42-4-1101	Driving too fast for conditions	TIA \$100.00	007	\$25.00
		Speeding 1-4 miles per hour over the posted limit	TIA-\$30.00	020	\$25.00
		Speeding 5-9 miles per hour over the posted limit	TIA-\$70.00	004	\$25.00
		Speeding 10-19 miles per hour over posted limit	TIA-\$135.00	005	\$25.00
		Speeding 20-24 miles per hour over posted limit	TIA-\$200.00	006	\$25.00
		Speeding 1-4 miles per hour over the posted speed limit driving a low-scooter	TIA-\$50.00	021	\$25.00
		Speeding 5 to 9 miles per hour over posted speed limit driving a low-scooter	TIA-\$75.00	022	\$25.00

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Traffic Code Section	CRS Ref	Violation Description	Class-Fine or Summons	Code	Surcharge
1101	42-4-1101	Speeding greater than 9 miles per over the posted speed limit driving a low-power scooter * Speeding fines doubled in a school/construction/wildlife crossing zone	TIA-\$100.00	023	\$25.00
1103	42-4-1103	Impeding normal flow of traffic	TIA-\$50.00	008	\$10.00
Parking Regulations					
1201	42-4-1201	Starting parked vehicle	TIA-\$30.00	144	\$10.00
1202	42-4-1202	Parking or abandonment of vehicles	TIB-\$30.00	350	\$10.00
1204	42-4-1204	Stopping, standing, or parking prohibited in	TIB-\$60.00	350	\$10.00
1205	42-4-1205	Parking at curb or shoulder of a roadway	TIB-\$60.00	350	\$10.00
1206	42-4-1206	Unattended motor vehicle	TIB-\$15.00	350	\$10.00
1207	42-4-1207	Opening and closing vehicle doors	TIB-\$15.00	916	\$10.00
1208	42-4-1208	Parking privileges for persons with disabilities— (5) Unauthorized parking in designated disabled parking spot (second offense) (9) Use of disabled placard by employee of company that transports disabled individuals when not transporting disabled individuals (10) Unlawful to park a vehicle so blocking curb ramps, passenger loading zones, or accessible routes (second offense) (15) Violation of time limits for reserved disabled parking spot (16) Use of business disabled placard or license for non-business purposes --Fines doubled for commercial carriers who violate subsections (5) or (10)	TIB-\$350.00 (TIB-\$600.00) TIB-\$150.00 TIB-\$350.00 (TIB-\$600.00) TIB-\$150.00 TIB-\$150.00	362 362 368 369	\$42.00 \$42.00 \$10.00 \$42.00 \$42.00 \$10.00 \$10.00
1211	42-4-1211	Limitations on backing (unsafe)	TIA-\$30.00	153	\$10.00

Traffic Code Section	CRS Ref	Violation Description	Class-Fine or Summons	Code	Surcharge
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Other Offenses

1403	42-4-1403	Following fire apparatus prohibited	TIA-\$30.00	149	\$10.00
1404	42-4-1404	Crossed a fire hose	TIB-\$15.00	150	\$10.00
1405	42-4-1405	Riding in trailers	TIB-\$15.00	156	\$10.00
1406	42-4-1406	Littered foreign material on a	TIB-\$35.00	490	\$10.00
1407	42-4-1407(2.4)(a)	Spilled loads/debris on a highway	TIB-\$35.00	494	\$10.00
1407	42-4-1407(3)(b)	Spilled loads/debris on a highway	TIA-\$100.00	498	\$10.00
1408	42-4-1408	Operation of motor vehicles on property under control of or owned by parks and recreation districts	TIB-\$15.00	159	\$10.00
1411	42-4-1411	Use of earphones while driving	TIB-\$15.00	467	\$10.00

Motorcycles

1502	42-4-1502	Improper riding on motorcycles	TIA-\$30.00	157	\$10.00
1502	42-4-1502(4.5)(a)	Riding on motorcycles—helmets required for minors	TIA-\$100.00	170	\$10.00
1503	42-4-1503	Operated motorcycles on roadways laned for traffic	TIA-\$30.00	226	\$10.00
1504	42-4-1504	Clinging to other vehicles	TIA-\$30.00	158	\$10.00

- d. Pursuant to Part 17 of the Model Traffic Code, points assessed against a driving privilege shall be in conformance with the provisions of C.R.S. § 42-2-127, to include reduction in points specified in C.R.S. § 42-2-127(5.5).

Section 3. Surcharge. There shall be a surcharge for Sheriff's Office operations and equipment of \$15.00 for each violation.

Section 4. Application. This Ordinance shall apply to every street, alley, sidewalk area, driveway, park and to every other public way or public place or public parking area within the unincorporated areas of Park County, Colorado.

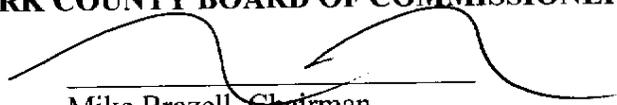
Section 5. Repealer. Park County Ordinance No. 96-02 and 04, adopting earlier Codes, and all other ordinances and resolutions or parts of ordinances and resolution in conflict herewith are hereby repealed.

Section 6. Severability. If any section, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of County Commissioners hereby declares that it would have passed this ordinance, and each section, clause or phrase hereof, irrespective of the fact that any one or more of the sections, sentences, clauses and phrases be declared unconstitutional.

Section 7. Effective date. Pursuant to C.R.S. § 30-15-405, this ordinance shall be published in full following its initial introduction and reading and published by title only following final adoption by the Board of County Commissioners and shall be effective thirty (30) days following such publication by title only.

SIGNED this 1st day of December 2016.

PARK COUNTY BOARD OF COMMISSIONERS

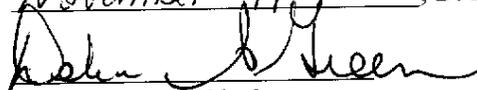

Mike Brazell, Chairman

ATTEST:


County Clerk



I certify that this ordinance was introduced and read at the November 3, 2016
public hearing of the Board of County Commissioners and published in The Flume on
November 11, 2016.


County Clerk

