

Title 10
VEHICLES AND TRAFFIC

10.04 Traffic Code

- 10.04.010 Adoption of state traffic code
- 10.04.020 Deletions, additions, and modifications
- 10.04.030 Application
- 10.04.040 Unattended vehicle in violation
- 10.04.050 Interpretation

10.12 Trucks

- 10.12.010 Definitions
- 10.12.030 Truck routes--Established
- 10.12.040 Truck routes--Use required--Restricted routes

10.14 Off-highway Vehicles

- 10.14.010 Definitions
- 10.14.020 Off-highway routes designated
- 10.14.030 Regulations concerning the operation of off-highway vehicles within the Town

Town Manager Quality Check Approval

Town Clerk Quality Check Approval

10.04 Traffic Code

10.04.010 Adoption of State Traffic Code

Pursuant to parts 1 and 2 of article 16 of Title 31, Colorado Revised Statutes, as amended, there is hereby adopted by reference Articles I and II, inclusive of the "Model Traffic Code for Colorado Revised 2003", promulgated and published as such by the Colorado Department of Transportation, Safety and Traffic Engineering, 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 Town. The purpose of this Chapter 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 by the Town clerk in the Rangely Municipal Building of the Town , and may be inspected during regular business hours.

10.04.020 Deletions-Additions and Modifications

The following deletions, additions, and modifications are made to the Model Traffic Code for Colorado Revised 2003:

- A. Section 1101 Speed Limits, subsections (2) (b) and (c) are modified to read as follows:
- (1) Except when a special hazard exists that requires a lower speed, the following speeds shall be lawful:
 - (2) Unless otherwise posted, thirty (30) miles per hour in any business district as defined in Section 42-1-102 (11) C.R.S.
 - (3) Unless otherwise posted, twenty-five (25) miles per hour in any residential district as defined in Section 42-1-102 (80) C.R.S.
- B. A new section 1106 Police Chief Designation is added, which reads as follows:
Section 1106 Police Chief Designation In accordance with the general powers granted to municipalities under Section 42-4-703 Entering through highway--stop or yield intersection, Section 42-4-110 Powers of local authorities, and Section 42-4-1102 Altering of speed limits of the C.R.S., as amended, and the specific powers granted to municipalities under Subsection (7) of said Section 42-4-1102, the police chief is designated the municipal officer who, based on traffic investigations and surveys and, as appropriate, design standards, projected traffic volumes, and engineering investigation, shall on public ways, places, and parking areas determine parking prohibitions, limitations, and restrictions, and speed limits and stop sign installations.
- C. Section 1701 Municipalities--traffic offenses classified--schedule of fines, subsection (2) and (3), are deleted and new subsections (2) and (3) substituted as follows:
- (1) The penalties and surcharges prescribed for traffic offenses under Section 1707 Summons and complaint or penalty assessment notice for traffic offenses--release-- registration, Subsection (3) (a), when a defendant has been issued a penalty assessment notice, agrees to pay, and does pay the penalty and surcharge within the time specified, shall be identical to those prescribed in Section 42-4-1701 Traffic offenses and infractions classified--penalties--penalty and surcharge schedule, subsections (1), (2), (3) and (4) (a) (I), (II), and (III), C.R.S., as amended, and said penalties and surcharges are hereby adopted by reference, except that in cases where the surcharge referenced in said Section 42.4.1701 above are less than five dollars (\$5), the surcharge shall be established at five dollars (\$5).
 - (2) In cases where a person fails to make payment within the time period specified of a penalty and surcharge contained within the penalty assessment notice, refuses to accept the notice, or for other reasons is required to appear before the court, the maximum penalty and surcharge which

Rangely Municipal Code / F:\Cityside\Code\Document\Title 10 / revised 3-10-09 / Page 2 of 7

Date
Town Manager Quality Check Approval

Date
Town Clerk Quality Check Approval

may be imposed shall not exceed the penalty and surcharge schedule referenced in subsection (2) above. Every person convicted of a violation of any provisions of this Chapter 10.04 Traffic Code for which a penalty assessment notice has not been or cannot be issued shall be punished by a fine not to exceed three hundred dollars (\$300) or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment. In addition to said fine and /or imprisonment, the court, as it deems appropriate, may impose conditions and assess fees and costs upon a defendant so convicted.

D. Section 1203. Towing by the town of certain parked or unattended vehicles. Any vehicle parked or left unattended may be towed by the town or its agent, the cost of which shall be collectable from the owner or driver, if any of the following circumstances exists;

1. The vehicle is parked in such a way to block, impede or interfere with
 - a. The flow of traffic;
2. The vehicle blocks lawful access to public or private property;
3. The vehicle blocks or interferes with the maintenance of town
 - a. Streets or removal of snow. The city shall only be able to enforce
 - b. This subsection (3) after making reasonable efforts to notify all
 - c. Vehicle owners of the need to remove such vehicles for
 - d. Maintenance; or
4. Any other circumstance deemed by the chief of police, town
 - a. Manager or town attorney to be an emergency situation
 - b. Requiring removal of the vehicle due to an imminent danger
 - c. Caused by the location of a parked vehicle and after all
 - d. Reasonable attempts have been made to locate the owner or
 - e. Driver of the vehicle.

10.04.030 Application

This Chapter 10.04 Traffic Code shall apply to every Street, alley, driveway, park, and to every other public way or public place or public parking area within the corporate limits of the town. The provisions of sections 1401, 1402, and 1413 of the adopted Model Traffic Code, respectively concerning reckless driving, careless driving, eluding a police officer, and accidents and accident reports, shall apply not only to public places and ways but also throughout the town.

10.04.040 Unattended vehicle in violation

A. Whenever any motor vehicle without driver is found parked, stopped, or standing in apparent violation of any provisions of this chapter and of the “Model Traffic Code for Colorado Revised 2003”, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle that may identify its user and shall conspicuously affix to such vehicle a penalty assessment notice indicating the offense or infraction and directing the driver of the vehicle to respond to and answer the charge against him at a place and at a time specified in said notice.

Date
Town Manager Quality Check Approval

Date
Town Clerk Quality Check Approval

- B. If the driver or owner of said unattended vehicle does not within the time so specified respond by appearance and make payment at the office of the court clerk or violations bureau by mailing the payment to said clerk or bureau or by other disposition of the charge as provided by law, the court clerk shall send another notice by mail to the registered owner of the motor vehicle to which the original charge was affixed, warning him that in event such notice is disregarded for a period of twenty (20) days from the date of mailing, a complaint will be filed and a warrant of arrest issued.
- C. In any prosecution resulting from said charge, proof that the particular vehicle described in the complaint was parked, stopped, or standing in violation of the provisions of said chapter and this Code, together with proof that the defendant named in the complaint was at the time of said apparent violation the registered owner of said vehicle, shall constitute a prima facie presumption that the registered owner of said vehicle was the person who parked, stopped, or placed said vehicle at the point where, and for the time which, said violation occurred.

10.04.050 Interpretation

This Chapter shall be so interpreted and construed as to effectuate its general purpose to conform to the State’s uniform system for the regulation of vehicles and traffic. Article and section headings of this chapter and the adopted “Model Traffic Code for Colorado Revised 2003” shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or extent of the provisions of any article or section thereof.

10.12 Trucks

10.12.010 Definitions

The following terms, as used in this Chapter, shall have the meanings hereinafter designated unless the context specifically indicates otherwise or unless such meaning is excluded by express provision:

1. “Immediate area of operation” means a segment of a restricted route between successive intersecting streets, including any restricted route which provides the only practical access to that segment of the restricted route.
2. “Official traffic control devices” means all signs, signals, markings, and devices, not inconsistent with state law, placed or displayed by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.
3. “Restricted route” means any street, highway, public way or portion thereof prohibited to the operation of through truck traffic.
4. “Road machinery” means those vehicles, self-propelled or otherwise, which are not designed primarily for the transportation of persons or cargo over the public highways and those motor vehicles which may have originally been designed for the transportation of persons but which have been redesigned or modified by the mounting thereon of special equipment or machinery, and which may be only incidentally operated or moved over the public highways. This definition includes but is not limited to wheeled vehicles commonly used in the construction, maintenance, and repair of roadways and the digging of ditches.
5. “Road tractor” means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.
6. Semi-trailer” means any wheeled vehicle, without motive power, which is designed to be used in conjunction with a truck tractor so that some party of its own weight and that of its cargo load rests upon or is carried by such truck tractor, and which is generally and commonly used to carry and transport property over the public highways.

Date

Town Manager Quality Check Approval

Date

Town Clerk Quality Check Approval

7. "Street or highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel, or the entire width of every way declared to be a public street or highway by any law of this State.
8. "Through truck traffic" means operation of a truck without origin or destination in the immediate area of operation.
9. "Truck" means any motor vehicle equipped with a body designed to carry property and which is generally and commonly used to carry and transport property over the public highways, except privately owned recreational motor vehicles, in excess of ten thousand pounds gross vehicle weight rating (G.V.W.R.).
10. "Truck tractor" means any motor vehicle which is generally and commonly designed and used to draw a semi-trailer and its cargo over the public highways.
11. "Vehicle" means any device which is capable of moving itself, or being moved, from place to place upon wheels or endless tracks; but such term shall not mean or include any farm tractor or any implement or husbandry designed primarily or exclusively for use and used in agricultural operations, or any device moved by muscular power, or moved exclusively over stationary rails or tracks, or designed to move primarily through the air.

10.12.030 Truck routes—Established

Routes for the operation of truck traffic within the Town are established as follows:

1. On Highway 64 (Main Street) from the east town limits to the west town limits;
2. From Highway 64 (Main Street) south on White Avenue to the south Town limits;
3. From Highway 64 (Main Street) north on White Avenue to the north Town limits;
4. From South Stanolind Avenue on Main Street west to County Road No. 2.

10.12.040 Truck routes--Use required--Restricted routes

- A. Through truck routes shall be unlawful upon restricted routes. It shall be unlawful for any person to operate or cause to be operated a truck upon a restricted route without an origin or destination in the immediate area of operation.
- B. Upon the designation of truck routes, it shall be unlawful for any person to operate or cause to be operated a truck upon any other street, highway, or other public way; provided, however, trucks may deviate from truck routes while traveling to or from a truck terminal, garage, place of repair, place of performing a service, or place of loading or unloading, and may proceed from a destination not located upon a truck route to another such destination without unreasonable increase of the distance to be traveled between such destinations.
- C. Any person operating a truck upon a street, highway, public way or portion thereof that is not a truck route, or upon a restricted route, shall have in his possession a logbook, delivery slip or other evidence of his point of origin and destination to justify the presence of the vehicle upon such route. Failure to produce such evidence upon request of a police officer shall be unlawful.

10.14 Off-Highway Vehicles

10.14.010 Definitions

Rangely Municipal Code / F:\Cityside\Code\Document\Title 10 / revised 3-10-09 / Page 5 of 7

Date
Town Manager Quality Check Approval

Date
Town Clerk Quality Check Approval

As used in this chapter, unless the context otherwise requires, the following terms shall have the meanings hereinafter designated unless such meaning is excluded by an express provision.

1. "Off-highway vehicle" shall mean any self-propelled vehicle which is designed to travel on wheels, i.e. three(3) or four(4), or tracks in contact with the ground, which is designed primarily for use off of the public highways, and which is generally and commonly used to transport persons for recreational purposes. "Off-highway vehicle" does not include the following: (a) vehicles designed and used primarily for travel on, over, or in the water; (b) snowmobiles; (c) military vehicles; (d) golf carts; (e) vehicles designed and used to carry disabled persons; (f) vehicles designed and used specifically for agricultural, logging, or mining purposes; or (g) vehicles registered pursuant to article 3 of title 42 C.R.S.
2. "Off highway vehicle route" means any road, trail, or other public way owned or managed by the Town and designated for off-highway vehicle travel.

10.14.020 Off-highway routes designated

In accordance with section 33-14.5-108 C.R.S. all Town streets, roads, and alleys, except any street or road which is part of the State highway system, within the Town are hereby designated as off-highway vehicle routes.

10.14.030 Regulations concerning the operation of off-highway vehicles within the Town

No off-highway vehicle shall be operated on the public streets, roads, and alleys within the Town except in accordance with the following:

1. No person shall operated an off-highway vehicle at a speed greater than is reasonable and prudent under the conditions then existing, and in no event greater than ten miles per hour (10 mph).
2. Any person that operates an off-highway vehicle must be at least eleven (11) years of age or be accompanied by an adult eighteen (18) years of age or older.
3. Any person who drives an off-highway vehicle in such a manner as to indicate either a wanton or willful disregard for the safety of persons or property shall be deemed guilty of reckless operation of an off-highway vehicle.
4. Any person who operates an off-highway vehicle in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic, pedestrians, and use of the streets, and all attendant circumstances, shall be deemed guilty of careless operation of an off-highway vehicle.
5. Any person who operates an off-highway vehicle on any street or alley shall ride as close to the white line as possible if no shoulder exists and multiple riders must ride in single file and observe all official traffic control devices, including signs and signals, as set forth in the Model Traffic Code for Colorado Revised 2003, as adopted by reference by the Town, and shall further operate such off-highway vehicle in the manner required for vehicles under the Model Traffic Code for Colorado Revised 2003, as adopted by reference by the Town, except as otherwise provided in this Chapter.
6. Any person who operates an off-highway vehicle on any street or alley must take as direct a route as possible to a BLM area, educational activity, or employment. Educational activities or work activities must be approved by the Chief of Police and if in question will be verified.
7. No off-highway vehicle shall be operated on any public street, road, or alley between the hours of sunset and sunrise.

Date
Town Manager Quality Check Approval

Date
Town Clerk Quality Check Approval

8. No off-highway vehicle shall be operated on any public street, road, or alley unless such off-highway vehicle is equipped with brakes and a muffler and spark arrester which conform to the standards prescribed by: (a) Department of Agriculture, Forest Service Standard 5100-a; (b) appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a).

10.14.040 Penalty assessment schedule

The municipal judge is hereby authorized to promulgate a penalty assessment schedule for violations of this Chapter in accordance with Rule 210(b)(5) of the Colorado Municipal; Court Rules of Procedure.

Date
Town Manager Quality Check Approval

Date
Town Clerk Quality Check Approval