Town Hall 551 Hot Springs Blvd
Pagosa Spring, CO 81147

AGENDA

Town Council Meeting
May 19, 2026 @ 5:00 PM

REMOTE PARTICIPATION

Join Zoom Meeting By Computer - https://us06web.zoom.us/j/84183643649
Dial by Phone - 1-669-900-6833 US - Meeting ID: 841 8364 3649

A Zoom link is made available. The Town cannot guarantee internet service or online broadcasting. Remote participation is at the risk of attendees. The meeting will continue in person regardless of the broadcast capability.

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. DISCLOSURES AND/OR CONFLICT OF INTEREST

V. PRESENTATIONS

1. **Swearing in Police Officer - Jonah Aragon**
2. **Josh Kurz science class presentation of floodplain/wetlands data**

VI. PUBLIC COMMENT

VII. CONSENT AGENDA

1. **Approval of the May 5, 2026 Meeting Minutes**
2. **April Financial Statement and Payments**
3. **Resolution 2026-09, supporting submittal of a nature conservancy grant application for flood resiliency work**

Public comment and agenda comment item sign-up sheets are available at the meeting
Copies of proposed Ordinances and Resolutions are available to the public from the Town Clerk

4. **Resolution 2026-10, Supporting the submittal of a Safe Streets for All grant application for design and engineering of the east end multimodal transportation plan and creating a comprehensive safety action plan**

5. **Letters of Support for the Upper San Juan Watershed Enhancement Partnership and San Juan Headwaters Forest Health Partnership to develop a Wildfire Readiness Action Plan (WRAP)**

VIII. REPORTS TO COUNCIL

1. **Sales Tax Brief**

2. **Other Department Reports**

   a. Administration Report

   b. Cemetery

   c. Development Department Division Reports - May 2026

   d. Lodging Tax Report

   e. Municipal Court Department Report

   f. Parks and Recreation Report

   g. PSPD Report

   h. Streets Department

IX. UNFINISHED BUSINESS

1. **Ordinance 1027, Second Reading, Adoption of 2024 Model Traffic Code**

2. **Ordinance 1028, Second Reading, Adopting a fine, surcharge and point schedule for violation of the model traffic code**

3. **Ordinance 1029, Second Reading, Amending the Municipal Code to Align with Certain Provisions of State Law**

4. **Letters of Interest to Serve on Town Council**

X. NEW BUSINESS

1. **Art Call Proposal**

2. **Shine Gelato OCE Proposal - Scenic Overlook**

3. **Appeal Hearing Regarding Neel Plat Amendment Application Approval**

Public comment and agenda comment item sign-up sheets are available at the meeting
Copies of proposed Ordinances and Resolutions are available to the public from the Town Clerk

XI. PUBLIC COMMENT

XII. MAYOR, COUNCIL, TOWN MANAGER COMMENTS/UPCOMING AGENDA ITEMS

XIII. UPCOMING COUNCIL MEETINGS

May 20, 2026 at 5:00 pm: Joint Town-County Work Session
June 2, 2026 at 5:00 pm: Regular Council Meeting
June 16, 2026 at 5:00 pm: Regular Council Meeting
June 22, 2026 at 5:00 pm: Joint Town-County Work Session
July 7, 2026 at 5:00 pm: Regular Council Meeting
July 21, 2026 at 5:00 pm: Regular Council Meeting

XIV. EXECUTIVE SESSION

1. **Executive Session pursuant to §24-6-402(4)(a), C.R.S., concerning the potential purchase of real, personal, or other property interest related to the expansion of Reservoir Hill Park**

2. **Executive Session pursuant §24-6-402(4)(e), C.R.S., determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators Intergovernmental Agreement between the Town and Archuleta County regarding the staffing of the Tourism Department, administration of the Pagosa Springs Area Tourism Board, and administration of lodging tax funding, and §24-6-402(4)(b), C.R.S., to receive legal advice on the potential contract and legal questions related to the foregoing issues, in which event the session, or portions of the session, will not be recorded**

XV. RECONVENE IN REGULAR SESSION

1. **Council may act in regular session on item(s) discussed in Executive Session**

XVI. ADJOURNMENT

Shari Pierce
Mayor

Public comment and agenda comment item sign-up sheets are available at the meeting
Copies of proposed Ordinances and Resolutions are available to the public from the Town Clerk

Town Hall 551 Hot Springs Blvd
Pagosa Spring, CO 81147

MINUTES
Town Council Meeting
May 5, 2026 @ 5:00 PM

A regular meeting of the Pagosa Springs Town Council was called to order on May 5, 2026 at 5:00 PM in the Town Hall located at 551 Hot Springs Blvd.

COUNCIL PRESENT: Mayor Pierce, Council Member Williams, Council Member Bergon, Council Member Martinez, Council Member deGraaf, Council Member Lindner

COUNCIL ABSENT:

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. DISCLOSURES AND/OR CONFLICT OF INTEREST

None

V. PUBLIC COMMENT

None

VI. CONSENT AGENDA

1. **Approval of the April 21, 2026 Meeting Minutes**

2. **Resolution 2026-08, Authorizing Reimbursement to Town for Costs Incurred Prior to Issuance of Future Lease Purchase Financing**

Council Member Williams moved to approve the consent agenda, Council Member Bergon seconded.

VII. NEW BUSINESS

1. Selection of Organization ComFest 2026

This year marks the sixth consecutive year the Town has offered a free monthly summer concert series, which has consistently received positive feedback from the community. The Parks and Recreation Department is responsible for coordinating all aspects of the events, including stage setup, band scheduling, event management, and post-event cleanup. As part of the program, the Town partners with local non-profits by providing them with the opportunity to receive proceeds from beer and wine sales. In return, participating organizations assist with event promotion and provide volunteer support during the concerts. For the upcoming season, the Town Council is being asked to select three (3) participating non-profit organizations by random drawing. Archuleta County 4-H, Aspire Medical Services, Archuleta Senior Center, Aspen House, Boy Scouts, Curtains Up Pagosa, Dust 2, Pagosa Youth Soccer, Wings Early Childhood Center, and Rise Above Violence.

Three non-profit organizations were drawn at ransom to participate in the three ComFest events in June, July and August. The organizations are Archuleta County 4-H, Wings Early Childhood Center, Rise Above Violence. A fourth, Pagosa Youth Soccer, was selected as an alternate.

2. School Project Proposal

Item tabled for another meeting.

3. Ordinance 1027, First Reading, Adoption of 2024 Model Traffic Code

Ordinance No. 1027 (Series 2026) An Ordinance Amending Chapter 18 of the Pagosa Springs Municipal Code, Repealing the 2003 Model Traffic Code, and Readopting the 2024 Model Traffic Code for Colorado Municipalities, Ordinance No. 1027 updates the current version of the 2003 Model Traffic Code ("MTC") to the newest version of the 2024 Model Traffic Code as amended.

Council Member Bergon moved to approve the First Reading of Ordinance 1027 adopting the 2024 Model Traffic Code, as amended**.**, Council Member Martinez seconded.

4. Ordinance 1028, First Reading, Adopting a fine, surcharge and point schedule for violation of the model traffic code

Ordinance No. 1028 (Series 2026) An Ordinance of the Town of Pagosa Springs Repealing and Readopting a Fine, Surcharge, and Point Schedule for Violations of the Model Traffic Code, supports Ordinance 1027 by updating the Fine, Fee, and Surcharge schedule in support of the adoption of the 2024 Model Traffic Code. The purpose of this Ordinance and the Code adopted herein is to provide fines, fees, and surcharges for traffic regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation.

Council Member Bergon moved to approve the First Reading of Ordinance 1028 adopting the updated Fine, Fee, and Surcharge Schedule**,** Council Member Martinez seconded.

5. U.S. Department of Transportation: "Safe Streets and Roads for All" Grant Application

The Implementation Grant through this U.S. Department of Transportation's "Safe Streets and Roads for All" will help move forward with projects and strategies identified in The East End Multimodal Action Plan

that address roadway safety problems. Staff is coordinating with CDOT on an application that would request funding towards the Design and Engineering for the East End Multimodal Plan, including the US Hwy 160/84 intersection, East End frontage roads, frontage road intersections with Hwy 160, sidewalks, and river walk extension to the new River Access Park. Staff will be coming back to the May 19th Town Council meeting with official amounts. The grant application is due May 26th.

Council Member Williams said he is pleased with how the Town has molded this project with significant upfront public involvement.

6. Nature Conservancy Grant and Flood Recovery Update

The Nature Conservancy Grant is a no-match grant opportunity that the Town would like to apply for to potentially cover $50-$95K of the match towards the existing NRCS funded projects. This grant could also help fund some of the phase two flood projects. Current completed projects are the museum embankment stabilization (phase 1), Pagosa Gateway Project embankment stabilization, debris removal above HWY 160 bridge and above Apache St. bridge, sediment and cobble removal above HWY 160 bridge to Riff Raff on the Rio. Projects to be completed by November 2026 would be the River Center Ponds dredging, 6th St. embankment stabilization, cobble and sediment removal at the Donut Hole, cobble and sediment removal between Centennial Park Pedestrian Bridge and 6th St. Pedestrian Bridge, travertine removal at Centennial Park Pedestrian Bridge, Pagosa Gateway Project wetlands and floodplain work.
Mayor Pierce asked if anything was being done about the river carving its own path along the banks behind Town Hall. Development Director James Dickhoff said they are working with Southwest River Engineering to get sediment and cobble hauled to that location. Mayor Pierce said she likes the fact that this is a no-match grant and how hard Project Manager Kyle Rickert has been working to secure grants.

7. 2026 Fireworks Discussion

The vendor for the 4th of July fireworks show has requested to be notified by May 16th if the Town plans to have the show or cancel the show this year, as they need time to develop the show and arrange travel. The vendor is aware of the drought situation and has worked with the Town in past years under similar uncertainty. If the show is canceled but rescheduled within the calendar year, there is no financial penalty.
Council Member Lindner is in favor of not canceling the show at this time but also keeping the option of having the fireworks at another celebration if we do have to cancel. Council Member Williams is very happy with the vendor and how they work the town and is in favor of moving forward. Council Member deGraaf is in favor of moving forward and finding another use for the fireworks if needed. Mayor Pierce said she agrees with it being too early to cancel the show and to keep moving forward. Council Member Bergon agrees and would like to suggest the idea of Old Fashion Christmas as the option for another firework event. Council Member Martinez would like to keep monitoring the risk of fireworks as it gets closer and continue with mitigation for the fireworks and safety of the community.

8. Ordinance 1029, First Reading, Amending the Municipal Code to Align with Certain Provisions of State Law

Ordinance No. 1029 (Series 2026) An Ordinance of the Town of Pagosa Springs Amending the Municipal Code to Align with Certain Provisions of State Law, provides a stop-gap measure and a starting point for aligning penalty authority with state law. It also reflects the recent Town Charter updates authorized by voters on April 7.
Council Member Lindner moved to approve Ordinance 1029, First Reading, Amending the Municipal

Code to Align with Certain Provisions of State Law, Council Member deGraaf seconded.

VIII. PUBLIC COMMENT

Mr. Hudson would like to point out when people in Pagosa Springs are asked if they want improved parks and recreation, people typically say yes and like the idea until it comes to paying for it. Over several voting years, voters have voted no and never been in favor of spending money on recreation. Mr. Hudson would like to encourage Town Council to send out surveys on current recreation projects and get the communities' input.

IX. MAYOR, COUNCIL, TOWN MANAGER COMMENTS/UPCOMING AGENDA ITEMS

None

X. UPCOMING COUNCIL MEETINGS

May 19, 2026 at 5:00 pm: Regular Council Meeting
May 20, 2026 at 5:00 pm: Joint Town-County Work Session
June 2, 2026 at 5:00 pm: Regular Council Meeting
June 16, 2026 at 5:00 pm: Regular Council Meeting
June 22, 2026 at 5:00 pm: Joint Town-County Work Session

XI. EXECUTIVE SESSION

1. Executive Session per C.R.S. 24-6-402 (4)(a): Discussion concerning the purchase, acquistion, lease, transfer, or sale of any real, personal, or other property interest related to Project 102

Council Member deGraaf, moved to enter executive session per C.R.S. 24-6-402 (4)(a): for discussion concerning the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest related to Project 102., Council Member Bergon seconded.

Council entered executive session at 6:23pm. Mayor Pierce called the meeting back into regular session at 7:29pm.

XII. RECONVENE IN REGULAR SESSION

None

XIII. ADJOURNMENT

Mayor Pierce adjourned the meeting at 7:31 pm

Shari Pierce
Mayor

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: April Hessman

PROJECT: April Financial Statement and Payments
ACTION: Information Only

PURPOSE/BACKGROUND:
Staff provides Town Council monthly financial information including the payments made each month. The attachments represent April's financial statement to date with actual expenditures in comparison to the 2026 budget as well as the payments made during April.

The GL coding staff has been working on this for over two years, which helps to show the true costs as suggested by GFOA.

Staff has moved several vendors to ACH payment, saving time and money in printing and mailing checks. The vendor receives their payments faster with less chance of errors through the postal system.

ATTACHMENTS:
1. April 2026 Financial Stmt
2. April 2026 Payments

TOWN OF PAGOSA SPRINGS
COMBINED CASH INVESTMENT
APRIL 30, 2026

COMBINED CASH ACCOUNTS

01-10300	CASH IN CHECKING FSWB	49,461.60
01-10310	BANK OF THE SAN JUANS CHECKING	671,578.17
01-10320	BANK OF THE SAN JUANS SAVINGS	4,745,947.33
01-10330	BANK SAN JUANS GEN WKG SAVINGS	580,932.21
01-10450	FSWB ESCROW ACCT	453.41
01-10500	CASH - XPRESS DEPOSIT ACCOUNT	161,492.23
01-10550	CASH - COLOTRUST PLUS INVEST	5,885,496.04
01-10565	CASH - CSLIP INVESTMENT POOL	4,745,683.53
	TOTAL COMBINED CASH	16,841,044.52
	TOTAL UNALLOCATED CASH	16,841,044.52

CASH ALLOCATION RECONCILIATION

10	ALLOCATION TO GENERAL FUND	4,552,002.66
21	ALLOCATION TO CONSERVATION TRUST FUND	93,216.64
31	ALLOCATION TO TRUST/IMPACT FUND	1,158,544.10
41	ALLOCATION TO LODGERS TAX FUND	1,571,730.99
51	ALLOCATION TO CAPITAL IMPROVEMENT FUND	4,926,646.15
53	ALLOCATION TO SANITATION FUND	4,131,875.51
54	ALLOCATION TO SEWER INFRASTRUC-FACILITY FUND	234,638.05
55	ALLOCATION TO GEOTHERMAL FUND	172,390.42
	TOTAL ALLOCATIONS TO OTHER FUNDS	16,841,044.52
	ALLOCATION FROM COMBINED CASH FUND - 01-10100	(16,841,044.52)
	ZERO PROOF IF ALLOCATIONS BALANCE	.00

TOWN OF PAGOSA SPRINGS
BALANCE SHEET
APRIL 30, 2026

GENERAL FUND

	ASSETS		
10-10100	CASH IN COMBINED CASH FUND	4,552,002.66	
10-10275	ROAD CUT FSWB 558761984	12,941.38	
10-10500	PETTY CASH	300.00	
10-10530	ACCTS RECEIVABLE - GEN FUND	12,856.04	
10-10700	DUE FROM CAPITAL FUND - LOAN	281,029.00	
10-10701	ADVANCE TO SANITATION	39,725.56	
10-10800	EMPLOYEE ASSET ACCOUNT	1,496.67	
10-10900	LEASE RECEIVABLE	1,147,565.83	
10-11500	PROPERTY TAX	88,950.00	
10-11510	SALES TAX	800,186.25	
10-11511	MARIJUANA TAX	4,689.00	
	TOTAL ASSETS		6,941,742.39
	LIABILITIES AND EQUITY		
	LIABILITIES		
10-20100	ACCOUNTS PAYABLE	(108,191.97)	
10-21000	WAGES PAYABLE	(430.98)	
10-21300	FEDERAL INCOME TAX WITHHELD	205.71	
10-21500	FICA TAXES WITHHELD	(1,044.10)	
10-21550	SUTA PAYABLE	684.14	
10-21600	CAFETERIA PLAN	(1,432.72)	
10-21610	MASA INSURANCE	7.00	
10-21615	VISION INSURANCE	141.86	
10-21620	DENTAL INSURANCE	2,853.28	
10-21630	LIFE INSURANCE	256.53	
10-21635	VOLUNTARY LIFE INSURANCE	650.44	
10-21640	NEW YORK LIFE PAYABLE	(70.00)	
10-21645	SHORT TERM DISABILITY	(778.99)	
10-21650	AFLAC PAYABLE	(554.04)	
10-21655	SUPP INSURANCE	(699.90)	
10-21700	POLICE PENSION	(.09)	
10-21800	CCOERA PENSION FUND	7,945.09	
10-21900	HEALTH INSURANCE	(86,977.44)	
10-22100	ROAD CUT BONDS	13,197.11	
10-22210	UNEARNED REVENUE	(43,694.00)	
10-22250	DEFERRED INFLOW-LEASES	1,083,293.55	
10-22260	DEFERRED INFLOW-PROPERTY TAXES	132,644.00	
	TOTAL LIABILITIES		998,004.48
	FUND EQUITY		

TOWN OF PAGOSA SPRINGS
BALANCE SHEET
APRIL 30, 2026

GENERAL FUND

	UNAPPROPRIATED FUND BALANCE:			
10-29800	FUND BALANCE	5,478,325.74		
10-29810	FUND BALANCE - ASSIGNED	107,364.73		
	REVENUE OVER EXPENDITURES - YTD	358,047.44		
	BALANCE - CURRENT DATE		5,943,737.91	
	TOTAL FUND EQUITY			5,943,737.91
	TOTAL LIABILITIES AND EQUITY			6,941,742.39

TOWN OF PAGOSA SPRINGS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	TAXES					
10-31-101	PROPERTY TAX	15,762.77	69,972.77	176,338.00	106,365.23	39.7
10-31-102	SPECIFIC OWNERSHIP/MVL TAX	1,346.81	6,045.15	18,000.00	11,954.85	33.6
10-31-103	SALES TAX	346,532.84	1,458,321.82	4,936,362.00	3,478,040.18	29.5
10-31-104	CIGARETTE TAX	693.61	2,532.69	14,000.00	11,467.31	18.1
10-31-105	MARIJUANA TAX	.00	4,689.00	85,050.00	80,361.00	5.5
10-31-106	SEVERANCE TAX	.00	.00	5,000.00	5,000.00	.0
	TOTAL TAXES	364,336.03	1,541,561.43	5,234,750.00	3,693,188.57	29.5
	LICENSES AND PERMITS					
10-32-200	LIQUOR LICENSES	378.75	2,707.50	11,475.00	8,767.50	23.6
10-32-201	MARIJUANA LICENSES	.00	8,000.00	16,000.00	8,000.00	50.0
10-32-202	VACATION RENTAL LICENSES	750.00	46,650.00	53,000.00	6,350.00	88.0
10-32-203	BUSINESS LICENSES	5,100.00	19,023.00	40,000.00	20,977.00	47.6
10-32-206	BUILDING PERMITS	20,516.50	29,118.00	75,000.00	45,882.00	38.8
10-32-207	PLANNING PERMITS	1,275.00	4,975.00	11,000.00	6,025.00	45.2
	TOTAL LICENSES AND PERMITS	28,020.25	110,473.50	206,475.00	96,001.50	53.5
	INTERGOVERNMENTAL REVENUES					
10-33-304	ARCHULETA COUNTY	.00	.00	56,265.00	56,265.00	.0
10-33-305	STATE OF COLORADO GRANTS	.00	232,793.00	.00	(232,793.00)	.0
10-33-306	DOLA GRANTS	16,576.03	32,629.98	97,000.00	64,370.02	33.6
	TOTAL INTERGOVERNMENTAL REVENUES	16,576.03	265,422.98	153,265.00	(112,157.98)	173.2
	CHARGES FOR SERVICES					
10-34-400	DEPT. SPECIFIC SVC. CHARGE FEE	.00	.00	21,000.00	21,000.00	.0
10-34-402	DEPARTMENT SPEC. CHG FOR SVC	1,096.50	3,972.50	17,000.00	13,027.50	23.4
10-34-403	PROGRAM/EVENT FEES	55,341.29	65,981.29	112,500.00	46,518.71	58.7
10-34-410	CHGS FOR ADDED SERVICES-POLICE	10,300.89	45,398.28	107,000.00	61,601.72	42.4
	TOTAL CHARGES FOR SERVICES	66,738.68	115,352.07	257,500.00	142,147.93	44.8
	FINES, FEES & FORFEITURES					
10-35-500	DEPARTMENT SPECIFIC FINES	5,124.60	21,707.60	48,000.00	26,292.40	45.2
10-35-501	DEPARTMENT SPECIFIC SURCHARGES	636.00	2,520.00	8,000.00	5,480.00	31.5
10-35-502	CONVENIENCE/CC FEES	1,354.11	2,763.29	9,000.00	6,236.71	30.7
	TOTAL FINES, FEES & FORFEITURES	7,114.71	26,990.89	65,000.00	38,009.11	41.5

TOWN OF PAGOSA SPRINGS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	MISCELLANEOUS REVENUES					
10-36-601	MISCELLANEOUS REVENUE	10,829.21	22,270.22	18,000.00	(4,270.22)	123.7
10-36-603	INTEREST INCOME	15,830.17	60,935.68	148,293.00	87,357.32	41.1
	TOTAL MISCELLANEOUS REVENUES	26,659.38	83,205.90	166,293.00	83,087.10	50.0
	CONTRIBUTIONS & OTHR GRANT REV					
10-37-702	SCHOLARSHIP FUNDING	991.64	6,249.11	32,000.00	25,750.89	19.5
	TOTAL CONTRIBUTIONS & OTHR GRANT REV	991.64	6,249.11	32,000.00	25,750.89	19.5
	LEASES & RENTS					
10-38-802	GROUND LEASE REVENUE	1,301.01	48,925.26	72,834.00	23,908.74	67.2
10-38-803	MINERAL LEASING REVENUE	.00	.00	1,000.00	1,000.00	.0
10-38-804	FRANCHISE FEES-TELEPHONE	.00	.00	2,200.00	2,200.00	.0
10-38-805	FRANCHISE FEES-CABLE TV	.00	.00	1,500.00	1,500.00	.0
10-38-806	FRANCHISE FEES-GAS	8,493.11	8,493.11	22,330.00	13,836.89	38.0
10-38-812	DEPT. SPEC. LEASES-P&R ADMIN	2,943.76	12,375.04	36,525.00	24,149.96	33.9
10-38-813	DEPT. SPEC. RENT FEES-P&R ADMN	4,045.00	17,452.50	30,500.00	13,047.50	57.2
	TOTAL LEASES & RENTS	16,782.88	87,245.91	166,889.00	79,643.09	52.3
	INTERFUND TRANSFERS					
10-39-906	TRANSFER FROM TRUST FUND	.00	.00	4,750.00	4,750.00	.0
	TOTAL INTERFUND TRANSFERS	.00	.00	4,750.00	4,750.00	.0
	TOTAL FUND REVENUE	527,219.60	2,236,501.79	6,286,922.00	4,050,420.21	35.6

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	COURTS					
10-41-401	SALARIES	20,973.93	75,186.51	284,720.00	209,533.49	26.4
10-41-402	PART TIME	4,367.17	17,468.68	50,587.00	33,118.32	34.5
10-41-403	OVERTIME	256.22	256.22	1,000.00	743.78	25.6
10-41-411	FICA	1,885.88	6,856.44	25,651.00	18,794.56	26.7
10-41-412	EMPLOYEE INSURANCE	4,553.88	13,591.92	47,783.00	34,191.08	28.5
10-41-413	RETIREMENT	1,594.43	5,593.89	22,405.00	16,811.11	25.0
10-41-423	WORKERS COMPENSATION INSURANCE	28.29	142.04	354.00	211.96	40.1
10-41-501	OFFICE SUPPLIES	125.98	376.24	2,150.00	1,773.76	17.5
10-41-503	MAINTENANCE & CLEANING SUPPLIE	.00	.00	150.00	150.00	.0
10-41-504	POSTAGE/SHIPPING	11.95	23.90	1,200.00	1,176.10	2.0
10-41-505	COPY/PRINTING	168.07	588.93	5,800.00	5,211.07	10.2
10-41-506	LOGO WEAR	.00	.00	100.00	100.00	.0
10-41-511	FUEL/OIL/OPERATING FLUIDS	.00	.00	250.00	250.00	.0
10-41-521	DEPARTMENT MATERIALS	.00	.00	800.00	800.00	.0
10-41-543	SMALL TOOLS	103.64	271.06	.00	(271.06)	.0
10-41-551	FURNISHINGS & FIXTURES	37.98	163.91	450.00	286.09	36.4
10-41-581	SMALL EQUIPMENT	.00	.00	150.00	150.00	.0
10-41-582	EQUIPMENT	.00	920.98	.00	(920.98)	.0
10-41-583	COMPUTER/IT EQUIPMENT	1,500.00	1,766.86	.00	(1,766.86)	.0
10-41-584	SOFTWARE SUBSCRIPTIONS	13,034.54	24,219.29	26,999.00	2,779.71	89.7
10-41-621	TELEPHONE SERVICE-UTILITY	175.76	527.31	2,456.00	1,928.69	21.5
10-41-622	TELEPHONE-EE ISSUED CELL PHONE	40.98	122.94	512.00	389.06	24.0
10-41-632	LAUNDRY/CLEANING SERVICES	.00	.00	200.00	200.00	.0
10-41-646	R&M-OTHER	.00	.00	125.00	125.00	.0
10-41-691	DISPOSAL/RECYCLING/SHREDDING	77.95	155.90	650.00	494.10	24.0
10-41-704	CONTRACTED SERVICES (OTHER PRO	4,613.15	7,674.20	27,405.00	19,730.80	28.0
10-41-705	IT SERVICES	1,110.88	4,320.09	12,076.00	7,755.91	35.8
10-41-707	SECURITY	.00	.00	4,500.00	4,500.00	.0
10-41-708	TRANSLATION SERVICES	36.19	79.89	1,500.00	1,420.11	5.3
10-41-711	TRAVEL-TRANSPORTATION	.00	.00	1,764.00	1,764.00	.0
10-41-712	TRAVEL-MEALS	465.50	1,306.50	3,774.00	2,467.50	34.6
10-41-713	TRAVEL-LODGING	.00	.00	7,890.00	7,890.00	.0
10-41-722	MEETING-REGISTRATION	.00	900.00	2,825.00	1,925.00	31.9
10-41-731	RENTAL-EQUIPMENT	.00	230.06	1,731.00	1,500.94	13.3
10-41-751	BOOKS & SUBSCRIPTIONS	.00	.00	1,000.00	1,000.00	.0
10-41-761	INSURANCE & BONDS	.00	340.68	669.00	328.32	50.9
10-41-792	DUES & MEMBERSHIPS	50.00	210.00	835.00	625.00	25.2
10-41-794	TEAM BUILDING	32.50	107.78	500.00	392.22	21.6
10-41-796	BOARD EXPENSES/VOLUNTEER APPRE	.00	155.93	2,000.00	1,844.07	7.8
	TOTAL COURTS	55,244.87	163,558.15	542,961.00	379,402.85	30.1

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	POLICE					
10-49-401	SALARIES	67,672.29	283,834.18	955,361.00	671,526.82	29.7
10-49-402	PART TIME	349.70	1,492.95	33,722.00	32,229.05	4.4
10-49-403	OVERTIME	2,422.10	11,432.00	25,000.00	13,568.00	45.7
10-49-404	ON-CALL	1,650.00	5,500.00	18,250.00	12,750.00	30.1
10-49-406	ADDED DUTY/BILLABLE OT/GRANTS	3,032.43	8,966.81	27,000.00	18,033.19	33.2
10-49-411	FICA	1,569.09	6,436.72	22,822.00	16,385.28	28.2
10-49-412	EMPLOYEE INSURANCE	13,466.79	54,051.46	216,730.00	162,678.54	24.9
10-49-413	RETIREMENT	10,793.50	43,829.97	146,674.00	102,844.03	29.9
10-49-423	WORKERS COMPENSATION INSURANCE	2,556.26	12,833.75	30,450.00	17,616.25	42.2
10-49-501	OFFICE SUPPLIES	.00	314.38	1,537.00	1,222.62	20.5
10-49-502	OPERATING SUPPLIES	2.44	60.89	11,000.00	10,939.11	.6
10-49-503	MAINTENANCE & CLEANING SUPPLIE	.00	.00	125.00	125.00	.0
10-49-504	POSTAGE/SHIPPING	.00	433.35	1,000.00	566.65	43.3
10-49-505	COPY/PRINTING	49.65	201.42	6,425.00	6,223.58	3.1
10-49-506	LOGO WEAR	922.84	922.84	6,000.00	5,077.16	15.4
10-49-511	FUEL/OIL/OPERATING FLUIDS	3,900.13	7,604.49	35,000.00	27,395.51	21.7
10-49-521	DEPARTMENT MATERIALS	.00	.00	100.00	100.00	.0
10-49-543	SMALL TOOLS	368.94	368.94	500.00	131.06	73.8
10-49-551	FURNISHINGS & FIXTURES	.00	.00	1,300.00	1,300.00	.0
10-49-561	COMMUNITY ENGAGEMENT/COMMUNITY	642.01	1,976.13	5,000.00	3,023.87	39.5
10-49-581	SMALL EQUIPMENT	.00	.00	500.00	500.00	.0
10-49-582	EQUIPMENT	.00	.00	21,777.00	21,777.00	.0
10-49-583	COMPUTER/IT EQUIPMENT	.00	11,281.29	3,000.00	(8,281.29)	376.0
10-49-584	SOFTWARE SUBSCRIPTIONS	1,576.02	10,418.20	18,257.00	7,838.80	57.1
10-49-621	TELEPHONE SERVICE-UTILITY	296.28	888.88	3,957.00	3,068.12	22.5
10-49-622	TELEPHONE-EE ISSUED CELL PHONE	949.70	3,904.10	13,000.00	9,095.90	30.0
10-49-642	R&M-EQUIPMENT	.00	.00	2,000.00	2,000.00	.0
10-49-691	DISPOSAL/RECYCLING/SHREDDING	77.95	155.90	650.00	494.10	24.0
10-49-704	CONTRACTED SERVICES (OTHER PRO	8,669.81	13,819.81	513,026.00	499,206.19	2.7
10-49-705	IT SERVICES	2,539.77	9,928.16	34,692.00	24,763.84	28.6
10-49-708	TRANSLATION SERVICES	17.22	25.42	342.00	316.58	7.4
10-49-711	TRAVEL-TRANSPORTATION	26.50	216.50	3,000.00	2,783.50	7.2
10-49-712	TRAVEL-MEALS	862.00	2,066.00	6,200.00	4,134.00	33.3
10-49-713	TRAVEL-LODGING	843.88	2,158.98	8,000.00	5,841.02	27.0
10-49-721	MEETING & TRAINING-SUPPLIES	.00	.00	500.00	500.00	.0
10-49-722	MEETING-REGISTRATION	.00	545.00	.00	(545.00)	.0
10-49-751	BOOKS & SUBSCRIPTIONS	.00	280.00	2,356.00	2,076.00	11.9
10-49-761	INSURANCE & BONDS	.00	42,882.10	84,911.00	42,028.90	50.5
10-49-791	ADVERTISING/PUBLIC NOTIFICATIO	.00	450.00	500.00	50.00	90.0
10-49-792	DUES & MEMBERSHIPS	.00	860.00	1,135.00	275.00	75.8
10-49-793	TRAINING & SCHOOLS	.00	16,907.97	27,000.00	10,092.03	62.6
10-49-794	TEAM BUILDING	143.82	502.93	1,100.00	597.07	45.7
	TOTAL POLICE	125,401.12	557,551.52	2,289,899.00	1,732,347.48	24.4

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	PARKS & REC. ADMIN					
10-54-401	SALARIES	11,924.86	47,699.42	155,021.00	107,321.58	30.8
10-54-411	FICA	874.53	3,495.69	11,896.00	8,400.31	29.4
10-54-412	EMPLOYEE INSURANCE	3,400.10	13,679.06	45,433.00	31,753.94	30.1
10-54-413	RETIREMENT	1,154.46	4,617.84	15,502.00	10,884.16	29.8
10-54-414	PHONE STIPEND	40.00	140.00	480.00	340.00	29.2
10-54-423	WORKERS COMPENSATION INSURANCE	154.15	773.90	1,591.00	817.10	48.6
10-54-501	OFFICE SUPPLIES	85.81	153.60	500.00	346.40	30.7
10-54-502	OPERATING SUPPLIES	.00	.00	200.00	200.00	.0
10-54-503	MAINTENANCE & CLEANING SUPPLIE	.00	10.88	.00	(10.88)	.0
10-54-505	COPY/PRINTING	.00	289.78	500.00	210.22	58.0
10-54-584	SOFTWARE SUBSCRIPTIONS	219.24	472.74	634.00	161.26	74.6
10-54-601	GAS-UTILITY	1,630.15	4,599.77	14,989.00	10,389.23	30.7
10-54-602	ELECTRIC-UTILITY	2,137.74	6,830.54	29,068.00	22,237.46	23.5
10-54-603	WATER-UTILITY	261.54	854.90	11,322.00	10,467.10	7.6
10-54-604	SEWER-UTILITY	712.50	2,850.00	9,150.00	6,300.00	31.2
10-54-621	TELEPHONE SERVICE-UTILITY	105.47	316.43	1,252.00	935.57	25.3
10-54-705	IT SERVICES	370.29	1,440.02	4,025.00	2,584.98	35.8
10-54-731	RENTAL-EQUIPMENT	134.13	536.52	2,081.00	1,544.48	25.8
10-54-742	CONVENIENCE (CREDIT CARD PROCE	184.63	2,842.93	6,000.00	3,157.07	47.4
10-54-761	INSURANCE & BONDS	.00	330.35	250.00	(80.35)	132.1
10-54-771	INITIATIVES & ECONOMIC DEVELOP	.00	384.00	5,000.00	4,616.00	7.7
10-54-793	TRAINING & SCHOOLS	.00	149.00	.00	(149.00)	.0
10-54-794	TEAM BUILDING	.00	167.23	200.00	32.77	83.6
10-54-796	BOARD EXPENSES/VOLUNTEER APPRE	5.55	5,136.81	8,465.00	3,328.19	60.7
10-54-812	FURNITURE & FIXTURES	.00	.00	1,500.00	1,500.00	.0
	TOTAL PARKS & REC. ADMIN	23,395.15	97,771.41	325,059.00	227,287.59	30.1

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	RECREATION					
10-55-401	SALARIES	19,451.83	77,067.14	249,025.00	171,957.86	31.0
10-55-402	PART TIME	270.00	1,070.00	81,500.00	80,430.00	1.3
10-55-406	ADDED DUTY/BILLABLE OT/GRANTS	1,102.01	3,601.50	.00	(3,601.50)	.0
10-55-411	FICA	1,471.43	5,816.02	19,050.00	13,233.98	30.5
10-55-412	EMPLOYEE INSURANCE	4,752.53	18,928.30	53,504.00	34,575.70	35.4
10-55-413	RETIREMENT	1,857.04	7,354.16	23,479.00	16,124.84	31.3
10-55-414	PHONE STIPEND	40.00	140.00	480.00	340.00	29.2
10-55-423	WORKERS COMPENSATION INSURANCE	729.97	3,664.82	4,903.00	1,238.18	74.8
10-55-501	OFFICE SUPPLIES	.00	.00	500.00	500.00	.0
10-55-502	OPERATING SUPPLIES	1,391.26	11,408.76	32,500.00	21,091.24	35.1
10-55-505	COPY/PRINTING	.00	.00	2,000.00	2,000.00	.0
10-55-506	LOGO WEAR	.00	.00	900.00	900.00	.0
10-55-511	FUEL/OIL/OPERATING FLUIDS	9.75	71.68	1,000.00	928.32	7.2
10-55-543	SMALL TOOLS	142.98	142.98	1,500.00	1,357.02	9.5
10-55-551	FURNISHINGS & FIXTURES	.00	54.96	.00	(54.96)	.0
10-55-561	COMMUNITY ENGAGEMENT/COMMUNITY	.00	.00	16,600.00	16,600.00	.0
10-55-581	SMALL EQUIPMENT	.00	.00	1,000.00	1,000.00	.0
10-55-584	SOFTWARE SUBSCRIPTIONS	422.99	8,751.20	9,192.00	440.80	95.2
10-55-621	TELEPHONE SERVICE-UTILITY	110.49	331.48	1,497.00	1,165.52	22.1
10-55-632	LAUNDRY/CLEANING SERVICES	724.90	724.90	3,500.00	2,775.10	20.7
10-55-704	CONTRACTED SERVICES (OTHER PRO	.00	.00	16,000.00	16,000.00	.0
10-55-705	IT SERVICES	740.59	2,880.07	8,051.00	5,170.93	35.8
10-55-711	TRAVEL-TRANSPORTATION	.00	112.22	2,500.00	2,387.78	4.5
10-55-712	TRAVEL-MEALS	.00	184.00	700.00	516.00	26.3
10-55-713	TRAVEL-LODGING	.00	.00	3,000.00	3,000.00	.0
10-55-721	MEETING & TRAINING-SUPPLIES	.00	97.29	200.00	102.71	48.7
10-55-722	MEETING-REGISTRATION	.00	64.00	1,000.00	936.00	6.4
10-55-731	RENTAL-EQUIPMENT	.00	11,000.00	11,000.00	.00	100.0
10-55-732	RENTAL-MISC.	.00	.00	2,900.00	2,900.00	.0
10-55-761	INSURANCE & BONDS	.00	487.29	1,321.00	833.71	36.9
10-55-771	INITIATIVES & ECONOMIC DEVELOP	.00	.00	4,500.00	4,500.00	.0
10-55-782	KIDS CAMP-TRAINING/CERTIFICATI	118.11	732.38	2,400.00	1,667.62	30.5
10-55-783	KIDS CAMP-STAFF UNIFORMS	.00	.00	1,000.00	1,000.00	.0
10-55-784	KIDS CAMP-SUPPLIES & SNACKS	.00	.00	8,000.00	8,000.00	.0
10-55-785	KIDS CAMP-CONTRACTED ACTIVITIE	.00	.00	3,000.00	3,000.00	.0
10-55-786	KIDS CAMP-ADVERTISING	.00	.00	750.00	750.00	.0
10-55-791	ADVERTISING/PUBLIC NOTIFICATIO	585.00	1,267.50	3,700.00	2,432.50	34.3
10-55-792	DUES & MEMBERSHIPS	.00	.00	800.00	800.00	.0
10-55-793	TRAINING & SCHOOLS	185.00	179.53	500.00	320.47	35.9
10-55-794	TEAM BUILDING	114.09	212.84	600.00	387.16	35.5
	TOTAL RECREATION	34,219.97	156,345.02	574,052.00	417,706.98	27.2

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	COMM. DEVEL. ADMIN					
10-62-401	SALARIES	8,512.66	34,050.64	110,665.00	76,614.36	30.8
10-62-411	FICA	623.08	2,490.79	8,503.00	6,012.21	29.3
10-62-412	EMPLOYEE INSURANCE	821.00	3,283.96	9,872.00	6,588.04	33.3
10-62-413	RETIREMENT	851.26	3,405.04	11,066.00	7,660.96	30.8
10-62-414	PHONE STIPEND	40.00	140.00	480.00	340.00	29.2
10-62-423	WORKERS COMPENSATION INSURANCE	157.18	789.13	1,612.00	822.87	49.0
10-62-501	OFFICE SUPPLIES	36.20	36.20	400.00	363.80	9.1
10-62-504	POSTAGE/SHIPPING	.00	.00	200.00	200.00	.0
10-62-505	COPY/PRINTING	25.00	25.00	1,700.00	1,675.00	1.5
10-62-507	PERSONAL PROTECTIVE EQUIP.	.00	.00	100.00	100.00	.0
10-62-511	FUEL/OIL/OPERATING FLUIDS	.00	.00	400.00	400.00	.0
10-62-561	COMMUNITY ENGAGEMENT/COMMUNITY	37.72	37.72	.00	(37.72)	.0
10-62-581	SMALL EQUIPMENT	.00	.00	300.00	300.00	.0
10-62-584	SOFTWARE SUBSCRIPTIONS	131.63	4,392.65	12,952.00	8,559.35	33.9
10-62-621	TELEPHONE SERVICE-UTILITY	28.62	85.87	340.00	254.13	25.3
10-62-705	IT SERVICES	370.29	1,440.02	4,025.00	2,584.98	35.8
10-62-708	TRANSLATION SERVICES	.00	.00	200.00	200.00	.0
10-62-711	TRAVEL-TRANSPORTATION	.00	233.22	700.00	466.78	33.3
10-62-712	TRAVEL-MEALS	(14.67)	39.47	545.00	505.53	7.2
10-62-713	TRAVEL-LODGING	.00	210.00	1,800.00	1,590.00	11.7
10-62-722	MEETING-REGISTRATION	.00	135.00	1,700.00	1,565.00	7.9
10-62-761	INSURANCE & BONDS	.00	461.02	922.00	460.98	50.0
10-62-792	DUES & MEMBERSHIPS	.00	.00	1,030.00	1,030.00	.0
10-62-793	TRAINING & SCHOOLS	.00	.00	400.00	400.00	.0
10-62-794	TEAM BUILDING	238.28	315.78	800.00	484.22	39.5
	TOTAL COMM. DEVEL. ADMIN	11,858.25	51,571.51	170,712.00	119,140.49	30.2

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	BUILDING					
10-63-401	SALARIES	12,272.68	49,090.74	148,417.00	99,326.26	33.1
10-63-402	PART TIME	.00	.00	36,528.00	36,528.00	.0
10-63-411	FICA	866.78	3,465.60	14,222.00	10,756.40	24.4
10-63-412	EMPLOYEE INSURANCE	3,849.93	15,399.70	46,264.00	30,864.30	33.3
10-63-413	RETIREMENT	1,159.48	4,637.92	14,842.00	10,204.08	31.3
10-63-414	PHONE STIPEND	40.00	140.00	960.00	820.00	14.6
10-63-423	WORKERS COMPENSATION INSURANCE	183.10	919.29	2,695.00	1,775.71	34.1
10-63-501	OFFICE SUPPLIES	.00	.00	500.00	500.00	.0
10-63-504	POSTAGE/SHIPPING	.00	.00	100.00	100.00	.0
10-63-505	COPY/PRINTING	.00	.00	450.00	450.00	.0
10-63-506	LOGO WEAR	.00	.00	450.00	450.00	.0
10-63-507	PERSONAL PROTECTIVE EQUIP.	.00	.00	150.00	150.00	.0
10-63-511	FUEL/OIL/OPERATING FLUIDS	42.83	122.20	.00	(122.20)	.0
10-63-561	COMMUNITY ENGAGEMENT/COMMUNITY	.00	.00	250.00	250.00	.0
10-63-583	COMPUTER/IT EQUIPMENT	.00	17.43	325.00	307.57	5.4
10-63-584	SOFTWARE SUBSCRIPTIONS	194.24	1,129.80	2,120.00	990.20	53.3
10-63-621	TELEPHONE SERVICE-UTILITY	65.27	195.82	1,301.00	1,105.18	15.1
10-63-622	TELEPHONE-EE ISSUED CELL PHONE	50.98	152.94	638.00	485.06	24.0
10-63-704	CONTRACTED SERVICES (OTHER PRO	.00	.00	1,800.00	1,800.00	.0
10-63-705	IT SERVICES	740.59	2,880.07	8,051.00	5,170.93	35.8
10-63-711	TRAVEL-TRANSPORTATION	.00	225.96	1,400.00	1,174.04	16.1
10-63-712	TRAVEL-MEALS	.00	938.00	1,360.00	422.00	69.0
10-63-713	TRAVEL-LODGING	2,268.00	2,596.62	4,500.00	1,903.38	57.7
10-63-721	MEETING & TRAINING-SUPPLIES	.00	.00	400.00	400.00	.0
10-63-722	MEETING-REGISTRATION	.00	.00	4,350.00	4,350.00	.0
10-63-751	BOOKS & SUBSCRIPTIONS	.00	.00	400.00	400.00	.0
10-63-792	DUES & MEMBERSHIPS	.00	.00	800.00	800.00	.0
10-63-793	TRAINING & SCHOOLS	51.75	1,107.35	3,000.00	1,892.65	36.9
	TOTAL BUILDING	21,785.63	83,019.44	296,273.00	213,253.56	28.0

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	PLANNING					
10-64-401	SALARIES	13,105.84	58,605.52	223,955.00	165,349.48	26.2
10-64-411	FICA	924.42	4,119.79	17,133.00	13,013.21	24.1
10-64-412	EMPLOYEE INSURANCE	4,406.12	19,188.16	71,792.00	52,603.84	26.7
10-64-413	RETIREMENT	962.98	4,470.13	22,395.00	17,924.87	20.0
10-64-414	PHONE STIPEND	.00	.00	480.00	480.00	.0
10-64-423	WORKERS COMPENSATION INSURANCE	246.52	1,237.65	2,539.00	1,301.35	48.8
10-64-501	OFFICE SUPPLIES	.00	32.97	600.00	567.03	5.5
10-64-504	POSTAGE/SHIPPING	.00	.00	750.00	750.00	.0
10-64-505	COPY/PRINTING	30.46	30.46	500.00	469.54	6.1
10-64-511	FUEL/OIL/OPERATING FLUIDS	50.00	50.00	.00	(50.00)	.0
10-64-561	COMMUNITY ENGAGEMENT/COMMUNITY	.00	.00	400.00	400.00	.0
10-64-583	COMPUTER/IT EQUIPMENT	.00	.00	150.00	150.00	.0
10-64-584	SOFTWARE SUBSCRIPTIONS	194.24	8,140.76	9,819.00	1,678.24	82.9
10-64-621	TELEPHONE SERVICE-UTILITY	85.87	254.62	984.00	729.38	25.9
10-64-622	TELEPHONE-EE ISSUED CELL PHONE	81.96	96.34	.00	(96.34)	.0
10-64-704	CONTRACTED SERVICES (OTHER PRO	.00	330.00	1,850.00	1,520.00	17.8
10-64-705	IT SERVICES	370.29	1,769.17	8,051.00	6,281.83	22.0
10-64-711	TRAVEL-TRANSPORTATION	.00	71.14	1,400.00	1,328.86	5.1
10-64-712	TRAVEL-MEALS	.00	196.00	1,225.00	1,029.00	16.0
10-64-713	TRAVEL-LODGING	.00	581.50	4,000.00	3,418.50	14.5
10-64-722	MEETING-REGISTRATION	.00	255.00	2,200.00	1,945.00	11.6
10-64-743	RECORDING FEES	43.00	139.50	1,400.00	1,260.50	10.0
10-64-751	BOOKS & SUBSCRIPTIONS	.00	.00	335.00	335.00	.0
10-64-791	ADVERTISING/PUBLIC NOTIFICATIO	87.60	423.00	1,000.00	577.00	42.3
10-64-792	DUES & MEMBERSHIPS	.00	468.00	1,200.00	732.00	39.0
10-64-793	TRAINING & SCHOOLS	449.00	449.00	600.00	151.00	74.8
10-64-794	TEAM BUILDING	.00	.00	200.00	200.00	.0
10-64-796	BOARD EXPENSES/VOLUNTEER APPRE	5.55	5,516.58	18,138.00	12,621.42	30.4
	TOTAL PLANNING	21,043.85	106,425.29	393,096.00	286,670.71	27.1

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	HOUSING					
10-65-401	SALARIES	6,963.46	27,853.84	90,525.00	62,671.16	30.8
10-65-411	FICA	496.52	1,986.08	6,925.00	4,938.92	28.7
10-65-412	EMPLOYEE INSURANCE	2,183.70	8,734.79	26,208.00	17,473.21	33.3
10-65-413	RETIREMENT	696.34	2,785.36	9,052.00	6,266.64	30.8
10-65-423	WORKERS COMPENSATION INSURANCE	128.58	645.53	1,319.00	673.47	48.9
10-65-501	OFFICE SUPPLIES	.00	.00	300.00	300.00	.0
10-65-504	POSTAGE/SHIPPING	.00	.00	75.00	75.00	.0
10-65-584	SOFTWARE SUBSCRIPTIONS	97.12	514.01	641.00	126.99	80.2
10-65-603	WATER-UTILITY	359.33	1,131.62	5,377.00	4,245.38	21.1
10-65-604	SEWER-UTILITY	570.00	2,280.00	7,320.00	5,040.00	31.2
10-65-622	TELEPHONE-EE ISSUED CELL PHONE	40.98	122.94	512.00	389.06	24.0
10-65-704	CONTRACTED SERVICES (OTHER PRO	.00	.00	35,000.00	35,000.00	.0
10-65-705	IT SERVICES	185.15	720.02	2,012.00	1,291.98	35.8
10-65-711	TRAVEL-TRANSPORTATION	.00	.00	300.00	300.00	.0
10-65-712	TRAVEL-MEALS	.00	.00	200.00	200.00	.0
10-65-713	TRAVEL-LODGING	.00	.00	800.00	800.00	.0
10-65-721	MEETING & TRAINING-SUPPLIES	.00	.00	200.00	200.00	.0
10-65-722	MEETING-REGISTRATION	.00	.00	500.00	500.00	.0
10-65-771	INITIATIVES & ECONOMIC DEVELOP	.00	.00	4,750.00	4,750.00	.0
10-65-792	DUES & MEMBERSHIPS	.00	.00	2,700.00	2,700.00	.0
10-65-793	TRAINING & SCHOOLS	.00	.00	500.00	500.00	.0
10-65-796	BOARD EXPENSES/VOLUNTEER APPRE	58.82	296.43	.00	(296.43)	.0
	TOTAL HOUSING	11,780.00	47,070.62	195,216.00	148,145.38	24.1

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	PROJECTS					
10-66-401	SALARIES	6,381.54	25,526.16	82,960.00	57,433.84	30.8
10-66-411	FICA	471.58	1,884.79	6,383.00	4,498.21	29.5
10-66-412	EMPLOYEE INSURANCE	817.04	3,268.12	9,817.00	6,548.88	33.3
10-66-413	RETIREMENT	638.16	2,552.64	8,296.00	5,743.36	30.8
10-66-414	PHONE STIPEND	40.00	140.00	480.00	340.00	29.2
10-66-423	WORKERS COMPENSATION INSURANCE	117.83	591.57	1,209.00	617.43	48.9
10-66-501	OFFICE SUPPLIES	.00	.00	200.00	200.00	.0
10-66-504	POSTAGE/SHIPPING	.00	.00	200.00	200.00	.0
10-66-505	COPY/PRINTING	2.50	2.50	200.00	197.50	1.3
10-66-507	PERSONAL PROTECTIVE EQUIP.	.00	.00	150.00	150.00	.0
10-66-584	SOFTWARE SUBSCRIPTIONS	144.11	693.01	1,556.00	862.99	44.5
10-66-621	TELEPHONE SERVICE-UTILITY	28.62	85.87	340.00	254.13	25.3
10-66-705	IT SERVICES	185.15	720.02	2,012.00	1,291.98	35.8
10-66-711	TRAVEL-TRANSPORTATION	.00	39.00	350.00	311.00	11.1
10-66-712	TRAVEL-MEALS	.00	42.28	340.00	297.72	12.4
10-66-713	TRAVEL-LODGING	.00	.00	1,125.00	1,125.00	.0
10-66-722	MEETING-REGISTRATION	.00	.00	1,100.00	1,100.00	.0
10-66-791	ADVERTISING/PUBLIC NOTIFICATIO	.00	.00	100.00	100.00	.0
10-66-792	DUES & MEMBERSHIPS	.00	.00	150.00	150.00	.0
10-66-793	TRAINING & SCHOOLS	2,395.00	2,395.00	400.00	(1,995.00)	598.8
10-66-812	FURNITURE & FIXTURES-CAPITAL A	.00	.00	200.00	200.00	.0
	TOTAL PROJECTS	11,221.53	37,940.96	117,568.00	79,627.04	32.3

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	ADMIN. SERVICES ADMIN					
10-80-501	OFFICE SUPPLIES	37.07	61.35	2,000.00	1,938.65	3.1
10-80-502	OPERATING SUPPLIES	.00	.00	500.00	500.00	.0
10-80-503	MAINTENANCE & CLEANING SUPPLIE	.00	.00	100.00	100.00	.0
10-80-504	POSTAGE/SHIPPING	.00	390.00	2,000.00	1,610.00	19.5
10-80-505	COPY/PRINTING	.00	537.93	1,500.00	962.07	35.9
10-80-521	DEPARTMENT MATERIALS	.00	.00	1,000.00	1,000.00	.0
10-80-551	FURNISHINGS & FIXTURES	.00	.00	1,500.00	1,500.00	.0
10-80-561	COMMUNITY ENGAGEMENT/COMMUNITY	135.73	135.73	.00	(135.73)	.0
10-80-583	COMPUTER/IT EQUIPMENT	24,200.00	24,200.00	28,600.00	4,400.00	84.6
10-80-584	SOFTWARE SUBSCRIPTIONS	34.51	8,044.98	19,500.00	11,455.02	41.3
10-80-601	GAS-UTILITY	1,026.13	3,025.46	8,430.00	5,404.54	35.9
10-80-602	ELECTRIC-UTILITY	1,339.85	4,161.97	19,203.00	15,041.03	21.7
10-80-603	WATER-UTILITY	206.10	760.05	5,645.00	4,884.95	13.5
10-80-604	SEWER-UTILITY	285.00	1,140.00	3,660.00	2,520.00	31.2
10-80-621	TELEPHONE SERVICE-UTILITY	45.10	184.85	3,070.00	2,885.15	6.0
10-80-623	INTERNET SERVICE	65.00	195.00	.00	(195.00)	.0
10-80-691	DISPOSAL/RECYCLING/SHREDDING	77.95	155.90	500.00	344.10	31.2
10-80-702	ATTORNEY	24,105.00	63,966.50	120,000.00	56,033.50	53.3
10-80-703	AUDIT	805.37	805.37	14,637.00	13,831.63	5.5
10-80-705	IT SERVICES	.16	.47	.00	(.47)	.0
10-80-706	EVENT SERVICES	.00	.00	18,000.00	18,000.00	.0
10-80-731	RENTAL-EQUIPMENT	95.00	380.00	1,250.00	870.00	30.4
10-80-741	FEES	24.83	146.35	1,500.00	1,353.65	9.8
10-80-742	CONVENIENCE (CREDIT CARD PROCE	493.94	1,259.60	3,000.00	1,740.40	42.0
10-80-743	RECORDING FEES	43.00	172.00	1,000.00	828.00	17.2
10-80-751	BOOKS & SUBSCRIPTIONS	.00	.00	150.00	150.00	.0
10-80-761	INSURANCE & BONDS	.00	1,122.12	4,363.00	3,240.88	25.7
10-80-792	DUES & MEMBERSHIPS	.00	10,766.00	11,833.00	1,067.00	91.0
	TOTAL ADMIN. SERVICES ADMIN	53,019.74	121,611.63	272,941.00	151,329.37	44.6

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	CLERK					
10-81-401	SALARIES	19,513.86	75,325.41	241,850.00	166,524.59	31.2
10-81-411	FICA	1,389.87	5,350.61	18,502.00	13,151.39	28.9
10-81-412	EMPLOYEE INSURANCE	5,107.97	20,426.42	61,287.00	40,860.58	33.3
10-81-413	RETIREMENT	1,860.38	7,441.52	24,185.00	16,743.48	30.8
10-81-423	WORKERS COMPENSATION INSURANCE	20.41	102.56	255.00	152.44	40.2
10-81-504	POSTAGE/SHIPPING	6.80	1,422.36	.00	(1,422.36)	.0
10-81-505	COPY/PRINTING	.00	52.40	.00	(52.40)	.0
10-81-583	COMPUTER/IT EQUIPMENT	.00	37.29	.00	(37.29)	.0
10-81-584	SOFTWARE SUBSCRIPTIONS	291.36	68,541.18	63,656.00	(4,885.18)	107.7
10-81-621	TELEPHONE SERVICE-UTILITY	93.91	264.12	1,020.00	755.88	25.9
10-81-704	CONTRACTED SERVICES (OTHER PRO	.00	.00	5,000.00	5,000.00	.0
10-81-705	IT SERVICES	740.58	3,044.65	10,064.00	7,019.35	30.3
10-81-711	TRAVEL-TRANSPORTATION	.00	.00	1,150.00	1,150.00	.0
10-81-712	TRAVEL-MEALS	.00	.00	1,500.00	1,500.00	.0
10-81-713	TRAVEL-LODGING	.00	.00	4,975.00	4,975.00	.0
10-81-721	MEETING & TRAINING-SUPPLIES	.00	.00	50.00	50.00	.0
10-81-722	MEETING-REGISTRATION	1,300.00	1,300.00	4,025.00	2,725.00	32.3
10-81-741	FEES	346.60	1,469.36	3,000.00	1,530.64	49.0
10-81-761	INSURANCE & BONDS	.00	200.00	300.00	100.00	66.7
10-81-791	ADVERTISING/PUBLIC NOTIFICATIO	246.67	1,195.25	60.00	(1,135.25)	1992.1
10-81-792	DUES & MEMBERSHIPS	.00	495.00	805.00	310.00	61.5
10-81-793	TRAINING & SCHOOLS	.00	76.00	350.00	274.00	21.7
10-81-794	TEAM BUILDING	.00	.00	600.00	600.00	.0
10-81-795	ELECTION COSTS	.00	.00	10,000.00	10,000.00	.0
	TOTAL CLERK	30,918.41	186,744.13	452,634.00	265,889.87	41.3

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	HR					
10-82-401	SALARIES	11,937.48	47,749.92	155,187.00	107,437.08	30.8
10-82-411	FICA	846.53	3,386.11	11,872.00	8,485.89	28.5
10-82-412	EMPLOYEE INSURANCE	3,134.46	12,537.84	37,636.00	25,098.16	33.3
10-82-413	RETIREMENT	1,193.74	4,774.96	15,519.00	10,744.04	30.8
10-82-421	EMPLOYEE ENRICHMENT	(232.44)	19,245.46	37,300.00	18,054.54	51.6
10-82-422	EMPLOYEE EDUCATION-TUITION REI	.00	.00	6,000.00	6,000.00	.0
10-82-423	WORKERS COMPENSATION INSURANCE	13.10	65.76	164.00	98.24	40.1
10-82-501	OFFICE SUPPLIES	59.49	83.48	100.00	16.52	83.5
10-82-504	POSTAGE/SHIPPING	.00	.00	25.00	25.00	.0
10-82-505	COPY/PRINTING	.00	252.16	50.00	(202.16)	504.3
10-82-506	LOGO WEAR	.00	.00	500.00	500.00	.0
10-82-551	FURNISHINGS & FIXTURES	109.99	109.99	.00	(109.99)	.0
10-82-584	SOFTWARE SUBSCRIPTIONS	194.24	6,759.41	12,695.00	5,935.59	53.2
10-82-621	TELEPHONE SERVICE-UTILITY	57.25	171.76	680.00	508.24	25.3
10-82-704	CONTRACTED SERVICES (OTHER PRO	164.00	856.19	3,050.00	2,193.81	28.1
10-82-705	IT SERVICES	370.29	1,440.02	4,025.00	2,584.98	35.8
10-82-711	TRAVEL-TRANSPORTATION	.00	.00	450.00	450.00	.0
10-82-712	TRAVEL-MEALS	.00	.00	600.00	600.00	.0
10-82-713	TRAVEL-LODGING	.00	.00	1,950.00	1,950.00	.0
10-82-722	MEETING-REGISTRATION	.00	.00	1,650.00	1,650.00	.0
10-82-741	FEES	.00	.00	250.00	250.00	.0
10-82-761	INSURANCE & BONDS	.00	907.24	1,200.00	292.76	75.6
10-82-791	ADVERTISING/PUBLIC NOTIFICATIO	61.20	466.35	3,500.00	3,033.65	13.3
10-82-792	DUES & MEMBERSHIPS	.00	.00	620.00	620.00	.0
10-82-793	TRAINING & SCHOOLS	.00	.00	250.00	250.00	.0
10-82-794	TEAM BUILDING	.00	100.64	500.00	399.36	20.1
	TOTAL HR	17,909.33	98,907.29	295,773.00	196,865.71	33.4

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	TOWN MANAGER					
10-83-401	SALARIES	12,616.14	50,464.56	164,010.00	113,545.44	30.8
10-83-411	FICA	943.02	3,772.08	12,547.00	8,774.92	30.1
10-83-412	EMPLOYEE INSURANCE	1,580.79	6,323.16	18,991.00	12,667.84	33.3
10-83-413	RETIREMENT	1,261.60	5,046.41	16,401.00	11,354.59	30.8
10-83-423	WORKERS COMPENSATION INSURANCE	232.95	1,169.53	2,390.00	1,220.47	48.9
10-83-501	OFFICE SUPPLIES	.00	.00	25.00	25.00	.0
10-83-507	PERSONAL PROTECTIVE EQUIP.	31.26	31.26	.00	(31.26)	.0
10-83-511	FUEL/OIL/OPERATING FLUIDS	.00	26.00	.00	(26.00)	.0
10-83-561	COMMUNITY ENGAGEMENT/COMMUNITY	.00	1,200.00	4,800.00	3,600.00	25.0
10-83-584	SOFTWARE SUBSCRIPTIONS	97.12	619.11	1,288.00	668.89	48.1
10-83-621	TELEPHONE SERVICE-UTILITY	28.62	85.87	340.00	254.13	25.3
10-83-622	TELEPHONE-EE ISSUED CELL PHONE	40.98	122.94	512.00	389.06	24.0
10-83-704	CONTRACTED SERVICES (OTHER PRO	.00	4,750.00	30,500.00	25,750.00	15.6
10-83-705	IT SERVICES	185.15	884.60	4,025.00	3,140.40	22.0
10-83-711	TRAVEL-TRANSPORTATION	.00	57.86	2,000.00	1,942.14	2.9
10-83-712	TRAVEL-MEALS	232.76	340.80	1,000.00	659.20	34.1
10-83-713	TRAVEL-LODGING	.00	210.00	2,300.00	2,090.00	9.1
10-83-721	MEETING & TRAINING-SUPPLIES	.00	.00	750.00	750.00	.0
10-83-722	MEETING-REGISTRATION	.00	125.00	1,500.00	1,375.00	8.3
10-83-751	BOOKS & SUBSCRIPTIONS	.00	.00	350.00	350.00	.0
10-83-792	DUES & MEMBERSHIPS	.00	518.00	1,500.00	982.00	34.5
10-83-793	TRAINING & SCHOOLS	.00	.00	150.00	150.00	.0
	TOTAL TOWN MANAGER	17,250.39	75,747.18	265,379.00	189,631.82	28.5
	COUNCIL					
10-84-401	SALARIES	1,300.00	5,800.00	18,000.00	12,200.00	32.2
10-84-411	FICA	99.45	443.70	1,377.00	933.30	32.2
10-84-412	EMPLOYEE INSURANCE	2.60	11.60	36.00	24.40	32.2
10-84-421	EMPLOYEE ENRICHMENT	23.11	23.11	.00	(23.11)	.0
10-84-423	WORKERS COMPENSATION INSURANCE	.00	.00	19.00	19.00	.0
10-84-584	SOFTWARE SUBSCRIPTIONS	.00	322.77	1,863.00	1,540.23	17.3
10-84-704	CONTRACTED SERVICES (OTHER PRO	.00	.00	318,749.00	318,749.00	.0
10-84-711	TRAVEL-TRANSPORTATION	.00	196.00	300.00	104.00	65.3
10-84-712	TRAVEL-MEALS	.00	.00	400.00	400.00	.0
10-84-713	TRAVEL-LODGING	.00	420.00	1,500.00	1,080.00	28.0
10-84-721	MEETING & TRAINING-SUPPLIES	.00	55.37	.00	(55.37)	.0
10-84-722	MEETING-REGISTRATION	.00	250.00	900.00	650.00	27.8
10-84-761	INSURANCE & BONDS	.00	3,853.47	11,097.00	7,243.53	34.7
10-84-771	INITIATIVES & ECONOMIC DEVELOP	9,415.60	79,181.30	208,000.00	128,818.70	38.1
10-84-792	DUES & MEMBERSHIPS	.00	.00	250.00	250.00	.0
10-84-796	BOARD EXPENSES/VOLUNTEER APPRE	19.55	1,793.60	500.00	(1,293.60)	358.7
10-84-801	LAND	.00	1,839.28	.00	(1,839.28)	.0
	TOTAL COUNCIL	10,860.31	94,190.20	562,991.00	468,800.80	16.7

TOWN OF PAGOSA SPRINGS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
TOTAL FUND EXPENDITURES	445,908.55	1,878,454.35	6,754,554.00	4,876,099.65	27.8
NET REVENUE OVER EXPENDITURES	81,311.05	358,047.44	(467,632.00)	(825,679.44)	76.6

TOWN OF PAGOSA SPRINGS
BALANCE SHEET
APRIL 30, 2026

CONSERVATION TRUST FUND

	ASSETS			
21-10100	CASH IN COMBINED CASH FUND		93,216.64	
	TOTAL ASSETS			93,216.64
	LIABILITIES AND EQUITY			
	FUND EQUITY			
	UNAPPROPRIATED FUND BALANCE:			
21-29800	FUND BALANCE	75,755.60		
	REVENUE OVER EXPENDITURES - YTD	17,461.04		
	BALANCE - CURRENT DATE		93,216.64	
	TOTAL FUND EQUITY			93,216.64
	TOTAL LIABILITIES AND EQUITY			93,216.64

TOWN OF PAGOSA SPRINGS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

CONSERVATION TRUST FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	INTERGOVERNMENTAL REVENUES					
21-33-301	INTERGOVERNMENTAL TAX SHARING	.00	15,000.00	100,000.00	85,000.00	15.0
21-33-303	COLORADO LOTTERY/CTF	.00	6,472.19	20,000.00	13,527.81	32.4
	TOTAL INTERGOVERNMENTAL REVENUES	.00	21,472.19	120,000.00	98,527.81	17.9
	MISCELLANEOUS REVENUES					
21-36-603	INTEREST INCOME	263.25	988.85	500.00	(488.85)	197.8
	TOTAL MISCELLANEOUS REVENUES	263.25	988.85	500.00	(488.85)	197.8
	TOTAL FUND REVENUE	263.25	22,461.04	120,500.00	98,038.96	18.6

TOWN OF PAGOSA SPRINGS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

CONSERVATION TRUST FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	FUND ADMINISTRATION-CTF					
21-50-992	TRANSFER TO CAPITAL FUND	.00	.00	130,000.00	130,000.00	.0
	TOTAL FUND ADMINISTRATION-CTF	.00	.00	130,000.00	130,000.00	.0
	RECREATION-CTF					
21-55-771	INITIATIVES & ECONOMIC DEVELOP	.00	5,000.00	5,000.00	.00	100.0
	TOTAL RECREATION-CTF	.00	5,000.00	5,000.00	.00	100.0
	TOTAL FUND EXPENDITURES	.00	5,000.00	135,000.00	130,000.00	3.7
	NET REVENUE OVER EXPENDITURES	263.25	17,461.04	(14,500.00)	(31,961.04)	120.4

TOWN OF PAGOSA SPRINGS
BALANCE SHEET
APRIL 30, 2026

TRUST/IMPACT FUND

	ASSETS			
31-10100	CASH IN COMBINED CASH FUND		1,158,544.10	
	TOTAL ASSETS			1,158,544.10
	LIABILITIES AND EQUITY			
	LIABILITIES			
31-23410	EAST END TRAIL DONATIONS		5,000.00	
31-23520	HEALTH ACCOUNT		177,637.94	
31-23585	CEMETERY MAINTENANCE FEE		27,848.77	
31-23586	VACATION RENTAL SURCHARGE		108,564.50	
31-23590	RESERVOIR HILL TICKET FEE		53,202.81	
31-23624	SUNRIDGE OF PAGOSA TOWNHOMES		24,505.00	
31-23626	WORKFORCE HOUSING FEE		120,250.00	
31-23627	TOURISM EVENT VENUE		545,632.53	
31-23628	PLASTIC BAG FEES LIABILITY		48,299.51	
31-23629	RIVER DOMES TRAIL IN LIEU FEE		16,848.75	
31-23631	ADA PROGRAM PAYMENT IN LIEU		1,000.00	
31-23632	THE DRIFT SIDEWALK-5TH ST		19,750.00	
	TOTAL LIABILITIES			1,148,539.81
	FUND EQUITY			
	UNAPPROPRIATED FUND BALANCE:			
31-29800	FUND BALANCE	(330.74)		
	REVENUE OVER EXPENDITURES - YTD	10,335.03		
	BALANCE - CURRENT DATE		10,004.29	
	TOTAL FUND EQUITY			10,004.29
	TOTAL LIABILITIES AND EQUITY			1,158,544.10

TOWN OF PAGOSA SPRINGS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

TRUST/IMPACT FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	FINES, FEES & FORFEITURES					
31-35-506	WORKFORCE HOUSING FEES	500.00	47,000.00	57,500.00	10,500.00	81.7
31-35-507	CEMETERY FEES	450.00	1,200.00	3,000.00	1,800.00	40.0
	TOTAL FINES, FEES & FORFEITURES	950.00	48,200.00	60,500.00	12,300.00	79.7
	MISCELLANEOUS REVENUES					
31-36-603	INTEREST INCOME	1,562.68	6,469.06	15,000.00	8,530.94	43.1
31-36-604	PASS THROUGH REVENUE	.00	.00	60,000.00	60,000.00	.0
	TOTAL MISCELLANEOUS REVENUES	1,562.68	6,469.06	75,000.00	68,530.94	8.6
	CONTRIBUTIONS & OTHR GRANT REV					
31-37-704	PLASTIC BAG PROGRAM	5,722.38	5,722.38	10,000.00	4,277.62	57.2
	TOTAL CONTRIBUTIONS & OTHR GRANT REV	5,722.38	5,722.38	10,000.00	4,277.62	57.2
	SOURCE 38					
31-38-802	GROUND LEASE REVENUE	.00	8,696.51	.00	(8,696.51)	.0
	TOTAL SOURCE 38	.00	8,696.51	.00	(8,696.51)	.0
	TOTAL FUND REVENUE	8,235.06	69,087.95	145,500.00	76,412.05	47.5

TOWN OF PAGOSA SPRINGS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

TRUST/IMPACT FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	HEALTH ACCOUNT					
31-43-421	EMPLOYEE ENRICHMENT	50.00	50.00	10,830.00	10,780.00	.5
31-43-424	TOWN FUNDED BENEFITS	1,017.24	3,702.92	15,527.00	11,824.08	23.9
	TOTAL HEALTH ACCOUNT	1,067.24	3,752.92	26,357.00	22,604.08	14.2
	FUND ADMINISTRATION-TRUST/IMP.					
31-50-561	COMMUNITY ENGAGEMENT/COMMUNITY	.00	.00	66,000.00	66,000.00	.0
31-50-666	R&M-RESERVOIR HILL PARK	.00	.00	5,000.00	5,000.00	.0
31-50-771	INITIATIVES & ECONOMIC DEVELOP	55,000.00	55,000.00	10,000.00	(45,000.00)	550.0
31-50-991	TRANSFER TO GENERAL FUND	.00	.00	4,750.00	4,750.00	.0
31-50-992	TRANSFER TO CAPITAL FUND	.00	.00	10,000.00	10,000.00	.0
	TOTAL FUND ADMINISTRATION-TRUST/IMP.	55,000.00	55,000.00	95,750.00	40,750.00	57.4
	TOTAL FUND EXPENDITURES	56,067.24	58,752.92	122,107.00	63,354.08	48.1
	NET REVENUE OVER EXPENDITURES	(47,832.18)	10,335.03	23,393.00	13,057.97	44.2

TOWN OF PAGOSA SPRINGS
BALANCE SHEET
APRIL 30, 2026

LODGERS TAX FUND

	ASSETS			
41-10100	CASH IN COMBINED CASH FUND		1,571,730.99	
41-11500	LODGERS TAX		235,955.60	
	TOTAL ASSETS			1,807,686.59
	LIABILITIES AND EQUITY			
	LIABILITIES			
41-20250	AUDIT ACCT PAYABLE		9,490.42	
41-21211	ACCRUED WAGES		12,200.90	
	TOTAL LIABILITIES			21,691.32
	FUND EQUITY			
	UNAPPROPRIATED FUND BALANCE:			
41-29800	FUND BALANCE	1,739,773.67		
	REVENUE OVER EXPENDITURES - YTD	46,221.60		
	BALANCE - CURRENT DATE		1,785,995.27	
	TOTAL FUND EQUITY			1,785,995.27
	TOTAL LIABILITIES AND EQUITY			1,807,686.59

TOWN OF PAGOSA SPRINGS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

LODGERS TAX FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	TAXES					
41-31-108	LODGERS TAX	75,376.08	294,843.93	1,010,000.00	715,156.07	29.2
	TOTAL TAXES	75,376.08	294,843.93	1,010,000.00	715,156.07	29.2
	INTERGOVERNMENTAL REVENUES					
41-33-301	INTERGOVERNMENTAL TAX SHARING	.00	135,988.98	550,000.00	414,011.02	24.7
41-33-305	STATE OF COLORADO GRANTS	.00	49,000.00	49,000.00	.00	100.0
	TOTAL INTERGOVERNMENTAL REVENUES	.00	184,988.98	599,000.00	414,011.02	30.9
	MISCELLANEOUS REVENUES					
41-36-601	MISCELLANEOUS REVENUE	.00	40.00	.00	(40.00)	.0
41-36-603	INTEREST INCOME	4,596.41	18,686.46	45,000.00	26,313.54	41.5
41-36-604	PASS THROUGH REVENUE	131.57	654.73	1,500.00	845.27	43.7
	TOTAL MISCELLANEOUS REVENUES	4,727.98	19,381.19	46,500.00	27,118.81	41.7
	LEASES & RENTS					
41-38-800	DEPT. SPECIFIC RENTAL REVENUE	400.00	800.00	5,000.00	4,200.00	16.0
	TOTAL LEASES & RENTS	400.00	800.00	5,000.00	4,200.00	16.0
	TOTAL FUND REVENUE	80,504.06	500,014.10	1,660,500.00	1,160,485.90	30.1

LODGERS TAX FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	TOURISM ADMIN.					
41-71-401	SALARIES	13,671.94	54,194.72	227,826.00	173,631.28	23.8
41-71-411	FICA	1,014.42	4,019.93	17,429.00	13,409.07	23.1
41-71-412	EMPLOYEE INSURANCE	2,892.72	11,569.90	68,851.00	57,281.10	16.8
41-71-413	RETIREMENT	1,367.20	5,419.49	22,783.00	17,363.51	23.8
41-71-423	WORKERS COMPENSATION INSURANCE	165.07	828.74	4,587.00	3,758.26	18.1
41-71-583	COMPUTER/IT EQUIPMENT	7,236.29	7,276.74	7,200.00	(76.74)	101.1
41-71-584	SOFTWARE SUBSCRIPTIONS	351.35	606.65	39,852.00	39,245.35	1.5
41-71-622	TELEPHONE-EE ISSUED CELL PHONE	122.94	317.14	1,538.00	1,220.86	20.6
41-71-703	AUDIT	211.53	211.53	3,582.00	3,370.47	5.9
41-71-704	CONTRACTED SERVICES (OTHER PRO	.00	17,500.00	35,000.00	17,500.00	50.0
41-71-705	IT SERVICES	.00	493.72	6,038.00	5,544.28	8.2
41-71-711	TRAVEL-TRANSPORTATION	.00	9.34	2,500.00	2,490.66	.4
41-71-712	TRAVEL-MEALS	.00	75.28	200.00	124.72	37.6
41-71-713	TRAVEL-LODGING	.00	.00	5,600.00	5,600.00	.0
41-71-722	MEETING-REGISTRATION	.00	.00	7,000.00	7,000.00	.0
41-71-741	FEES	66.21	197.30	800.00	602.70	24.7
41-71-742	CONVENIENCE (CREDIT CARD PROCE	(73.76)	(133.98)	375.00	508.98	(35.7)
41-71-761	INSURANCE & BONDS	.00	655.66	1,311.00	655.34	50.0
41-71-792	DUES & MEMBERSHIPS	.00	.00	1,500.00	1,500.00	.0
41-71-796	BOARD EXPENSES/VOLUNTEER APPRE	.00	5,107.94	10,765.00	5,657.06	47.5
	TOTAL TOURISM ADMIN.	27,025.91	108,350.10	464,737.00	356,386.90	23.3
	TOURISM					
41-72-401	SALARIES	9,436.03	31,109.52	65,168.00	34,058.48	47.7
41-72-411	FICA	673.49	2,237.24	4,985.00	2,747.76	44.9
41-72-412	EMPLOYEE INSURANCE	2,892.23	10,004.33	10,337.00	332.67	96.8
41-72-413	RETIREMENT	893.46	2,910.39	6,517.00	3,606.61	44.7
41-72-423	WORKERS COMPENSATION INSURANCE	92.56	464.70	950.00	485.30	48.9
41-72-505	COPY/PRINTING	128.51	128.51	.00	(128.51)	.0
41-72-543	SMALL TOOLS	.00	46.34	.00	(46.34)	.0
41-72-561	COMMUNITY ENGAGEMENT/COMMUNITY	.00	.00	15,000.00	15,000.00	.0
41-72-583	COMPUTER/IT EQUIPMENT	4,500.00	5,457.87	4,500.00	(957.87)	121.3
41-72-584	SOFTWARE SUBSCRIPTIONS	1,983.04	14,558.09	66,875.00	52,316.91	21.8
41-72-622	TELEPHONE-EE ISSUED CELL PHONE	50.98	152.94	638.00	485.06	24.0
41-72-659	R&M-WAYFINDING & SIGNAGE	958.62	958.62	25,000.00	24,041.38	3.8
41-72-704	CONTRACTED SERVICES (OTHER PRO	5,075.00	54,284.30	29,350.00	(24,934.30)	185.0
41-72-705	IT SERVICES	370.29	1,947.44	2,012.00	64.56	96.8
41-72-706	EVENT SERVICES	41,809.99	116,696.99	166,000.00	49,303.01	70.3
41-72-771	INITIATIVES & ECONOMIC DEVELOP	.00	.00	308,800.00	308,800.00	.0
41-72-791	ADVERTISING/PUBLIC NOTIFICATIO	30,375.26	74,280.36	429,000.00	354,719.64	17.3
41-72-793	TRAINING & SCHOOLS	.00	.00	450.00	450.00	.0
41-72-794	TEAM BUILDING	.00	202.68	.00	(202.68)	.0
41-72-796	BOARD EXPENSES/VOLUNTEER APPRE	5.55	27.87	1,200.00	1,172.13	2.3
	TOTAL TOURISM	99,245.01	315,468.19	1,136,782.00	821,313.81	27.8

LODGERS TAX FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	VISITOR CENTER					
41-73-401	SALARIES	.00	86.30	.00	(86.30)	.0
41-73-402	PART TIME	3,630.45	14,195.17	59,354.00	45,158.83	23.9
41-73-411	FICA	277.73	1,092.56	4,540.00	3,447.44	24.1
41-73-412	EMPLOYEE INSURANCE	7.26	28.59	119.00	90.41	24.0
41-73-423	WORKERS COMPENSATION INSURANCE	5.01	25.15	63.00	37.85	39.9
41-73-501	OFFICE SUPPLIES	.00	.00	3,900.00	3,900.00	.0
41-73-502	OPERATING SUPPLIES	240.00	342.12	1,000.00	657.88	34.2
41-73-504	POSTAGE/SHIPPING	370.00	421.30	8,000.00	7,578.70	5.3
41-73-505	COPY/PRINTING	40.10	181.67	15,000.00	14,818.33	1.2
41-73-543	SMALL TOOLS	43.63	43.63	.00	(43.63)	.0
41-73-583	COMPUTER/IT EQUIPMENT	.00	.00	1,500.00	1,500.00	.0
41-73-584	SOFTWARE SUBSCRIPTIONS	194.24	3,338.00	6,092.00	2,754.00	54.8
41-73-601	GAS-UTILITY	180.15	491.45	1,385.00	893.55	35.5
41-73-602	ELECTRIC-UTILITY	164.22	571.31	2,879.00	2,307.69	19.8
41-73-603	WATER-UTILITY	51.53	155.90	7,636.00	7,480.10	2.0
41-73-604	SEWER-UTILITY	71.25	285.00	915.00	630.00	31.2
41-73-621	TELEPHONE SERVICE-UTILITY	59.26	136.58	764.00	627.42	17.9
41-73-705	IT SERVICES	185.15	720.02	.00	(720.02)	.0
41-73-761	INSURANCE & BONDS	.00	177.08	54.00	(123.08)	327.9
41-73-791	ADVERTISING/PUBLIC NOTIFICATIO	.00	7,682.38	10,000.00	2,317.62	76.8
41-73-796	BOARD EXPENSES/VOLUNTEER APPRE	.00	.00	250.00	250.00	.0
	TOTAL VISITOR CENTER	5,519.98	29,974.21	123,451.00	93,476.79	24.3
	TOTAL FUND EXPENDITURES	131,790.90	453,792.50	1,724,970.00	1,271,177.50	26.3
	NET REVENUE OVER EXPENDITURES	(51,286.84)	46,221.60	(64,470.00)	(110,691.60)	71.7

TOWN OF PAGOSA SPRINGS
BALANCE SHEET
APRIL 30, 2026

CAPITAL IMPROVEMENT FUND

	ASSETS			
51-10100	CASH IN COMBINED CASH FUND		4,926,646.15	
51-10200	SERIES 2019 INTEREST ZIONS		.44	
51-10201	SERIES 2019 PRINCIPAL ZIONS		.30	
51-10202	SERIES 2019 CONSTRUCTION FUND		.12	
51-11510	SALES TAX		800,186.25	
	TOTAL ASSETS			5,726,833.26
	LIABILITIES AND EQUITY			
	LIABILITIES			
51-20250	AUDIT ACCT PAYABLE		121,841.18	
51-20700	DUE TO GENERAL FUND - LOAN		281,029.00	
51-21000	WAGES PAYABLE		34,339.01	
	TOTAL LIABILITIES			437,209.19
	FUND EQUITY			
	UNAPPROPRIATED FUND BALANCE:			
51-29800	FUND BALANCE	5,060,298.40		
	REVENUE OVER EXPENDITURES - YTD	229,325.67		
	BALANCE - CURRENT DATE		5,289,624.07	
	TOTAL FUND EQUITY			5,289,624.07
	TOTAL LIABILITIES AND EQUITY			5,726,833.26

TOWN OF PAGOSA SPRINGS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

CAPITAL IMPROVEMENT FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	TAXES					
51-31-103	SALES TAX	346,532.85	1,458,321.83	4,936,362.00	3,478,040.17	29.5
51-31-107	HIGHWAY USER TAX (HUTF)	8,636.46	22,155.79	97,272.00	75,116.21	22.8
51-31-109	ROAD MILL TAX	.00	.00	30,000.00	30,000.00	.0
	TOTAL TAXES	355,169.31	1,480,477.62	5,063,634.00	3,583,156.38	29.2
	LICENSES AND PERMITS					
51-32-208	ROAD CUT PERMITS	150.00	150.00	6,000.00	5,850.00	2.5
	TOTAL LICENSES AND PERMITS	150.00	150.00	6,000.00	5,850.00	2.5
	INTERGOVERNMENTAL REVENUES					
51-33-305	STATE OF COLORADO GRANTS	.00	318,787.22	320,893.00	2,105.78	99.3
51-33-307	CDOT GRANTS	250,000.00	283,852.83	1,067,420.00	783,567.17	26.6
51-33-308	GOVERNMENTAL GRANTS	.00	273,663.64	.00	(273,663.64)	.0
	TOTAL INTERGOVERNMENTAL REVENUES	250,000.00	876,303.69	1,388,313.00	512,009.31	63.1
	CHARGES FOR SERVICES					
51-34-401	CHARGES FOR ADDED SERVICES	.00	978.60	500.00	(478.60)	195.7
51-34-409	EV CHARGING STATION REVENUES	4,401.27	10,775.73	30,000.00	19,224.27	35.9
	TOTAL CHARGES FOR SERVICES	4,401.27	11,754.33	30,500.00	18,745.67	38.5
	FINES, FEES & FORFEITURES					
51-35-504	DEPARTMENT SPECIFIC FEES	1,250.00	1,250.00	.00	(1,250.00)	.0
51-35-507	CEMETERY FEES	700.00	2,650.00	7,000.00	4,350.00	37.9
	TOTAL FINES, FEES & FORFEITURES	1,950.00	3,900.00	7,000.00	3,100.00	55.7
	MISCELLANEOUS REVENUES					
51-36-601	MISCELLANEOUS REVENUE	2,777.43	71,602.02	20,000.00	(51,602.02)	358.0
51-36-603	INTEREST INCOME	12,961.40	40,654.38	100,000.00	59,345.62	40.7
	TOTAL MISCELLANEOUS REVENUES	15,738.83	112,256.40	120,000.00	7,743.60	93.6

TOWN OF PAGOSA SPRINGS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

CAPITAL IMPROVEMENT FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	CONTRIBUTIONS & OTHR GRANT REV					
51-37-701	PRIVATE/NON-PROFIT COLLABORAT.	25,000.00	46,300.00	75,000.00	28,700.00	61.7
	TOTAL CONTRIBUTIONS & OTHR GRANT REV	25,000.00	46,300.00	75,000.00	28,700.00	61.7
	LEASES & RENTS					
51-38-810	DEPT. SPEC. RENTAL FEES-PARKS	3,193.00	4,933.00	18,000.00	13,067.00	27.4
51-38-811	DEPT. SPEC. LEASES-F&F	977.40	3,909.60	11,729.00	7,819.40	33.3
	TOTAL LEASES & RENTS	4,170.40	8,842.60	29,729.00	20,886.40	29.7
	INTERFUND TRANSFERS					
51-39-904	TRANSFER FROM CTF	.00	.00	130,000.00	130,000.00	.0
51-39-905	TRANSFER FROM LODGERS FUND	.00	.00	250,000.00	250,000.00	.0
51-39-906	TRANSFER FROM TRUST FUND	.00	.00	10,000.00	10,000.00	.0
	TOTAL INTERFUND TRANSFERS	.00	.00	390,000.00	390,000.00	.0
	TOTAL FUND REVENUE	656,579.81	2,539,984.64	7,110,176.00	4,570,191.36	35.7

CAPITAL IMPROVEMENT FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	POLICE-CAPITAL					
51-49-642	R&M-EQUIPMENT	.00	.00	100.00	100.00	.0
51-49-761	INSURANCE & BONDS	.00	20.06	250.00	229.94	8.0
	TOTAL POLICE-CAPITAL	.00	20.06	350.00	329.94	5.7
	PARKS & REC ADMIN-CAPITAL					
51-54-771	INITIATIVES & ECONOMIC DEVELOP	.00	.00	20,000.00	20,000.00	.0
	TOTAL PARKS & REC ADMIN-CAPITAL	.00	.00	20,000.00	20,000.00	.0
	RECREATION-CAPITAL					
51-55-812	FURNITURE & FIXTURES-CAPITAL A	.00	.00	1,500.00	1,500.00	.0
	TOTAL RECREATION-CAPITAL	.00	.00	1,500.00	1,500.00	.0

CAPITAL IMPROVEMENT FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	PARKS-CAPITAL					
51-58-401	SALARIES	31,050.39	122,306.33	403,643.00	281,336.67	30.3
51-58-402	PART TIME	2,147.20	9,517.86	27,911.00	18,393.14	34.1
51-58-403	OVERTIME	.00	42.14	5,988.00	5,945.86	.7
51-58-404	ON-CALL	200.00	200.00	9,120.00	8,920.00	2.2
51-58-411	FICA	2,443.64	9,658.01	33,244.00	23,585.99	29.1
51-58-412	EMPLOYEE INSURANCE	11,990.67	47,959.65	142,452.00	94,492.35	33.7
51-58-413	RETIREMENT	2,649.38	10,597.54	36,611.00	26,013.46	29.0
51-58-415	UNIFORM STIPEND	230.86	923.44	3,009.00	2,085.56	30.7
51-58-423	WORKERS COMPENSATION INSURANCE	1,054.13	5,292.28	11,089.00	5,796.72	47.7
51-58-501	OFFICE SUPPLIES	.00	.00	125.00	125.00	.0
51-58-502	OPERATING SUPPLIES	144.81	2,899.62	38,000.00	35,100.38	7.6
51-58-503	MAINTENANCE & CLEANING SUPPLIE	7.59	48.44	125.00	76.56	38.8
51-58-506	LOGO WEAR	.00	.00	2,250.00	2,250.00	.0
51-58-507	PERSONAL PROTECTIVE EQUIP.	.00	34.97	750.00	715.03	4.7
51-58-511	FUEL/OIL/OPERATING FLUIDS	1,350.40	4,206.08	14,000.00	9,793.92	30.0
51-58-521	DEPARTMENT MATERIALS	4,111.69	8,894.57	50,000.00	41,105.43	17.8
51-58-541	VEHICLE PARTS	.00	.00	100.00	100.00	.0
51-58-542	EQUIPMENT PARTS	2.99	473.14	3,000.00	2,526.86	15.8
51-58-543	SMALL TOOLS	204.70	810.29	2,500.00	1,689.71	32.4
51-58-551	FURNISHINGS & FIXTURES	.00	6,633.87	11,500.00	4,866.13	57.7
51-58-561	COMMUNITY ENGAGEMENT/COMMUNITY	.00	.00	400.00	400.00	.0
51-58-581	SMALL EQUIPMENT	.00	434.76	.00	(434.76)	.0
51-58-582	EQUIPMENT	.00	990.00	4,000.00	3,010.00	24.8
51-58-584	SOFTWARE SUBSCRIPTIONS	914.99	1,341.40	640.00	(701.40)	209.6
51-58-601	GAS-UTILITY	163.47	461.86	1,336.00	874.14	34.6
51-58-602	ELECTRIC-UTILITY	1,676.26	5,496.44	24,679.00	19,182.56	22.3
51-58-603	WATER-UTILITY	775.88	2,510.09	77,158.00	74,647.91	3.3
51-58-604	SEWER-UTILITY	427.50	1,710.00	5,490.00	3,780.00	31.2
51-58-621	TELEPHONE SERVICE-UTILITY	25.62	76.86	304.00	227.14	25.3
51-58-622	TELEPHONE-EE ISSUED CELL PHONE	40.98	122.94	512.00	389.06	24.0
51-58-623	INTERNET SERVICE	.00	695.52	2,800.00	2,104.48	24.8
51-58-642	R&M-EQUIPMENT	.00	77.00	.00	(77.00)	.0
51-58-658	R&M-PARKS & TRAILS	.00	400.00	15,000.00	14,600.00	2.7
51-58-660	R&M-YAMAGUCHI NORTH PARK	.00	18,180.00	.00	(18,180.00)	.0
51-58-663	R&M-BELL TOWER PARK	.00	144.23	.00	(144.23)	.0
51-58-672	R&M-TRAILS/SIDEWALKS	.00	.00	35,000.00	35,000.00	.0
51-58-701	ENGINEERING & MODELING (NON CI	.00	2,251.50	15,000.00	12,748.50	15.0
51-58-704	CONTRACTED SERVICES (OTHER PRO	250.00	2,125.00	33,500.00	31,375.00	6.3
51-58-705	IT SERVICES	185.15	720.02	2,012.00	1,291.98	35.8
51-58-711	TRAVEL-TRANSPORTATION	.00	.00	1,000.00	1,000.00	.0
51-58-712	TRAVEL-MEALS	.00	.00	500.00	500.00	.0
51-58-713	TRAVEL-LODGING	.00	.00	3,000.00	3,000.00	.0
51-58-722	MEETING-REGISTRATION	.00	112.00	750.00	638.00	14.9
51-58-731	RENTAL-EQUIPMENT	.00	.00	4,000.00	4,000.00	.0
51-58-732	RENTAL-MISC.	725.00	870.00	5,400.00	4,530.00	16.1
51-58-761	INSURANCE & BONDS	.00	5,466.36	10,932.00	5,465.64	50.0
51-58-793	TRAINING & SCHOOLS	.00	.00	2,500.00	2,500.00	.0
51-58-794	TEAM BUILDING	.00	.00	500.00	500.00	.0
51-58-812	FURNITURE & FIXTURES-CAPITAL A	15,591.48	15,631.06	14,500.00	(1,131.06)	107.8
51-58-813	BUILDING CONSTRUCTION	8,500.00	8,500.00	.00	(8,500.00)	.0
51-58-821	IMPROVE. OTHER THAN BUILDINGS	.00	344,435.99	1,320,432.00	975,996.01	26.1
51-58-830	EQUIPMENT-CAPITAL OUTLAY	.00	2,199.00	2,500.00	301.00	88.0

CAPITAL IMPROVEMENT FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
51-58-853	CAPITAL ENGINEERING	371.87	7,594.02	44,900.00	37,305.98	16.9
51-58-864	BRIDGE CONSTRUCTION-NEW OR REP	.00	.00	169,200.00	169,200.00	.0
51-58-981	PASS THROUGH EXPENSES	.00	(8,700.00)	.00	8,700.00	.0
	TOTAL PARKS-CAPITAL	87,236.65	644,344.28	2,593,362.00	1,949,017.72	24.9
	COMM. DEVEL. ADMIN.-CAPITAL					
51-62-561	COMMUNITY ENGAGEMENT/COMMUNITY	.00	.00	10,000.00	10,000.00	.0
51-62-761	INSURANCE & BONDS	.00	.00	150.00	150.00	.0
	TOTAL COMM. DEVEL. ADMIN.-CAPITAL	.00	.00	10,150.00	10,150.00	.0
	PROJECTS-CAPITAL					
51-66-704	CONTRACTED SERVICES (OTHER PRO	537.50	202,032.50	1,000.00	(201,032.50)	20203.
51-66-753	PRE-PROJECT ADVERTISING	.00	.00	300.00	300.00	.0
51-66-754	PRE-PROJECT CONSULTING	6,900.00	6,900.00	15,000.00	8,100.00	46.0
51-66-755	PRE-PROJECT ENGINEERING/DESIGN	140.00	46,183.00	15,000.00	(31,183.00)	307.9
51-66-853	CAPITAL ENGINEERING	.00	6,999.00	.00	(6,999.00)	.0
51-66-856	CAPITAL PROJECT MANAGEMENT	.00	19,280.00	.00	(19,280.00)	.0
	TOTAL PROJECTS-CAPITAL	7,577.50	281,394.50	31,300.00	(250,094.50)	899.0
	ADMIN. SERVICES ADMIN-CAPITAL					
51-80-583	COMPUTER/IT EQUIPMENT	.00	4,989.23	33,200.00	28,210.77	15.0
51-80-584	SOFTWARE SUBSCRIPTIONS	.00	.00	300.00	300.00	.0
51-80-761	INSURANCE & BONDS	.00	52.32	150.00	97.68	34.9
51-80-771	INITIATIVES & ECONOMIC DEVELOP	.00	18,750.00	110,000.00	91,250.00	17.1
51-80-944	LEASE PAYMENTS	.00	167.90	521.00	353.10	32.2
	TOTAL ADMIN. SERVICES ADMIN-CAPITAL	.00	23,959.45	144,171.00	120,211.55	16.6

CAPITAL IMPROVEMENT FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	PUBLIC WORKS ADMIN.					
51-90-401	SALARIES	13,016.54	63,807.57	219,806.00	155,998.43	29.0
51-90-403	OVERTIME	.00	95.99	.00	(95.99)	.0
51-90-411	FICA	993.76	4,722.24	16,815.00	12,092.76	28.1
51-90-412	EMPLOYEE INSURANCE	86.11	9,012.41	35,875.00	26,862.59	25.1
51-90-413	RETIREMENT	1,301.66	5,890.60	21,981.00	16,090.40	26.8
51-90-423	WORKERS COMPENSATION INSURANCE	169.41	850.53	1,756.00	905.47	48.4
51-90-501	OFFICE SUPPLIES	16.24	91.90	2,000.00	1,908.10	4.6
51-90-502	OPERATING SUPPLIES	.00	.00	200.00	200.00	.0
51-90-503	MAINTENANCE & CLEANING SUPPLIE	.00	.00	300.00	300.00	.0
51-90-504	POSTAGE/SHIPPING	.00	.00	50.00	50.00	.0
51-90-505	COPY/PRINTING	.00	.00	1,648.00	1,648.00	.0
51-90-511	FUEL/OIL/OPERATING FLUIDS	.00	39.89	1,200.00	1,160.11	3.3
51-90-521	DEPARTMENT MATERIALS	.00	.00	25.00	25.00	.0
51-90-542	EQUIPMENT PARTS	.00	.00	255.00	255.00	.0
51-90-543	SMALL TOOLS	.00	.00	20.00	20.00	.0
51-90-561	COMMUNITY ENGAGEMENT/COMMUNITY	.00	1,615.48	15,000.00	13,384.52	10.8
51-90-583	COMPUTER/IT EQUIPMENT	105.54	270.98	1,660.00	1,389.02	16.3
51-90-584	SOFTWARE SUBSCRIPTIONS	228.75	8,083.52	9,987.00	1,903.48	80.9
51-90-601	GAS-UTILITY	2,092.90	6,302.21	16,381.00	10,078.79	38.5
51-90-602	ELECTRIC-UTILITY	952.16	2,992.50	11,504.00	8,511.50	26.0
51-90-603	WATER-UTILITY	566.33	1,103.16	17,335.00	16,231.84	6.4
51-90-604	SEWER-UTILITY	71.25	285.00	915.00	630.00	31.2
51-90-621	TELEPHONE SERVICE-UTILITY	79.86	239.59	949.00	709.41	25.3
51-90-622	TELEPHONE-EE ISSUED CELL PHONE	46.54	244.52	949.00	704.48	25.8
51-90-623	INTERNET SERVICE	.00	330.00	660.00	330.00	50.0
51-90-701	ENGINEERING & MODELING (NON CI	.00	.00	4,000.00	4,000.00	.0
51-90-703	AUDIT	949.51	949.51	16,077.00	15,127.49	5.9
51-90-704	CONTRACTED SERVICES (OTHER PRO	299.00	307.49	.00	(307.49)	.0
51-90-705	IT SERVICES	925.73	3,270.91	8,051.00	4,780.09	40.6
51-90-711	TRAVEL-TRANSPORTATION	.00	.00	550.00	550.00	.0
51-90-712	TRAVEL-MEALS	.00	.00	355.00	355.00	.0
51-90-713	TRAVEL-LODGING	.00	.00	450.00	450.00	.0
51-90-722	MEETING-REGISTRATION	.00	.00	505.00	505.00	.0
51-90-732	RENTAL-MISC.	.00	376.00	4,560.00	4,184.00	8.3
51-90-741	FEES	.00	.72	25.00	24.28	2.9
51-90-751	BOOKS & SUBSCRIPTIONS	39.03	84.03	35.00	(49.03)	240.1
51-90-754	PRE-PROJECT DESIGN	.00	.00	5,000.00	5,000.00	.0
51-90-755	PRE-PROJECT ENGINEERING	.00	.00	85,000.00	85,000.00	.0
51-90-761	INSURANCE & BONDS	.00	1,709.02	3,399.00	1,689.98	50.3
51-90-791	ADVERTISING/PUBLIC NOTIFICATIO	.00	.00	1,000.00	1,000.00	.0
51-90-792	DUES & MEMBERSHIPS	.00	.00	100.00	100.00	.0
51-90-794	TEAM BUILDING	236.02	867.48	1,880.00	1,012.52	46.1
51-90-853	CAPITAL ENGINEERING	4,896.00	16,007.00	50,000.00	33,993.00	32.0
51-90-941	DEBT SERVICE-PRINCIPAL	.00	.00	388,600.00	388,600.00	.0
51-90-942	DEBT SERVICE-INTEREST	.00	33,131.25	122,704.00	89,572.75	27.0
51-90-943	DEBT SERVICE-FEES	.00	2,500.00	4,000.00	1,500.00	62.5
	TOTAL PUBLIC WORKS ADMIN.	27,072.34	165,181.50	1,073,562.00	908,380.50	15.4

CAPITAL IMPROVEMENT FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	STREETS					
51-91-401	SALARIES	30,241.64	121,235.16	393,128.00	271,892.84	30.8
51-91-403	OVERTIME	.00	.00	17,183.00	17,183.00	.0
51-91-404	ON-CALL	.00	.00	18,250.00	18,250.00	.0
51-91-411	FICA	2,287.26	9,161.92	30,332.00	21,170.08	30.2
51-91-412	EMPLOYEE INSURANCE	10,290.31	38,422.04	90,553.00	52,130.96	42.4
51-91-413	RETIREMENT	2,705.38	10,829.07	39,313.00	28,483.93	27.6
51-91-414	PHONE STIPEND	200.00	700.00	2,400.00	1,700.00	29.2
51-91-415	UNIFORM STIPEND	184.68	738.72	2,407.00	1,668.28	30.7
51-91-423	WORKERS COMPENSATION INSURANCE	1,828.77	9,181.37	18,865.00	9,683.63	48.7
51-91-501	OFFICE SUPPLIES	.00	43.53	340.00	296.47	12.8
51-91-502	OPERATING SUPPLIES	460.82	10,121.09	46,000.00	35,878.91	22.0
51-91-503	MAINTENANCE & CLEANING SUPPLIE	42.40	275.02	200.00	(75.02)	137.5
51-91-506	LOGO WEAR	.00	.00	1,800.00	1,800.00	.0
51-91-507	PERSONAL PROTECTIVE EQUIP.	.00	.00	2,050.00	2,050.00	.0
51-91-511	FUEL/OIL/OPERATING FLUIDS	3,744.25	11,613.95	30,000.00	18,386.05	38.7
51-91-521	DEPARTMENT MATERIALS	4,696.88	21,485.22	49,000.00	27,514.78	43.9
51-91-541	VEHICLE PARTS	206.75	206.75	4,000.00	3,793.25	5.2
51-91-542	EQUIPMENT PARTS	422.40	2,650.34	1,425.00	(1,225.34)	186.0
51-91-543	SMALL TOOLS	85.76	518.73	1,500.00	981.27	34.6
51-91-544	TOOLS	.00	.00	4,300.00	4,300.00	.0
51-91-551	FURNISHINGS & FIXTURES	.00	1,136.76	31,200.00	30,063.24	3.6
51-91-561	COMMUNITY ENGAGEMENT/COMMUNITY	(2,717.50)	(2,692.64)	.00	2,692.64	.0
51-91-581	SMALL EQUIPMENT	.00	.00	1,000.00	1,000.00	.0
51-91-582	EQUIPMENT	.00	18,262.10	21,000.00	2,737.90	87.0
51-91-584	SOFTWARE SUBSCRIPTIONS	679.84	3,554.24	6,525.00	2,970.76	54.5
51-91-602	ELECTRIC-UTILITY	3,559.36	10,994.92	50,448.00	39,453.08	21.8
51-91-621	TELEPHONE SERVICE-UTILITY	25.62	76.86	304.00	227.14	25.3
51-91-622	TELEPHONE-EE ISSUED CELL PHONE	171.36	684.71	2,040.00	1,355.29	33.6
51-91-682	R&M-STREETS	.00	.00	497,000.00	497,000.00	.0
51-91-683	R&M-DRAINAGE	.00	.00	16,000.00	16,000.00	.0
51-91-684	R&M-STREET LIGHTS	.00	.00	6,000.00	6,000.00	.0
51-91-704	CONTRACTED SERVICES (OTHER PRO	.00	250.00	82,950.00	82,700.00	.3
51-91-705	IT SERVICES	185.15	884.59	2,012.00	1,127.41	44.0
51-91-711	TRAVEL-TRANSPORTATION	.00	.00	425.00	425.00	.0
51-91-712	TRAVEL-MEALS	.00	.00	1,500.00	1,500.00	.0
51-91-713	TRAVEL-LODGING	.00	.00	3,700.00	3,700.00	.0
51-91-721	MEETING & TRAINING-SUPPLIES	57.30	57.30	550.00	492.70	10.4
51-91-722	MEETING-REGISTRATION	240.00	240.00	6,225.00	5,985.00	3.9
51-91-731	RENTAL-EQUIPMENT	.00	.00	5,000.00	5,000.00	.0
51-91-741	FEES	.00	.00	20.00	20.00	.0
51-91-761	INSURANCE & BONDS	.00	1,958.06	3,916.00	1,957.94	50.0
51-91-792	DUES & MEMBERSHIPS	252.00	252.00	300.00	48.00	84.0
51-91-793	TRAINING & SCHOOLS	300.00	476.00	3,400.00	2,924.00	14.0
51-91-794	TEAM BUILDING	.00	134.39	1,000.00	865.61	13.4
51-91-821	IMPROVE. OTHER THAN BUILDINGS	.00	.00	25,000.00	25,000.00	.0
51-91-822	SIDEWALKS, CROSSINGS, CURB & G	.00	252,922.00	.00	(252,922.00)	.0
51-91-823	ROADWAY FIXTURES-NEW OR REPLAC	(9,590.70)	246,360.30	162,500.00	(83,860.30)	151.6
51-91-861	ROAD CONSTRUCTION-NEW OR REPLA	.00	.00	396,000.00	396,000.00	.0
51-91-862	SIDEWALK CONSTRUCTION-NEW OR R	.00	36,209.79	1,320,000.00	1,283,790.21	2.7
	TOTAL STREETS	50,559.73	808,944.29	3,399,061.00	2,590,116.71	23.8

TOWN OF PAGOSA SPRINGS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

CAPITAL IMPROVEMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT

CAPITAL IMPROVEMENT FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	FACILITIES & FLEET					
51-94-401	SALARIES	14,211.02	57,021.71	184,743.00	127,721.29	30.9
51-94-403	OVERTIME	.00	606.60	2,000.00	1,393.40	30.3
51-94-404	ON-CALL	50.00	1,050.00	6,000.00	4,950.00	17.5
51-94-411	FICA	1,075.69	4,418.64	14,298.00	9,879.36	30.9
51-94-412	EMPLOYEE INSURANCE	3,690.70	14,765.86	44,298.00	29,532.14	33.3
51-94-413	RETIREMENT	1,186.22	4,747.15	16,504.00	11,756.85	28.8
51-94-414	PHONE STIPEND	120.00	360.00	960.00	600.00	37.5
51-94-415	UNIFORM STIPEND	92.34	369.36	1,204.00	834.64	30.7
51-94-423	WORKERS COMPENSATION INSURANCE	509.73	2,559.10	5,267.00	2,707.90	48.6
51-94-501	OFFICE SUPPLIES	.00	19.79	150.00	130.21	13.2
51-94-502	OPERATING SUPPLIES	554.52	795.79	2,000.00	1,204.21	39.8
51-94-503	MAINTENANCE & CLEANING SUPPLIE	976.98	1,749.10	14,000.00	12,250.90	12.5
51-94-506	LOGO WEAR	.00	237.91	900.00	662.09	26.4
51-94-507	PERSONAL PROTECTIVE EQUIP.	.00	85.33	300.00	214.67	28.4
51-94-511	FUEL/OIL/OPERATING FLUIDS	186.80	621.66	2,500.00	1,878.34	24.9
51-94-521	DEPARTMENT MATERIALS	3,150.45	7,690.60	6,000.00	(1,690.60)	128.2
51-94-541	VEHICLE PARTS	.00	768.55	5,000.00	4,231.45	15.4
51-94-542	EQUIPMENT PARTS	415.15	3,839.41	2,500.00	(1,339.41)	153.6
51-94-543	SMALL TOOLS	225.09	752.85	3,000.00	2,247.15	25.1
51-94-544	TOOLS	.00	198.00	1,500.00	1,302.00	13.2
51-94-551	FURNISHINGS & FIXTURES	313.90	1,709.79	2,500.00	790.21	68.4
51-94-581	SMALL EQUIPMENT	(359.95)	3,054.87	2,000.00	(1,054.87)	152.7
51-94-582	EQUIPMENT	.00	5,762.00	1,500.00	(4,262.00)	384.1
51-94-583	COMPUTER/IT EQUIPMENT	.00	173.44	300.00	126.56	57.8
51-94-584	SOFTWARE SUBSCRIPTIONS	532.92	3,902.78	3,425.00	(477.78)	114.0
51-94-602	ELECTRIC-UTILITY	1,420.28	3,773.61	17,360.00	13,586.39	21.7
51-94-621	TELEPHONE SERVICE-UTILITY	25.62	76.86	304.00	227.14	25.3
51-94-631	JANITORIAL SERVICES	10,374.60	41,498.40	143,000.00	101,501.60	29.0
51-94-641	R&M-VEHICLES	891.79	4,995.18	41,000.00	36,004.82	12.2
51-94-642	R&M-EQUIPMENT	.00	16,391.83	71,000.00	54,608.17	23.1
51-94-643	R&M-ART	.00	.00	2,000.00	2,000.00	.0
51-94-646	R&M-OTHER	.00	3,050.00	.00	(3,050.00)	.0
51-94-651	R&M-BUILDING	.00	.00	250.00	250.00	.0
51-94-652	R&M-TOWN HALL	2,626.84	4,685.01	18,000.00	13,314.99	26.0
51-94-653	R&M-MAINTENANCE FACILITY	2,428.43	4,773.43	4,000.00	(773.43)	119.3
51-94-654	R&M-VISITOR CENTER	.00	.00	5,000.00	5,000.00	.0
51-94-655	R&M-COMMUNITY CENTER	.00	409.07	15,500.00	15,090.93	2.6
51-94-656	R&M-GEO BUILDING	.00	.00	500.00	500.00	.0
51-94-657	R&M-MUSEUM	.00	.00	63,500.00	63,500.00	.0
51-94-658	R&M-PARKS & TRAILS	.00	.00	4,000.00	4,000.00	.0
51-94-659	R&M-WAYFINDING & SIGNAGE	.00	.00	2,000.00	2,000.00	.0
51-94-660	R&M-YAMAGUCHI NORTH PARK	.00	.00	2,000.00	2,000.00	.0
51-94-661	R&M-SOUTH PAGOSA PARK	.00	.00	500.00	500.00	.0
51-94-662	R&M-CENTENNIAL PARK	.00	.00	300.00	300.00	.0
51-94-663	R&M-BELL TOWER PARK	.00	.00	300.00	300.00	.0
51-94-664	R&M-RIVER CENTER PARK	.00	.00	300.00	300.00	.0
51-94-666	R&M-RESERVOIR HILL PARK	.00	.00	300.00	300.00	.0
51-94-667	R&M-YAMAGUCHI SOUTH PARK	.00	.00	300.00	300.00	.0
51-94-669	R&M-MARY FISHER PARK	.00	.00	300.00	300.00	.0
51-94-670	R&M-TOWN PARK	.00	.00	500.00	500.00	.0
51-94-691	DISPOSAL/RECYCLING/SHREDDING	.00	100.00	400.00	300.00	25.0
51-94-692	ALARM MONITORING	.00	600.00	2,300.00	1,700.00	26.1

CAPITAL IMPROVEMENT FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
51-94-704	CONTRACTED SERVICES (OTHER PRO	840.48	4,109.86	11,500.00	7,390.14	35.7
51-94-705	IT SERVICES	185.15	720.02	2,012.00	1,291.98	35.8
51-94-707	SECURITY	.00	.00	5,000.00	5,000.00	.0
51-94-741	FEES	.00	.00	100.00	100.00	.0
51-94-751	BOOKS & SUBSCRIPTIONS	.00	.00	300.00	300.00	.0
51-94-761	INSURANCE & BONDS	(7.55)	24,234.71	49,495.00	25,260.29	49.0
51-94-793	TRAINING & SCHOOLS	.00	795.00	1,000.00	205.00	79.5
51-94-811	BUILDING IMPROVEMENTS	16,000.00	33,827.06	134,000.00	100,172.94	25.2
51-94-812	FURNITURE & FIXTURES-CAPITAL A	.00	10,456.80	1,000.00	(9,456.80)	1045.7
51-94-832	VEHICLES	11,539.76	112,537.76	170,000.00	57,462.24	66.2
	TOTAL FACILITIES & FLEET	73,256.96	384,294.89	1,092,170.00	707,875.11	35.2
	CEMETERY					
51-96-502	OPERATING SUPPLIES	.00	.00	10,750.00	10,750.00	.0
51-96-521	DEPARTMENT MATERIALS	.00	.00	1,000.00	1,000.00	.0
51-96-543	SMALL TOOLS	.00	.00	700.00	700.00	.0
51-96-551	FURNISHINGS & FIXTURES	.00	.00	2,000.00	2,000.00	.0
51-96-561	COMMUNITY ENGAGEMENT/COMMUNITY	.00	.00	500.00	500.00	.0
51-96-584	SOFTWARE SUBSCRIPTIONS	.00	2,520.00	9,730.00	7,210.00	25.9
51-96-603	WATER-UTILITY	.00	.00	1,825.00	1,825.00	.0
51-96-704	CONTRACTED SERVICES (OTHER PRO	.00	.00	22,000.00	22,000.00	.0
51-96-705	IT SERVICES	.00	.00	2,012.00	2,012.00	.0
51-96-791	ADVERTISING/PUBLIC NOTIFICATIO	.00	.00	500.00	500.00	.0
	TOTAL CEMETERY	.00	2,520.00	51,017.00	48,497.00	4.9
	TOTAL FUND EXPENDITURES	245,703.18	2,310,658.97	8,416,643.00	6,105,984.03	27.5
	NET REVENUE OVER EXPENDITURES	410,876.63	229,325.67	(1,306,467.00)	(1,535,792.67)	17.6

TOWN OF PAGOSA SPRINGS
BALANCE SHEET
APRIL 30, 2026

SANITATION FUND

	ASSETS			
53-10100	CASH IN COMBINED CASH FUND		4,131,875.51	
53-10500	PETTY CASH		100.00	
53-11000	PLANT/SYSTEM		13,262,240.55	
53-11100	EQUIPMENT		1,421,915.45	
53-11400	PROPERTY TAX RECEIVABLE		34,574.00	
53-11500	ACCTS RECEIVABLE - SANITATION		122,535.25	
53-11550	ACCTS RECEIVABLE - TREAS LIENS		8,411.94	
53-11600	ALLOWANCE FOR DOUBTFUL ACCTS		(8,035.43)	
53-11700	RIGHT OF WAYS		16,376.00	
53-11800	ACCUMULATED DEPRECIATION		(4,024,736.71)	
	TOTAL ASSETS			14,965,256.56
	LIABILITIES AND EQUITY			
	LIABILITIES			
53-20250	AUDIT ACCT PAYABLE		314,823.54	
53-20310	INTEREST PAYABLE		9,761.81	
53-21400	PIPELINE LOAN WPCRF		1,019,096.65	
53-21405	NOTE PAYABLE TO UMB		4,524,951.97	
53-21800	ACCRUED VACATION		7,555.17	
53-21850	ACCRUED WAGES		6,236.58	
53-22210	UNEARNED REVENUE		34,574.00	
53-22215	LONG TERM LIABILITY PAWSD		1,693,753.75	
53-23000	ADVANCE TO GENERAL FUND		39,724.08	
	TOTAL LIABILITIES			7,650,477.55
	FUND EQUITY			
	UNAPPROPRIATED FUND BALANCE:			
53-29800	RETAINED EARNINGS-UNRESERVED	6,701,584.10		
53-29850	CONTRIBUTED CAPITAL	965,626.24		
	REVENUE OVER EXPENDITURES - YTD	(352,431.33)		
	BALANCE - CURRENT DATE		7,314,779.01	
	TOTAL FUND EQUITY			7,314,779.01
	TOTAL LIABILITIES AND EQUITY			14,965,256.56

TOWN OF PAGOSA SPRINGS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

SANITATION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	TAXES					
53-31-101	PROPERTY TAX	6,469.12	32,775.74	81,722.00	48,946.26	40.1
53-31-102	SPECIFIC OWNERSHIP/MVL TAX	392.70	1,686.62	4,500.00	2,813.38	37.5
	TOTAL TAXES	6,861.82	34,462.36	86,222.00	51,759.64	40.0
	INTERGOVERNMENTAL REVENUES					
53-33-306	DOLA GRANTS	.00	51,120.86	137,070.00	85,949.14	37.3
	TOTAL INTERGOVERNMENTAL REVENUES	.00	51,120.86	137,070.00	85,949.14	37.3
	CHARGES FOR SERVICES					
53-34-400	DEPT. SPECIFIC SVC. CHARGES	3,028.29	6,152.26	9,600.00	3,447.74	64.1
53-34-401	CHARGES FOR ADDED SERVICES	.00	.00	3,500.00	3,500.00	.0
53-34-404	UTILITY CONNECTION FEES	.00	.00	82,500.00	82,500.00	.0
53-34-405	UTILITY BILLING	113,740.39	457,557.46	1,509,750.00	1,052,192.54	30.3
	TOTAL CHARGES FOR SERVICES	116,768.68	463,709.72	1,605,350.00	1,141,640.28	28.9
	FINES, FEES & FORFEITURES					
53-35-503	LATE FEES (PENALTIES & INT.)	692.23	2,183.76	5,000.00	2,816.24	43.7
	TOTAL FINES, FEES & FORFEITURES	692.23	2,183.76	5,000.00	2,816.24	43.7
	MISCELLANEOUS REVENUES					
53-36-601	MISCELLANEOUS REVENUE	.00	75,267.35	6,500.00	(68,767.35)	1158.0
53-36-603	INTEREST INCOME	12,101.96	67,532.47	120,000.00	52,467.53	56.3
	TOTAL MISCELLANEOUS REVENUES	12,101.96	142,799.82	126,500.00	(16,299.82)	112.9
	INTERFUND TRANSFERS					
53-39-907	TRANSFER FROM SEWER INFR-FCLTY	.00	.00	1,799,150.00	1,799,150.00	.0
	TOTAL INTERFUND TRANSFERS	.00	.00	1,799,150.00	1,799,150.00	.0
	TOTAL FUND REVENUE	136,424.69	694,276.52	3,759,292.00	3,065,015.48	18.5

SANITATION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	SANITATION					
53-92-401	SALARIES	27,993.93	78,816.66	266,873.00	188,056.34	29.5
53-92-403	OVERTIME	572.51	16,674.43	15,000.00	(1,674.43)	111.2
53-92-404	ON-CALL	1,050.00	4,900.00	18,249.00	13,349.00	26.9
53-92-411	FICA	2,201.82	7,548.94	20,507.00	12,958.06	36.8
53-92-412	EMPLOYEE INSURANCE	7,635.67	22,000.39	91,074.00	69,073.61	24.2
53-92-413	RETIREMENT	1,951.30	5,738.62	21,720.00	15,981.38	26.4
53-92-415	UNIFORM STIPEND	92.34	369.36	1,605.00	1,235.64	23.0
53-92-423	WORKERS COMPENSATION INSURANCE	469.62	2,357.74	4,884.00	2,526.26	48.3
53-92-501	OFFICE SUPPLIES	(37.97)	(37.97)	250.00	287.97	(15.2)
53-92-502	OPERATING SUPPLIES	.00	135.64	5,000.00	4,864.36	2.7
53-92-503	MAINTENANCE & CLEANING SUPPLIE	543.60	8,375.91	12,000.00	3,624.09	69.8
53-92-504	POSTAGE/SHIPPING	325.00	1,781.00	4,200.00	2,419.00	42.4
53-92-505	COPY/PRINTING	35.24	87.63	50.00	(37.63)	175.3
53-92-506	LOGO WEAR	.00	.00	1,200.00	1,200.00	.0
53-92-507	PERSONAL PROTECTIVE EQUIP.	.00	160.94	3,500.00	3,339.06	4.6
53-92-511	FUEL/OIL/OPERATING FLUIDS	6,332.66	25,265.47	33,150.00	7,884.53	76.2
53-92-521	DEPARTMENT MATERIALS	1,360.69	4,645.73	41,300.00	36,654.27	11.3
53-92-541	VEHICLE PARTS	712.81	1,952.77	7,500.00	5,547.23	26.0
53-92-542	EQUIPMENT PARTS	1,309.56	8,982.47	10,000.00	1,017.53	89.8
53-92-543	SMALL TOOLS	.00	1,416.39	6,000.00	4,583.61	23.6
53-92-544	TOOLS	.00	732.79	4,800.00	4,067.21	15.3
53-92-551	FURNISHINGS & FIXTURES	.00	211.60	1,800.00	1,588.40	11.8
53-92-561	COMMUNITY ENGAGEMENT/COMMUNITY	29.79	29.79	.00	(29.79)	.0
53-92-581	SMALL EQUIPMENT	.00	196.97	500.00	303.03	39.4
53-92-582	EQUIPMENT	.00	.00	5,000.00	5,000.00	.0
53-92-583	COMPUTER/IT EQUIPMENT	2,200.00	2,200.00	2,200.00	.00	100.0
53-92-584	SOFTWARE SUBSCRIPTIONS	492.01	2,365.72	2,469.00	103.28	95.8
53-92-602	ELECTRIC-UTILITY	10,814.43	30,760.69	132,039.00	101,278.31	23.3
53-92-603	WATER-UTILITY	216.72	930.72	5,222.00	4,291.28	17.8
53-92-621	TELEPHONE SERVICE-UTILITY	28.62	85.88	340.00	254.12	25.3
53-92-622	TELEPHONE-EE ISSUED CELL PHONE	205.84	622.68	1,200.00	577.32	51.9
53-92-623	INTERNET SERVICE	72.85	3,130.90	3,979.00	848.10	78.7
53-92-641	R&M-VEHICLES	163.80	1,401.57	12,500.00	11,098.43	11.2
53-92-642	R&M-EQUIPMENT	933.75	5,598.13	20,000.00	14,401.87	28.0
53-92-646	R&M-OTHER	.00	4,207.50	.00	(4,207.50)	.0
53-92-675	R&M-LIFT & PUMP STATIONS	238.87	238.87	.00	(238.87)	.0
53-92-676	R&M-APACHE LS	.00	.00	8,000.00	8,000.00	.0
53-92-677	R&M-KOA LS	.00	.00	8,000.00	8,000.00	.0
53-92-678	R&M-CHAMBER LS	.00	.00	8,000.00	8,000.00	.0
53-92-679	R&M-5TH STREET PS	.00	2,778.60	45,000.00	42,221.40	6.2
53-92-680	R&M-TIMBER RIDGE PS	1,192.40	3,971.00	65,000.00	61,029.00	6.1
53-92-681	R&M-PIPELINE ODOR SYSTEM	.00	.00	1,500.00	1,500.00	.0
53-92-691	DISPOSAL/RECYCLING/SHREDDING	.00	5.30	1,000.00	994.70	.5
53-92-701	ENGINEERING & MODELING (NON CI	11,159.35	11,159.35	.00	(11,159.35)	.0
53-92-702	ATTORNEY	.00	441.00	3,000.00	2,559.00	14.7
53-92-703	AUDIT	233.59	233.59	3,955.00	3,721.41	5.9
53-92-704	CONTRACTED SERVICES (OTHER PRO	19,145.26	114,383.95	485,766.00	371,382.05	23.6
53-92-705	IT SERVICES	925.73	3,435.49	8,051.00	4,615.51	42.7
53-92-711	TRAVEL-TRANSPORTATION	.00	.00	2,500.00	2,500.00	.0
53-92-712	TRAVEL-MEALS	.00	150.00	600.00	450.00	25.0
53-92-713	TRAVEL-LODGING	.00	424.54	3,500.00	3,075.46	12.1
53-92-721	MEETING & TRAINING-SUPPLIES	.00	.00	500.00	500.00	.0

TOWN OF PAGOSA SPRINGS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

SANITATION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
53-92-722	MEETING-REGISTRATION	.00	160.00	2,000.00	1,840.00	8.0
53-92-731	RENTAL-EQUIPMENT	22,903.88	323,727.25	2,500.00	(321,227.25)	12949.
53-92-741	FEES	836.61	3,441.30	8,625.00	5,183.70	39.9
53-92-742	CONVENIENCE (CREDIT CARD PROCE	501.12	2,033.54	9,600.00	7,566.46	21.2
53-92-755	PRE-PROJECT ENGINEERING/DESIGN	.00	3,825.00	5,000.00	1,175.00	76.5
53-92-761	INSURANCE & BONDS	.00	8,814.08	14,594.00	5,779.92	60.4
53-92-791	ADVERTISING/PUBLIC NOTIFICATIO	.00	.00	2,500.00	2,500.00	.0
53-92-792	DUES & MEMBERSHIPS	.00	.00	400.00	400.00	.0
53-92-793	TRAINING & SCHOOLS	.00	.00	4,500.00	4,500.00	.0
53-92-794	TEAM BUILDING	.00	.00	800.00	800.00	.0
53-92-812	FURNITURE & FIXTURES-CAPITAL A	.00	.00	20,000.00	20,000.00	.0
53-92-813	BUILDING CONSTRUCTION	.00	.00	45,000.00	45,000.00	.0
53-92-830	EQUIPMENT-CAPITAL OUTLAY	.00	17,500.00	.00	(17,500.00)	.0
53-92-832	VEHICLES	.00	.00	112,000.00	112,000.00	.0
53-92-853	CAPITAL ENGINEERING	20,337.75	107,191.80	447,000.00	339,808.20	24.0
53-92-867	LINE CONSTRUCTION-NEW OR REPLA	.00	.00	2,695,540.00	2,695,540.00	.0
53-92-931	DEBT SVC. DUE-GENERAL FUND	.00	.00	1,315,606.00	1,315,606.00	.0
53-92-941	DEBT SERVICE-PRINCIPAL	.00	81,263.15	266,655.00	185,391.85	30.5
53-92-942	DEBT SERVICE-INTEREST	.00	117,582.98	275,152.00	157,569.02	42.7
53-92-943	DEBT SERVICE-FEES	.00	300.00	.00	(300.00)	.0
53-92-944	LEASE PAYMENTS	.00	.00	1,320.00	1,320.00	.0
53-92-991	TRANSFER TO GENERAL FUND	.00	.00	20,000.00	20,000.00	.0
	TOTAL SANITATION	145,181.15	1,046,707.85	6,649,275.00	5,602,567.15	15.7
	TOTAL FUND EXPENDITURES	145,181.15	1,046,707.85	6,649,275.00	5,602,567.15	15.7
	NET REVENUE OVER EXPENDITURES	(8,756.46)	(352,431.33)	(2,889,983.00)	(2,537,551.67)	(12.2)

TOWN OF PAGOSA SPRINGS
BALANCE SHEET
APRIL 30, 2026

SEWER INFRASTRUC-FACILITY FUND

	ASSETS			
54-10100	CASH IN COMBINED CASH FUND		234,638.05	
	TOTAL ASSETS			234,638.05
	LIABILITIES AND EQUITY			
	FUND EQUITY			
	UNAPPROPRIATED FUND BALANCE:			
	REVENUE OVER EXPENDITURES - YTD	234,638.05		
	BALANCE - CURRENT DATE		234,638.05	
	TOTAL FUND EQUITY			234,638.05
	TOTAL LIABILITIES AND EQUITY			234,638.05

TOWN OF PAGOSA SPRINGS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

SEWER INFRASTRUC-FACILITY FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	TAXES					
54-31-103	SALES TAX	185,769.32	363,078.84	3,675,692.00	3,312,613.16	9.9
	TOTAL TAXES	185,769.32	363,078.84	3,675,692.00	3,312,613.16	9.9
	MISCELLANEOUS REVENUES					
54-36-603	INTEREST INCOME	458.62	458.66	50,000.00	49,541.34	.9
	TOTAL MISCELLANEOUS REVENUES	458.62	458.66	50,000.00	49,541.34	.9
	TOTAL FUND REVENUE	186,227.94	363,537.50	3,725,692.00	3,362,154.50	9.8

TOWN OF PAGOSA SPRINGS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

SEWER INFRASTRUC-FACILITY FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	SEWER INFRASTRUCTURE-FACILITY					
54-97-521	DEPARTMENT MATERIALS	.00	.00	50,000.00	50,000.00	.0
54-97-542	EQUIPMENT PARTS	39,796.00	39,796.00	.00	(39,796.00)	.0
54-97-701	ENGINEERING & MODELING (NON CI	.00	7,684.25	500,000.00	492,315.75	1.5
54-97-731	RENTAL-EQUIPMENT	69,435.50	69,435.50	.00	(69,435.50)	.0
54-97-853	CAPITAL ENGINEERING	4,299.45	11,983.70	.00	(11,983.70)	.0
54-97-867	LINE CONSTRUCTION-NEW OR REPLA	.00	.00	50,000.00	50,000.00	.0
54-97-993	TRANSFER TO SANITATION FUND	.00	.00	1,799,150.00	1,799,150.00	.0
	TOTAL SEWER INFRASTRUCTURE-FACILITY	113,530.95	128,899.45	2,399,150.00	2,270,250.55	5.4
	TOTAL FUND EXPENDITURES	113,530.95	128,899.45	2,399,150.00	2,270,250.55	5.4
	NET REVENUE OVER EXPENDITURES	72,696.99	234,638.05	1,326,542.00	1,091,903.95	17.7

TOWN OF PAGOSA SPRINGS
BALANCE SHEET
APRIL 30, 2026

GEOTHERMAL FUND

	ASSETS			
55-10100	CASH IN COMBINED CASH FUND		172,390.42	
55-11500	ACCTS RECEIVABLE - GEOTHERMAL		14,516.26	
55-16000	PLANT/SYSTEM		80,527.01	
55-16210	WELL AND SYSTEM		1,182,419.00	
55-16300	EQUIPMENT		30,199.02	
55-16900	ACCUMULATED DEPRECIATION		(1,069,356.58)	
	TOTAL ASSETS			410,695.13
	LIABILITIES AND EQUITY			
	LIABILITIES			
55-20250	AUDIT ACCT PAYABLE		1,516.83	
55-23000	ADVANCE TO GENERAL FUND		(.26)	
55-25000	CONTRIBUTED CAPITAL		690,420.12	
	TOTAL LIABILITIES			691,936.69
	FUND EQUITY			
	UNAPPROPRIATED FUND BALANCE:			
55-29800	RETAINED EARNINGS-UNRESERVED	(352,884.93)		
	REVENUE OVER EXPENDITURES - YTD	71,643.37		
	BALANCE - CURRENT DATE		(281,241.56)	
	TOTAL FUND EQUITY			(281,241.56)
	TOTAL LIABILITIES AND EQUITY			410,695.13

TOWN OF PAGOSA SPRINGS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2026

GEOTHERMAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	INTERGOVERNMENTAL REVENUES					
55-33-305	STATE OF COLORADO GRANTS	3,861.61	62,255.70	.00	(62,255.70)	.0
	TOTAL INTERGOVERNMENTAL REVENUES	3,861.61	62,255.70	.00	(62,255.70)	.0
	CHARGES FOR SERVICES					
55-34-405	UTILITY BILLING	13,293.94	53,175.76	99,473.00	46,297.24	53.5
55-34-407	ENERGY USER REVENUES (GEO)	.00	.00	29,170.00	29,170.00	.0
55-34-408	MINERAL USER REVENUES (GEO)	.00	.00	24,780.00	24,780.00	.0
	TOTAL CHARGES FOR SERVICES	13,293.94	53,175.76	153,423.00	100,247.24	34.7
	MISCELLANEOUS REVENUES					
55-36-601	MISCELLANEOUS REVENUE	.00	(.01)	.00	.01	.0
55-36-603	INTEREST	460.53	1,281.27	8,000.00	6,718.73	16.0
	TOTAL MISCELLANEOUS REVENUES	460.53	1,281.26	8,000.00	6,718.74	16.0
	TOTAL FUND REVENUE	17,616.08	116,712.72	161,423.00	44,710.28	72.3

GEOTHERMAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	GEOTHERMAL					
55-93-502	OPERATING SUPPLIES	.00	.00	320.00	320.00	.0
55-93-503	MAINTENANCE & CLEANING SUPPLIE	.00	.00	230.00	230.00	.0
55-93-504	POSTAGE/SHIPPING	.00	.00	55.00	55.00	.0
55-93-521	DEPARTMENT MATERIALS	.00	897.03	5,500.00	4,602.97	16.3
55-93-542	EQUIPMENT PARTS	.00	2,751.84	.00	(2,751.84)	.0
55-93-543	SMALL TOOLS	42.98	42.98	100.00	57.02	43.0
55-93-581	SMALL EQUIPMENT	.00	.00	300.00	300.00	.0
55-93-582	EQUIPMENT	.00	7,723.22	9,000.00	1,276.78	85.8
55-93-602	ELECTRIC-UTILITY	382.89	1,261.65	7,163.00	5,901.35	17.6
55-93-603	WATER-UTILITY	2,124.34	6,017.40	12,341.00	6,323.60	48.8
55-93-642	R&M-EQUIPMENT	.00	.00	5,000.00	5,000.00	.0
55-93-656	R&M-GEO BUILDING	.00	.00	2,000.00	2,000.00	.0
55-93-701	ENGINEERING & MODELING (NON CI	.00	.00	2,500.00	2,500.00	.0
55-93-702	ATTORNEY	.00	2,072.00	2,000.00	(72.00)	103.6
55-93-704	CONTRACTED SERVICES (OTHER PRO	774.50	11,842.57	5,005.00	(6,837.57)	236.6
55-93-741	FEES	.00	85.30	.00	(85.30)	.0
55-93-761	INSURANCE & BONDS	.00	579.36	1,159.00	579.64	50.0
55-93-812	FURNITURE & FIXTURES-CAPITAL A	.00	.00	10,000.00	10,000.00	.0
55-93-821	IMPROVE. OTHER THAN BUILDINGS	.00	11,796.00	.00	(11,796.00)	.0
55-93-865	SEWER/WATER SYSTEM CONST-NEW O	.00	.00	3,000.00	3,000.00	.0
55-93-991	TRANSFER TO GENERAL FUND	.00	.00	1,000.00	1,000.00	.0
	TOTAL GEOTHERMAL	3,324.71	45,069.35	66,673.00	21,603.65	67.6
	TOTAL FUND EXPENDITURES	3,324.71	45,069.35	66,673.00	21,603.65	67.6
	NET REVENUE OVER EXPENDITURES	14,291.37	71,643.37	94,750.00	23,106.63	75.6

Report Criteria:
Detail report type printed

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
4 Corners Trailers Inc						
2764R	03/26/2026	F&F-Parks Unit 319-Warranty Work & Repack Bearings	651.95	651.95	4032624	04/03/2026
Total 4 Corners Trailers Inc:			651.95	651.95		
AB LITIGATION SERVICES						
346973	04/02/2026	Courts-Transcription of Record on Appeal, Case 25MT330	129.60	129.60	2565	04/17/2026
Total AB LITIGATION SERVICES:			129.60	129.60		
ACCUSOURCEHR INC						
90354	04/01/2026	HR-Background Checks	172.26	172.26	4032639	04/03/2026
Total ACCUSOURCEHR INC:			172.26	172.26		
ADVANCE AUTO PARTS						
15238-325321	03/18/2026	SANIT-DEF - Diesel Exhaust Fluid (4)	75.96	75.96	4032626	04/03/2026
Total ADVANCE AUTO PARTS:			75.96	75.96		
ADVANCED INFOSYSTEMS INC						
17000	04/08/2026	Sanit.- Sewer Bill Printing	250.30	250.30	41726110	04/17/2026
Total ADVANCED INFOSYSTEMS INC:			250.30	250.30		
ALPINE PORTABLE TOILETS LLC						
12540	03/03/2026	Parks-Toilet Rental Cottonhole	145.00	145.00	2536	04/03/2026
Total ALPINE PORTABLE TOILETS LLC:			145.00	145.00		
AMANDA GADOMSKI						
04012026	04/01/2026	Rec.-Mileage Reimbursement	112.22	112.22	2568	04/17/2026
04012026	04/01/2026	Rec.-Conference Reimbursement Per Diem 4/26-4/29	184.00	184.00	2568	04/17/2026
Total AMANDA GADOMSKI:			296.22	296.22		
AMAZON CAPITAL SERVICES						
137D-GY9D-VYTN	04/01/2026	Sanit-18-Piece Impact Socket Extension Set	24.99	24.99	41726120	04/17/2026
137D-GY9D-VYTN	04/01/2026	Sanit-1/2" Extra Deep Long Socket Set-6 Piece (2)	153.98	153.98	41726120	04/17/2026
137D-GY9D-VYTN	04/01/2026	Sanit-5-Drawer Rolling Tool Chest	211.60	211.60	41726120	04/17/2026
137D-GY9D-VYTN	04/01/2026	Sanit-3/8" Drive Impact Socket Set (50 Piece)	42.99	42.99	41726120	04/17/2026
137D-GY9D-VYTN	04/01/2026	Sanit-16-Inch Spud Wrench (3)	83.76	83.76	41726120	04/17/2026
137D-GY9D-VYTN	04/01/2026	Sanit-Heat Treated Manhole Hook (3)	149.04	149.04	41726120	04/17/2026
16DF-3DHD-HTW3	03/30/2026	HR-CPR/1st Aid/Stop the Bleed Supplies	26.95	26.95	4032623	04/03/2026
16DF-3DHD-HTW3	03/30/2026	HR-Rec Employee Appreciation	30.60	30.60	4032623	04/03/2026
16DF-3DHD-HTW3	03/30/2026	Admin.-Copy Paper	49.21	49.21	4032623	04/03/2026
1FHT-JVJD-4XLW	04/01/2026	PW Admin.-Trackball Mouse & Ergonomic Keyboard	165.44	165.44	41726120	04/17/2026
1G1Q-TRMT-GC79	04/08/2026	Admin.-Seasonal Bike Decorations	127.74	127.74	41726120	04/17/2026
1JRG-QQ7N-WLRN	03/23/2026	Clerk-Webcam (Hessman)	37.29	37.29	4032623	04/03/2026
1JRG-QQ7N-WLRN	03/23/2026	HR-Rec Employee Appreciation	27.02	27.02	4032623	04/03/2026
1JRG-QQ7N-WLRN	03/23/2026	HR-CPR/1st Aid/Stop the Bleed Supplies	194.99	194.99	4032623	04/03/2026
1PDX-XCKC-DDC3	04/07/2026	VC-Solar Lights for Santa's Workshop	35.99	35.99	41726120	04/17/2026
1PJJ-QPGK-YKGG	03/25/2026	HR-Rec Employee Appreciation	52.77	52.77	4032623	04/03/2026
1PJJ-QPGK-YKGG	03/25/2026	HR-CPR/1st Aid/Stop the Bleed Supplies	100.43	100.43	4032623	04/03/2026
1T69-MHW3-G6GP	04/08/2026	Admin.-Seasonal Bike Decorations	7.99	7.99	41726120	04/17/2026
1V31-YMNJ-KRPN	03/09/2026	Tour Admn.-Phone Case and Chargers	40.45	40.45	4032623	04/03/2026
1VF6-JPLX-XKHL	04/01/2026	F&F-Digital Turbine Meter For Gas Pump At Town Shop	158.27	158.27	41726120	04/17/2026
1VF6-JPLX-XKHL	04/01/2026	F&F-Programmable Thermostat-Town Shop	284.70	284.70	41726120	04/17/2026

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
1VF6-JPLX-XKHL	04/01/2026	F&F-Pressure Washer Gun & Wand-Wash Bay	53.07	53.07	41726120	04/17/2026
1VF6-JPLX-XKHL	04/01/2026	F&F-Unit 141-Rear Suspension Enhancement System	398.07	398.07	41726120	04/17/2026
1VF6-JPLX-XKHL	04/01/2026	F&F-Unit 141-Continuity Tester	38.27	38.27	41726120	04/17/2026
1VF6-JPLX-XKHL	04/01/2026	F&F-Condensate Neutralizer	60.79	60.79	41726120	04/17/2026
1VF6-JPLX-XKHL	04/01/2026	F&F-Space Heater	21.89	21.89	41726120	04/17/2026
1VF6-JPLX-XKHL	04/01/2026	F&F-Duct Sealant-Roof Ducts At Community Center	22.45	22.45	41726120	04/17/2026
1VF6-JPLX-XKHL	04/01/2026	Courts-Free-Standing Monitor Stand	24.55	24.55	41726120	04/17/2026
1VF6-JPLX-YKHJ	04/01/2026	Streets-Forge Hammer	38.99	38.99	41726120	04/17/2026
1VF6-JPLX-YKHJ	04/01/2026	Streets-Brake & Metal Parts Cleaner	142.56	142.56	41726120	04/17/2026
1VF6-JPLX-YKHJ	04/01/2026	Streets-Simple Green Cleaner	71.63	71.63	41726120	04/17/2026
1VF6-JPLX-YKHJ	04/01/2026	Streets-High Power Gun Cleaner	47.96	47.96	41726120	04/17/2026
1VF6-JPLX-YKHJ	04/01/2026	Streets-Scotch-Brite Hand Pads	26.48	26.48	41726120	04/17/2026
1VF6-JPLX-YKHJ	04/01/2026	Streets-Spray Gun Cleaner	41.98	41.98	41726120	04/17/2026
1VF6-JPLX-YKHJ	04/01/2026	Streets-Leather Portfolio Binder	12.99	12.99	41726120	04/17/2026
1VF6-JPLX-YKHJ	04/01/2026	Streets-Ball Point Pens (12 Count)	12.35	12.35	41726120	04/17/2026
1VF6-JPLX-YKHJ	04/01/2026	Streets-Mechanical Pencils (12 Count)	18.19	18.19	41726120	04/17/2026
1WFF-1GVY-LHDY	04/01/2026	Streets-Credit Spray Gun Cleaner (1VF6-JPLX-YKHJ)	89.94-	89.94-	41726120	04/17/2026
Total AMAZON CAPITAL SERVICES:			2,948.48	2,948.48		
ANTHONY EDWARDS						
03202026	03/20/2026	Courts-Per Diem for CMJA Spring Conference and Training	172.00	172.00	2548	04/03/2026
Total ANTHONY EDWARDS:			172.00	172.00		
ARCHULETA COUNTY EDUCATION CENTER						
033868	03/25/2026	TC-ECE 2026 Award First Half	9,655.00	9,655.00	4032635	04/03/2026
Total ARCHULETA COUNTY EDUCATION CENTER:			9,655.00	9,655.00		
ARCHULETA COUNTY FINANCE DEPARTMENT						
202603	04/06/2026	Courts-Inmate Processing March 2026	25.00	25.00	41726117	04/17/2026
Total ARCHULETA COUNTY FINANCE DEPARTMENT:			25.00	25.00		
ARCHULETA COUNTY TREASURER						
04132026	04/13/2026	Admin.-Aviation Tax from February 2026 Rec'd April	747.79	747.79	41726101	04/17/2026
04132026	04/13/2026	Admin.-Aviation Tax from February 2026 Rec'd April	747.79	747.79	41726101	04/17/2026
Total ARCHULETA COUNTY TREASURER:			1,495.58	1,495.58		
ARCHULETA COUNTY VICTIMS ASSISTANCE						
040626 1 QTR	04/06/2026	PD-1st Quarter Rise Above Violence	2,500.00	2,500.00	41726118	04/17/2026
040626 2 QTR	04/06/2026	PD-2nd Quarter Rise Above Violence	2,500.00	2,500.00	41726118	04/17/2026
Total ARCHULETA COUNTY VICTIMS ASSISTANCE:			5,000.00	5,000.00		
ASPIRE MEDICAL SERVICES AND EDUCTION						
151	03/23/2026	TC-ECE 2026 Award Full Amount	4,180.20	4,180.20	4032621	04/03/2026
Total ASPIRE MEDICAL SERVICES AND EDUCTION:			4,180.20	4,180.20		
AT&T MOBILITY						
287296307139 0326	03/20/2026	PD-Issued Cellphones	963.14	963.14	2564	04/17/2026
287298047432X03282026	03/20/2026	SANIT-Employee Cell Phones (3)	139.16	139.16	2543	04/03/2026
287298047432X03282026	03/20/2026	PW-Public Works Director Cell Phone	66.76	66.76	2543	04/03/2026
287298047432X03282026	03/20/2026	STREETS-Supervisor Cell Phone & Employee iPads (3)	171.38	171.38	2543	04/03/2026
Total AT&T MOBILITY:			1,340.44	1,340.44		

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
BALLANTINE COMMUNICATIONS INC						
BCI54934	03/31/2026	Rec.-Call of Artists Newpaper Ad	585.00	585.00	2561	04/17/2026
Total BALLANTINE COMMUNICATIONS INC:			585.00	585.00		
BANK OF SAN JUANS VISA						
4-1-26 CC TOWN MANAG	04/01/2026	TM-The Lift Coffee meeting W/Health Dept.	12.82	12.82	4062601	04/06/2026
4-1-26 CC TOWN MANAG	04/01/2026	TM-Safety vest & hard hat	31.26	31.26	4062601	04/06/2026
4-1-26 CC TOWN MANAG	04/01/2026	TM-CCCMA Reg City Mgr lunch (To Be Reimb. By Attendees)	141.11	141.11	4062601	04/06/2026
4-1-26 CC TOWN MANAG	04/01/2026	TM-Peak Deli Lunch w new PW Dir	43.24	43.24	4062601	04/06/2026
4-1-26 CC TOWN MANAG	04/01/2026	TM-Rose Lunch County Mgr	35.59	35.59	4062601	04/06/2026
4-1-26-CC ADMIN SERVIC	04/01/2026	Plng.-Business Cards_O'Dell_Tunnell	30.46	30.46	4062601	04/06/2026
4-1-26-CC ADMIN SERVIC	04/01/2026	HR-Business Cards_Sheridan	20.83	20.83	4062601	04/06/2026
4-1-26-CC ADMIN SERVIC	04/01/2026	HR-Appreciation Lunch_PD	85.40	85.40	4062601	04/06/2026
4-1-26-CC ADMIN SERVIC	04/01/2026	HR-Pi Day Supplies	23.11	23.11	4062601	04/06/2026
4-1-26-CC ADMIN SERVIC	04/01/2026	HR-Name Badge_Sheridan	16.23	16.23	4062601	04/06/2026
4-1-26-CC ADMIN SERVIC	04/01/2026	HR-Name Badge_Bennett	16.24	16.24	4062601	04/06/2026
4-1-26-CC ADMIN SERVIC	04/01/2026	HR-Name Badge_Johnson	16.23	16.23	4062601	04/06/2026
4-1-26-CC ADMIN SERVIC	04/01/2026	HR-Business Cards_Johnson	35.24	35.24	4062601	04/06/2026
4-1-26-CC BUILDING	03/27/2026	Bldg.-Fuel for ICC conference	42.83	42.83	4062601	04/06/2026
4-1-26-CC BUILDING	03/27/2026	Bldg.ICC Conference Hotel Danielle	1,141.00	1,141.00	4062601	04/06/2026
4-1-26-CC BUILDING	03/27/2026	Bldg.ICC Conference Hotel Tim	1,134.00	1,134.00	4062601	04/06/2026
4-1-26-CC BUILDING	03/27/2026	Bldg.Hotel Credit Danielle	7.00-	7.00-	4062601	04/06/2026
4-1-26-CC BUILDING	03/27/2026	Bldg.CC service charge	1.75	1.75	4062601	04/06/2026
4-1-26-CC BUILDING	03/27/2026	Bldg.Existing Bldg trng class	50.00	50.00	4062601	04/06/2026
4-1-26-CC COMMUNITY C	04/01/2026	Rec.-Walmart Coffee grounds (4),filters, and creamer(2)	114.09	114.09	4062601	04/06/2026
4-1-26-CC COMMUNITY C	04/01/2026	Rec.-Walmart Roll of tape	3.24	3.24	4062601	04/06/2026
4-1-26-CC COMMUNITY C	04/01/2026	Rec.-Amazon-Fitness Room Wipes (4 bgs)	82.57	82.57	4062601	04/06/2026
4-1-26-CC COMMUNITY C	04/01/2026	F&F-Amazon-Digital Wall Clock Replacements (2)	37.96	37.96	4062601	04/06/2026
4-1-26-CC COURTS	03/27/2026	Courts-USPS, Postage to CBI	11.95	11.95	4062601	04/06/2026
4-1-26-CC COURTS	03/27/2026	Courts-Walmart, Cooler and Staplers(2)	77.94	77.94	4062601	04/06/2026
4-1-26-CC COURTS	03/27/2026	Courts-Contemporary Engraving, Desk Plate for Court Clerk	25.70	25.70	4062601	04/06/2026
4-1-26-CC COURTS	03/27/2026	Courts-Intuit, QuickBooks Online Annual Subscription	810.00	810.00	4062601	04/06/2026
4-1-26-CC COURTS	03/27/2026	Courts-CAMCA, 2026 Annual Dues for Sheridan	50.00	50.00	4062601	04/06/2026
4-1-26-CC PARKS	04/01/2026	Parks-Amazon-Seed Dispenser	7.29	7.29	4062601	04/06/2026
4-1-26-CC PARKS	04/01/2026	Parks-Amazon-Light Bulbs (20PK)	83.21	83.21	4062601	04/06/2026
4-1-26-CC PARKS	04/01/2026	Parks-Amazon-Seedling Pots 1500 Pcs	134.98	134.98	4062601	04/06/2026
4-1-26-CC PARKS	04/01/2026	Parks-Amazon-Trash Pickers (20)	68.99	68.99	4062601	04/06/2026
4-1-26-CC PARKS	04/01/2026	Parks-Walmart-Shovels (10)	99.70	99.70	4062601	04/06/2026
4-1-26-CC PARKS	04/01/2026	HR-Walmart-1/4ly Training Luncheon Supplies	148.32	148.32	4062601	04/06/2026
4-1-26-CC PARKS	04/01/2026	Parks-Tractor Supply-Landscape Staples and Green Spray paint	16.48	16.48	4062601	04/06/2026
4-1-26-CC PARKS	04/01/2026	Parks-Home Depot- Quikrete Blacktop Patch (5 Bgs)	99.85	99.85	4062601	04/06/2026
4-1-26-CC PARKS & REC	04/01/2026	Rec.-Amazon-Volleyball Cart	142.98	142.98	4062601	04/06/2026
4-1-26-CC PARKS & REC	04/01/2026	Rec.-Walmart-Ice Cream, Popcicles Youth Trophys	9.92	9.92	4062601	04/06/2026
4-1-26-CC PARKS & REC	04/01/2026	Rec.-CPW Partners-Outdoor Conference (PARC reimbursing)	185.00	185.00	4062601	04/06/2026
4-1-26-CC PARKS & REC	04/01/2026	Rec.-Gamma-Computer Software	25.00	25.00	4062601	04/06/2026
4-1-26-CC PLANNING	04/01/2026	CD.- Name tags for staff	36.20	36.20	4062601	04/06/2026
4-1-26-CC PLANNING	04/01/2026	CD.- Water dispenser	198.00	198.00	4062601	04/06/2026
4-1-26-CC PLANNING	04/01/2026	Proj.- Training	2,395.00	2,395.00	4062601	04/06/2026
4-1-26-CC PLANNING	04/01/2026	Plng.- USPS Public Notice Materials	87.60	87.60	4062601	04/06/2026
4-1-26-CC PLANNING	04/01/2026	Proj.- Software for KR	26.98	26.98	4062601	04/06/2026
4-1-26-CC PLANNING	04/01/2026	Plng.- Fuel for Car	50.00	50.00	4062601	04/06/2026
4-1-26-CC PLANNING	04/01/2026	Plng.- Fire Adapted Colorado	449.00	449.00	4062601	04/06/2026
4-1-26-CC PLANNING	04/01/2026	Proj.- KR Training	20.01	20.01	4062601	04/06/2026
4-1-26-CC POLICE EXPE	03/27/2026	PD-Reimbursed charge by Rockensock ck 5666	37.14	37.14	4062601	04/06/2026
4-1-26-CC POLICE EXPE	03/27/2026	PD-TLO Transunion, LE search engine monthly fee	100.00	100.00	4062601	04/06/2026
4-1-26-CC POLICE EXPE	03/27/2026	PD-Vista Print, Business cards for Chief Rockensock (250)	49.65	49.65	4062601	04/06/2026
4-1-26-CC POLICE EXPE	03/27/2026	PD-Walmart, coffee (3) and creamer	73.82	73.82	4062601	04/06/2026
4-1-26-CC POLICE EXPE	03/27/2026	PD-Walmart, coat hangers	2.44	2.44	4062601	04/06/2026
4-1-26-CC POLICE EXPE	03/27/2026	PD-5.11, INC-Uniform shirts for Officer Aragon (5)	490.95	490.95	4062601	04/06/2026
4-1-26-CC POLICE EXPE	03/27/2026	PD-1/4 Master/Galls-Baton & Holder, Handcuffs, Key & Holder, Flash	368.94	368.94	4062601	04/06/2026

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
4-1-26-CC POLICE EXPE	03/27/2026	PD-1/4 Master/Galls, Uniform boots, Duty Belt, Pants (3), Off. Arago	382.90	382.90	4062601	04/06/2026
4-1-26-CC POLICE EXPE	03/27/2026	PD-Quarter Master Galls, Shipping cost for uniforms	48.99	48.99	4062601	04/06/2026
4-1-26-CC PW ADMIN	04/01/2026	PW-Coffee, Soda, Candy & Snacks For Town Shop	236.02	236.02	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-SupplyHouse.com-Condensate Neutralizer-T.S. Heater	83.82	83.82	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-Zoro Tools-Color Coded Electrical Tape	19.77	19.77	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-Zoro-Tool Box For D Perea's Truck	72.98	72.98	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-No America HVAC-Hot Water Heater Igniter-C/C	48.49	48.49	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-SP Trudoor-Closers For T.H. Doors (3)	392.24	392.24	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-LED Lighting-Washbay Light Ballasts	70.15	70.15	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-SP Trudoor-TAX CREDIT Door Closers TH	25.58-	25.58-	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-Blinds.Com-Blinds For C.C.	205.79	205.79	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-EBS-Light Motion Sensor-Washbay	116.56	116.56	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	Sanit.-CO Motor Vehicle-Registration-Unit 320	11.90	11.90	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-Zoro.Com-Lighting Photocells-Town Hall	104.76	104.76	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-Zoro.Com-Lighting Photocells-Town Hall	94.28	94.28	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-Max Warehouse-Evaporative Cooler Treatment-T/H	42.91	42.91	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-Custom Signs-Changing Station Sign-Mary Fisher Park (2)	30.37	30.37	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-Walmart-Paper Towels	49.44	49.44	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-Walmart-Windshield Washer Fluid (4)	10.00	10.00	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-1000 Bulbs-LED Lamps For Town Hall (36)	303.94	303.94	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-1000 Bulbs-LED Lamps For Community Center(36)	303.95	303.95	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-Supply House-FCU Fan Start Capacitors-Town Hall	18.42	18.42	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-Voomo Supply-Fresh Air Intake Duct-Town Hall	83.47	83.47	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-Webstaurant-Wheel Caster Syst (6), Bulb Covers (2)	201.25	201.25	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-Zoro-Wire/Cable Cutters (2)	63.27	63.27	4062601	04/06/2026
4-1-26-CC PW FACILITIES	04/01/2026	F&F-Zoro-Blower Motors For Town Hall	735.98	735.98	4062601	04/06/2026
4-1-26-CC PW STREET	04/01/2026	Streets-CO LTAP-Signs, Pavement Mark, MUTCD Class (3)	150.00	150.00	4062601	04/06/2026
4-1-26-CC PW STREET	04/01/2026	Streets-APWA.Net-Ticket-APWA Facilities/Grounds Mgt Certif.	150.00	150.00	4062601	04/06/2026
4-1-26-CC PW STREET	04/01/2026	Streets-APWA.Net- Yearly Dues	252.00	252.00	4062601	04/06/2026
4-1-26-CC PW STREET	04/01/2026	Streets-Papa Johns-Streets Training Meeting	57.30	57.30	4062601	04/06/2026
4-1-26-CC PW STREET	04/01/2026	Streets-Home Depot-Multi-Purpose Pump Sprayers	85.76	85.76	4062601	04/06/2026
4-1-26-CC PW STREET	04/01/2026	Streets-Home Depot-50 Lb Bags Concrete Mix (64)	458.88	458.88	4062601	04/06/2026
4-1-26-CC PW STREET	04/01/2026	Streets-APWA.Net-2026 SpringSt Conference Regist. (2)	240.00	240.00	4062601	04/06/2026
4-1-26-CC ROCKENSOCK	03/27/2026	PD-Safeway Fuel, Conifer, CO travel for training Rockensock	39.16	39.16	4062601	04/06/2026
4-1-26-CC ROCKENSOCK	03/27/2026	PD-Marriott Hotel, Lodging Denver West Golden, CO for traini	526.68	526.68	4062601	04/06/2026
4-1-26-CC ROCKENSOCK	03/27/2026	PD-Woodland Country Lodge Hotel, Woodland, CO Rockensock	158.60	158.60	4062601	04/06/2026
4-1-26-CC ROCKENSOCK	03/27/2026	PD-Woodland Country Lodge Hotel, Woodland, CO B. Brown	158.60	158.60	4062601	04/06/2026
4-1-26-CC TOURISM	04/01/2026	Tourism-Google Ads Paid Advertising	500.00	500.00	4062601	04/06/2026
4-1-26-CC TOURISM	04/01/2026	Tourism-Google Ads Paid Advertising	109.16	109.16	4062601	04/06/2026
4-1-26-CC TOURISM	04/01/2026	Tourism-Google Ads Paid Advertising	500.00	500.00	4062601	04/06/2026
4-1-26-CC TOURISM	04/01/2026	Tourism-Visit Widget Subscription	899.00	899.00	4062601	04/06/2026
4-1-26-CC TOURISM	04/01/2026	Tourism-Google Ads Paid Advertising	500.00	500.00	4062601	04/06/2026
4-1-26-CC TOURISM	04/01/2026	Tourism-Google Ads Paid Advertising	500.00	500.00	4062601	04/06/2026
4-1-26-CC TOURISM	04/01/2026	Tour Admn.-Adobe Subscription	59.99	59.99	4062601	04/06/2026
4-1-26-CC TOURISM	04/01/2026	Tourism-Google Ads Paid Advertising	500.00	500.00	4062601	04/06/2026
4-1-26-CC TOURISM	04/01/2026	Tourism-Mailchimp Subscription	810.00	810.00	4062601	04/06/2026
4-1-26-CC TOURISM	04/01/2026	Tourism-Google Ads Paid Advertising	500.00	500.00	4062601	04/06/2026
4-1-26-CC TOURISM	04/01/2026	Tourism-Dropbox Subscription	54.00	54.00	4062601	04/06/2026
4-1-26-CC TOWN CLERK	04/01/2026	Admin.-Amazon WEb-Caselle Data Storage	.16	.16	4062601	04/06/2026
4-1-26-CC TOWN CLERK	04/01/2026	Clerk-USPS-International Stamps-Election	5.10	5.10	4062601	04/06/2026
4-1-26-CC TOWN CLERK	04/01/2026	Admin.-Starlink-Backup Internet	65.00	65.00	4062601	04/06/2026
4-1-26-CC TOWN CLERK	04/01/2026	HLTH-Tractor Supply-Quarterly Wellness Winner	50.00	50.00	4062601	04/06/2026
4-1-26-CC VISITOR CENT	04/01/2026	Tourism-Facebook Paid Social Campaigns	447.00	447.00	4062601	04/06/2026
4-1-26-CC VISITOR CENT	04/01/2026	Tourism-Facebook Paid Social Campaigns	43.45	43.45	4062601	04/06/2026
4-1-26-CC VISITOR CENT	04/01/2026	VC-HP Instant Ink VC Printer Ink	31.99	31.99	4062601	04/06/2026
4-1-26-CC VISITOR CENT	04/01/2026	Tourism-Pixlr Subscription	17.88	17.88	4062601	04/06/2026
4-1-26-CC VISITOR CENT	04/01/2026	Tourism-Facebook Paid Social Campaigns	447.00	447.00	4062601	04/06/2026
4-1-26-CC VISITOR CENT	04/01/2026	Tourism-Adobe Subscription	69.99	69.99	4062601	04/06/2026
4-1-26-CC VISITOR CENT	04/01/2026	Tourism-Apple Subscription	2.99	2.99	4062601	04/06/2026
4-1-26-CC VISITOR CENT	04/01/2026	Tourism-Facebook Paid Social Campaigns	447.00	447.00	4062601	04/06/2026
4-1-26-CC VISITOR CENT	04/01/2026	Tourism-Facebook Paid Social Campaigns	447.00	447.00	4062601	04/06/2026

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
4-1-26-CC VISITOR CENT	04/01/2026	Tourism-Adobe Subscription	32.06	32.06	4062601	04/06/2026
4-1-26-CC VISITOR CENT	04/01/2026	Tourism- Facebook Paid Social Campaigns	447.00	447.00	4062601	04/06/2026
4-1-26-CC VISITOR CENT	04/01/2026	VC-Pagosa Springs Area Chamber Flower Baskets for VC	240.00	240.00	4062601	04/06/2026
4-1-26-CC-COMMUNITY D	04/01/2026	CD Admin.-Food for Housing Action Plan Work Group	58.82	58.82	4062601	04/06/2026
4-1-26-CC-COMMUNITY D	04/01/2026	Supplies for Posting Banners Along Main Stret	37.72	37.72	4062601	04/06/2026
Total BANK OF SAN JUANS VISA:			23,296.60	23,296.60		
BASIN COOP INC						
191275	03/16/2026	Parks- Fertilizer 50 Lb Bags (60)	1,890.00	1,890.00	2538	04/03/2026
Total BASIN COOP INC:			1,890.00	1,890.00		
BLACK HILLS ENERGY						
03-26	03/26/2026	Admin. - TH Gas	600.30	600.30	2562	04/17/2026
03-26	03/26/2026	PW Admin - Maint. Fac. Gas	1,274.99	1,274.99	2562	04/17/2026
03-26	03/26/2026	Parks - Gazebo Gas	91.62	91.62	2562	04/17/2026
03-26	03/26/2026	VC-VC GAS	98.92	98.92	2562	04/17/2026
03-26	03/26/2026	P&R Admin. - SR Ctr Gas	355.82	355.82	2562	04/17/2026
03-26	03/26/2026	P&R Admin.-CC Gas	534.30	534.30	2562	04/17/2026
Total BLACK HILLS ENERGY:			2,955.95	2,955.95		
BLADES GROUP LLC						
18052066	03/26/2026	Streets-Rock Asphalt-50 lb Bag (124)	2,852.00	2,852.00	4032643	04/03/2026
Total BLADES GROUP LLC:			2,852.00	2,852.00		
BLUE ROOM RESEARCH INC						
286	04/01/2026	Tour Admn.-2nd of 4 payments data, analytics, reporting	8,750.00	8,750.00	41726139	04/17/2026
Total BLUE ROOM RESEARCH INC:			8,750.00	8,750.00		
BROOKS BROWN						
040926-1	04/09/2026	PD-Per Diem DU Leadership Part 1, Florissant, CO	161.00	161.00	2560	04/17/2026
040926-2	04/09/2026	PD-Per Diem DU Leadership Part 2, Denver CO	270.00	270.00	2560	04/17/2026
Total BROOKS BROWN:			431.00	431.00		
BROWNS HILL ENGINEERING & CONTROLS LLC						
32141	03/12/2026	Geo-Built Base & Installed VFD Cabinet Provided By TOPS	6,375.85	6,375.85	4032617	04/03/2026
32190	03/19/2026	Geo-Run Conduit For Flow Meters To Control Cabinet	2,635.60	2,635.60	4032617	04/03/2026
Total BROWNS HILL ENGINEERING & CONTROLS LLC:			9,011.45	9,011.45		
BUCKSKIN TOWING & REPAIR LLC						
102953	04/03/2026	Parks-Shed Relocation in Yamaguchi	400.00	400.00	41726100	04/17/2026
103376	03/30/2026	Sanit-Unit 138 Install Bracket, Strobe Light & Backup Camera	1,237.77	1,237.77	4032601	04/03/2026
Total BUCKSKIN TOWING & REPAIR LLC:			1,637.77	1,637.77		
CAPITAL BUSINESS SYSTEMS INC						
41546692	03/21/2026	Admin.-TH copier lease	95.00	95.00	4032629	04/03/2026
41546692	03/21/2026	Admin.-TH Copy Charges	373.32	373.32	4032629	04/03/2026
41546693	03/21/2026	P&R Admin-Copier Lease	134.13	134.13	4032629	04/03/2026
Total CAPITAL BUSINESS SYSTEMS INC:			602.45	602.45		
CASCADE WATER/COFFEE SERVICE						
864592	03/16/2026	CD.- Bottled Water Delivery (4)	42.50	42.50	4032607	04/03/2026
866323	03/31/2026	PD-Water (4)	35.00	35.00	4032607	04/03/2026

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
866324	03/31/2026	Courts-Water Delivery (2)	20.28	20.28	4032607	04/03/2026
866325	03/31/2026	CD.- Bottled Water Delivery (2)	20.28	20.28	41726108	04/17/2026
Total CASCADE WATER/COFFEE SERVICE:			118.06	118.06		
CENTURYLINK						
03-26	03/16/2026	Admin.-TH Elevator Phone	45.15	45.15	2535	04/03/2026
03-26	03/16/2026	Sanit.-PS DSL	72.93	72.93	2535	04/03/2026
Total CENTURYLINK:			118.08	118.08		
CIRSA						
INV1004022	04/01/2026	Admin.-Quarterly Insurance Pmt	561.06	561.06	4032603	04/03/2026
INV1004022	04/01/2026	CD Admin-Quarterly Insurance Pmt	230.51	230.51	4032603	04/03/2026
INV1004022	04/01/2026	PD-Quarterly Insurance Pmt	21,441.05	21,441.05	4032603	04/03/2026
INV1004022	04/01/2026	Rec.-Quarterly Insurance Pmt	330.35	330.35	4032603	04/03/2026
INV1004022	04/01/2026	Tour Admin.-Quarterly Insurance Pmt	327.83	327.83	4032603	04/03/2026
INV1004022	04/01/2026	F&F-Quarterly Insurance Pmt	12,881.14	12,881.14	4032603	04/03/2026
INV1004022	04/01/2026	Streets-Quarterly Insurance Pmt	979.03	979.03	4032603	04/03/2026
INV1004022	04/01/2026	Parks-Quarterly Insurance Pmt	2,733.18	2,733.18	4032603	04/03/2026
INV1004022	04/01/2026	Sanit.-Quarterly Insurance Pmt	4,407.04	4,407.04	4032603	04/03/2026
INV1004022	04/01/2026	Geo.-Quarterly Insurance Pmt	289.68	289.68	4032603	04/03/2026
INV1004022	04/01/2026	TC-Quarterly Insurance Pmt-TC Insurance	2,774.50	2,774.50	4032603	04/03/2026
INV1004022	04/01/2026	Plng.-Quarterly Insurance Pmt	1,078.97	1,078.97	4032603	04/03/2026
INV1004022	04/01/2026	P&R Admin.-Quarterly Insurance Pmt(Board)	1,078.97	1,078.97	4032603	04/03/2026
INV1004022	04/01/2026	HR-Quarterly Insurance Pmt	453.62	453.62	4032603	04/03/2026
INV1004022	04/01/2026	PW Admin.-Quarterly Insurance Pmt	854.51	854.51	4032603	04/03/2026
INV1004022	04/01/2026	VC-Quarterly Insurance Pmt	13.54	13.54	4032603	04/03/2026
INV1004022	04/01/2026	PD-Quarterly Insurance Pmt	10.03	10.03	4032603	04/03/2026
INV1004022	04/01/2026	Courts-Quarterly Insurance Pmt	104.94	104.94	4032603	04/03/2026
INV1004022	04/01/2026	Admin.-Quarterly Insurance Pmt	26.16	26.16	4032603	04/03/2026
INV1004022	04/01/2026	Tour Admin.-Quarterly Insurance Pmt (Board)	1,078.97	1,078.97	4032603	04/03/2026
INV1004092	03/20/2026	Clerk-Bishop Bond	100.00	100.00	4032603	04/03/2026
INV1004092	03/20/2026	Clerk-Clark Bond	100.00	100.00	4032603	04/03/2026
Total CIRSA:			51,855.08	51,855.08		
CMCA						
1475	04/15/2026	Clerk-Bishop CMCA Institue Registration	1,300.00	1,300.00	2550	04/17/2026
Total CMCA:			1,300.00	1,300.00		
COGENT INC						
5655879	03/12/2026	SANIT-PS1: By-Pass Pumps Rental (4) 2/12/26-3/11/26 & 250 Hr. M	35,569.05	35,569.05	4032625	04/03/2026
5655880	03/12/2026	Sanit-250 Hour Maintenance Check For By-Pass Pumps	4,207.50	4,207.50	4032625	04/03/2026
5655906	03/12/2026	Sanit-Delivery/Set Up/Rent 2 By-Pass Pumps (2/13/26-3/12/26)	55,088.57	55,088.57	4032625	04/03/2026
Total COGENT INC:			94,865.12	94,865.12		
COLLINS COLE WINN & ULMER PLLC						
8761	04/08/2026	Admin.-March Election-Legal Fees	932.00	932.00	41726131	04/17/2026
8761	04/08/2026	Admin.-March Plng.-Legal Fees	1,033.50	1,033.50	41726131	04/17/2026
8761	04/08/2026	Admin.-March Legal Fees	7,171.50	7,171.50	41726131	04/17/2026
8761	04/08/2026	Admin.-March Courts-Legal Fees	14,968.00	14,968.00	41726131	04/17/2026
Total COLLINS COLE WINN & ULMER PLLC:			24,105.00	24,105.00		
COLO WATER RESOURCE & POWER DEVELOPMENT						
04-26	04/01/2026	Sanit-Pipeline Pmt 1st half 2026 Interest	5,095.48	5,095.48	41726123	04/17/2026
04-26	04/01/2026	Sanit-Pipeline Pmt 1st half 2026 Principal	51,263.15	51,263.15	41726123	04/17/2026

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
Total COLO WATER RESOURCE & POWER DEVELOPMENT:			56,358.63	56,358.63		
COLORADO ASSOCIATION OF CHIEFS OF POLICE						
5733	03/24/2026	PD-2026 Annual Conference Registration Fee, Rockensock	545.00	545.00	2541	04/03/2026
Total COLORADO ASSOCIATION OF CHIEFS OF POLICE:			545.00	545.00		
COLORADO STATE TREASURER						
202601	04/13/2026	HR-1st Quarter 2026 Premium	2,484.55	2,484.55	4172650	04/17/2026
Total COLORADO STATE TREASURER:			2,484.55	2,484.55		
CONFERENCE TECHNOLOGIES INC						
P-INV054409	04/06/2026	Courts-Annual Audio/Video Service Agreement for the Council Cham	2,632.00	2,632.00	41726129	04/17/2026
Total CONFERENCE TECHNOLOGIES INC:			2,632.00	2,632.00		
CORDANT HEALTH SOLUTIONS						
FS-980033126	03/31/2026	Courts-Drug Testing and Monitoring March 2026	41.55	41.55	4032602	04/03/2026
Total CORDANT HEALTH SOLUTIONS:			41.55	41.55		
DAVIS ENGINEERING SERVICE INC						
18875	03/31/2026	Parks-Town to Lakes Trail-Engineering	1,974.00	1,974.00	41726102	04/17/2026
18890	03/31/2026	Parks-1st Street Pedestrian Bridge-Engineering	3,500.83	3,500.83	41726102	04/17/2026
Total DAVIS ENGINEERING SERVICE INC:			5,474.83	5,474.83		
DELTA DENTAL OF COLORADO						
2332609	03/10/2026	HR-April Dental Premiums (EE &ER)	4,010.24	4,010.24	2545	04/03/2026
Total DELTA DENTAL OF COLORADO:			4,010.24	4,010.24		
DESIGN A SIGN						
28635	04/10/2026	Tourism-Archuleta County Logo Decals for Stage and Trailer	958.62	958.62	2555	04/17/2026
Total DESIGN A SIGN:			958.62	958.62		
DIGITCOM ELECTRONICS INC						
120000876-1	04/09/2026	PD-Radio Programming X2	294.81	294.81	2569	04/17/2026
Total DIGITCOM ELECTRONICS INC:			294.81	294.81		
DOG WASTE DEPOT						
807550	03/19/2026	Parks-Dog Waste Bags (10x2000)	808.80	808.80	4032618	04/03/2026
Total DOG WASTE DEPOT:			808.80	808.80		
ECHO IT CONSULTING						
115629	03/01/2026	Bldg.-Adobe Subscriptions-Annual	647.74	647.74	4032616	04/03/2026
115629	03/01/2026	CD Admin-Adobe Subscriptions-Annual	323.87	323.87	4032616	04/03/2026
115629	03/01/2026	Clerk-Adobe Subscriptions-Annual	971.61	971.61	4032616	04/03/2026
115629	03/01/2026	Courts-Adobe Subscriptions-Annual	971.61	971.61	4032616	04/03/2026
115629	03/01/2026	F&F-Adobe Subscriptions-Annual	323.87	323.87	4032616	04/03/2026
115629	03/01/2026	Hsg.-Adobe Subscriptions-Annual	323.87	323.87	4032616	04/03/2026
115629	03/01/2026	HR-Adobe Subscriptions-Annual	647.74	647.74	4032616	04/03/2026
115629	03/01/2026	PD-Adobe Subscriptions-Annual	971.61	971.61	4032616	04/03/2026
115629	03/01/2026	Plng.-Adobe Subscriptions-Annual	647.74	647.74	4032616	04/03/2026
115629	03/01/2026	Proj.-Adobe & Illustrator Subscriptions-Annual	455.88	455.88	4032616	04/03/2026
115629	03/01/2026	PW Admin-Adobe Subscriptions-Annual	647.74	647.74	4032616	04/03/2026

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
115629	03/01/2026	Rec-Adobe Subscriptions-Annual	323.87	323.87	4032616	04/03/2026
115629	03/01/2026	TM-Adobe & AI Assist Subscriptions-Annual	382.86	382.86	4032616	04/03/2026
115689	03/31/2026	Admin.-TH WiFi Booster Software	42.46	42.46	4032616	04/03/2026
115689	03/31/2026	PW Admin.-Maint. Fac. WiFi Booster Software	21.23	21.23	4032616	04/03/2026
115689	03/31/2026	Parks-Yamaguchi WiFi Booster Software	10.62	10.62	4032616	04/03/2026
115689	03/31/2026	VC-WiFi Booster Software	21.23	21.23	4032616	04/03/2026
115689	03/31/2026	P&R Admin.-CC WiFi Booster Software	42.46	42.46	4032616	04/03/2026
115715	04/01/2026	PD-Digital Evidence Storage March	503.16	503.16	41726115	04/17/2026
115735	04/01/2026	Clerk-IT Services	740.58	740.58	41726115	04/17/2026
115735	04/01/2026	TM-IT Services	185.15	185.15	41726115	04/17/2026
115735	04/01/2026	HR-IT Services	370.29	370.29	41726115	04/17/2026
115735	04/01/2026	CD Admin.-IT Services	370.29	370.29	41726115	04/17/2026
115735	04/01/2026	Plng.-IT Services	370.29	370.29	41726115	04/17/2026
115735	04/01/2026	Bldg.-IT Services	740.59	740.59	41726115	04/17/2026
115735	04/01/2026	Proj.-IT Services	185.15	185.15	41726115	04/17/2026
115735	04/01/2026	Hsg.-IT Services	185.15	185.15	41726115	04/17/2026
115735	04/01/2026	Courts-IT Services	1,110.88	1,110.88	41726115	04/17/2026
115735	04/01/2026	PD-IT Services	2,036.61	2,036.61	41726115	04/17/2026
115735	04/01/2026	P&R Admin.-IT Services	370.29	370.29	41726115	04/17/2026
115735	04/01/2026	Rec.-IT Services	740.59	740.59	41726115	04/17/2026
115735	04/01/2026	Parks-IT Services	185.15	185.15	41726115	04/17/2026
115735	04/01/2026	F&F-IT Services	185.15	185.15	41726115	04/17/2026
115735	04/01/2026	PW Admin.-IT Services	925.73	925.73	41726115	04/17/2026
115735	04/01/2026	Streets-IT Services	185.15	185.15	41726115	04/17/2026
115735	04/01/2026	Sanit.-IT Services	925.73	925.73	41726115	04/17/2026
115735	04/01/2026	VC-IT Services	185.15	185.15	41726115	04/17/2026
115735	04/01/2026	Tourism-IT Services	370.29	370.29	41726115	04/17/2026
115799	04/01/2026	Clerk-Phone Bill	93.91	93.91	41726115	04/17/2026
115799	04/01/2026	HR-Phone Bill	57.25	57.25	41726115	04/17/2026
115799	04/01/2026	TM-Phone Bill	28.62	28.62	41726115	04/17/2026
115799	04/01/2026	CD Admin.-Phone Bill	28.62	28.62	41726115	04/17/2026
115799	04/01/2026	Bldg.-Phone Bill	65.27	65.27	41726115	04/17/2026
115799	04/01/2026	Plng.-Phone Bill	85.87	85.87	41726115	04/17/2026
115799	04/01/2026	Proj.-Phone Bill	28.62	28.62	41726115	04/17/2026
115799	04/01/2026	Courts-Phone Bill	175.76	175.76	41726115	04/17/2026
115799	04/01/2026	PD-Phone Bill	296.28	296.28	41726115	04/17/2026
115799	04/01/2026	Rec-Phone Bill	110.49	110.49	41726115	04/17/2026
115799	04/01/2026	P&R Admin.-Phone Bill	105.47	105.47	41726115	04/17/2026
115799	04/01/2026	Park-Phone Bill	25.62	25.62	41726115	04/17/2026
115799	04/01/2026	F&F-Phone Bill	25.62	25.62	41726115	04/17/2026
115799	04/01/2026	PW Admin.-Phone Bill	79.86	79.86	41726115	04/17/2026
115799	04/01/2026	Streets-Phone Bill	25.62	25.62	41726115	04/17/2026
115799	04/01/2026	Sanit.-Phone Bill	28.62	28.62	41726115	04/17/2026
115799	04/01/2026	VC-Phone Bill	59.26	59.26	41726115	04/17/2026
Total ECHO IT CONSULTING:			19,970.14	19,970.14		
ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE						
900148588	01/13/2026	Plng.-ARC GIS Subscription 2026	1,415.00	1,415.00	4032627	04/03/2026
Total ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE:			1,415.00	1,415.00		
FLUEGGE CONSULTING						
0521	04/07/2026	Tourism-March ad campaign management and consulting fee	800.00	800.00	41726140	04/17/2026
Total FLUEGGE CONSULTING:			800.00	800.00		
FLYERS ENERGY LLC						
CFS-4569631	03/31/2026	PD-FUEL	1,031.08	1,031.08	41726125	04/17/2026

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
Total FLYERS ENERGY LLC:			1,031.08	1,031.08		
GRAINGER						
9847796423	03/19/2026	Parks-Antibacterial Soap (9-2 Packs)	465.66	465.66	2537	04/03/2026
Total GRAINGER:			465.66	465.66		
GREATAMERICA FINANCIAL SERVICES						
2957233	03/18/2026	Courts-Xerox 7020 Lease Buy Out	920.98	920.98	4032615	04/03/2026
41645127	04/03/2026	Courts-Xerox 7020 Lease Agreement	115.03	115.03	41726114	04/17/2026
41645127	04/03/2026	Courts-Xerox 7020 Printing and Copying	42.84	42.84	41726114	04/17/2026
Total GREATAMERICA FINANCIAL SERVICES:			1,078.85	1,078.85		
HUMANE SOCIETY OF PAGOSA SPGS						
29394	04/01/2026	PD-Impound Fees 1st Quarter	3,375.00	3,375.00	41726106	04/17/2026
Total HUMANE SOCIETY OF PAGOSA SPGS:			3,375.00	3,375.00		
HWY 160 AUTO WASH						
17	04/01/2026	PD-Patrol Vehicle Car Washes March	63.75	63.75	41726136	04/17/2026
Total HWY 160 AUTO WASH:			63.75	63.75		
INDUSTRIAL CHEM LABS & SVCS						
425107	01/25/2026	SANIT-Lift Station Degreaser (100 lb)	545.25	545.25	4032638	04/03/2026
Total INDUSTRIAL CHEM LABS & SVCS:			545.25	545.25		
INTELLICHOICE INC						
1234757	03/20/2026	Courts-EForce, Additional RMS License	1,325.00	1,325.00	4032614	04/03/2026
Total INTELLICHOICE INC:			1,325.00	1,325.00		
JUST CLICK PRINTING INC						
82491	03/12/2026	VC-Spring/Summer Event posters (25) and 250/150 Event Posters (	49.34	49.34	4032622	04/03/2026
82610	03/18/2026	VC-Spring/Summer Events Posters (25)	28.25	28.25	4032622	04/03/2026
82956	04/09/2026	VC-Printing Posters for Travel Show Giveaway (3)	8.11	8.11	41726119	04/17/2026
Total JUST CLICK PRINTING INC:			85.70	85.70		
KARL JOHNSON						
03252026	03/25/2026	Sanit.-CCCMA 2026 Per Diem	150.00	150.00	2547	04/03/2026
Total KARL JOHNSON:			150.00	150.00		
LA PLATA ELECTRIC ASSOCIATION						
3-24-26	03/24/2026	Admin.-TH Electric	1,339.85	1,339.85	2559	04/17/2026
3-24-26	03/24/2026	Streets-Electric	3,559.36	3,559.36	2559	04/17/2026
3-24-26	03/24/2026	Parks-Electric	1,676.26	1,676.26	2559	04/17/2026
3-24-26	03/24/2026	Sanit.-Electric	10,814.43	10,814.43	2559	04/17/2026
3-24-26	03/24/2026	GEO-Electric	382.89	382.89	2559	04/17/2026
3-24-26	03/24/2026	VC-Electric	164.22	164.22	2559	04/17/2026
3-24-26	03/24/2026	P&R Admin.-CC Electric	2,137.74	2,137.74	2559	04/17/2026
3-24-26	03/24/2026	F&F-EV Charging Station	1,420.28	1,420.28	2559	04/17/2026
3-24-26	03/24/2026	PW Admin.-Maint. Fac. Electric	952.16	952.16	2559	04/17/2026
Total LA PLATA ELECTRIC ASSOCIATION:			22,447.19	22,447.19		

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
LANGUAGE LINE SOLUTIONS						
11881845	03/31/2026	Courts-Translation and Interpretation Services March 2026	31.27	31.27	41726126	04/17/2026
Total LANGUAGE LINE SOLUTIONS:			31.27	31.27		
LUCERO TIRE						
4117	04/16/2026	F&F-Tire Repair Unit 101	25.00	25.00	2551	04/17/2026
Total LUCERO TIRE:			25.00	25.00		
M&R PLUMBING SERVICES						
146490983	03/06/2026	Sanit-Camera Line; Attemp To Remove Obstruction-316 San Juan	2,800.00	2,800.00	41726137	04/17/2026
Total M&R PLUMBING SERVICES:			2,800.00	2,800.00		
MILES PARTNERSHIP LLC						
#131186	04/15/2026	Tourism-CTO Adversiting State Vacation Guide and Leads	6,600.02	6,600.02	41726112	04/17/2026
#131211	04/15/2026	Tourism-CTO Email Custom Advertising April	2,000.00	2,000.00	41726112	04/17/2026
Total MILES PARTNERSHIP LLC:			8,600.02	8,600.02		
MODERN MARKETING INC						
547	02/12/2026	PD-Swag for community engagement events Coloring Totes (100), C	1,334.12	1,334.12	2549	04/03/2026
Total MODERN MARKETING INC:			1,334.12	1,334.12		
MOTOROLA SOLUTIONS INC						
8282304395	03/27/2026	F&F-PD Police Radios For Unit #'s 147 & 148	11,539.76	11,539.76	41726122	04/17/2026
Total MOTOROLA SOLUTIONS INC:			11,539.76	11,539.76		
MOUNTAIN HOME SECURITY						
6414	04/01/2026	F&F-VC: Alarm Monitoring 04/26-06/26	120.00	120.00	4032640	04/03/2026
6415	04/01/2026	F&F-TS: Alarm Monitoring for 4/26-6/26	120.00	120.00	41726135	04/17/2026
Total MOUNTAIN HOME SECURITY:			240.00	240.00		
MOUNTAIN STATES LIGHTING LLC						
15333	03/13/2026	Streets-Main Street Sidewalk Lighting	239,715.00	239,715.00	4032608	04/03/2026
15333	03/13/2026	Streets-Middle School Sidewalk Lighting	16,236.00	16,236.00	4032608	04/03/2026
Total MOUNTAIN STATES LIGHTING LLC:			255,951.00	255,951.00		
NET X IT SOLUTIONS						
4119TPS	04/01/2026	Courts-Xerox 6515 and Xerox C325 (2) Service Agreements	40.00	40.00	2546	04/03/2026
4119TPS	04/01/2026	Courts-Xerox 6515 and Xerox C325 (2) Printing and Copying	80.77	80.77	2546	04/03/2026
Total NET X IT SOLUTIONS:			120.77	120.77		
ODP BUSINESS SOLUTIONS						
457702145002	04/09/2026	Courts-Bulletin Board for Judge's Chambers	37.98	37.98	41726105	04/17/2026
462738225001	03/23/2026	Courts-Staples and Note Pads	19.42	19.42	4032605	04/03/2026
462738225001	03/23/2026	Courts-3 Hole Punch	27.07	27.07	4032605	04/03/2026
462744598001	03/20/2026	Courts-Classification Folders	23.90	23.90	4032605	04/03/2026
464407757001	03/26/2026	PD-USB drives 5 pk	40.69	40.69	4032605	04/03/2026
464407877001	03/26/2026	PD-wall file	9.40	9.40	4032605	04/03/2026
464517056001	04/02/2026	Courts-Riser for Computer Monitor	41.73	41.73	41726105	04/17/2026
464517387001	04/02/2026	Courts-Hanging File Folders	36.60	36.60	41726105	04/17/2026
464881100001	04/01/2026	Courts-Legal Pads and File Labels	37.24	37.24	41726105	04/17/2026
464881100001	04/01/2026	Courts-Heavy Duty Hole Punch	14.54	14.54	41726105	04/17/2026

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
Total ODP BUSINESS SOLUTIONS:			288.57	288.57		
O'REILLY AUTO PARTS						
5878-388359	03/19/2026	Parks-Wiper Fluid (2)	8.52	8.52	4032632	04/03/2026
5878-388359	03/19/2026	Parks-Interior Vehical Protectant Spray (1)	9.49	9.49	4032632	04/03/2026
5878-388359	03/19/2026	Parks-Fuses for Equipment	29.48	29.48	4032632	04/03/2026
5878-388373	03/19/2026	Sanit-3 Ton Jack	219.99	219.99	4032632	04/03/2026
5878-389133	03/24/2026	Sanit-Brake Pads & Rotors For Unit 143	691.20	691.20	41726128	04/17/2026
Total O'REILLY AUTO PARTS:			958.68	958.68		
ORKIN GENERAL PEST CONTROL						
294025181	03/31/2026	F&F-Pest Control (Community & Visitor Center)	330.57	330.57	41726103	04/17/2026
Total ORKIN GENERAL PEST CONTROL:			330.57	330.57		
PAGCO INCORPORATED						
107764M	03/09/2026	Streets-Lubriplate Grease (1 Case of 40)	473.80	473.80	4032628	04/03/2026
Total PAGCO INCORPORATED:			473.80	473.80		
PAGOSA AREA WATER & SAN						
03-26	03/31/2026	Admin-TH & HWY 84 Water 03/26	206.10	206.10	2552	04/17/2026
03-26	03/31/2026	HSG.-Water Availability 03/26	359.33	359.33	2552	04/17/2026
03-26	03/31/2026	Parks-Water 03/26	707.18	707.18	2552	04/17/2026
03-26	03/31/2026	Sanit.-Water 03/26	216.72	216.72	2552	04/17/2026
03-26	03/31/2026	Geo.-Water 03/26	2,124.34	2,124.34	2552	04/17/2026
03-26	03/31/2026	PW Admin.-Maint. Facility Water 03/26	566.33	566.33	2552	04/17/2026
03-26	03/31/2026	VC-Water 03/26	51.53	51.53	2552	04/17/2026
03-26	03/31/2026	P&R Admin.-CC Water 03/26	261.54	261.54	2552	04/17/2026
03-26	03/31/2026	Parks-Cemetery Water 03/26	68.70	68.70	2552	04/17/2026
03-26	03/31/2026	Sanitation-Sewage Processing 03/26	18,894.96	18,894.96	2552	04/17/2026
Total PAGOSA AREA WATER & SAN:			23,456.73	23,456.73		
PAGOSA COMMUNITY INITIATIVE						
BLOOM141 (33)	03/24/2026	TC-ECE 2026 Award First Half Payment	9,825.00	9,825.00	4032636	04/03/2026
Total PAGOSA COMMUNITY INITIATIVE:			9,825.00	9,825.00		
PAGOSA FUN LLC						
031926	03/19/2026	Tourism-2026 Event Funding Brews for Rescues	4,875.00	4,875.00	2542	04/03/2026
Total PAGOSA FUN LLC:			4,875.00	4,875.00		
PAGOSA SPRINGS COMMUNITY DEVELOPMENT CO						
BB 1-2351	03/24/2026	Admin.-2026 Q1 Broadband Management Funding	18,750.00	18,750.00	4032613	04/03/2026
BB 1-2351	03/24/2026	TC-2026 Q1 Economic Development Support	12,500.00	12,500.00	4032613	04/03/2026
BB 1-2351	03/24/2026	TC-2026 Q1 Main Street Employee & Program Wages	13,750.00	13,750.00	4032613	04/03/2026
BB 1-2353	04/15/2026	TC-Workforce hsg support PAWSD connection fees	55,000.00	55,000.00	41726111	04/17/2026
Total PAGOSA SPRINGS COMMUNITY DEVELOPMENT CO:			100,000.00	100,000.00		
PHOTOS BY GRIZ						
0250	03/30/2026	Rec.-Youth Jerseys xs (34) sm (1)	770.00	770.00	4032642	04/03/2026
Total PHOTOS BY GRIZ:			770.00	770.00		
PIEDRA AUTOMOTIVE LLC						
080564	03/11/2026	F&F-Unit #135-Oil Change, Filter, Lube,Air Filter	103.92	103.92	4032606	04/03/2026

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
080691	03/30/2026	F&F-Unit 136 Oil Change,Cabin & Eng Filter, Rear Wiper Blade	220.44	220.44	41726107	04/17/2026
080766	04/07/2026	F&F-Unit 112 Oil Change, Change Filters	185.49	185.49	41726107	04/17/2026
Total PIEDRA AUTOMOTIVE LLC:			509.85	509.85		
PINNACOL ASSURANCE						
INV-2340536	03/20/2026	Sanitation-Workers Comp Premium March	183.10	183.10	4172651	04/17/2026
INV-2340536	03/20/2026	CD Admin-Workers Comp Premium April	157.18	157.18	4172651	04/17/2026
INV-2340536	03/20/2026	Clerk-Workers Comp Premium April	20.41	20.41	4172651	04/17/2026
INV-2340536	03/20/2026	Courts-Workers Comp Premium April	28.29	28.29	4172651	04/17/2026
INV-2340536	03/20/2026	F&F-Workers Comp Premium April	509.73	509.73	4172651	04/17/2026
INV-2340536	03/20/2026	Housing-Workers Comp Premium April	128.58	128.58	4172651	04/17/2026
INV-2340536	03/20/2026	HR-Workers Comp Premium April	13.10	13.10	4172651	04/17/2026
INV-2340536	03/20/2026	P&R Admin-Workers Comp Premium April	154.15	154.15	4172651	04/17/2026
INV-2340536	03/20/2026	P&R Board-Workers Comp Premium April	5.55	5.55	4172651	04/17/2026
INV-2340536	03/20/2026	Parks-Workers Comp Premium April	1,054.13	1,054.13	4172651	04/17/2026
INV-2340536	03/20/2026	PD-Workers Comp Premium April	2,556.26	2,556.26	4172651	04/17/2026
INV-2340536	03/20/2026	Planning-Workers Comp Premium April	246.52	246.52	4172651	04/17/2026
INV-2340536	03/20/2026	Planning Boards-Workers Comp Premium April	5.55	5.55	4172651	04/17/2026
INV-2340536	03/20/2026	Projects-Workers Comp Premium April	117.83	117.83	4172651	04/17/2026
INV-2340536	03/20/2026	PW Admin-Workers Comp Premium April	169.41	169.41	4172651	04/17/2026
INV-2340536	03/20/2026	Recreation-Workers Comp Premium April	729.97	729.97	4172651	04/17/2026
INV-2340536	03/20/2026	Sanitation-Workers Comp Premium April	469.62	469.62	4172651	04/17/2026
INV-2340536	03/20/2026	Streets-Workers Comp Premium April	1,828.77	1,828.77	4172651	04/17/2026
INV-2340536	03/20/2026	TC Boards-Workers Comp Premium April	19.55	19.55	4172651	04/17/2026
INV-2340536	03/20/2026	TM-Workers Comp Premium April	232.95	232.95	4172651	04/17/2026
INV-2340536	03/20/2026	Tourism-Workers Comp Premium April	165.07	165.07	4172651	04/17/2026
INV-2340536	03/20/2026	Tourism Admin-Workers Comp Premium April	92.56	92.56	4172651	04/17/2026
INV-2340536	03/20/2026	Tourism Board-Workers Comp Premium April	5.55	5.55	4172651	04/17/2026
INV-2340536	03/20/2026	Visitor Center-Workers Comp Premium April	5.01	5.01	4172651	04/17/2026
INV-2340536	03/20/2026	Cost Containment Credit April	518.84-	518.84-	4172651	04/17/2026
Total PINNACOL ASSURANCE:			8,380.00	8,380.00		
PONDEROSA LUMBER CO						
JOB 14 STMT 033126	04/06/2026	Sanit-2 1/2" Hole Saw Blade	17.99	17.99	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-3" Hole Saw Blade	19.99	19.99	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-Arbor Hex 3/8" With Pilot	22.99	22.99	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-Reciprocating Saw Blade	24.99	24.99	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-Arbor Hex 7/16"	24.99	24.99	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-1 3/4" Hole saw Blade	27.99	27.99	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-1/4" Cup Brush	7.99	7.99	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-Nylon Pigtails	11.37	11.37	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-Fuel Additive (2)	33.98	33.98	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-15' Tow Rope	24.99	24.99	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-Simple Green Cleaner	25.98	25.98	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-Germx HandSanitizer	11.97	11.97	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-1 Gallon Sprayer	21.99	21.99	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-Concrete Mix 80# (12)	115.20	115.20	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-Booster Cables	34.99	34.99	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-Bolt Cutter	64.99	64.99	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-3/8"x20' Rebar	5.61	5.61	2557	04/17/2026
JOB 14 STMT 033126	04/06/2026	Sanit-2" Padlock	27.99	27.99	2557	04/17/2026
JOB 5 STMT 033126	03/31/2026	Streets-Dark Blue Marking Paint (2)	15.98	15.98	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Conduit Straps & Box Covers	29.49	29.49	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Raintight Connectors-Washbay Repair	7.99	7.99	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Raintight Connectors/Couplers-Washbay Repair	20.57	20.57	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F--Screws & Hillman Fasteners-Repair Overlook Deck	19.15	19.15	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F--Paint & Hillman Fasteners-Repair Handicap Sign	23.21	23.21	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F--Grinding Disc	11.38	11.38	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-6" Adjustable Wrench	14.99	14.99	2557	04/17/2026

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
JOB 6 STMT 033126	03/31/2026	F&F-Foam Sealant	51.96	51.96	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Painters Tool	19.98	19.98	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Super Glue	7.99	7.99	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Door Closer & Color Key Caps for Visitor Center	22.48	22.48	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Hillman Fasteners	14.07	14.07	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-4" Blank Cover (4)	5.56	5.56	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Cable Ties	11.99	11.99	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-1/4" Drive Socket	3.79	3.79	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-1/2" Knockout Seal	1.99	1.99	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Bracketed Junction Box (4)	17.16	17.16	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Drill Bit	13.99	13.99	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Flex Clamp Connector (3)	20.97	20.97	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Keys For Town Shop (4)	7.96	7.96	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Aluminum Angle & Fasteners-T.H. HVAC System Repair	20.75	20.75	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Hillman Fasteners-Repair T.H. Motor Mount Feet	6.76	6.76	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&FJig Saw Blades	44.98	44.98	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Refrigerant Refill-Unit 105	15.99	15.99	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Batteries For T.H. Panic Buttons (6)	65.33	65.33	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Fasteners,Rivet, Connectors, Knock Out Seal-T.H. HVAC	32.66	32.66	2557	04/17/2026
JOB 6 STMT 033126	03/31/2026	F&F-Wall Plates (4)	6.76	6.76	2557	04/17/2026
JOB 7 STM 33126	03/31/2026	Parks-6 Outlet Power Strip	21.98	21.98	2557	04/17/2026
JOB 7 STM 33126	03/31/2026	Parks-Electric Plug and wire nuts	14.78	14.78	2557	04/17/2026
JOB 7 STM 33126	03/31/2026	Parks-Recepticals, Marking paint can	55.96	55.96	2557	04/17/2026
JOB 7 STM 33126	03/31/2026	Parks-2 Gal bucket and lid	6.58	6.58	2557	04/17/2026
JOB 7 STM 33126	03/31/2026	Parks-Scrub Sponge (2)	4.78	4.78	2557	04/17/2026
JOB 7 STM 33126	03/31/2026	Parks-Black Spray Paint	15.98	15.98	2557	04/17/2026
JOB 7 STM 33126	03/31/2026	Parks-Hose Clamp (4)	21.56	21.56	2557	04/17/2026
JOB 7 STM 33126	03/31/2026	Parks-Gal Paint	68.74	68.74	2557	04/17/2026
JOB 7 STM 33126	03/31/2026	Parks-Hose Clamps (4) (Return)	21.56-	21.56-	2557	04/17/2026
JOB 7 STM 33126	03/31/2026	Parks-Fasteners (8)	2.68	2.68	2557	04/17/2026
JOB 7 STM 33126	03/31/2026	Parks-Top Soil (5 Bgs), Compost (15 bgs)	79.30	79.30	2557	04/17/2026
JOB 7 STM 33126	03/31/2026	Parks-Electrical Plug (2), wire connectors(2), fasteners	34.85	34.85	2557	04/17/2026
JOB 7 STM 33126	03/31/2026	Parks-Black Gloves	5.99	5.99	2557	04/17/2026
Total PONDEROSA LUMBER CO:			1,373.49	1,373.49		
PUBLIC SECTOR HEALTH CARE GROUP AUTHORIT						
2605	04/05/2026	HR-Vision May Premium	802.55	802.55	41726138	04/17/2026
2605	04/05/2026	HR-Basic Life May Premium	205.36	205.36	41726138	04/17/2026
2605	04/05/2026	HR-Voluntary Life May Premium	1,138.40	1,138.40	41726138	04/17/2026
2605	04/05/2026	HR-Supplemental May Premium	937.09	937.09	41726138	04/17/2026
2605	04/05/2026	HR-Short Term Disability May Premium	900.44	900.44	41726138	04/17/2026
2605	04/05/2026	HR-Health Insurance May Premium	91,838.00	91,838.00	41726138	04/17/2026
Total PUBLIC SECTOR HEALTH CARE GROUP AUTHORIT:			95,821.84	95,821.84		
ROARING FORK ENGINEERING INC						
8771	03/20/2026	Sanit-Sewer Replacement Survey Work	9,008.35	9,008.35	41726132	04/17/2026
8771	03/20/2026	Sanit-McCabe Creek Engineering	1,725.00	1,725.00	41726132	04/17/2026
8771	03/20/2026	Sanit-9th/10th & 8th/9th Streets Sewer Replacement	426.00	426.00	41726132	04/17/2026
8771	03/20/2026	Sanit-1st Lift Station Engineering	20,337.75	20,337.75	41726132	04/17/2026
8771	03/20/2026	Sanit-Waste Water Treatment Facility Engineering	4,299.45	4,299.45	41726132	04/17/2026
Total ROARING FORK ENGINEERING INC:			35,796.55	35,796.55		
ROTARY INTL PAGOSA SPRINGS						
718	04/06/2026	TM-Q2 dues Apr-Jun	74.00	74.00	41726134	04/17/2026
Total ROTARY INTL PAGOSA SPRINGS:			74.00	74.00		

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
SAN JUAN REDIMIX						
5730	03/18/2026	Streets-Flowfill 6 Yds (S. 9th/10th St.)	1,020.00	1,020.00	4032634	04/03/2026
5761	03/31/2026	Streets-17 yd Flowfill	2,771.00	2,771.00	41726130	04/17/2026
5762	03/31/2026	Parks-Washed Sand Delivered (24.34 CuFt)	1,610.40	1,610.40	41726130	04/17/2026
Total SAN JUAN REDIMIX:			5,401.40	5,401.40		
SEBIS DIRECT INC						
04-26	03/27/2026	Sanit.-Utility Billing Postage	325.00	325.00	4032610	04/03/2026
Total SEBIS DIRECT INC:			325.00	325.00		
SEEDS OF LEARNING						
502534	04/13/2026	TC-ECE 2026 Award First Half Payment	9,415.60	9,415.60	41726109	04/17/2026
Total SEEDS OF LEARNING:			9,415.60	9,415.60		
SELENA HUGHES						
04142026	04/14/2026	Sanit.-Refund payment 1.179.1 wrong acct	3,074.05	3,074.05	2563	04/17/2026
Total SELENA HUGHES:			3,074.05	3,074.05		
SHERWIN-WILLIAMS CO						
5827-8	03/25/2026	F&F-Paint & Roller Cup Liners (3) For Community Center	102.11	102.11	2558	04/17/2026
Total SHERWIN-WILLIAMS CO:			102.11	102.11		
SMART MOBILITY LLC dba FORD PRO						
INV44541012	03/31/2026	Admin.-Vehicle Monitoring Software (1) Vehicle	16.84	16.84	2566	04/17/2026
INV44541012	03/31/2026	F&F-Vehicle Monitoring Software (3) Vehicles	50.54	50.54	2566	04/17/2026
INV44541012	03/31/2026	Parks-Vehicle Monitoring Software (4) Vehicles	67.38	67.38	2566	04/17/2026
INV44541012	03/31/2026	PD-Vehicle Monitoring Software (9) Vehicles	151.61	151.61	2566	04/17/2026
INV44541012	03/31/2026	CD Admin-Vehicle Monitoring Software (1) Vehicles	16.85	16.85	2566	04/17/2026
INV44541012	03/31/2026	PW Admin.-Vehicle Monitoring Software (1) Vehicle	16.85	16.85	2566	04/17/2026
INV44541012	03/31/2026	Rec.-Vehicle Monitoring Software (1) Vehicle	16.85	16.85	2566	04/17/2026
INV44541012	03/31/2026	Sanit.-Vehicle Monitoring Software (3) Vehicle	50.54	50.54	2566	04/17/2026
INV44541012	03/31/2026	Streets-Vehicle Monitoring Software (4) Vehicles	67.38	67.38	2566	04/17/2026
Total SMART MOBILITY LLC dba FORD PRO:			454.84	454.84		
SME ENVIRONMENTAL CONSULTANTS INC						
1903507	03/18/2026	Sanit.-1st St. Lift Station-Cultural and Environmental	3,825.00	3,825.00	4032612	04/03/2026
Total SME ENVIRONMENTAL CONSULTANTS INC:			3,825.00	3,825.00		
SOUTHWEST AG INC						
14788	03/16/2026	Parks-Stabilization assembly for Unit 202	233.54	233.54	4032604	04/03/2026
15327	04/13/2026	Parks-2 Gal Oil	63.98	63.98	41726104	04/17/2026
Total SOUTHWEST AG INC:			297.52	297.52		
SOUTHWEST RIVER ENGINEERING						
1308	04/03/2026	Parks-Flooding Repair of Irrigation Intake Yam	18,180.00	18,180.00	41726124	04/17/2026
Total SOUTHWEST RIVER ENGINEERING:			18,180.00	18,180.00		
STALKER RADAR						
474367	03/12/2026	Streets-Speed Signs With Traffic Analysis (3)	12,816.00	12,816.00	4032633	04/03/2026
Total STALKER RADAR:			12,816.00	12,816.00		

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
SWANK MOTION PICTURES INC						
2746372	04/07/2026	PD-Movie for Movie Night in the Park 6/26	642.01	642.01	41726141	04/17/2026
Total SWANK MOTION PICTURES INC:			642.01	642.01		
TERESA MAEL						
01	03/23/2026	TC-ECE 2026 Funding Full Amount	4,762.50	4,762.50	2544	04/03/2026
Total TERESA MAEL:			4,762.50	4,762.50		
TERRY'S ACE HARDWARE						
JOB 3 STMT 031026	03/10/2026	F&F-Socket Adapter, Nutdriver Set	37.03	37.03	2539	04/03/2026
JOB 3 STMT 031026	03/10/2026	F&F-Stud Finder, Reciprocating Saw Blades (3)	81.66	81.66	2539	04/03/2026
JOB 3 STMT 031026	03/10/2026	F&F-Programmable Thermostat (Maint. Facility)	56.99	56.99	2539	04/03/2026
JOB 3 STMT 031026	03/10/2026	F&F-Foam Sealant	11.39	11.39	2539	04/03/2026
JOB 3 STMT 031026	03/10/2026	F&F-Foam Sealant	22.78	22.78	2539	04/03/2026
JOB 3 STMT 031026	03/10/2026	F&F-Emery Cloth	7.58	7.58	2539	04/03/2026
JOB 3 STMT 031026	03/10/2026	F&F-Pry Bar, Drill Bits	27.51	27.51	2539	04/03/2026
JOB 4 031026	03/10/2026	Streets-Nuts, Bolts, Washers	8.29	8.29	2539	04/03/2026
JOB 9 STMT 031026	03/10/2026	Parks-Nuts, Bolts & Washers (4)	.92	.92	2539	04/03/2026
JOB 9 STMT 031026	03/10/2026	Parks-Seeds (3)	7.95	7.95	2539	04/03/2026
JOB 9 STMT 031026	03/10/2026	Parks-Simple Green Cleaner (2)	26.58	26.58	2539	04/03/2026
JOB 9 STMT 031026	03/10/2026	Parks-Pump Sprayer (1)	18.04	18.04	2539	04/03/2026
JOB 9 STMT 031026	03/10/2026	Parks-LED Bulbs (4)	59.96	59.96	2539	04/03/2026
JOB 9 STMT 031026	03/10/2026	Parks-LED Bulbs (4) Return	59.96-	59.96-	2539	04/03/2026
JOB 9 STMT 031026	03/10/2026	Parks-Potting Soil (2)	36.08	36.08	2539	04/03/2026
JOB 9 STMT 031026	03/10/2026	Parks-Wire Cable, Wire rope clips (3), standard clips (2)	125.00	125.00	2539	04/03/2026
Total TERRY'S ACE HARDWARE:			467.80	467.80		
TEXAS MONTHLY						
71385	03/25/2026	Tourism-Spring Travel Guide Advertising	1,375.00	1,375.00	4032611	04/03/2026
Total TEXAS MONTHLY:			1,375.00	1,375.00		
THE PAGOSA SPRINGS SUN						
39806	03/31/2026	Rec.-Kids Camp News paper ads	682.50	682.50	4032637	04/03/2026
441131	03/31/2026	Plng.- Public Notice - Build Pagosa	49.00	49.00	4032637	04/03/2026
441132	03/31/2026	TM-March newsletter	400.00	400.00	4032637	04/03/2026
Total THE PAGOSA SPRINGS SUN:			1,131.50	1,131.50		
THOMSON REUTERS - WEST						
853419318	04/01/2026	Courts-Legal Research Subscription March 2026	1,469.47	1,469.47	41726116	04/17/2026
Total THOMSON REUTERS - WEST:			1,469.47	1,469.47		
TIFFANY WILKINS						
0018	03/23/2026	TC-ECE 2026 Award Full Amount	3,970.00	3,970.00	4032630	04/03/2026
Total TIFFANY WILKINS:			3,970.00	3,970.00		
TOWN OF PAGOSA SPRINGS						
25MT330-1	04/09/2026	Courts-Van Cappel Transcription Deposit	25.00	25.00	177	04/17/2026
3-27-26	03/27/2026	Hsg.-Housing Sewer Avail.	570.00	570.00	2540	04/03/2026
3-27-26	03/27/2026	PW Admin.-Maint. Fac. Sewer	71.25	71.25	2540	04/03/2026
3-27-26	03/27/2026	Admin. - TH Sewer	285.00	285.00	2540	04/03/2026
3-27-26	03/27/2026	Parks - Sewer	427.50	427.50	2540	04/03/2026
3-27-26	03/27/2026	VC-VC Sewer	71.25	71.25	2540	04/03/2026
3-27-26	03/27/2026	P&R Admin.-CC Sewer	712.50	712.50	2540	04/03/2026

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
Total TOWN OF PAGOSA SPRINGS:			2,162.50	2,162.50		
TRI COUNTY HEAD START						
1644	03/23/2026	TC-ECE 2026 Award First Half Payment	8,623.00	8,623.00	4032620	04/03/2026
Total TRI COUNTY HEAD START:			8,623.00	8,623.00		
TURNKEY CONSULTING LLC						
3505	04/01/2026	Parks-River Park traffic study reporting	400.00	400.00	2570	04/17/2026
Total TURNKEY CONSULTING LLC:			400.00	400.00		
UMB BANK, N.A.						
03-03-26	03/03/2026	PW Admin.-2026 Interest Only 8th St. Payment	33,131.25	33,131.25	41726121	04/17/2026
Total UMB BANK, N.A.:			33,131.25	33,131.25		
UPPER SAN JUAN WATERSHED ENHANCEMENT						
1087	04/06/2026	Proj.-Pagosa Gateway Project Administration	537.50	537.50	41726133	04/17/2026
Total UPPER SAN JUAN WATERSHED ENHANCEMENT:			537.50	537.50		
VAL'S VIP CLEANING LLC						
310	03/23/2026	F&F-Town Bldg Cleaning 3/23/26; Bathroom Cleaning 4/03/26	5,187.30	5,187.30	4032631	04/03/2026
311	04/17/2026	F&F-Town Bldg Cleaning 4/6/26; Bathroom Cleaning 4/17/26	5,187.30	5,187.30	41726127	04/17/2026
Total VAL'S VIP CLEANING LLC:			10,374.60	10,374.60		
VERIZON WIRELESS						
6139331583	03/23/2026	Tourism - Staff Cell Phone	50.98	50.98	2554	04/17/2026
6139331583	03/23/2026	TM - Staff Cell Phone	40.98	40.98	2554	04/17/2026
6139331583	03/23/2026	Bldg. - Staff Cell Phone	50.98	50.98	2554	04/17/2026
6139331583	03/23/2026	Courts - Staff Cell Phone	40.98	40.98	2554	04/17/2026
6139331583	03/23/2026	Parks - Staff Cell Phone	40.98	40.98	2554	04/17/2026
6139331583	03/23/2026	Hsg. - Staff Cell Phone	40.98	40.98	2554	04/17/2026
6139331583	03/23/2026	Plng. - Staff Cell Phone	81.96	81.96	2554	04/17/2026
6139331583	03/23/2026	Tourism Admin. - Staff Cell Phone	122.94	122.94	2554	04/17/2026
Total VERIZON WIRELESS:			470.78	470.78		
VITAL RECORDS HOLDINGS LLC						
6189558	03/31/2026	Admin.-Document Shredding	77.95	77.95	41726113	04/17/2026
6189558	03/31/2026	Courts-Document Shredding	77.95	77.95	41726113	04/17/2026
6189558	03/31/2026	PD-Document Shredding	77.95	77.95	41726113	04/17/2026
Total VITAL RECORDS HOLDINGS LLC:			233.85	233.85		
WESTERN PAPER DISTRIBUTORS						
5421892	03/25/2026	Parks-TrashBags (10Cs), Bth Tsue(11Cs), MFLD(5cs), Dispen(2)	1,048.81	1,048.81	4032609	04/03/2026
Total WESTERN PAPER DISTRIBUTORS:			1,048.81	1,048.81		
WILLIAM ROCKENSOCK						
040926 1	04/09/2026	PD-Per Diem DU Leadership Training part 1, Florissant, CO	161.00	161.00	2553	04/17/2026
040926 2	04/09/2026	PD-Per Diem DU Leadership Training part 2 Denver, CO	270.00	270.00	2553	04/17/2026
Total WILLIAM ROCKENSOCK:			431.00	431.00		
WORLD FUEL SERVICES INC						
3478303-41525	03/03/2026	Sanit-5th St. Pump Station Fuel (2/10/26-2/16/26)	797.25	797.25	4032619	04/03/2026

Invoice Number	Invoice Date	Description	Invoice Amount	Check Amount	Check Number	Check Issue Date
3485536-41525	03/10/2026	Sanit-5th St. Pump Station Fuel (2/16/26-2/25/26)	847.20	847.20	4032619	04/03/2026
3490883-41525	03/17/2026	F&F-Equipment Fuel 2/25/26-3/16/26	105.54	105.54	4032619	04/03/2026
3490883-41525	03/17/2026	Parks-Equipment Fuel 2/25/26-3/16/26	521.86	521.86	4032619	04/03/2026
3490883-41525	03/17/2026	Sanit-Equipment Fuel 2/25/26-3/16/26	284.91	284.91	4032619	04/03/2026
3490883-41525	03/17/2026	Streets-Equipment Fuel 2/25/26-3/16/26	1,428.86	1,428.86	4032619	04/03/2026
3497951-41525	03/24/2026	F&F-Equipment Fuel 3/10/26-3/19/26	89.53	89.53	4032619	04/03/2026
3497951-41525	03/24/2026	Parks-Equipment Fuel 3/10/26-3/19/26	293.11	293.11	4032619	04/03/2026
3497951-41525	03/24/2026	Sanit-Equipment Fuel 3/10/26-3/19/26	168.95	168.95	4032619	04/03/2026
3497951-41525	03/24/2026	Streets-Equipment Fuel 3/10/26-3/19/26	1,010.23	1,010.23	4032619	04/03/2026
3497951-41525	03/24/2026	Rec-Equipment Fuel 3/10/26-3/19/26	13.10	13.10	4032619	04/03/2026
3497956-41525	03/26/2026	Sanit-5th St. Pump Station Fuel (2/28/26)	507.53	507.53	4032619	04/03/2026
Total WORLD FUEL SERVICES INC:			6,068.07	6,068.07		
WW CLYDE & CO						
001	03/27/2026	Streets-Middle School Sidewalk Construction	252,922.00	252,922.00	4032641	04/03/2026
Total WW CLYDE & CO:			252,922.00	252,922.00		
Grand Totals:			1,324,962.	1,324,962.		

Report Criteria:
Detail report type printed

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: James Dickhoff, Kyle Rickert

PROJECT: Resolution 2026-09, supporting submittal of a nature conservancy grant application for flood resiliency work

ACTION: Discussion and Action

PURPOSE/BACKGROUND:

The Nature Conservancy has issued a Notice of Funding Opportunity (NOFO) that can help further the Town's flood recovery efforts. Specifically, the funding will assist the bank armoring and erosion protection along the Museum property and along S. 6th Street.

The grant is a no-match grant and our application will request $90,812. This will help us cover the match for these projects that already have funding from NRCS Emergency Watershed Protection Funding and the CO Division of Homeland Security and Emergency Management. Staff is still finalizing details for the grant application, due May 22, 2026.

Approval of the consent agenda is approval of Resolution 2026-09, supporting submittal of a nature conservancy grant application for flood resiliency work.

ATTACHMENTS:

Resolution 2026-09, supporting submittal of a nature conservancy grant application for flood resiliency work

FISCAL IMPACT:
No out of Pocket Match

RECOMMENDATIONS:

Approval of the consent agenda is approval of Resolution 2026-09, supporting submittal of a Nature Conservancy grant application for flood resiliency work.

TOWN OF PAGOSA SPRINGS, COLORADO

RESOLUTION NO. 2026-09

A RESOLUTION SUPPORTING SUBMITTAL OF A NATURE CONSERVANCY GRANT APPLICATION FOR FLOOD RESILIENCY WORK

WHEREAS, the Town of Pagosa Springs ("Town") is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Pagosa Springs Home Rule Charter of 2003, as amended ("Charter"); and

WHEREAS, the Town of Pagosa Springs is along the San Juan River and experienced severe flooding in October 2025 that caused extensive damage along the river corridor and resulted in significant bank erosion endangering public infrastructure, destruction of aquatic habitat, substantial sediment deposition and damaged recreation features; and

WHEREAS, the Town of Pagosa is a recreation-based tourism economy which relies on the wide range of recreation activities for local residents and visitors that occur in the San Juan River through Town including fishing, rafting, kayaking, tubing, wading/swimming, riverwalk users, picnicking and wildlife and bird viewing; and

WHEREAS, the Town of Pagosa is coordinating extensive flood recovery efforts along the downtown San Juan River corridor to improve future flood resilience, including rebuilding aquatic habitat, repairing recreation features, removal of deposition, and armoring eroded riverbanks to protect public infrastructure; and

WHEREAS, the Town is interested in applying for The Nature Conservancy grant funding for pursuing flood resiliency measures along the San Juan River Corridor through downtown Pagosa Springs in response to the October 2025 flooding event.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, that:

1. The Town Council of Pagosa Springs strongly supports the submission of a grant application to The Nature Conservancy in an amount of up to Ninety Thousand, Eight Hundred and Twelve Dollars ($90,812) towards river bank armoring along South 6th Street and completing bank armoring along the Pagosa Springs History Museum Building and Property.

2. The Town Council confirms the Town of Pagosa Springs has the capacity to provide the appropriate experienced staff and staff time to execute and manage the proposed project.

3. The Town Council supports the project's completion and long-term maintenance and verifies that the improvements will benefit resilience for future flood and high-water events through downtown Pagosa Springs.

4. The Town Council authorizes the Town Manager and/or the Town Mayor to sign the grant application and grant contract documents.

5. Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

6. Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the Council.

ADOPTED THIS ____ DAY OF _____, 2026 BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, BY A VOTE OF ____ IN FAVOR, ____ AGAINST.

TOWN OF PAGOSA SPRINGS, COLORADO

By: _____
Shari Pierce, Mayor

ATTEST:

By: _____
April Hessman, Secretary

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: James Dickhoff, Kyle Rickert

PROJECT:	Resolution 2026-10, Supporting the submittal of a Safe Streets for All grant application for design and engineering of the east end multimodal transportation plan and updating the comprehensive safety action plan
ACTION:	Discussion and Action

PURPOSE/BACKGROUND:

The US Department of Transportation has issued a Notice of Funding Opportunity (NOFO) for the “Safe Roads for All” (SS4A) grant.

The Infrastructure Investment and Jobs Act (IIJA) established the Safe Streets and Roads for All (SS4A) competitive grant program with $5 billion in appropriated funds over 5 years, 2022-2026. The SS4A program funds regional, local, and Tribal initiatives through grants to prevent roadway fatalities and serious injuries. Approximately $1 billion is still available for the next funding round.

Town staff recommends this funding opportunity to help the East End Multi Modal Transportation Plan move forward by developing engineering design plans, so that the project is ready for future construction funding opportunities. The SS4A grant requires the Town to develop (or update) and adopt a “Comprehensive Safety Action Plan", which currently appears can be included into our engineering and design funding request.

The Engineering and Design would focus on the Riverwalk Trail extension, sidewalk connectivity along the business frontages, frontage roads and interfaces with Hwy 160, and the Hwy 84 intersection.

The "Comprehensive Safety Action Plan" portion would focus on analyzing local street safety issues, identify strategies, and prioritize future multimodal transportation projects.

CDOT Region 5 has expressed interest in contributing between $150,000-$200,000 towards matching funds for the SS4A grant application. Staff will continue to work with CDOT to formalize that commitment.

Staff will work on final details and complete the grant application which is due on May 26, 2026.

The total for the project would be $842,000 and include creating the required Action Plan for the Town of Pagosa Springs and also the Design and Engineering for the East End Multi-Modal Plan. The match would be $168,400, but using the $150,000-$200,000 funds from CDOT for the project, the TOPS match

would be under $20,000.

ATTACHMENTS:
RESOLUTION 2026-10

FISCAL IMPACT:
Total Local Financial Match is $168,400, with at least $150,000 provided by CDOT Region 5.

GOALS & OBJECTIVES:
3. TRAFFIC MANAGEMENT, PARKING, ROAD MAINTENANCE

RECOMMENDATIONS:

Approval of the consent agenda is approval of Resolution 2026-10, Supporting the submittal of a 'safe streets for all' grant application for design and engineering of the east end multimodal transportation plan and updating the comprehensive safety action plan.

TOWN OF PAGOSA SPRINGS, COLORADO

RESOLUTION NO. 2026-10

A RESOLUTION SUPPORTING THE SUBMITTAL OF A SAFE STREETS FOR ALL GRANT APPLICATION FOR DESIGN AND ENGINEERING OF THE EAST END MULTIMODAL TRANSPORTATION PLAN AND UPDATING THE COMPREHENSIVE SAFETY ACTION PLAN

WHEREAS, the Town of Pagosa Springs ("Town") is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Pagosa Springs Home Rule Charter of 2003, as amended ("Charter"); and

WHEREAS, the Town of Pagosa Springs adopted the 2022 Pagosa Springs East End Multimodal Transportation Plan, a comprehensive vision plan to improve pedestrian safety and provide functional vehicular traffic infrastructure; and

WHEREAS, the Town is interested to advance the East End Multimodal Transportation plan by creating design and engineering plans that addresses the pedestrian and vehicular traffic safety improvements identified in the adopted East End Multimodal Transportation Plan; and

WHEREAS, the Town Council is committed to achieving the goal of zero roadway fatalities and reducing serious injuries by 80%, before the end of 2032; and

WHEREAS, The Town is also interested in completing an updated Comprehensive Safety Action Plan as part of the 'Safe Streets for All' grant funding, that will analyze in-town street safety issues, identify strategies, and prioritize future safety improvement projects; and

WHEREAS, the Town Council supports applying for the U.S. Department of Transportation's Safe Streets for All grant to advance the East End Multimodal Transportation Plan and to update a Comprehensive Safety Action Plan for town transportation facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, that:

1. The Town Council of Pagosa Springs strongly supports the submission of a U.S. Department of Transportation 'Safe Streets for All' grant application, that will advance the East End Multimodal Transportation Plan and to update the Comprehensive Safety Action Plan.

2. The Town Council further supports the commitment to achieve the goal of zero roadway fatalities and reducing serious injuries by 80% before the end of 2032.

3. The Town Council approves the submission of a 'Safe Streets for All' grant application for an amount not to exceed Six Hundred and Seventy Three Thousand and Six hundred Dollars ($673,600).

4. The Town Council supports the minimum financial match of 20%, up to One Hundred and Sixty Eight Thousand and Four Hundred Dollars ($168,400) of a total project cost of Eight Hundred and Forty Two Thousand dollars, ($842,000.00) and fully understands that project costs above and over the grant award and Town's match are the financial responsibility of the Town.

5. The Town Council confirms the Town of Pagosa Springs has the capacity to provide the appropriate experienced staff and staff time to execute and manage the proposed project and scope of work.

5. The Town Council authorizes the Town Manager and/or the Town Mayor to sign the grant application and grant contract documents.

6. Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

7. Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the Council.

ADOPTED THIS ____ DAY OF _____, 2026 BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, BY A VOTE OF ____ IN FAVOR, ____ AGAINST.

TOWN OF PAGOSA SPRINGS, COLORADO

By: _____
Shari Pierce, Mayor

ATTEST:

By: _____
April Hessman, Secretary

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: James Dickhoff

PROJECT:	Letters of Support for the Upper San Juan Watershed Enhancement Partnership and San Juan Headwaters Forest Health Partnership to develop a Wildfire Readiness Action Plan (WRAP)
ACTION:	Discussion and Action

PURPOSE/BACKGROUND:

The Upper San Juan Watershed Enhancement Partnership (WEP) in collaboration with the San Juan Headwaters Forest Health Partnership, is requesting two letters of support for funding towards developing a Wildfire Readiness Action Plan (WRAP).

Request for letters of Support

Upper San Juan Watershed Enhancement Partnership (WEP) respectfully requests your support as we prepare to take the next step in collaboratively advancing forest and watershed health across Archuleta County through development of a **Wildfire Ready Action Plan (WRAP)**.

WEP is leading this effort in coordination with key regional partners, including the San Juan Headwaters Forest Health Partnership (SJHFHP), who will serve in an advisory and supporting role.

Collaboratively, we are applying for a Water Plan Grant through the Colorado Water Conservation Board to fund the WRAP, which is estimated to cost **$400,000**. The Water Plan Grant requires a **25% match** in funds. WEP is actively seeking support to meet this match requirement and ensure a competitive and successful application. To partially accomplish this goal, we are requesting $50,000 from The Nature Conservancy.

$2 Million
Cost of damages & firefighting efforts due to the Oak Fire

$40 Million
Annual average cost of Colorado's wildfire suppresion

$100,000
Match funds needed for thorough Wildfire Ready Action Plan

Project Overview
Through the Colorado Water Conservation Board, the WRAP program is designed to assess the susceptibility of critical watersheds to post-wildfire impacts and to proactively plan for those impacts *before fires occur*.

Following wildfire, erosion and runoff increase dramatically. These changes create significant downstream hazards, including:

- Degraded water quality
- Reduced reservoir capacity
- Impacts to municipal and agricultural water delivery systems
- Damage to infrastructure such as culverts and bridges
- Loss of aquatic and riparian habitat
- Increased flood risk threatening life and property

Recent events in nearby communities, such as Las Vegas, New Mexico, highlight the real and immediate risks to community resilience and livability.

WRAP Components
The planning process will include:

- Pre-disaster planning and mitigation
- Wildfire susceptibility analysis
- Post-fire hazard assessment
- Data collection and applied research

Proactive planning is essential to strengthening community resilience and reducing long-term recovery costs.

Expected Outcomes

If funded, the Pagosa Springs WRAP will:

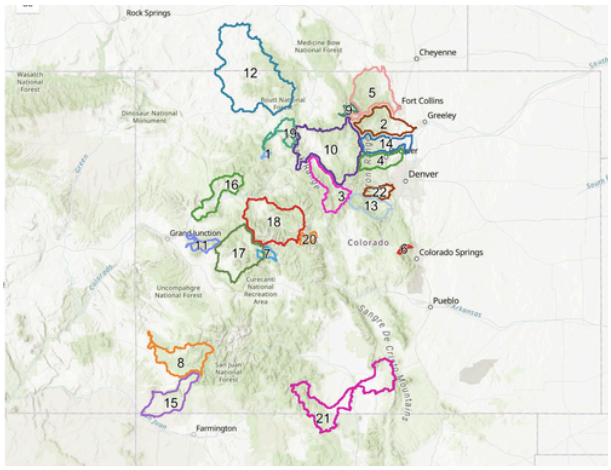
- Identify priority risks and vulnerabilities
- Develop actionable, implementable projects
- Position the region to secure future funding
- Accelerate on-the-ground mitigation before wildfire occurs

WRAP Success Across Colorado

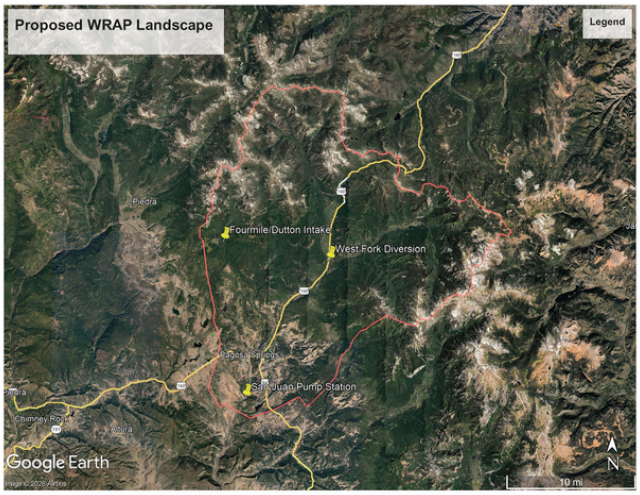
Other WRAP efforts have successfully:

- Improved water security in the Bear River Watershed
- Developed post-fire recovery strategies for Colorado Springs
- Identified high-risk project locations in the South Platte Basin
- Coordinated cross-jurisdictional wildfire mitigation planning

These efforts collectively represent over **10.5 million acres** of wildfire mitigation planning statewide.



Completed & in-progress WRAPs in Colorado



Proposed study area (red line)

The Upper San Juan Watershed Enhancement Partnership and the San Juan Headwaters Forest Health Partnership are well positioned to collaborate on the WRAP due to their shared focus on the connection between forest and watershed health. By combining their expertise, stakeholder networks, and ongoing restoration efforts, they can identify priorities and implement coordinated, science-based solutions that reduce post-fire risks and strengthen resilience across the Upper San Juan River Basin.

Through strategic planning for both pre- and post-fire conditions, we can safeguard:

- Community water supplies
- Critical infrastructure
- Aquatic and terrestrial habitat
- Local economies and quality of life

We hope you will join us in supporting wildfire preparedness, forest health, and watershed resilience in Southwest Colorado.

Letter of Support

May 19, 2026

Colorado Water Conservation Board, Water Plan Grant Program

Re: Letter of Support for Upper San Juan Watershed Ready Action Plan (WRAP)

Dear CWCB Review Committee,

The Town of Pagosa Springs is pleased to provide this letter of strong support for the Upper San Juan Watershed Enhancement Partnership (WEP), in collaboration with the San Juan Headwaters Forest Health Partnership, in their application for a Colorado Water Plan Grant to develop a Wildfire Ready Action Plan (WRAP) for the Upper San Juan River Basin.

Our community is highly dependent on the Upper San Juan watershed for municipal water supply, public health, and economic vitality. Increasing threats from high-severity wildfire, drought, and post-fire flooding present significant risks to our drinking water infrastructure and long-term water security. As outlined in the project materials, recent wildfire and flood events in the region have already resulted in substantial costs, infrastructure damage, and community disruption.

The WRAP effort directly aligns with CWCB's goals of advancing watershed health, reducing risk to water systems, and supporting proactive, basin-scale planning. This project will provide critical benefits to the Town of Pagosa Springs, including:

- Identification of municipal water supply vulnerabilities under post-fire conditions
- Development of pre-fire mitigation strategies to protect source water and reduce sediment and debris impacts
- Planning for post-fire emergency response actions to maintain water delivery and treatment operations
- Prioritization of infrastructure improvements and watershed restoration projects that protect both water quality and supply reliability
- Coordination across jurisdictions to ensure efficient and effective implementation

Post-fire impacts such as increased runoff, erosion, and sediment transport can significantly degrade water quality and disrupt municipal water systems, leading to costly treatment challenges and service interruptions. The WRAP will equip our community with the tools, data, and strategies needed to anticipate these impacts and respond effectively.

Importantly, this planning effort will result in actionable, implementation-ready projects and position our region to compete for future funding opportunities. It represents a critical step in transitioning from reactive disaster response to proactive watershed and water supply protection.

The Town Council strongly supports WEP as the lead applicant and values the partnership with the San Juan Headwaters Forest Health Partnership in delivering this important work. We are committed to continuing collaboration and engagement throughout the WRAP process.

Thank you for your consideration of this application and for your continued investment in Colorado's water resilience.

Sincerely,

Shari Pierce
Mayor

Letter of Support

May 19, 2026

The Nature Conservancy

Re: Letter of Support for Upper San Juan WRAP Funding Request

Dear Review Committee,

On behalf of the Town of Pagosa Springs, I am writing to express the Town Council's strong support for the Upper San Juan Watershed Enhancement Partnership (WEP), in partnership with the San Juan Headwaters Forest Health Partnership, in their request for funding to develop a Wildfire Ready Action Plan (WRAP) for the Upper San Juan River Basin.

The Town of Pagosa Springs relies directly on the health and reliability of our surrounding watershed for municipal water supply, public safety, and economic stability. As recent wildfire and flooding events across the region have demonstrated, including those impacting nearby communities, the risks posed by post-fire impacts to water quality, infrastructure, and community resilience are both immediate and severe.

A WRAP is critical for our community because it will provide proactive, science-based planning to identify vulnerabilities and implement strategies before disaster strikes. Specifically, this effort will:

- Safeguard municipal drinking water sources from post-fire sedimentation and contamination
- Reduce risks to critical infrastructure, including water diversion systems, roads, and bridges
- Improve emergency preparedness and coordination for post-fire response
- Identify priority mitigation projects that can be implemented pre-fire to reduce long-term recovery costs

The Town recognizes that wildfire impacts do not end when the flames are extinguished. Post-fire flooding, debris flows, and water quality degradation pose long-term threats to our water treatment systems and community livability. The WRAP framework that integrates hydrologic modeling, risk assessment, and stakeholder collaboration, will provide a roadmap to address these risks in a coordinated and actionable way.

We are particularly supportive of this collaborative effort, which brings together local governments, water providers, land managers, and community stakeholders.

Funding from The Nature Conservancy will be instrumental in helping meet the required match for the broader WRAP effort and ensuring this critical planning process moves forward.

The Town Council fully supports this proposal and looks forward to continued collaboration with WEP and its partners to strengthen watershed resilience, protect our water supply, and safeguard our community.

Sincerely,

Shari Pierce
Mayor

Sales Tax Revenue Report
Town of Pagosa Springs
March 2026

	Mar-26	Mar-25	Δ	% Δ
Total Town & County (County provided)	1,389,383	1,373,364	16,020	1.17%

Industry breakdown (County provided)

Categories	Difference	%
Construction	(21,601)	▼52.42%
Manufacturing	(10,538)	▼17.12%
Retail Trade	13,410	▲1.65%
Information	1,995	▲6.95%
Finance and Insurance	929	▲61.19%
Real Estate and Rental and Leasing	(7,243)	▼22.68%
Professional, Scientific and Technical Services	7,584	▲52.05%
Accommodation and Food Services	(9,493)	▼3.00%
Other Services (except Public Administration)	2,934	▲13.48%
Miscellaneous	6,373	▲2.90%
Total	(15,650)	▼1.01%

Town distribution (actual received)

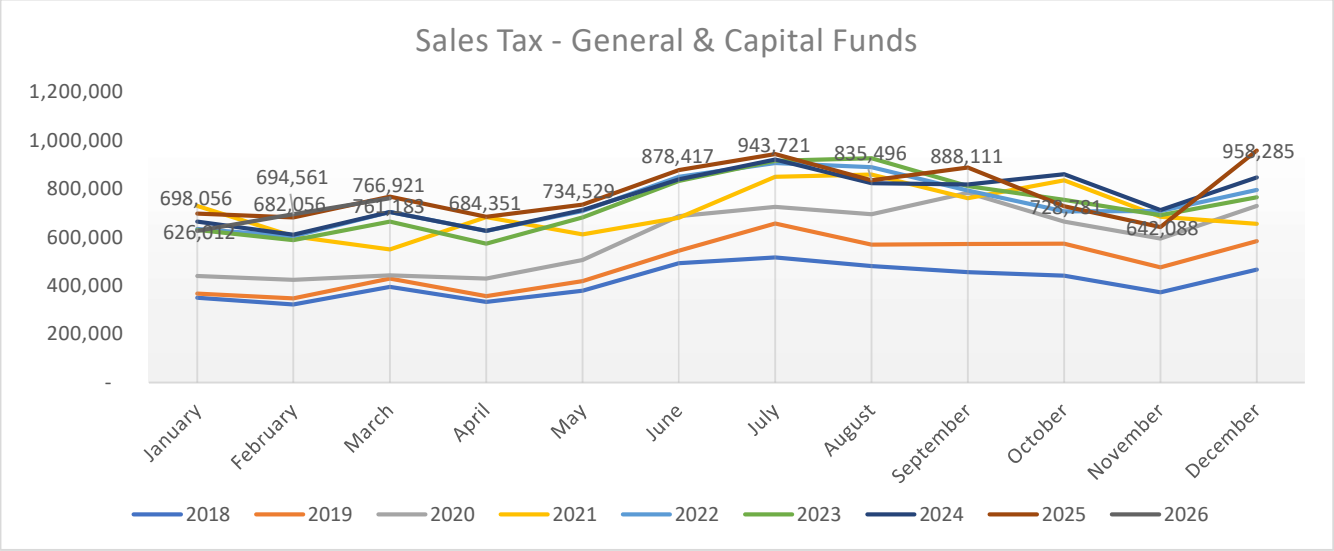
The County and Town split the 4% County sales tax 50/50 with an adjustment made for aviation sales tax which is credited to the County-run airport. Below are actual County sales tax funds deposited with the Town. The Town's portion is split evenly between the General Fund and the Capital Improvement Fund. The new 1% Town sales tax for sewer and the marijuana tax are discussed below.

	Mar-26	Mar-25	Δ	% Δ
General Fund	380,592	383,461	(2,869)	
Capital Improvement Fund	380,592	383,461	(2,869)	
TOTAL	**761,183**	**766,921**	**(5,738)**	**-0.75%**

Sales tax collections for the Town for the past three years has steadied.

	March	
2023	664,583	
2024	703,873	5.91%
2025	766,921	8.96%
2026	761,183	-0.75%

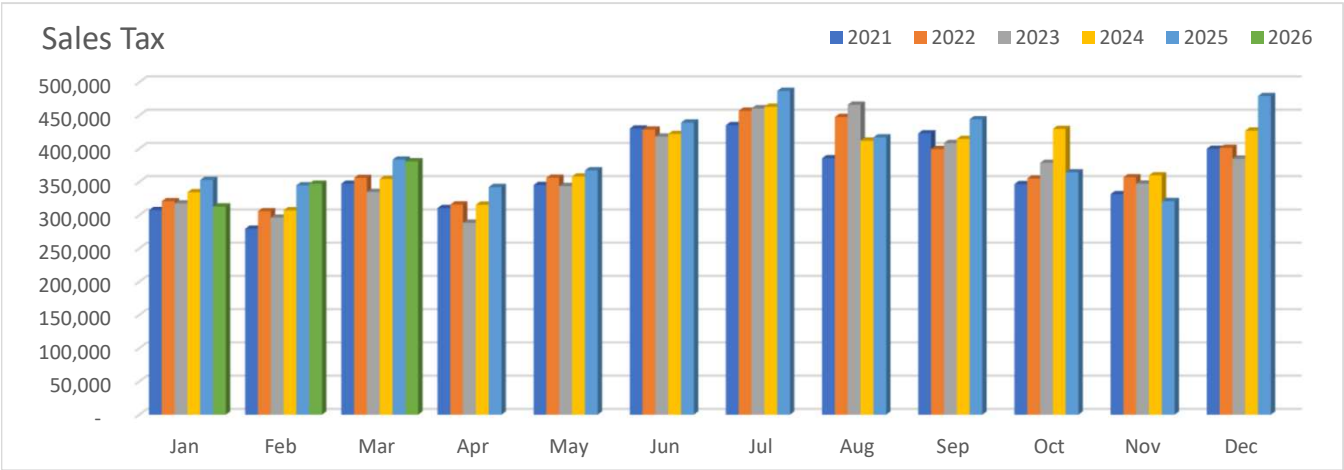
The six year history of the Town's Sales Tax collections is reflected in the chart below, reflecting the stabilization of receipts over the past three years.

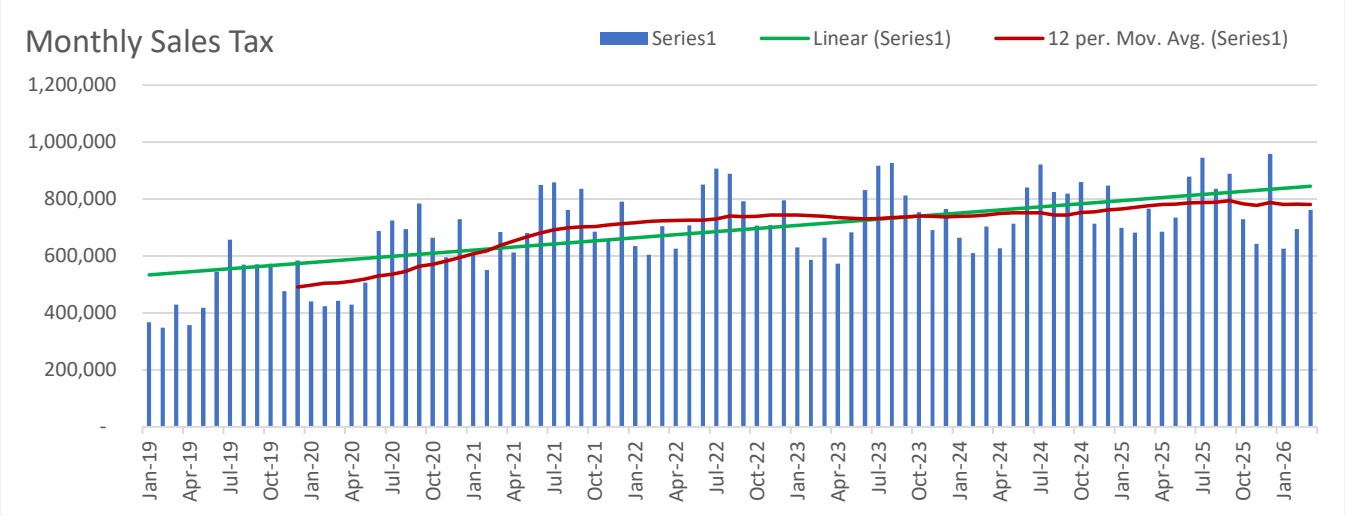


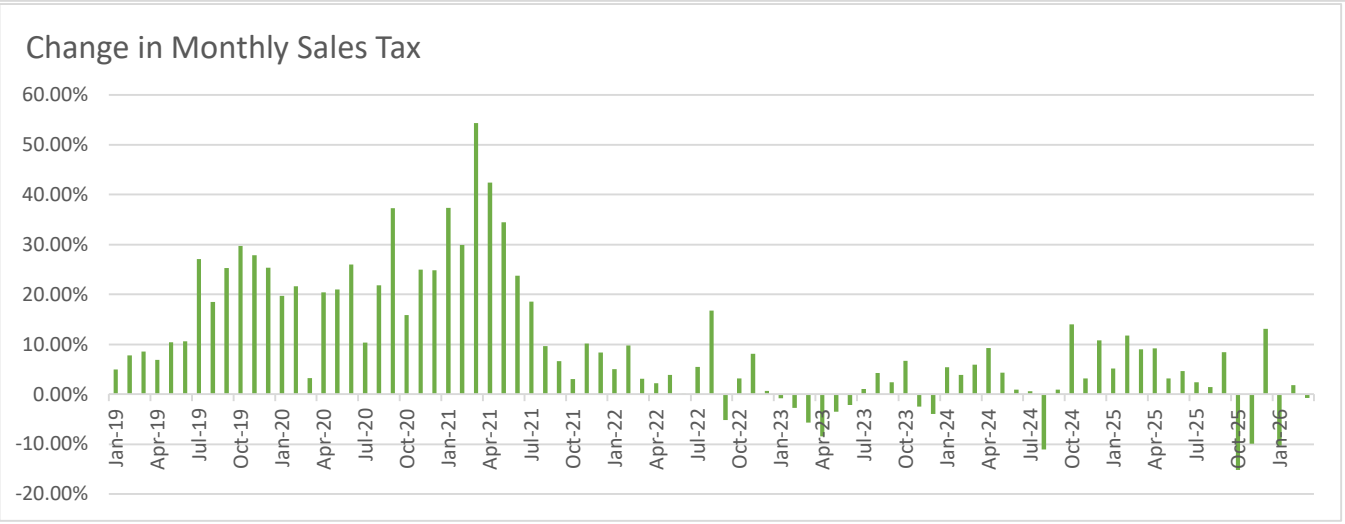
The 2026 change to the 2-year average remains flat. No changes in operations are anticipated.

	2024	2025	2026	% Δ	CPI 2026
January	664,047	698,056	626,012	-10.3%	2.6%
February	610,161	682,056	694,561	1.8%	
March	703,873	766,921	761,183	-0.7%	
April	626,539	684,351		9.2%	
May	712,247	734,529		3.1%	
June	839,367	878,417		4.7%	
July	921,473	943,721		2.4%	
August	823,879	835,496		1.4%	
September	818,895	888,111		8.5%	
October	859,248	728,781		-15.2%	
November	712,691	642,088		-9.9%	
December	847,074	958,285		13.1%	
TOTAL	**9,139,494**	**9,440,812**	**2,081,757**		

Below are three new graphs depicting the Town's sales tax collections. CPI source: Bureau of Labor Statistics




Monthly Sales Tax
Series1
Linear (Series1)
12 per. Mov. Avg. (Series1)
1,200,000
1,000,000
800,000
600,000
400,000
200,000
-
Jan-19
Apr-19
Jul-19
Oct-19
Jan-20
Apr-20
Jul-20
Oct-20
Jan-21
Apr-21
Jul-21
Oct-21
Jan-22
Apr-22
Jul-22
Oct-22
Jan-23
Apr-23
Jul-23
Oct-23
Jan-24
Apr-24
Jul-24
Oct-24
Jan-25
Apr-25
Jul-25
Oct-25
Jan-26

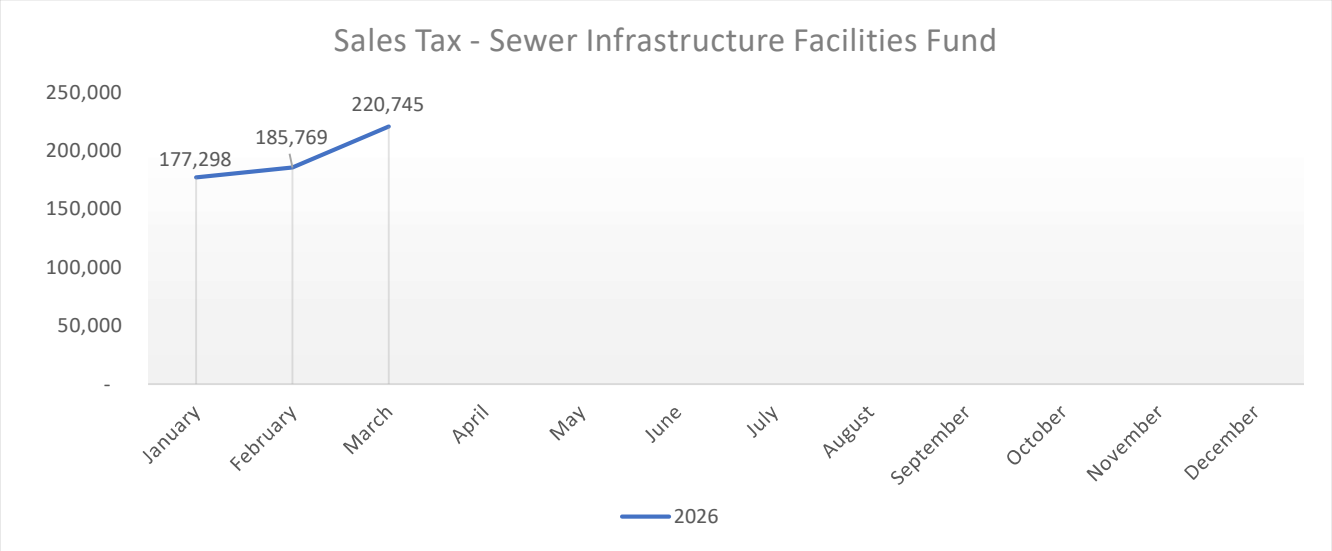

Change in Monthly Sales Tax
60.00%
50.00%
40.00%
30.00%
20.00%
10.00%
0.00%
-10.00%
-20.00%
Jan-19
Apr-19
Jul-19
Oct-19
Jan-20
Apr-20
Jul-20
Oct-20
Jan-21
Apr-21
Jul-21
Oct-21
Jan-22
Apr-22
Jul-22
Oct-22
Jan-23
Apr-23
Jul-23
Oct-23
Jan-24
Apr-24
Jul-24
Oct-24
Jan-25
Apr-25
Jul-25
Oct-25
Jan-26

1% Town Sales Tax

Voters approved a 1% Town Sales Tax on Nobember 4, 2025, effective January 1, 2026, for the following:

• CONSTRUCT, RECONSTRUCT, IMPROVE, REPAIR, BETTER, EXTEND, OPERATE AND MAINTAIN SEWERAGE AND WASTEWATER REUSE FACILITIES TO SERVE THE TOWN, INCLUDING FACILITIES OF THE PAGOSA SPRINGS SANITATION GENERAL IMPROVEMENT DISTRICT, AND

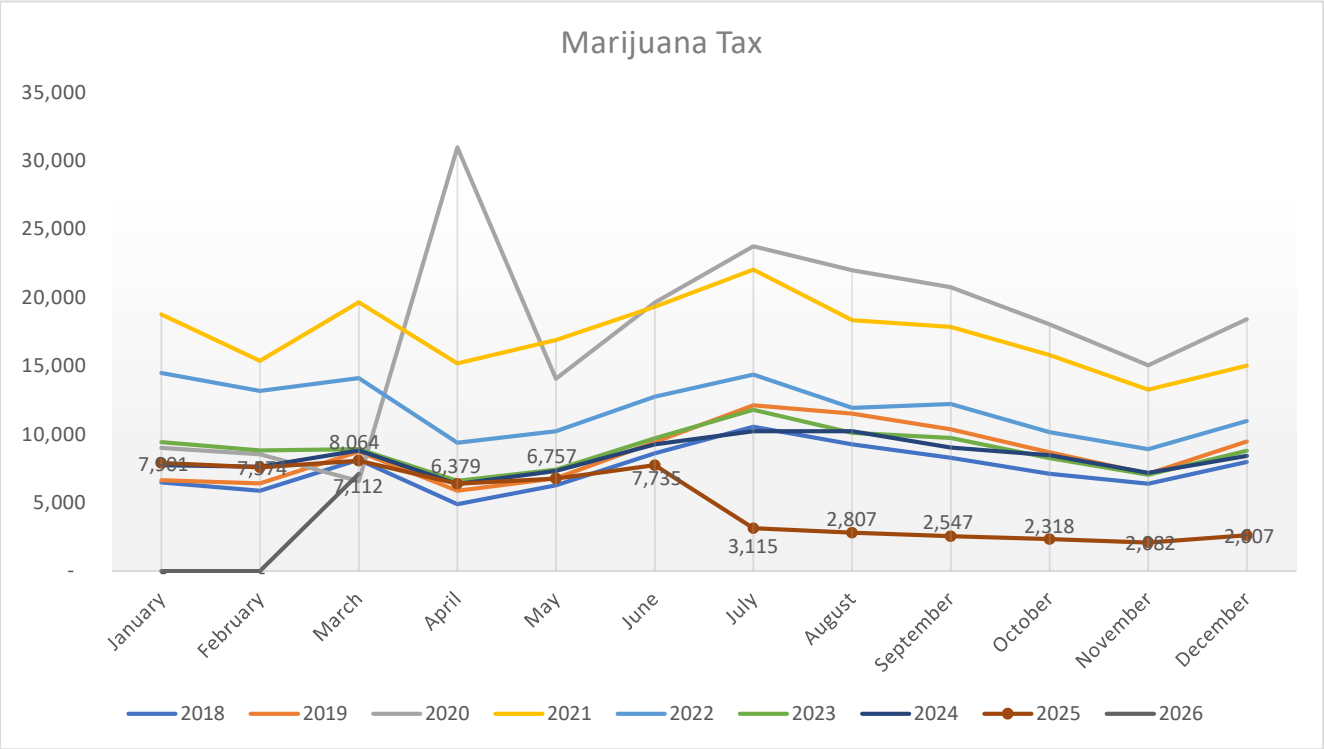
• FUND SUCH PURPOSES, SUBJECT TO ANNUAL APPROPRIATION BY THE TOWN, BY PLEDGING THE REVENUES FROM SUCH SALES TAX FOR PAYMENT OF CONTRACTS, LEASES, LEASE-PURCHASE AGREEMENTS, AND BONDS, WHETHER ISSUED BY THE TOWN OR THE DISTRICT



	2024	2025	2026	0.0%
January	-	-	177,298	0.0%
February	-	-	185,769	0.0%
March	-	-	220,745	0.0%
April	-	-	-	0.0%
May	-	-	-	0.0%
June	-	-	-	0.0%
July	-	-	-	0.0%
August	-	-	-	0.0%
September	-	-	-	0.0%
October	-	-	-	0.0%
November	-	-	-	0.0%
December	-	-	-	0.0%
TOTAL	**-**	**-**	**583,812**	

Marijuana Tax

The six year history of the Town's Marijuana Tax collections is reflected in the chart below. This tax is not longer combined in the Sales Tax numbers above.



	2024	2025	2026	% Δ
January	7,726	7,901	-	-100.0%
February	7,616	7,574	-	-100.0%
March	8,817	8,064	7,112	-11.8%
April	6,355	6,379	-	0.4%
May	7,329	6,757	-	-7.8%
June	9,257	7,735	-	-16.4%
July	10,233	3,115	-	-69.6%
August	10,223	2,807	-	-72.5%
September	9,023	2,547	-	-71.8%
October	8,470	2,318	-	-72.6%
November	7,169	2,082	-	-71.0%
December	8,412	2,607	-	-4.3%
TOTAL	**100,630**	**59,886**	**7,112**	

AGENDA BRIEF

MEETING: Town Council Meeting
FROM:

PROJECT: Other Department Reports
ACTION:

PURPOSE/BACKGROUND:

ATTACHMENTS:
None

FISCAL IMPACT:

GOALS & OBJECTIVES:

RECOMMENDATIONS:

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: April Hessman

PROJECT: Administration Report
ACTION: Information Only

PURPOSE/BACKGROUND:
One Town Council seat remains open and the Town of Pagosa Springs has been advertising for interested applicants to apply.

Staff is currently working with the auditors to facilitate the 2025 audit. The audit is expected to be complete by the end of June. The administration department spends a great deal of time providing documentation for the auditors and having easily accessible items is preferred.

The Stop the Bleed program is being offered to town employees at no cost. Staff also continues to offer CPR/1st Aid to town employees and spouses/significant others.

Staff continues to have monthly gatherings to celebrate birthdays, work anniversaries, and new employees. The core values team works hard to provide opportunities to focus on the Town's core values and put them into action.

Business License Process and MuniRevs:
Staff processes business licenses and sends out renewal notices through the iWorq system. There are 856 active business licenses issued within the Town, and 19 new business license applications under review.

Currently, there are 94 issued vacation rental licenses, one in the application and approval stage, and 17 on the waitlist.

Personnel/Recruitment:
The Town is actively recruiting for the following positions:

- Admin/Records Specialist (Police Department)
- Court Appointed Defense Counsel
- Police Officer
- Public Works Director

Current Staffing Numbers:

- 63 Full-time Positions - 60 Filled
- 10 Part-time Positions - 10 Filled

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: Branden Lattin

PROJECT: Cemetery
ACTION: Information Only

PURPOSE/BACKGROUND:

Hilltop Cemetery Cleanup and Tree Removal Preparation

Project Overview

The Town will be conducting a cleanup project at Hilltop Cemetery the week before Memorial Day. The goal is to prepare the cemetery grounds for Memorial Day visitation, improve the overall appearance of the cemetery, and address safety concerns related to trees that may need to be removed.

Cleanup Work Planned

During the week before Memorial Day, Town staff will be working throughout the cemetery to clean and prepare the grounds. Work will include:

- Cleaning around burial sites
- Raking and removing pine needles
- Removing sun-faded flowers
- Removing glass objects and other items that may create safety concerns
- General cleanup of cemetery grounds and public areas

This work is intended to keep the cemetery clean, respectful, and safe for families and visitors.

Tree Assessment and Removal Preparation

A professional tree care company is scheduled to be at the cemetery on **May 13, 2026**, to inspect and mark trees that are recommended for removal.

The trees will be clearly marked before Memorial Day so the public can see which trees are being considered for removal. The Town will also place a message board sign at the cemetery to notify visitors and provide contact information for questions or concerns.

Tree removal is expected to begin soon after Memorial Day, depending on contractor scheduling and any public concerns received.

Public Notification

To keep the public informed, the Town will use a message board sign at the cemetery. The message will explain that certain trees have been marked for removal and will ask the public to contact the Town with

any concerns before removal begins.

Suggested Message Board Language

CEMETERY TREE WORK
TREES MARKED FOR REMOVAL
PLEASE CONTACT TOWN STAFF
WITH QUESTIONS OR CONCERNS
970-264-4151

Reason for the Project

This project helps ensure the cemetery is prepared for Memorial Day and remains a safe, clean, and respectful place for the community. The tree review is also important because dead, declining, or hazardous trees can create risks to visitors, headstones, benches, fencing, and nearby cemetery improvements.

Council Awareness

No formal Council action is requested at this time. This brief is intended to keep Council informed of the planned cemetery cleanup, tree assessment, public notification, and expected next steps for tree removal.

Next Steps

Town staff will complete the cemetery cleanup before Memorial Day, coordinate with the tree care company on the trees marked for removal, monitor any public concerns received, and work with the contractor to schedule tree removal after Memorial Day.

AGENDA BRIEF

MEETING: Town Council Meeting
FROM:

PROJECT:	Development Department Division Reports - May 2026
ACTION:	Information Only

PURPOSE/BACKGROUND:
Development Department Division Reports - May 2026

DEVELOPMENT DEPARTMENT MONTHLY REPORT

MAY 2026

JAMES DICKHOFF, DEVELOPMENT DEPARTMENT DIRECTOR
PLANNING DIVISION / BUILDING DIVISION / PROJECTS DIVISION / HOUSING DIVISION

Main Street Reconstruction Project
The CDOT contractor has been actively preparing and concrete paving new road surfaces.

The Town has been working with property owners at 456 Pagosa Street for the awning pier foundations to satisfy CDOT's requirements regarding a structure placed in CDOT ROW. The Awning piers are now completed.

Hot Springs Blvd intersection with Hwy 160, Hermosa Street intersection with Hot Springs Blvd and the Overlook Parking Lot will be closed June 1-14. The old abandoned Geothermal Well Head that is in the concrete sidewalk planter along the overlook parking lot will be removed during the same closure period.

FEMA and Colorado Water Conservation Board (CWCB) Phase Two – Floodplain Mapping Updates
The Colorado Water Conservation Board (CWCB) and FEMA have notified us that due to the two government shutdowns and budget/staffing cuts, the phase-two flood hazard remapping is now expected within the next two years, not in April 2026 has originally expected. In the meantime, Project designs will continue to use the existing published FEMA data.

Flood Recovery Efforts
River work will begin behind Town Hall the week of May 18th.
The Development Director continues to work with the Projects Manager in seeking funding opportunities, working with consultants for pricing & designs and prioritizing river corridor restoration projects based on importance and available funding. Kyle Rickert has been managing multiple awarded flood recovery grants and monitoring construction progress of flood recovery efforts.

PLANNING DIVISION, BUILDING DIVISION, PROJECTS DIVISION AND HOUSING DIVISION REPORTS FOLLOW

PLANNING DIVISION MONTHLY REPORT

MAY 2026

KATELYN TUNNELL / OWEN O'DELL

PLANNING DIVISION AND PLANNING COMMISSION:

The Dark Sky Steering Committee hosted a booth at the Earth Day event on April 26, where committee members and staff spoke with approximately 60 community members about Dark Sky initiatives. Overall feedback from attendees was positive, and the event provided a great opportunity for public outreach and education regarding dark sky preservation efforts.

The Planning Commission held its most recent regular meeting on April 14, 2026. During the meeting, acting as the Design Review Board, the Commission reviewed and approved the Sketch Major Design Review for Mattie Mae's Social at 702 San Juan Street. The Commission also heard an appeal of the Director's decision regarding the Neel Plat Amendment application for 144 Wildwood Drive and 505B County Road 600. Following discussion, the Planning Commission voted to affirm Director Dickhoff's decision. The Planning Commission also recommended the appointment of Mr. Matt Nobles to the Planning Commission as a Regular Member for Town Council. Staff has also conducted multiple pre-application meetings for upcoming projects and anticipates several of these applications will be brought forward to the Planning Commission and Design Review Board in the second quarter. The next Planning Commission meeting will be held on May 26th at 5:30 p.m.

The Planning Division staff has issued 6 Outdoor Commercial Establishment (OCE) permits in 2026. In addition, 8 sign permits have been approved. Staff have already begun receiving inquiries from businesses regarding both permit types for the 2026 season. Additionally, Staff has reviewed 7 plat amendments and held pre application meetings for 5 additional amendments. We have met with numerous other citizens pursuing various commercial businesses.

Town Development Staff are continuing preparations for the implementation of the Colorado Wildfire Resiliency Code (CWRC), which was adopted on March 17, 2026, and will take effect on July 1, 2026. Staff continue to participate in ongoing education and coordination efforts with Headwaters Economics to support a smooth transition to the new standards. Manager O'Dell participated in a news story in coordination with Wildfire Adapted and Christi Bodie and also attended the Colorado Resiliency Office's Wildfire Conference. Development Staff attended the Western Matters Conference in Durango on April 24 to further regional coordination and wildfire resiliency education efforts.

CURRENT DEVELOPMENT PROPOSAL UPDATES:

South 6th Street Rezoning: Staff received a complete rezoning application for a portion of Block 40. The request is to rezone 141, 157, 173, 181, and 189 S 6th Street from R-12 to MU-R. The application will be reviewed by the Planning Commission at their May 26, 2026 meeting.

702 San Juan Street, Mattie Mae's Social: Staff received a complete Sketch Major Design Review application for 702 San Juan Street, Mattie Mae's Social. The applicant proposes revitalizing the existing building on site, incorporating new structures as a food hall with indoor and outdoor dining areas. The project is intended to function as a community-centered food and gathering place. This application was approved by the Design Review Board at their April 14, 2026 meeting.

Pagosa West Sketch Major Subdivision Application: The vacant land is comprised of 3 total parcels via the Pagosa Lakes Plaza Minor Impact Subdivision. The applicant is proposing commercial development and residential housing. The application was originally considered at the Planning Commission meeting on March 25, 2025. The application has since been redesigned and was be reheard on the October 28, 2025, meeting. Following the October meeting the applicant withdrew their application and resubmitted it in November of 2025. Staff received an incomplete Sketch Major Subdivision application for the 100-acre vacant land located on the SE corner of S. Pagosa Blvd and Hwy 160. After staff determined the application to be incomplete, an official Application Incomplete Letter was provided to the applicant to better guide them forward, highlighting the required documents that are missing. The applicant has since returned a rebuttal to the application incomplete letter addressing the missing components of the application. The Development Direct has since provided a Letter of Determination based on their response.

209 Harman Park Drive, Pagosa Bible Church: Staff received a complete Final Major Design Review application for an addition to the existing Pagosa Bible Church at 209 Harman Park Drive. The proposed multi-story addition will include a 5,800 SF main level and a 4,200 SF upper level, to be constructed adjacent to the southern boundary of the current building. This application was approved by the Design Review Board at their September 9, 2025, meeting.

140 Hot Springs Blvd., The Healing Waters Spa Resort and Spa: The applicant submitted a Sketch Major Design Review application for the phased redevelopment of the entire property. The Design Review Board approved the sketch concept plan on July 23, 2024. Subsequently, the applicant requested and was granted a one-year extension at the June 24, 2025, Planning Commission meeting.

232 Pagosa Street, Eagle Mountain Mixed Use Project: The applicant has submitted a request for extension of their Final Design Review approval by July 2026 due to the potential conflict with the Main Street reconstruction project. The Planning Commission approved the requested extension on December 10, 2024. There are no changes to the previously approved development proposed.

2911 Cornerstone Drive, Circle K Stores: Town staff have not heard back from the design and construction team in 9 months and are currently uncertain if this project is moving forward.

600 W. Highway 160, Pagosa Views PUD: The applicant has shifted their intent to develop the western property gaining access from Great West. Staff has received an application submission that will be reviewed later this week for completeness.

BUILDING DIVISION
MONTHLY REPORT

PREPARED MAY 13, 2026
From: Tim Hatch, Building Official

Building Division Permitting and Activity

In addition to completing CWRC training, staff attended the 2026 International Code Council (ICC) Conference in Loveland, Colorado, during the first week of March. At the conference, our team focused on high-priority areas including existing buildings, accessibility, legal considerations, commercial inspections, and structural plan review. To further supplement this training, staff also participated in an existing buildings course in Grand Junction, hosted by the Mesa County Building Department as part of their annual training program for builders and designers.

Alongside these efforts, we have begun preliminary training on select updates included in the 2024 building codes. As required by House Bill 2022-1362, we will present to Council our intent to adopt the 2024 ICC codes by the State's deadline of July 1, 2026. However, we recommend delaying full implementation and enforcement of the updated codes until January 1, 2027. This additional time will allow for adequate education and outreach to both staff and the community regarding the significant changes included in the new codes.

In addition, we are also required to adopt the State of Colorado Energy Code. Pursuant to HB 2022-1362, jurisdictions adopting new building codes between July 1, 2023, and July 1, 2026, are required to adopt and enforce the State's energy code. This code includes either the 2021 or 2024 International Energy Conservation Code (IECC), along with the Colorado Model Electric Ready and Solar Ready Code.

It is important to note that failure to adopt updated codes by July 1, 2026, will result in a mandatory adoption of the Colorado Model Green Code. As currently understood, this code would eliminate fossil fuel use in new construction, requiring all new homes to rely solely on electric systems, powered either by solar energy or LPEA electricity, for heating and other energy needs.

To support a smooth transition to the updated codes, we are forming a Code Adoption Stakeholders Group. This group will include representatives from the Development Department, the Pagosa Springs Fire Department, and local development professionals. The stakeholder group will provide valuable input, technical expertise, and assistance in reviewing and recommending amendments to the codes.

Both the Development Department and the International Code Council emphasize that code adoption and amendment should be a collaborative, community-driven process, coordinated with neighboring jurisdictions. Community involvement is critical to ensuring that contractors and builders understand, accept, and comply with the adopted codes. Local professionals also bring valuable historical knowledge and practical insight into regional construction challenges, which can help reduce the regulatory burden on staff.

Ultimately, the Town Council and Board of County Commissioners (BOCC) will make the final decision regarding the adoption of codes and any associated amendments.

Building Department Activity

		Feb	March	April	Year to Date
Building - Plan Review/Permits		5	6	4	11
Building – Inspections		15	14	14	72
Building Permits - Commercial		5	2	2	9
Building Permits - Residential		0	4	3	7
Business License inspection		2	3		
Vacation Rental Inspection		2	0		

Building Permits by Type

Type of permit	**Current Month**	**Year to Date**	**Same period by year**		
	April	2026	2025	2024	2023
Commercial New and Additions	1	2	3	4	1
Commercial Other (Demo/Mech/Solar)	0	3	0	4	3
Commercial Repair/Remodel	1	2	2	3	6
Residential Addition/Deck	0	1	0	3	2
Residential New home/garage	2	2	4	4	4
Residential Other (Demo/Mech/Solar)	0	1	0	6	2
Residential Repair/Remodel	1	0	1	4	1
Total Building Permits	5	11	10	28	19
Total Project Valuations	2,470,085	3,453,337			

Notable Commercial Building Permits and Activity

- Pagosa Bible Church, 209 Harman Park Drive. (Contractor-Don Ford) 5700 sf addition.

- KP Pawn, 140 Country Center Drive. (Contractor-Owner) Full tenant finish remodel for a pawn shop. Nearly complete.

- SoCo 651 W. US Hwy 160. (Contractor-Owner) After the fact permit for structural upgrades to non-permitted work.

- Casa at Two Doves, 320 Hot Springs Blvd. (Contractor -Owner) Phase 2 which includes 5 new structures at 448 sf. each for a total of 2,240 sf. Not much has changed. **We were contacted recently; they want to get the ball rolling again.** We are trying to help them with that.

- Tesla Charging Station, 100 Country Center Dr. (NextGen Electric) Installation of 8 new charging stations in the Country Center Plaza shopping center. Project has started. New curbs, gutter and sidewalks are poured.

- Timberline Apartments, 135 Legacy (Contractor-Watermark Commercial Contractors), Certificate of Occupancy has been issued!!!!

- Ruby Sission Library/Upper San Juan Library, 811 San Juan St. (Contractor FCI Construction) Sailing right along. Should have final inspection on 1st phase/addition soon. Remodel of the existing will begin after phase 1 final.

- Pagosa Peak Family Dentistry, 2737 Cornerstone Dr. (Contractor-Trinity Construction **Fired**) Interior finish work nearly completed. Site work is ongoing. New Contractor brought in to finish the project.

- Walmart remodel, (Contractor-Tristate General Contracting) 2011 Aspen Village Dr. Interior remodel work ongoing.

- 802 Rosita St., (Contractor-Custom Comforts) The structure has received and passed final inspection. A TCO will be issued until the site issues can be addressed. Site work on the retaining walls has not begun. Project was permitted as a Residential (IRC) remodel; however, the correct occupancy is commercial R-2, proposed use is *congregate living,* not single family residential. Revised stamped plans and change of use with a code analysis were submitted.

- Casa at Two Doves, 320 Hot Springs Blvd. (Contractor -Owner) Phase 2 which includes 5 new structures at 448 sf. each for a total of 2,240 sf. Not much has changed. **We was contacted recently, they want to get the ball rolling again.**

- Quality Inn, NO CHANGE, 174 Hot Springs Blvd. (Contractor-Whispering Pines) We have met with the owner to discuss progress. The fastening of the drywall to the ceilings in the existing building has been completed. The addition project in the south building is nearly complete. Working towards getting their final electrical inspection. They will have a little drywall work in a mechanical room and an HVAC unit to trim out and make operational. The owner was informed of potential fees to extend permit.

- Colorado Garden Company, NO CHANGE, 23 Pike Dr. (Contractor-Owners) No change. Many building violations have been corrected or removed. The violations were mostly unpermitted work. Some conditions were high hazard. 750 sf. Deck demo to start soon. TCO was issued. Deck will be closed until it is reconstructed.

- Parish Hall NO CHANGE, (Contractor-Dutton Creek), 451 Lewis Street. Extended the permit.

PROJECT DIVISION MONTHLY REPORT

MAY 2026

October 2025 Flooding Update

Southwest River Engineering has two crews working along the downtown corridor right now. One crew is working around Cotton's Hole on sediment removal and channel shaping. This crew is starting work on the travertine removal at Centennial Park Bridge and sediment removal around that area. The second crew is finishing up at below Yamaguchi South with similar work including embankment stabilization.

The Overlook Embankment (below Tequila's) began construction on April 15th with Southwest River Engineering and they are finishing some final rock work below the Riverwalk before they will be completed. This project removed sediment from below the two in-river grade control structures below the Visitors Center. It also repaired rock deflectors in that area, remove woody debris, and stabilize large rocks along the embankment.

Sediment removal and channel shaping is also complete from between the Hwy 160 vehicular bridge to Riff Raff on the Rio.

Debris removal at the Apache Street Bridge and above has been completed. All woody debris, rock, and sediment have been moved to Yamaguchi South.

Phase one of the Museum Embankment Stabilization has been completed by Southwest River Engineering. Phase two will be completed in conjunction with the 1st St. Pedestrian Bridge later this year.

Funding:

The Town was awarded the CPW Fishing is Fun Grant on April 15th for $103,791 towards the River Center Ponds sediment removal, headgate replacement, and ditch restoration. This grant will be paired with the NRCS EWP flood relief funds to complete this project late Spring/early Summer.

Multiple funding sources are being pursued to help with the repairs and debris removal that are underway from the October 2025 flooding. Below are the current funding sources we are looking into:

- *FEMA*: Initial request denied.
- *USGS-National Resources Conservation Service (NRCS) Emergency Watershed Protection (EWP) funding*: The request for $3.7 million was approved by NRCS at the beginning of December. The Town's portion of the match for the projects that were included in this funding request will be up to $293,777.25. The EWP funding is providing funding for the following projects:
    - *San Juan Historic Museum embankment stabilization*
    - *Centennial Park Bridge abutment stabilization*
    - *6th Street embankment stabilization*
    - *Overlook riverbank & river structures*

    - *Brad Seidel/Day property pond (Pagosa Gateway Project)*
    - *Thames property (Pagosa Gateway Project)*
    - *Fireside property (Pagosa Gateway Project)*
    - *Dredging River Center Ponds and Wetland Ponds*
    - *Log jams behind Town Hall, Apache Street Bridge, upstream of 1st Street Hwy 160 bridge*
- *CO Department of Public Safety, Division of Homeland Security and Emergency Management (DHSEM) Disaster Emergency Fund (DEF):* The Colorado DHSEM has approved to fund a 12.5% match for all projects that were approved for funding by the NRCS EWP funding. The DHSEM DEF program will provide up to a $463,504.75 match for these projects.
- *Nature Conservancy Application for 2026 Drought and Flood Resilience Funding Opportunity for Southwest Colorado:* This grant would help cover the match for the Museum Embankment Stabilization – phase two and the 6th St. Embankment Stabilization if awarded.
- *CPW Fishing is Fun Grant:* This grant was awarded to the Town in April 2026 requesting $103,791.00 for dredging the ponds behind the River Center, replacing the diversion gate, repairing the ditch, and repairing the outfall back to the river.
- *History CO:* History CO was a great ally in the Town's flooding response, providing an emergency grant for $15,000 to help with the San Juan Historic Museum embankment emergency stabilization. These funds will be combined with EWP and DHSEM funding to complete phase one of this project. This will secure the corner of the museum that is currently threatened and provide initial armoring along the embankment to protect against high waters.
- *Southwest Community Foundation:* A quick response was provided by SW Community Foundation, providing a $21,000 donation that facilitated the Southwest Conservation Core to help Parks Staff with debris and park clean-up. Two crews came to town the week of Nov. 3rd and focused on clean-up at Cotton's Hole and the west side of the river above Apache St. bridge. SW Community Fund also approved a campaign to provide up to a $15,000 match for donations received towards the flood relief program. This campaign closed at the end of 2025 and raised $21,300 to help with the Parks Department flood clean-up.
- *CWCB WSRF Grant:* Staff was approved by the SW Roundtable on Jan. 22nd for the request of $100,000.00 to help towards the match for the 6th Street embankment stabilization and the sediment removal at the Donut Hole river feature on the San Juan River.

Yamaguchi South River Improvements Project

The Yamaguchi South River Improvement Project will be starting in May 2026. It aims to enhance stream and river access for recreational and ecological purposes. It will also improve the water irrigation system for Yamaguchi Park, including a new in-stream rock diversion structure with headgate and an open water delivery ditch to an adjacent wetland pond that will be used for irrigation water storage and wetland pond habitat. The Town has secured funding for this project through grants from the Colorado Water Conservation Board (CWCB), Southwest Water Conservation District, Archuleta County, and Town matching funds.

Surveys, biological assessments, 100% designs plans, and final project budget estimates have been completed to date. Two public meetings have taken place and comments received have been used to inform the final design.

Middle School Sidewalk Improvement

The Middle School Sidewalk replacement is complete and the final reimbursement for $250,000 has been received by the Town.

1st Street Pedestrian Bridge
The Field Investigation Review (FIR) is scheduled with CDOT for June 2026 to review the 30% plans from Davis Engineering for the bridge abutments and river trail connection. Southwest River Engineering will be designing and installing the phase two of the embankment stabilization using large rocks, similar to the phase one that is now complete.

After the recent flooding, staff is working to expedite the installation of the Pedestrian Bridge to accommodate for the installation of the sanitary sewer pipe that will be moved over from the vehicular bridge after it is installed. After all issues are addressed in the plans and finalized, we will be submitting a 25% down payment to BCS Fabrication to initiate the Pratt Truss style bridge fabrication. This expenditure is anticipated to occur in 2026.

Pagosa Gateway River Project
Spring 2026 Planting is completed for the corridor and caging is underway with Mat Wolford's 7th grade class with partnership from San Juan Mountain Association. Construction for the project has been completed with contractor Flywater, in partnership with the Town and the Upper San Juan Watershed Enhancement Partnership (WEP), for the two-mile stretch of the San Juan River. Additional funding through the NRCS - Emergency Watershed Protection (EWP) and The CO Office of Emergency Management helped complete the revisions of the project that were reevaluated after the October 2025 flooding. There will be additional vegetation work that will be completed in the Spring of 2026.

The Pagosa Gateway Project, aimed at enhancing the river ecosystem and improving water quality, started at the beginning of September, under the oversight of (WEP). FlyWater, has obtained permitting, a riparian health assessment, river surveys, endangered species surveys, cultural resource survey, identified and pre-ordered a portion of the required containerized plantings, organized meetings with all property owners along the project reach, and concluded three public comment periods.

This project's design was based on the inclusion of improvements received during three public comment and engagement opportunities. In an effort to include all improvements without reducing the scope of the project due to the limited budget, staff applied for and was awarded an additional $292,222.00 from the Colorado Water Conservation Board, utilizing existing grant awards for required matching funds to cover the expected additional estimated cost. The project has already utilized the Town's obligated $54,000 match for this project.

As part of the requirements for the Colorado Water Plan (CWCB) Grant, WEP, in partnership with the Town, has selected a bid for Barr Engineering to design and implement an environmental monitoring plan for a five-year period. This portion of the project will commence before the beginning of the construction slated to start in September 2025. Barr Engineering's proposal for the monitoring was $87,800 and will be covered by the Colorado Water Plan (CWCB) Grant. Fish monitoring will also take place every other year by Colorado Parks and Wildlife as part of the monitoring requirements.

1st Street Lift Station
Projects Staff is working closely with Sanitation and Roaring Fork Engineering to apply for loan and grant funding through the Department of Public Health & Environment for the 1st Street Lift Station design-build. CDPHE has approved a $10,000 planning grant and will be applying for a $300,000 Design & Engineering Principal Forgiveness Loan as well. The loan will cover the design & Engineering and construction of the lift station in 2026/2027.

River Park Project
The phase one boat ramp has been constructed at the new river park by Southwest River Engineering. The next public meeting will take place June 30th at 5:30 pm at the Community Center – West Conference Room.

Prior to this the 30% Design Plan Meeting was held December 11th at the Community Center and had a great attendance by the local river community. The initial boat ramp and final conceptual design for the park were discussed and many comments and questions were made. It was decided that the initial boat ramp would be in place by the Spring 2026 runoff and the next 60% design meeting would be held after the river season in early Summer.

The primary purpose of the first phase of the project is to develop a multi-phase conceptual design for the park and phase one portion of the construction. Phase one will include removing existing structures, cleaning the site, design improvements, constructing boat access, minor parking improvements, and potential landscaping. This phase is anticipated to start before spring 2026 runoff. Phase two is anticipated to include the construction of restrooms, changing rooms, shade structures, and paved parking. Phase three is anticipated to include construction of the riverwalk trailhead with additional educational signage and riverwalk connectivity to the existing ADA-compliant paved trails upstream and downstream, a handicap accessible fishing pier, and final landscaping treatments. Initial funding for the 4.315 acres land purchase and phase one of the project was provided by the Land & Water Conservation Fund (LWCF), GOCO, the Town, and Archuleta County.

Town-to-Lakes: 10th St to Great West Ave
The Town was awarded Congestion Mitigation and Air Quality (CMAQ) Improvement Program funds for the design and construction of the Town to Pagosa Lakes Trail segment, spanning from 10th St to Great West Ave. These funds were granted as part of the last available funding through the CMAQ program in late 2019, as the CMAQ program no longer exists. The Town was awarded $662,320 in funding with a local match obligation of $137,680. This project involves the design and construction of a twelve-foot-wide concrete non-motorized shared-use path between 10th Street and Great West Ave.

The Town was unfortunately not selected for the Colorado Parks and Wildlife Non-Motorized Trails Grant that was applied for in October 2025.

Pagosa Views bears the responsibility of completing the construction for this section of trail currently, but revisions to their contract would be made to have them responsible for a fee in lieu if timely coordination with the project is not made.

Site surveys are completed, and trail design and engineering is currently on schedule to be at 100% in 2026. A Field Inspection Review (FIR) meeting has occurred with CDOT to review the 30% design plans and seek direction from CDOT for plan revisions. Staff and our consultant will use CDOT's feedback to inform the subsequent design considerations. Construction may commence during the 2026 construction season. This project is funded with federal funding, thus progress will be determined on the continued availability of the awarded federal funds.

San Juan Historic Museum
The Town has applied for the April 1, 2026 competitive round of general funding through History CO for $132,000 to replace the Water Treatment Plant roof and complete the south retaining wall stone façade from the previous project funded by History CO. The proposed work will replace the membrane on the historic Water Treatment Plant roof and structural reinforcement of the rafters and metal beams inside

the building. It will also include completing the stonework on the existing retaining wall on the south side of the Rumbaugh Stone Arch Bridge.

Town Staff has applied for the Fieldworks grant through Building Common Ground April 1, 2026. This planning grant would support staff and cover costs for organizing public input towards the vision for the Historic Pagosa Springs Water Treatment Plant and Rumbaugh Creek Stone Arch Bridge property. If awarded, the planning process would help with their support in Fall 2026.

Regional Workforce Center

The Regional Workforce Center design is underway with Oz Architecture. BUILD Pagosa is working closely with the Town, School District, and other area stakeholders to develop the plans for Fall 2026 construction.

The Town of Pagosa Springs has been awarded $600,000 in Community Development Block Grant funds through the Department of Local Affairs to support the construction of a Regional Workforce and Technical Training Center being managed by Build Pagosa. This new facility will be located on property owned by the Archuleta School District and will serve as a resource for the school district and regional partners. It will be equipped to provide technical training in a variety of trades, contributing to the development of the future workforce. The design phase of the project is underway, with construction to start later that year. Build Pagosa has selected firm OZ Architecture for the RFP for design & engineering.

HOUSING DIVISION MONTHLY REPORT

May 2026

FROM: JEFF SAMS, HOUSING COORDINATOR

Housing Action Plan (HAP)

The Housing Needs Assessment was completed and adopted by both the Town and County. It showed a need for 362 Units to catch up with current demand and a total of 1316 units needed by 2035. For the month of May we are doing individual interviews with each of the Strategy Group Members. This gives an opportunity to dive deeper into their particular area and gives them an opportunity to speak individually. These have produced great information that we can consider when making the draft of the plan.

Workforce Housing Guidelines

The Workforce Housing Guidelines drafted by Jennifer Kermode of Kermode Consulting, LLC continue to progress. We completed our stakeholder work sessions on March 17th and 19th. Key stakeholders attended those with representation from the Town and County. There was great progress made towards identifying key goals around workforce housing to guide the completion of this document. The purpose of the Guidelines is to provide direction for deed restricting units based on the totality of public incentives provided to individual housing projects, ensuring long term affordability of workforce housing units. The Guidelines will be referenced by Town and County officials, Other Government Agencies (including state agencies and those working on Prop 123), Developers, those looking for housing, etc. Reviewed final draft with the Town and County representatives. There was agreed upon changes to the format and those will complete the document so it can be presented to Town Council and the County Commissioners at a joint work session.

Projects Underway

- Timberline Apartment LITCH project located at 135 Legacy Drive next to Walmart with 50 units. Following the completion of this project, the developer is planning on submitting a LIHTC application for a second project of 50 units as well. The projected rental range is broad, which helps us hit multiple income ratios in the lower income brackets, with units serving 30%-80% of AMI (averaging below 60% of AMI). They are currently over 90% full and have started a waiting list for the AMIs below 60%. I was able to tour last month with Shirley Diaz with the Division of Housing and the units and property look great.
- **Phase 1 CDC Chris Mountain Work Force Ownership Housing.** The first two houses closed on February 20th. We have sold an additional 2-bedroom home in May, and one 3-bedroom home was also sold in May. The last 3-bedroom home closed on July 24th, and another 2-bedroom home is under contract and closed on October 9th. House #7,8 and 9 have sold. House #10 is Under Contract and scheduled to close in June. Phase 2 is underway, and 4 of the 5 houses have finished drywall work. Town Council and the County Commissioners approved funds to be put towards PAWSD Tap Fees. This will keep these homes affordable and in compliance with the grants that have been utilized.

Potential Developments

- Pagosa Views is still working towards submitting subdivision applications to get their project approved. Recently met with them and Emily Lashbrooke to review their needs to get the project started. The infrastructure costs are their big focus as those costs are making the project more difficult. No updates from the owners on this project.

- Servitas continues to work on finding a financial model that works. In recent conversations their focus is removing more liability for the town which will require additional funding sources. No updates from them on a financial model that could work.

- Colorado Outdoors, LLC is moving forward with their proposed middle income (60- 140% of AMI) apartment rental project east of the Pagosa Springs Medical Center. The Town received a $2 million DOLA More Housing Now grant that will be used towards the costs of the public infrastructure needed to serve the housing project. Co Outdoors did receive Sketch Approval from the Planning Commission on October 27th. After that, they withdrew their application but have already resubmitted it with a complete application. They still need to go before the planning commission again for Sketch Plan Approval which should be scheduled soon. No recent updates.

- Looking at other construction options for Single Family homes in Chris Mountain for future Phases. Meetings with Vederra Modular to review options and pricing to see how that would fit for a housing project. Working towards some final pricing to give a full review of the project and compare it to traditional construction. Other alternative building methods are continuing to be reviewed to reduce construction costs and increase eligibility for Grants and other funding options. Clayton homes was also engaged to review options for Phase 2B. Fading West has also submitted quotes for Phase 2B. Both are being reviewed for future options. We are still pulling together quotes for a general contractor for the phase 2B.

- Met with a new developer that owns property in Archuleta County, and they would like to build approximately 70 units. They have some preliminary drawings of a 10-building apartment complex with a mix of unit sizes. They are still in the initial design phase but working towards a final plan and identifying what grants to pursue. I have continued to meet with them to review options. They are focused on Private funding at the moment, and they would still like to break this year. I received an update prior to Thanksgiving stating they were still working on financing which makes it unclear if they can break ground next year. Still no updates on funding for their project. Scheduling a meeting with them to review what it will take to move the project forward.

Other Work in Progress

Continued attendance at meetings with Region 9, DOLA and other Prop 123 groups to stay abreast of current programs, funding opportunities and successful housing project examples It helps to keep up with changes and what is going on in the industry. There are frequent meetings and presentations to review grant opportunities and requirements for current state initiatives that involve housing.

Continued attending C.A.S.T. (Colorado Area Ski Towns) Housing Task Force Meetings. This group has had a big focus on Workforce Housing. They have been working on housing initiatives such as the Empty House Tax, STR Fees, Use of Sales tax, etc. to address Affordable Housing. The bills they sponsored have not move forward,

only our locally sponsored bill has been signed by the governor. This increase the AMI to 120% for buyers which has been a missed market that we need to fill.

Continue to review alternative construction methods, mostly focused on modular construction. This includes some regional builders and local General Contractors. Another company with a similar product out of Delta has also reached out. We have also had additional inquiries from other "innovative" Construction companies. A modular builder out of Oklahoma has discussed options to provide affordable housing. They have a local general contractor that they work with. There is also a local general contractor that has approached us to use SIP Panels for construction. They work with an out-of-state supplier to ship them here.

Attended the Colorado Mountain Housing Coalition Conference in April. Several good presenters and good information about future funding for affordable housing. Their focus was on resiliency and as part of that, I toured a community that has homes 3D printed on site. These concrete homes have are designed to be very resilient to different conditions, including wildfires. I hope to receive some costs from them to review what it would take to build in Archuleta County.

Working on completing requirements to have the town certified as an ADU Supportive Jurisdiction with the state. All information on codes, waivers and other requirements has been reviewed and discussed with representatives at the state to confirm compliance. The goal is to be eligible for additional funding and add additional rental units that would fit our workforce. The application has been submitted and initial review by the state has been good, so I can now complete final report to have the Certification. There are a couple of recommended code changes to review and implement if approved. Once completed, I can start the process for the county. This will be further reviewed as there will be some code changes required regarding the size of ADUs. The ADU Grant is opening up again soon and attending meetings to gather information necessary to promote ADUs in the town and county.

AGENDA BRIEF

MEETING: Town Council Meeting
FROM:

PROJECT: Lodging Tax Report
ACTION:

PURPOSE/BACKGROUND:

TOURISM BOARD MEETINGS

The Tourism Board held their recent meeting on Wednesday, April 8th, at 3pm. The May 13th meeting was canceled. Draft meeting minutes from the April meeting have been included in the packet for review.

TOURISM BOARD INFORMATION

The Google Drive folder featuring all materials related to the Tourism Board continues to be updated. The folder includes a variety of information, such as meeting minutes, contact information, brand overview, marketing plan, budget, research, bylaws, data, statewide research, mission statement and much more.
https://drive.google.com/drive/folders/12Cy6vSyq_8oF5_nEMsG0tfe8aZgPV3Hu?usp=sharing.

LODGERS TAX FINANCIAL REPORT

Town lodging tax collections are due on the 20th of each month, following the month of collections. Town collections have been lagging with multiple payments outstanding for December (1), January (3), February (5) and March (8). No County collections have been received in 2026 yet. The full detailed report is available through Google Drive:
https://drive.google.com/drive/folders/1VCvv4F3PFIixRkzwkXxmdAMoVS-9Ksrp?usp=sharing.

BLUE ROOM RESEARCH

The most recent report from Blue Room Research is included in the packet for review. It is also in the 2026 data folder in google drive. Additionally, the Colorado Tourism Office has access to broader data on statewide impacts due to lack of snow during the 2025 / 2026 winter season. Those reports have been included as additional reference.

VISITOR CENTER UPDATE

The Visitor Center lobby is open 7 days per week from 10am to 4pm. We aim to be open 362 days a year, closed only on Thanksgiving, Christmas and New Years. The visitor center is currently not fully staffed, after the departure of one part-time person who left for full-time employment. At this time, existing staff is filling in gaps to ensure we remain open 7 days / week, until we determine if another staff member is needed.

SOCIAL MEDIA UPDATE
Facebook - www.facebook.com/visitpagosasprings: 43,707 followers
Instagram - www.instagram.com/visitpagosa: 28,856 followers
Twitter / X - www.twitter.com/visitpagosa - 2,180 followers
Youtube - www.youtube.com/visitpagosa - 2k+ subscribers; 6,487,362 video views
TikTok @visitpagosa - 4,434 followers, 25.2k likes

All detailed social media data can be reviewed on Google Drive by month: https://drive.google.com/drive/folders/1U7dqMzDtkH4YsLLSVySGWHeQqe1Qb1Fw?usp=sharing

Paid Meta campaigns currently running include: (1) event carousel with spring / summer 2026 events, (2) Spring Video and (3) Campfire Dousing PSA. Content is evaluated based on performance and educational needs and adjusted accordingly.

RECENT & UPCOMING PROMOTIONS
The proposed 2026 Marketing Plan and advertising schedule can be found at: https://drive.google.com/drive/folders/1helnoOme7T3Jfx4dDSIYs06j_r_grR4N?usp=sharing. The schedule is updated as changes occur.

Creative for Texas Monthly and 5280 campaigns have been submitted. All spring ads continue to run through the end of May. Staff continues to monitor all active campaigns.

2026 CTO MARKETING GRANT
Work on the 2026 grant has begun. The video storyboards for 0:30 and 2:00 options have been developed. Once the videos are created and approved by all parties, paid META and CTV ads will begin. We are doing CTV ads through Orange 142 on Amazon. Director negotiated added value of $20k for the campaign. The $30k investment (approved in the grant application) will provide 769,238 impressions. Additionally, we will host Heidi Kerr-Schlaefer to write an article on the Trail.

2026 CTO TOURISM MANAGEMENT GRANT
We were notified by the State of Colorado that work can begin on the Tourism Management grant after May 1st. We held a kick off meeting with CTO staff on March 24th. Staff has been working to get quotes for river kiosks and review options with Parks & Rec. Staff will organize stakeholder meetings with various parties to review wayfinding plan and formulate next steps. We have until April 2027 to complete the project.

CTO MARKETING SUMMER CO-OP PROGRAM
We were notified on April 13th that our application was accepted for the CTO summer co-op program. This program is a competitive grant-like process where we have to supply creative assets, images and videos for consideration. The campaigns will begin on May 1st. A $20,000 investment results in over a $50,000 media buy. We did delay the social media dark post component as we had a laptop issue preventing from editing videos during a very short turn around time. We opted to hold off until August in order to have ample time to provide creative. There will not be a fall CTO co-op due to FY 2027 statewide budget cuts.

PRESS & MEDIA RELATIONS

The proposed PR strategy has been added to the 2026 Marketing & Advertising Plans in google drive for review (https://docs.google.com/presentation/d/1Tx3-sOmfUHjo94DerkrD9GPWuzcnSV1SqLqZLskHEc0/edit?usp=drive_link).

We continue to keep track of scheduled media hosting and all media placement in the following spreadsheet: https://docs.google.com/spreadsheets/d/1d1pXYOK_IUk6dxSps9b9GRvNJ2_-4UNh5XLrVzFIs2g/edit?usp=sharing

Director met with PR team in Denver on Friday, April 10th, in advance of the Denver Travel & Adventure Show. We jumped on a recent opportunity to be considered for an upcoming TODAY show travel feature. The PR team has a lot of interested media for hosting, however staff is carefully evaluating opportunities to maximize budget, given costs to host and expected increased travel expenses (airfare / gas).

SIGNAGE

Staff completed an inventory of existing VPS-created signs. We have multiple different sign projects in the works with the Town and County. Award notification for the CTO Tourism Management grant was received on March 5th, which will provide funding for the new community-wide wayfinding plan and three (3) river kiosks. The goal for 2026 is to create a less staff-heavy process for signage by creating specifications for design, vendors ready to assist and a simple approval process for others to expand on signage efforts, while adhering to the established look and feel.

Staff is working on replacing signage on the Visitor Center and the marquee sign on Hot Springs Blvd. Notable sun damage had deteriorated the signs. Town Staff recently rebuilt the rotting sign structure for the marquee sign replacement.

EVENT TRAILER

Director worked with Mike Torres to add the County logo to the event trailer. Lodging tax funds paid for this out of the signage line item for 2026.

AMBASSADOR PROGRAM

The CTO Pagosa Learning Labs module for Pagosa is well underway. We were awarded this free opportunity through a CTO grant competitive process to create an online training module for front-line employees. We expect the training module to be live in July. Director met with Mission 2 Market on Monday, April 13th in Denver metro area to discuss various projects. The CTO is expecting a lot of local promotion of the new online module once it is available. We will have a large Ambassador Program re-launch once the online module is live.

PARTNER WITH US UPDATE

Staff recently updated the "How to Work with Us" brochure and materials. A new Industry Partners section has been added to the website at https://visitpagosasprings.com/partners as we roll out the new How to Partner with Visit Pagosa overview for area businesses.

RESTAURANT INFO FOR GROUPS

Hosting groups of more than 10 people for meals can be a challenge in Pagosa. Staff recently created a new "living" spreadsheet to assist when requests are received for groups and meetings. We will keep this updated as information is received or changed: https://docs.google.com/spreadsheets/d/1tXxVe3u9qw5jUAZLZIqv_gMnr2rvTUws_t_-

D1PxNCk/edit?usp=sharing

EVENT FUNDING

The Board has reviewed and approved two rounds and 25 funding requests for 2026. Attached is the current spreadsheet tracking funding. There is $12,795 remaining in 2026. However, we were recently notified that the Chamber Grillin' & Distillin' event will not occur in 2026, which returns $1,660, providing $14,455.85 in event funds available for a 3rd round of funding.

ATTACHMENTS:

1. Draft Minutes_04.08.26
2. Visit Pagosa Springs - Research Update - March 2026 Review
3. Winter Data 2025_2026 - PS
4. 2026 Event Funding_May

Town Hall 551 Hot Springs Blvd
Pagosa Spring, CO 81147

MINUTES

Pagosa Springs Area Tourism Board Meeting
April 8, 2026 @ 3:00 PM

A regular meeting of the Pagosa Springs Area Tourism Board was called to order on April 8, 2026 at 3:00 PM in the Town Hall 551 Hot Springs Blvd.

BOARD PRESENT: Shane Prince, Shane Lucero, Austin Marchand, John Ranson, Amy Johnson, Stuart Scull, Jesse Hensle, Rosanna Dufour

BOARD ABSENT: Gary Williams

I. CALL MEETING TO ORDER

II. ROLL CALL

III. DISCLOSURES AND/OR CONFLICT OF INTEREST

Board Member Hensle said he will recuse himself from voting on event funding for Hot Springs Fest and Pagosa Paddle because the Springs Resort is his employer and they are also a sponsor for Pagosa Paddle. Board Member Marchand is on the Chamber Board and will recuse himself from voting on event funding for the Chamber of Commerce events. He is also a past sponsor for 84 Ranch Ag Fest so he will recuse himself from that vote as well. Board Member Dufour has a conflict of interest because she is on the Main Street board and will recuse herself from all event funding discussion and voting for this round. There will be further discussion on COI later in the meeting.

IV. PUBLIC COMMENT

There was no public comment.

V. CONSENT AGENDA

1. Approval of the March 11th Meeting Minutes

Board Member Lucero moved to approve the March 11, 2026 meeting minutes, Board Member Johnson seconded.

VI. REPORTS TO BOARD

1. Financial Report

April Hessman, Finance Director said the Board packet included financials through the end of March. Everyone has remitted taxes for the first quarter for the town's lodgers. They have not received the County's yet.

2. Chair Report

No Chair Report.

3. Director Report

Director said staff updated the How to Work with Us overview. It is now called How to Partner with Visit Pagosa Springs. We added a page with information for businesses to sign up for emergency alerts through the town and county. We have added an Industty Partners footer to the website where this information can be found. We have also added a footer for press and media based on recommendation from the PR team. For Lodging tax, what is showing in revenue is just what has been received. We are still missing quite a few payments for January and February and a couple in December. Sales tax is also lagging a bit and that is why there is not a new Blue Room report. Director will send reports to the board when that information is received.

4. Chamber of Commerce Report

Board Member Marchand asked how the historical amount funded is calculated on the event funding spreadsheet. For the Chamber of Commerce it showed $88,000 but they were legacy events. They have not gotten funding for those as a board. They would like to see it broken down by event. Director said it is the aggregate of all Chamber events on the spreadsheet. The historical amount is updated yearly and is a rolling number. The amount has been verified with the finance team. It is not broken down by event but she can get the breakdown report with the 17 years of history.

5. Board of Realtors Report

Board Member Johnson said these stats are for March for single-family homes in Pagosa. The average sold price was $765,472. That's down 11.6% year-over-year. There were 24 homes sold in March. That's up from last year, there were 21 last year. Average price per square foot was $356. Last year, it was $398. There were 62 new listings in March, compared to 47 last year, so we definitely have more on the market. In March, there were 154 total active listings, and our supply is sitting at about 6.5 months.

6. Lodgers Association Report

Board Member Hensle said they launched their first Lodgers Demand Survey with 8 of 15 locations responding. The group represents 87% of all lodging rooms. When asked about occupancy in March versus last year, 87.5% of the respondents said that it was below last year. When asked about length of stay in March versus previous year, 62% of the respondents said it was shorter. When asked about current month pacing, 100% responded they were pacing behind last year. When asked about pacing for the next 8 weeks, 100% said they were behind pacing from last year, with 62.5% saying that they were well behind pacing from last year. When asked about 3 months looking forward, 100% said that the business is currently much weaker or slightly weaker than it was year over year. When asked about a booking window, 50% said that currently their guests were coming within a 7-day window. When asked about confidence over the next 90 days, 100% were concerned or very concerned with booking pace for the summer. Key takeaway is that not a single respondent reported occupancy, pacing, or forward-looking bookings equal to or above last year. Every metric was negative. Mr Hensle said they sent an email out yesterday to their entire database of 250,000 people, with a response that quickly came back saying "We are looking to book rooms from April 20th to April 23rd. I heard you had severe flooding last year. Are all of your pools and premises fixed yet, or are they in working order yet?". So we're still combating this flood, a perception that's been going, so doing what we can to combat that will be important. This year is being termed the summer of the staycation so we should be thinking about that as we're adapting our marketing, and putting our ads out for summertime, and what we can impact. The lodgers would also like to say thank you for adding in the March metadata. It's nice to see some reporting on our media impact. Notably, the click-through rates are great. What can we do more with that? Are we spending enough to pace sufficiently to move summer demand when we're already seeing that we're behind? Looking at the metadata, the spend is not equal to the budgets, so that causes some concerns for us. Director said the spend is just for the month of March. The budget is for the campaign itself. Mr Hensle said what is absent from the Lodgers Association's view is no cumulative spend dashboard in the packet rather than the google drive, no stated performance goals against campaigns, and no conversion data from this meta-report that connects to 18,500 link clicks to any consumer or visitation in the area. He said the Lodgers have four recommendations: #1 - Can we review the Q1 campaign performance so that we can inform summer marketing decisions? The board currently has no visibility into media performance. It would be nice to see staff present at the May meeting a full Q1 review covering what campaigns drove the most qualified traffic, and the specific recommendations for Q2 based on that performance. #2 - Present recommendations based on that data to lean into the staycation trend. The larger survey confirms what the national travel research is showing. Travelers are making last-minute decisions. Staff should bring to the May meeting concrete Q2 strategy recommendations that reflect this shift, including how

the budget should be redeployed to short-term booking lead times that we're experiencing, and to maximize our impact in Denver and Albuquerque drive markets. #3 - Create a monthly media dashboard as a standing board packet item. It should track 1. Performance against pacing of planned spend so that we don't have the discrepancies noted here. Cumulative budget versus last year to today. 2. Campaign performance metrics, like benchmarks, click-through rates, and CPC. 3. One metric tied to visitors coming to Pagosa Springs. This dashboard should cover all funds being spent on external advertising. Google Drive is not a reporting metric or reporting place. Lastly, to help combat this flood story that keeps going, we could direct BPR to prioritize storytelling that addresses flood perception in our key markets. Negative coverage on the flooding area around Pagosa Springs is an active barrier to our bookings. Director said a lack of snow has certainly been a factor in all the western U.S. Director was on a webinar this afternoon with the Colorado Association of Destinations, and Tim Wolf, the Executive Director of CTO and combined Colorado and Utah. They said occupancy was down 23% in January in Colorado and Utah, and 19% in February. Director is going to the Denver Travel and Adventure Show this weekend to talk to roughly 11,000 consumers and make sure everyone knows that Pagosa is still here, regardless of the flood coverage.

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

1. County-Wide Parks & Recreation Presentation

Darren Lewis, Parks and Rec Director, Amanda Gadomski, Rec Supervisor, and Bob Milford with Pagosa Area Recreation Coalition were present to give the board an update on the future of Parks and Rec. Mr Lewis said they are looking to create a sustainable revenue stream that we can leverage for grants that can help recreation on a county-wide basis. The Town currently has a $2 million budget to provide recreation for everyone in the county for parks, sports, and trails for locals and tourists. They have spoken at a recent Town/County work session looking for collaboration between the town and county. The county doesn't have a Parks and Rec dept but there are recreational needs in the county they would like to help work on. The county has a conservation trust fund that they receive about $175,000 yearly that can only be spent on parks and recreation. The town receives about $20,000 yearly in conservation trust funding. That comes from the lottery from the state and is based off population. The county gives the town $60,000 of their fund to help offset the town's recreation budget. Mr Lewis said they would like to see the county and the town each contribute for example about $50,000. For the town to come up with the difference, they could possibly increase the lodging tax by 0.25% or reallocate lodging tax. Nothing has been discussed and there have been no decision made by town council but it is something they are interested in. Bob Milford said PARC started about 1.5 years ago. They have a draft strategic recreation conservation plan for the area, Archuleta County, part of Hinsdale County and Mineral County. They contracted with the Town, have been holding meetings, talking about issues with the task force of about 45-50 members and a leadership committee of all different land agencies. They are in the process of finalizing the plan. GOCO and CPW dedicated $50 million to these regional partnership initiatives over the next 5 years we can apply to receive some funds for big projects. PARC also wants to create a recreation website for the area so information is easy to find. Possible ideas to create a revenue stream would be using a portion of lodging tax, sales tax increase, other counties have fees for parking at trail heads. They are using the PARC survey and visitor sentiment survey data for the task force priorities and strategic plan. Board Chair Prince said his concern is the idea of putting county funds towards promoting federal lands. Federal land's funding is set forth by the federal government. Mr Milford said if we didn't have the "clear the trails" campaign half of the trails in Pagosa would be closed. People who are recreating here don't concern themselves with the boundaries. It's important that we work together and spend the money efficiently to get things done to have good experiences and protect our natural resources and wildlife. Board Member Lucero asked if the funds would be used to purchase more property on Reservoir Hill. Mr Milford said that is certainly on their list of projects. They will send the PARC strategic plan to the tourism board to give input. County Commissioner John Ranson said the county is already looking at $450-500 million coming to voters which is a lot of money to pass. He recommended PARC bring their people to the community forums to present ideas. Board Member Lucero asked if this GOCO grant will compete with the GOCO grant for the multipurpose pavilion? Mr Milford said this is a separate set of money just for the regional partnership initiative.

2. 2026 Event Funding - Round 2

Board Chair Pince said previously the board had criteria for event funding but for 2026 they opted to have no criteria. Director said the process will be the same as Round 1 in January. She will have each board member give a dollar amount by event. Each member can't exceed the dollar amount of $63,483 total. The total amount will be averaged by the number of members voting for that particular event. Board Chair Prince said we have some board members who feel if they are up for event funding they should completely recuse themselves from all event funding discussion and voting. Some board

members feel they should just recuse themselves for a particular event if they have a conflict of interest. Board Members Lucero and Dufour agreed they felt the most ethical approach was to completely recuse themselves because you could skew the funding for other events to benefit your event. Board Member Hensle said there should be criteria for this in the Town Code of Ethics. David Harris, Town Manager said this really is a decision for the board to proceed forward on, and you need to decide what is considered a conflict. One option, is that individuals can recuse themselves from the entire process or the individual items, but it does come down to their own conscience and how you want to proceed unless the board would like to take a formal statement. Mr Harris said if you find yourself in a situation where 3/4 of you can't vote because you are conflicted out, you're not going to have quorum. In the interest of moving this forward you should state your conflict and whether or not you are staying for the vote, and do it on an individual basis. After discussion amongst the board, it was decided that it would be an individual decision. Board Member Dufour said due to the perception of a conflict of interest, she will recuse herself from voting on any of the events on the docket this evening. Board Member Hensle said he will be recusing himself from Hot Springs Fest, Mountain Light Music Festival, and Pagosa Paddle. Board Member Marchand will recuse himself from the Chamber of Commerce events and the 84 Ranch Ag Fest. Board member Scull will recuse himself from Mountain Light Music Festival.

Matt Cottle was in attendance for the Pagosa Springs Summer Concert Series. They are requesting $20,000 in funding. Mr Cottle said last year they had over 8,500 attendees, 70% were local, average age was about 35, approximate income $65-70K. They had attendees from NM, AZ, TX, CA, OK, FL, NY and even Europe. They had over 900K views on Facebook, 65K on Instagram, over 18K visits to the website, and a combined reach of almost a million people in views and reach and interactions. It profits about $2,000. Ticket prices will be $10-15.

Reggae in the Park is requesting $10,000. There was not a representative for this event in attendance.

Brian Wattier was in attendance for 84 Ranch Ag Fest. They are requesting $30,000 in funding. The date of the event is still TBD. Brian said he purchased land about 3 years ago with the goal of creating a regenerative ranch for the community and his kids. This event is for a non-profit he launched called Regenerative Youth of 84.

He started an after school program and school field trips to his ranch to teach the youth about where their food comes from, growing food, life skills. That's the purpose of his nonprofit and why he's trying to raise money with this event. He is bringing agritourism to the area and will be opening up guest cabins on his ranch in June, and has been developing his ranch specifically for events. He has gotten over $200,000 in grants to build fencing systems, new ways of automation with livestock, and plans to be a leader in the community and the country with all this. In the last year and a half he has gained over 70,000 followers and has had between 600 and a million views. Agritourism is one of the fastest growing forms of tourism, as well as experiential stays. Last year he planned the event in 10 days and had about 250 attendees. This year he would like to see 500-600 attendees. He would like to work with the board to set a date that fits best for Pagosa. It could be a 2 day event. A lot of the money would go toward marketing efforts and bringing solid entertainment.

Brent Phillips was in attendance for Mountain Light Music Festival. They are requesting $10,000 in funding. Brent said they are a higher-end boutique chamber music festival. They have been in Pagosa since 2015. Board member Marchand said they have a total revenue of $108,284. He asked why they feel they need the additional $10,000 for their event. Brent said they are requesting 2% of their budget because he still needs to cover interim costs for Kia Grande, Springs Resort and guest artists and travel. The Springs Resorts is a sponsor. They are providing them with a few nights of rooms for guests. They're providing them a venue in kind, and will collect 20% of the ticket revenue. With Keyah Grande and Liberty Theatre they are paying venue fees.

Doug Carlson was in attendance for Pickle In Pagosa Pickleball Tournament. He said they are requesting $1,500 in funding which is about 15% of their expenses. This will be their 4th year holding a tournament. They typically bring in 200-250 players, about half are visitors. 60% of their income is covered by registration sales. Last year they made about $12,000 and the year before about $8,000. They are donating that money as part of the $25,000 donation to get windscreens installed.

Mary Cocke was in attendance for Hot Springs Fest. They are requesting $4,000. Mary said the festival includes activities and soaking at all three hot springs properties. Last year they added a couple of new free community events to the festival: a wellness artisan market and the annual robe parade and after party.

Ali Whitman was in attendance for School of Movement's Wonderland performance. They are requesting $5,000. They have been doing productions for 10 years and have increased to three productions per year. Their report shows 30% of attendees are from out of town. They advertise as a burlesque show but they are very PG in their presentation. The $5k ask is about 25% of their production budget.

Joan Ward with Pagosa Pride was in attendance. They are requesting $1,500. Joan said they have one presenter who's going to be staying two nights. Many of the folks who come from out of town are from Durango, Bayfield, Ignacio,

Farmington. They are trying to work towards having a multi-day event where it would encourage people to stay overnight. This year, they have added the Liberty theater movie on Thursday night as a fundraiser and are working on other ideas for Friday or Sunday to encourage people to stay over.

Lindsey Kurt-Mason was in attendance for the 2026 Pagosa Paddle. They are requesting $4,000. Board Member Lucero asked about the timing equipment that the board funded in a previous year. Mr Kurt-Mason said they did not receive money for timing equipment and they paid for a professional timer last year. They were considering purchasing timing equipment the year before last but decided not to and instead hire a timing person. If there is a lack of water in the river they will have to cancel the event. They are working with the Springs Resort, Healing Waters, and Pagosa Lodge. 60% of their competitors are from out of town.

Kathie Disner with The Pagosa Springs Artist Studio Tour was in attendance. They are requesting $1,200. Kathie said this is the 4th year for this event and they do have lodging partner agreements with The Springs Resort, Pagosa Lodge, and Pagosa Springs RV Park.

Susan Fischer with Life at Chimney Rock was in attendance. They are requesting $4,275. Susan said it is a 2 day event they have held for 15-20 years. They do not have lodging partnerships because their Native American dance groups prefer to find their own lodging. About 70% of their visitors are from out of town.

Jacque Aragon with Mountain Chile Cha Cha was in attendance. They are requesting $12,500. Jacque said their bands from northern New Mexico have a big following. They stay at vacation rentals all over Pagosa and they work with local lodgers through general promotion to encourage more overnight stays to make a weekend out of the event. This will be their 20th year holding the event with year over year growth. Last year they had 3,500-4,000 attendees.

Dave Ballina with Big Picture Classic was in attendance. Dave said they are asking for an additional $5,000 to replace the baskets on the Cloman Park disc golf course. They cost $12,000 to replace, but the county gave them $5,000. The tournament went from a B tier to an A tier tournament, which changed from 2 days to 3 days, and they also got picked up on the Pro Qualifying Tour. Out of 500 courses that were applied, 20 were picked. Because of the improvements they made on the course, they were one of those courses picked. Out of the 160 players around 90-95% are coming from out of town and they expect there to be 300-400 people in town for the tournament. They do have lodging agreements with a few hotels in town.

Kat McFadden with Main Street Art walk was in attendance. They are requesting $5,000. This is a new event taking place the last Fridays of June and July. Kat said the Art Walk is a curated event that makes downtown a whole walkable experience and includes the entire downtown. It's going to highlight artists, promote in-store shopping and visitor traffic. Their funding request is to primarily support regional advertising.

Angela Maxey and Sandy Douthey were in attendance for Chamber of Commerce for the 17th Annual Car Show. They are requesting $15,000. Board Member Lucero mentioned that the ask is for 75% of the budget. Sandy Douthey said it is a large ask and they were encouraged to ask for more instead of less. It covers a lot of the local lodging. They need about 32 rooms for their participants. They have about 15% coming from New Mexico and 81% coming from all over Colorado, others from TX and MT so they are definitely bringing in lodging for this. They are expanding this year with more awards and prizes, more spend on marketing, food and beverage, and entertainment keeps going up. Board Member Lucero said he noticed payroll and administration are going to be paid for from the funding. Isn't that something that should already be put into the Chamber's budget? Sandy Douthey said we have put all of that into the budget. Angela Maxey said it covers her cost and payroll for the event because it is all overtime for staff. She works part-time and her responsibilities are these three events. The funds would also cover costs for the trophy builder and the person helping with the cornhole tournament, fees, and postage. They have had to market four times more than in previous years for the model car show, cornhole tournament, and pinup girl contest. They are marketing with Facebook boosts, print, ads, radio. It is a free event for attendees so they do not have ticket sales. There is an entry fee for the cars. Board Chair Prince asked how much was spent on lodging in previous years. Sandy said it looks like most of the rooms have been donated in the past. Angela said she has hit up all of the lodgers and they have been gracious by donating rooms. They do have to pay for them sometimes. Board Member Hensle said the car show and colorfest resonate high in creating impact for stays with over 50% of lodgers saying they had stays as a result of the car show. Board Member Johnson asked for attendance numbers. Angela said she didn't have that information since it is a free event. They had some decrease in participants when the event was moved to Yamaguchi but they are expecting a huge increase in participants for this year.

The Chamber of Commerce also requested $15,000 for the Park 2 Park Artisan and Food Market. Angela said they have 93 vendors at this time. They expect to exceed last years number of 103. The vendors provide their own lodging. They are partnering with Shawna who is organizing the parade and the 250/150 party. The parade will come by the event and they are going to share security. Security is a big expense since they have to provide security for 4 nights because the vendors leave their merchandise overnight. They predict security will cost $2,880.

The Chamber of Commerce also requested $20,000 for the 40th Annual Colorfest. Angela Maxey said this is the event that Pagosa Springs is known for, with hot air balloons, the Passport to Pagosa, best-of Pagosa restaurants. They are hoping to increase from 7 to 10+ restaurants participating. They have about 32 balloon pilots that come into town to launch Sat and Sun. They provide rides for the sponsors of the event. They get a lot of local sponsors to get on the banner and program. They have 2-3 bands for Bands & Brews, a balloon glow, and the 250/150 drone show. Board Member Hensle said 77% of the lodgers that responded to inquiries about the event said that this created impact for them. It is in fall, which we've talked about being a season that we can grow here in this community. Angela said they have good support from the lodgers and get a lot of lodging donated but sometimes have to pay for the rooms.

The Chamber of Commerce also requested $10,000 for the 2nd Annual Grillin' & Distillin'. Sandy said they broke even on the event last year. They would like to grow this event. Last year, they had 5 distillers, 1 backyard giller, two pro-grillers, and 5 vendors. They had 50 tickets pre-sold, and between 250 and 500 people attended. They are looking at moving the event to Yamaguchi Park this year. They provide lodging for the distillers. They will have only backyard grillers this year and categories for sides, ribs, chicken, etc. They will help the grillers with the meat costs.

Laura Hamilton with GGP was in attendance for Breakfast with Balloons. They requested $3,500. Laura said the event is at the same time as Color Fest. They utilize the beautiful amphitheater to allow everyone to experience the ascension of the balloons in the morning with a brunch. This will be their 9th year. They sold out last year with 130 tickets. This year they hope to sell 150-200. It is 50% out of town attendees.

The total amount requested was $63,463. Director called on each board member to state the dollar amount they want to fund each event. The total for each was divided by the number of voting board members for each event. The Pagosa Springs Summer Concert Series will be awarded $5,214.29. Reggae in the Park will be awarded $2,571.43. 84 Ranch Ag Festival will be awarded $6,833.33. Mountain Light Music Festival will be awarded $1,600. Pickle in Pagosa will be awarded $1,000. Hot Springs Fest 2026 will be awarded $2,333.33. School of Movement "Wonderland" will be awarded $1,142.86. Pagosa Pride will be awarded $285.71. Pagosa Paddle will be awarded $1,166.67. Pagosa Springs Artists Studio Tour will be awarded $371.43. Life at Chimney Rock will be awarded $1,500. Mountain Chile Cha Cha will be awarded $4,785.71. Baskets for Big Picture Classic will be awarded $2,857.14. Main Street Art Walk will be awarded $2,714.29. The Car Show will be awarded $5,500. Park 2 Park Artisan & Food Market will be awarded $2,500. Colorfest will be awarded $5,416.67. Grillin' & Distillin' will be awarded $1,660.50. and Breakfast with Balloons will be awarded $1,214.29. That is a total of **$50,667.64.**

Board Member and Commissioner Ranson moved to approve the funding amounts as stated, Board Member Lucero seconded.

The board will make a decision about when to hold another round of event funding applications with the remaining funds of $12,795.

IX. NEXT MEETINGS

Wednesday May 13th, 2026 at 3pm.

X. ADJOURNMENT



Research Insights
March 2026 Review

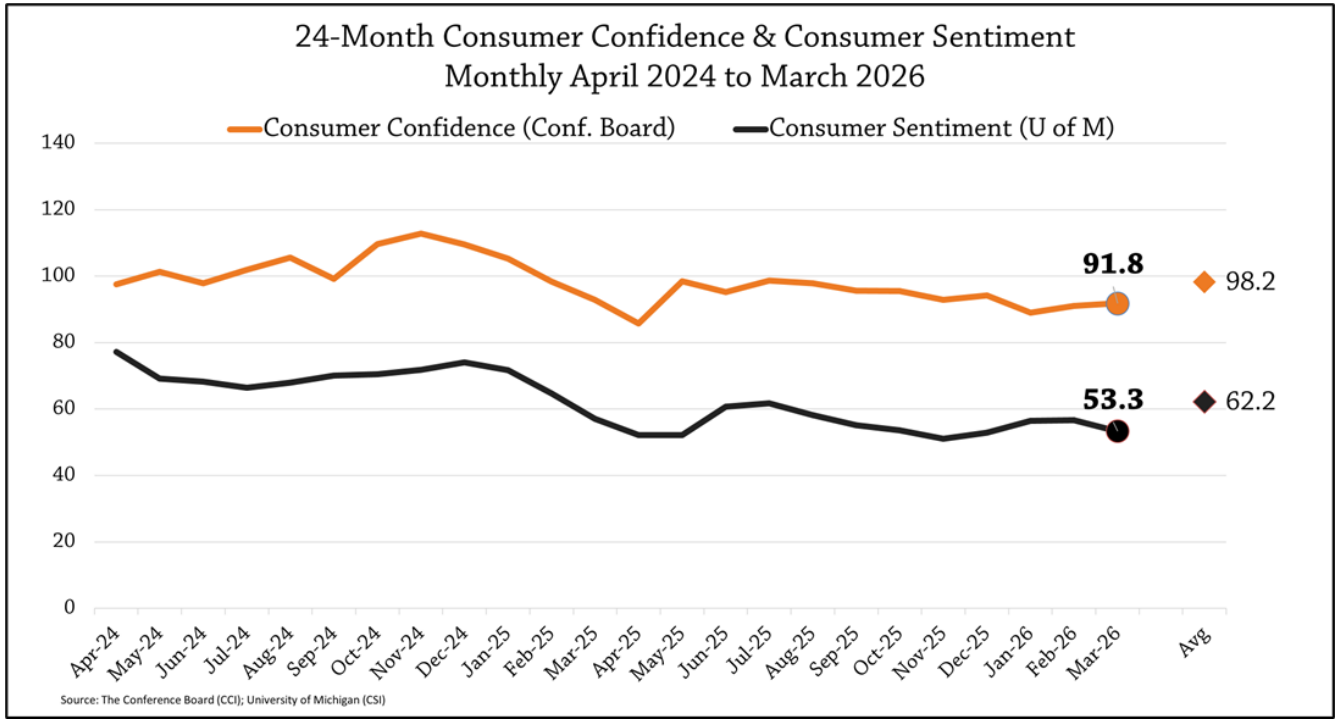
U.S. Market Review



Consumer Sentiment

The Consumer Confidence & Consumer Sentiment Index

- "The CCI and CSI went in opposite directions in March, and both remain well below their 24-month averages."
- "The Conference Board's CCI edged up a slight 0.8 points to finish the month at 91.8 points, however it has been on a generally downward trend since late 2021."
- "The University of Michigan's CSI declined this month, down 3.3 points--or 6%--to finish at 53.3 points, the lowest reading since last December."

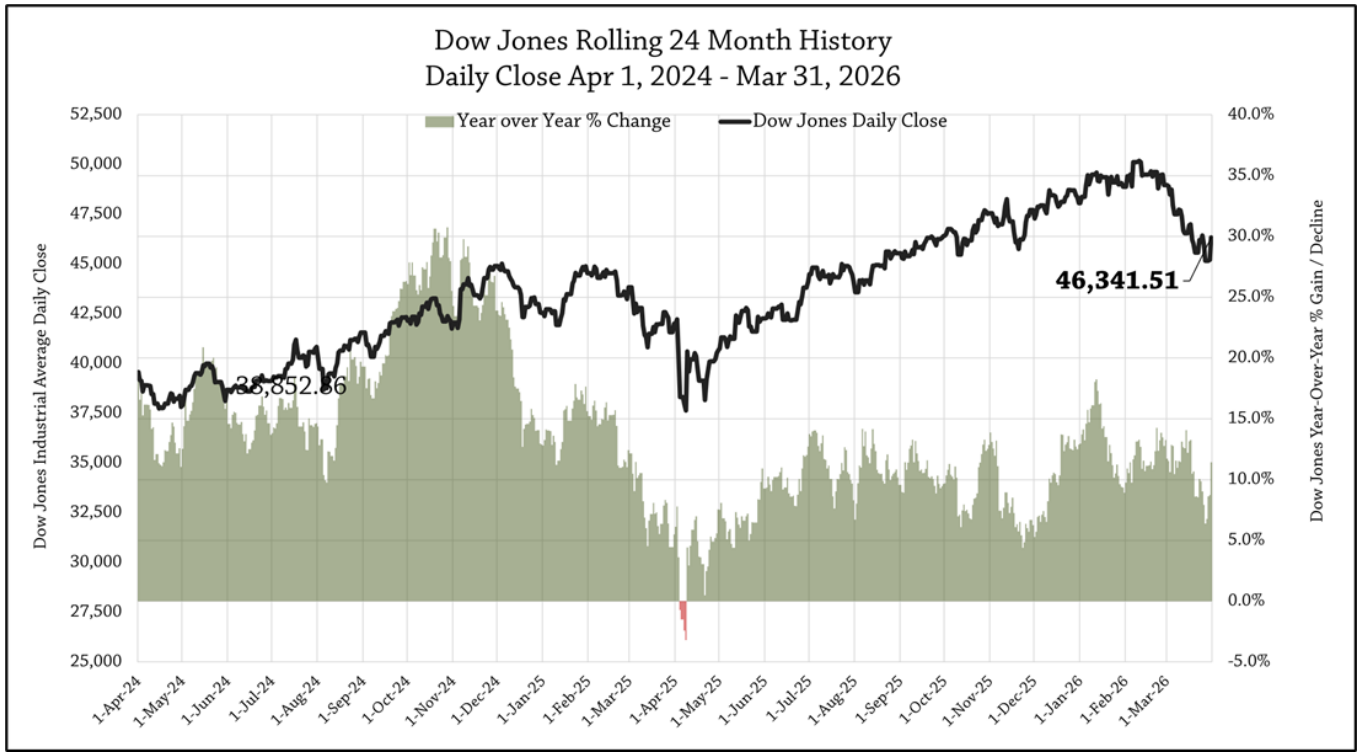


Source: DestiMetrics (4/13/2026)

Economic Review

The Dow Jones Industrial Average

- “The DJIA dropped dramatically in March after a mostly uneventful February, losing 2,636.41 points, or -5.4%, to finish the month at 46,341.51 points.”
- “This is the lowest monthly close for the Dow since August 2025.”
- “While the DJIA was down, the S&P 500, which is more closely tied to consumers’ retirement and savings accounts, was down -5.1%.”
- “Though only about 60% of consumers are invested in Wall Street, this month’s performance on Wall Street reflects factors that impact consumers across the entire economic spectrum.”

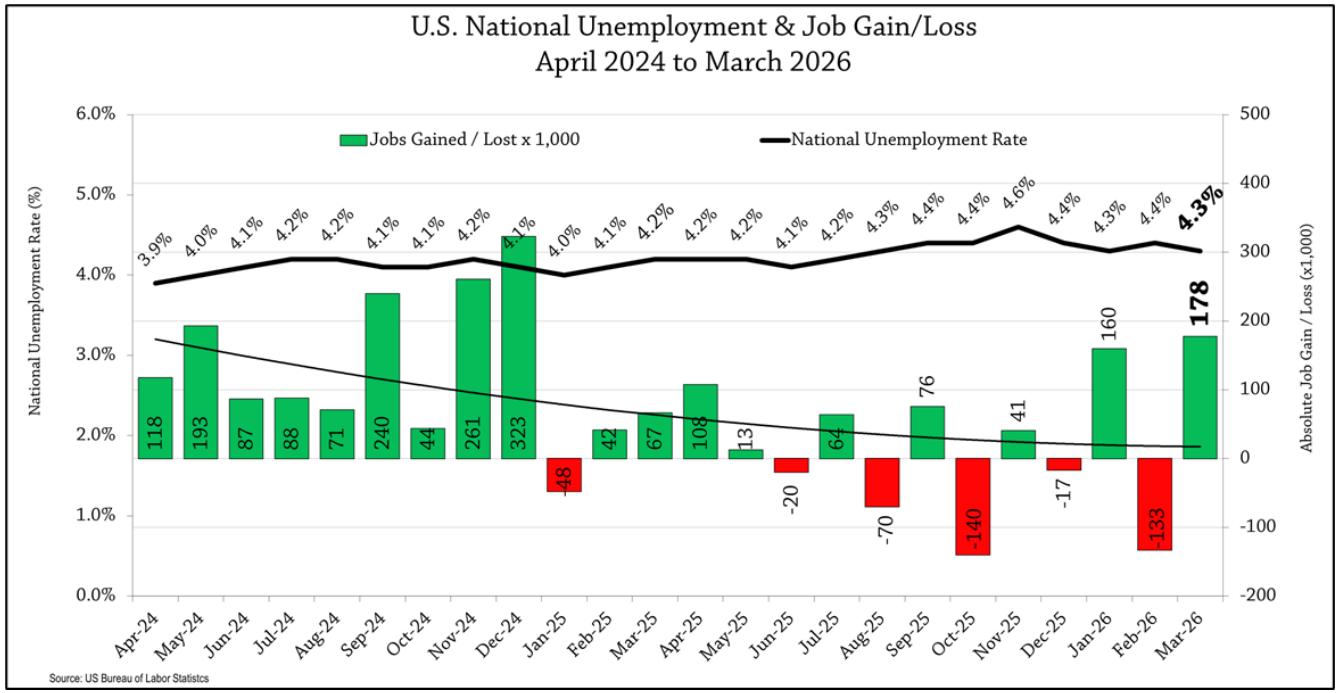


Source: DestiMetrics (4/13/2026)

Economic Review

The National Unemployment Rate

- “Job Creation and the National Unemployment Rate were both better in March, with payrolls expanding by a strong 178,000 positions, considerably higher than most analysts were predicting.”
- “The unemployment rate softened to 4.3%, down from 4.4% in February.”
- “Wages were also up during the month, gaining 3.5% year-over-year.”
- “The Accommodations subsector added 7,900 jobs in March, while Food/Drinking Services added a strong 21,500 positions.”

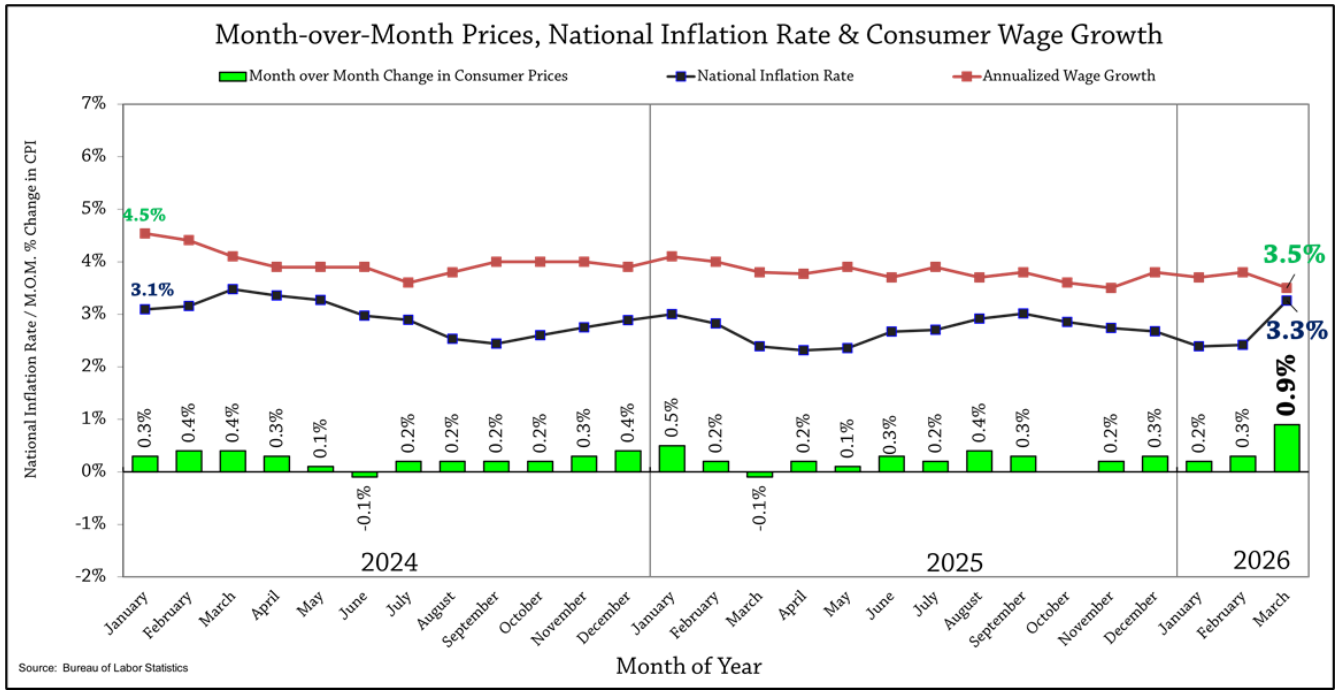


Source: DestiMetrics (4/13/2026)

Economic Review

The National Inflation Rate

- “National Inflation Rate and the Consumer Price Index (CPI) rose dramatically in March, with consumer prices jumping 0.9 percentage points from February.”
- “The national inflation rate is now at 3.3%, the highest since May 2024.”
- “Gasoline prices are up 24.1% versus last month, while airfares were up 2.7% between February and March, but are now up 15.0% YoY.”
- “The 0.2% gap between wages, up 3.5%, and inflation is the smallest since 2024, and puts pressure on consumers.”



Source: DestiMetrics (4/13/2026)

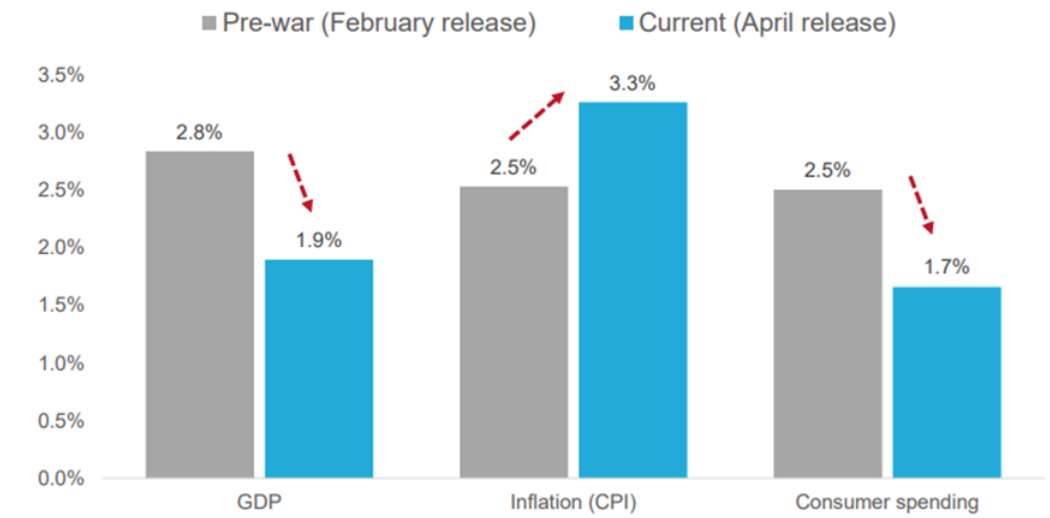
U.S. Economic Outlook

PAGOSA SPRINGS COLORADO
- REFRESHINGLY AUTHENTIC -

Middle East conflict brings higher inflation and slower growth

Economic Outlook: US

Annual growth, 2026



More spent on energy, means less other spending and saving.

US GDP downgrade includes weaker-than-anticipated activity at the start of this year

Note: Real GDP, real consumer spending. Source: Oxford Economics

TOURISM ECONOMICS

Source: Tourism Economics (4/20/2026)

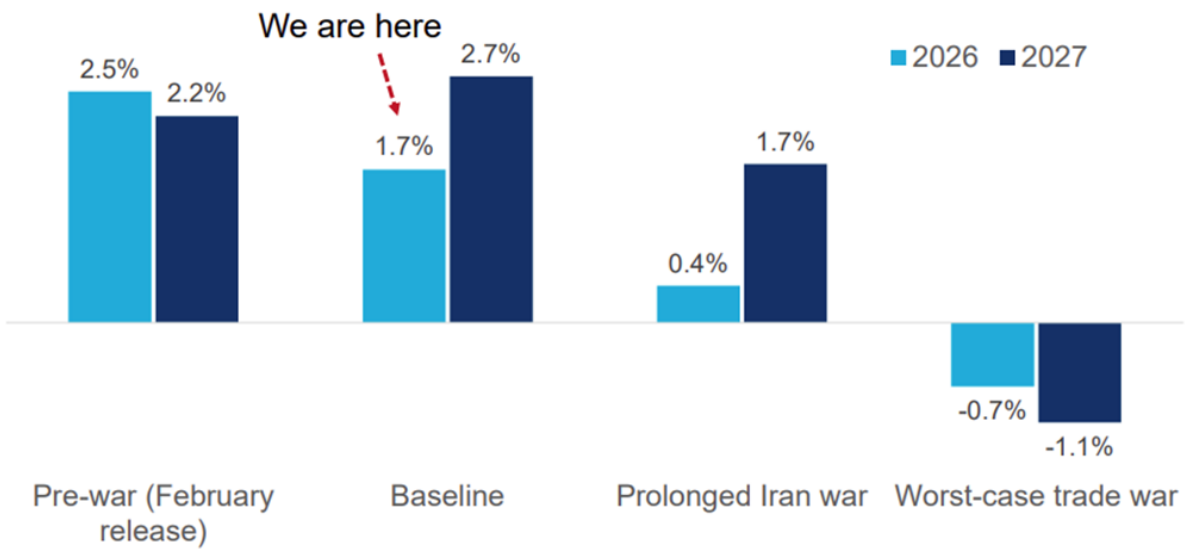
U.S. Economic Outlook

PAGOSA SPRINGS COLORADO
- REFRESHINGLY AUTHENTIC -

Downside scenarios: Prolonged war or severe trade war

Scenario Outlook: US Consumer Spending

Real, annual growth



Separate from Iran... a worst-case trade war would bring an actual contraction...

...as trading partners retaliate with tariffs on US exports.

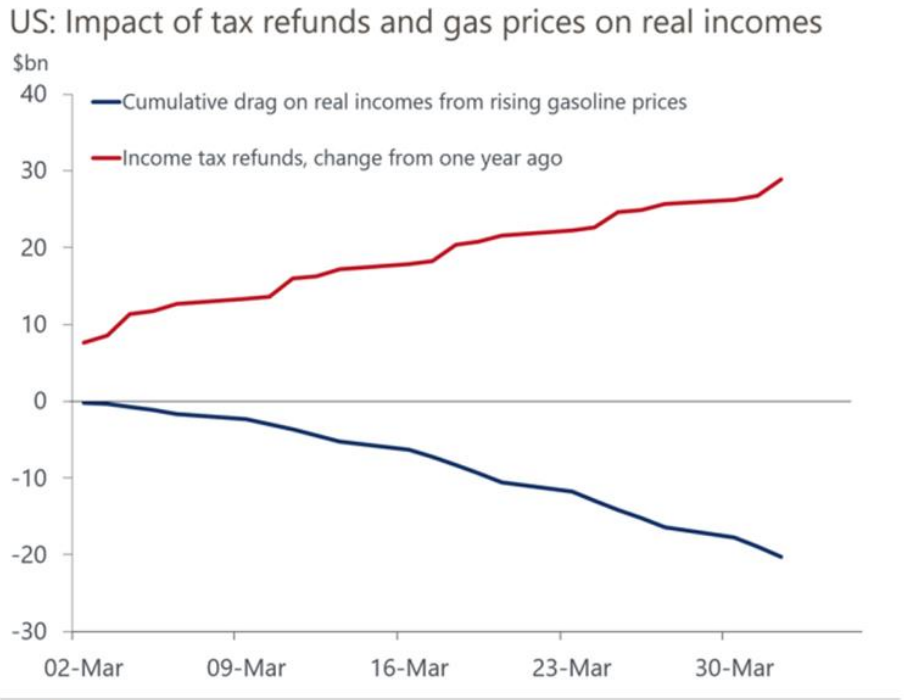
Source: Oxford Economics (Global Scenario Service, April 2026 release)

TOURISM ECONOMICS

Source: Tourism Economics (4/20/2026)

Tax Refunds & Gas Price Effects

Drag from higher gas prices will offset increased tax refunds soon



By end of March, consumers received $30bn increase in tax refunds but paid $20bn additional on gas.

Source: Oxford Economics, Haver Analytics

TOURISM ECONOMICS

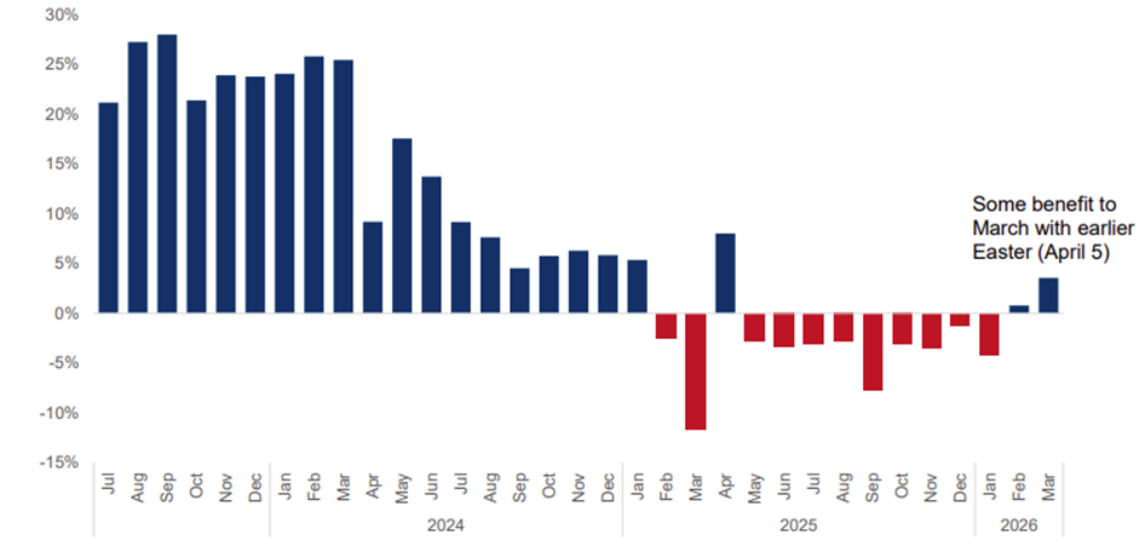
Source: Tourism Economics (4/20/2026)

International Inbound Review

Sentiment matters, US arrivals slowed last year

Overseas visitor arrivals to US

Year-over-year change



- Charged rhetoric and policy negatively impacted inbound travel
- 2.5% drop in overseas arrivals last year, with a **5.5% drop in total international arrivals**

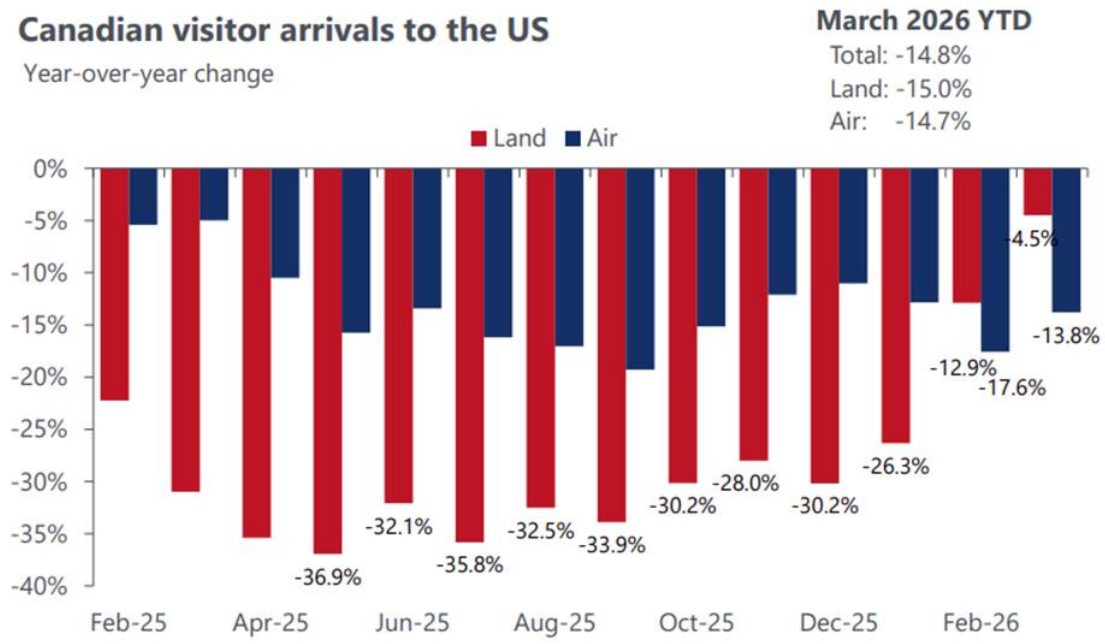
Source: National Travel and Tourism Office

TOURISM ECONOMICS

Source: Tourism Economics (4/20/2026)

Canada Inbound Review

US visits from Canada remain weak



Canadian travel to other world regions increased 9% last year (-21% to US).

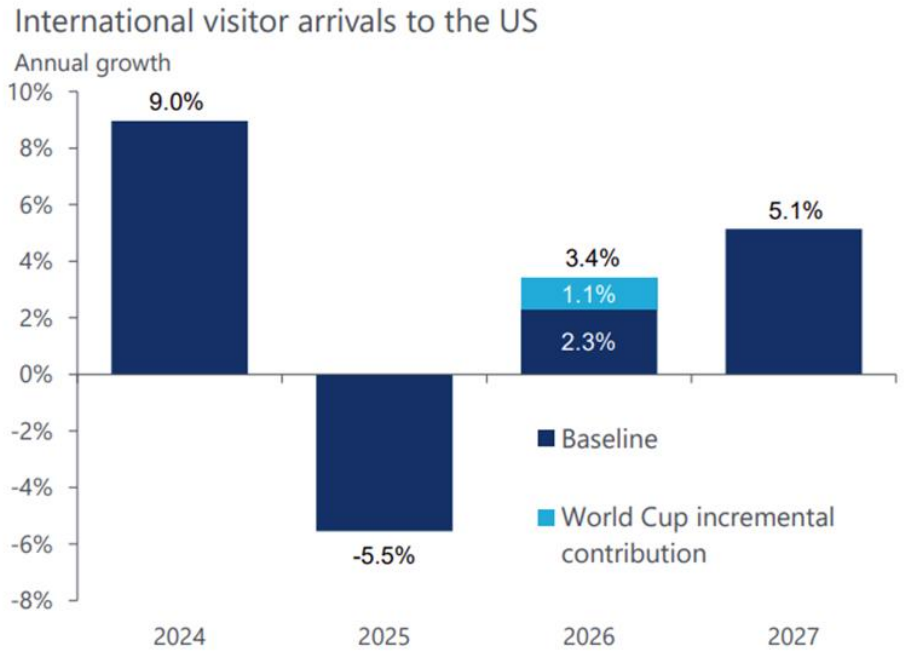
Source: Statistics Canada
Feb and Mar 2026 data based on leading indicator data measuring Canadian-resident US return trips.

TOURISM ECONOMICS

Source: Tourism Economics (4/20/2026)

International Visitation Forecast

Path to 3.4% inbound growth this year



Source: Tourism Economics (Global Travel Service - April 2026 release)

Underpinnings:

- Global economic recovery and positive travel demand
- US is less dependent on Middle East
- World Cup boost
- Reversion toward prior norms, such as with sentiment fatigue

TOURISM ECONOMICS

Source: Tourism Economics (4/20/2026)

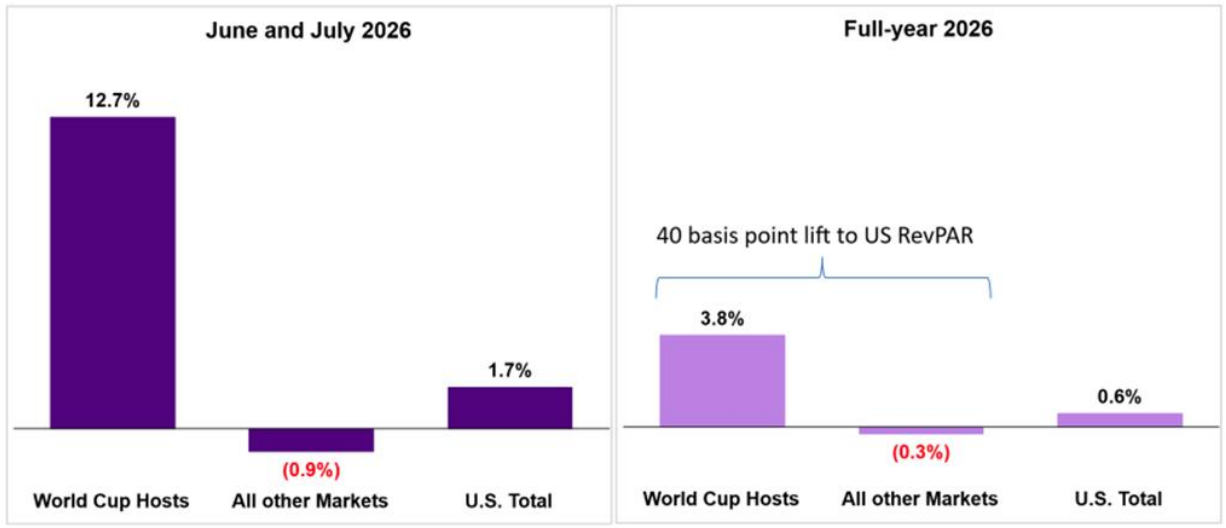
U.S. Hotel World Cup Forecast

PAGOSA SPRINGS COLORADO
- REFRESHINGLY AUTHENTIC -

What will World Cup mean for hotels?

World Cup to drive 2026 U.S. RevPAR growth

U.S. RevPAR, YoY % change



STR CoStar

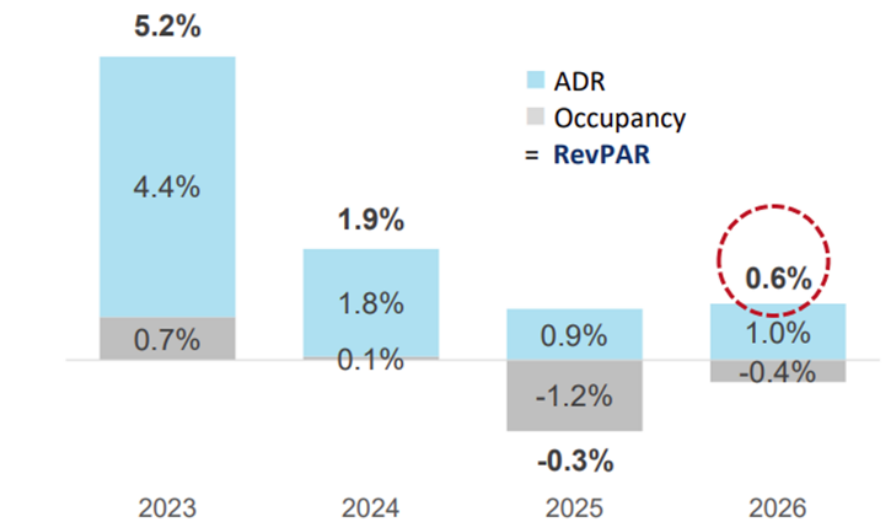
TOURISM ECONOMICS

Source: Tourism Economics (4/20/2026)

U.S. Hotel Market Review

RevPAR growth: Slow, but positive in 2026

RevPAR growth composition
US



Source: CoStar-STR; Tourism Economics

RevPAR growth

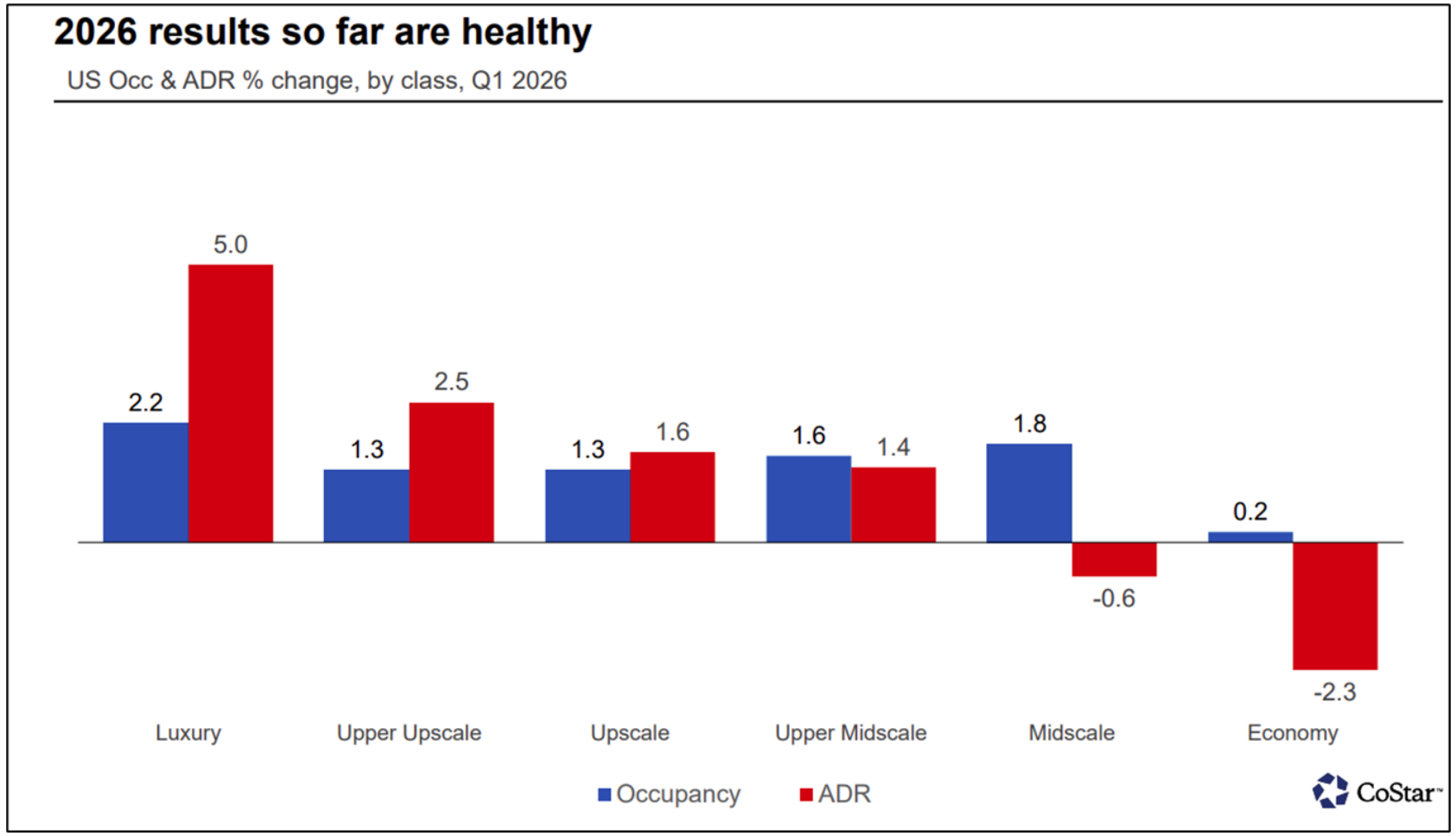
Long-term average: 4.0%

2026: 0.6%

TOURISM ECONOMICS

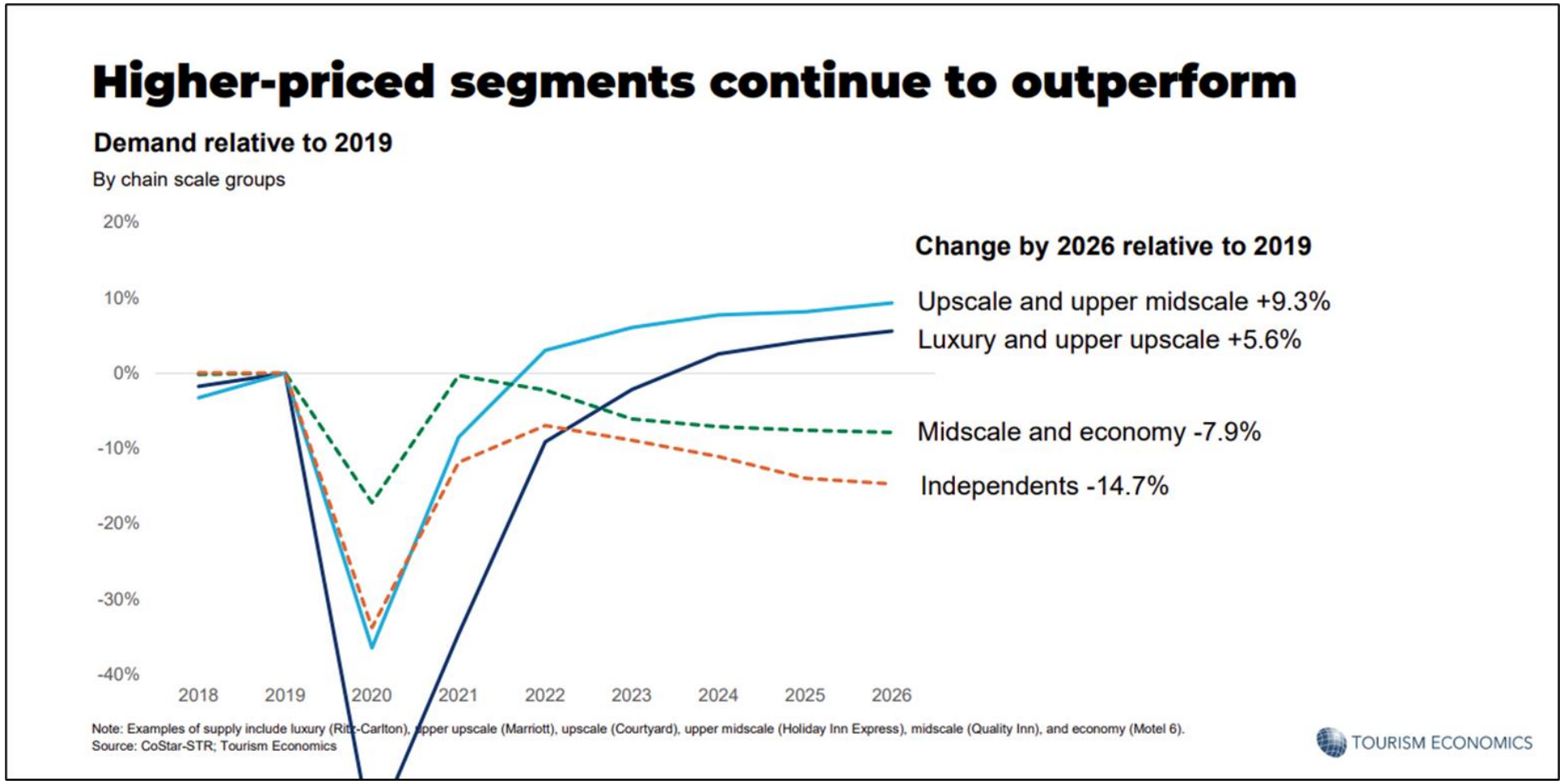
Source: Tourism Economics (4/20/2026)

U.S. Hotel Market Review



Source: CoStar (4/20/2026)

U.S. Hotel Market Review



Source: Tourism Economics (4/20/2026)

U.S. Market Review

March 2026 Economic Review Summary

- “The continuing conflict in Iran dominated much of the economic discussion in March, with fears that disruptions to oil shipping could reignite inflation seeming to be borne out. Inflation, which had dropped to a relatively cool 2.4% in January and February, rose by nearly a full point to 3.3% in March. This dramatic swing, producing the highest inflation rate in nearly two years, was driven primarily by the food and energy segment, in particular gasoline. Still, core inflation, which strips out food and energy prices, also increased to 2.6%, up from 2.5% in February.”

- “Inflation concerns have weighed heavily on consumers and markets since very high rates following supply chain disruptions post-Covid crimped budgets. In 2025, the Trump Administration’s “Liberation Day” tariff increases again pushed inflation higher, as international producers passed on significant portions of the tax burden to consumers. These effects were expected to be transitory and had largely passed by the beginning of March. Now, a new supply chain disruption in the Strait of Hormuz is again pushing inflation up.”

Source: AirDNA (4/20/2026)

U.S. Market Review

March 2026 Economic Review Summary (continued)

- “While tax returns in 2026 reflected additional cuts and initially had stimulatory promise, these returns may eventually be consumed by higher prices instead. Currently, gasoline prices have increased, but over time additional price increases will pass through to goods from higher input costs such as raw materials, freight, and energy.”

- “Not only does the additional expense of inflation cause direct harm, but it also motivates the Federal Reserve to either delay additional rate cuts or, if inflation reaches a high enough threshold, begin raising rates again.”

Source: AirDNA (4/20/2026)

U.S. Short Term Rentals Review

Short Term Rentals Update March 2026

- “March 2026 saw the U.S. short-term rental market begin to stabilize, with demand rebounding after a weaker start to the year and supply growth showing signs of leveling off. While occupancy remained slightly below last year’s levels, the gap has continued to narrow as booking activity improved and demand strengthened across most location types.”
- “Much of this shift reflects a normalization in travel patterns following the volatility of late 2025, with demand becoming more responsive to seasonal drivers and external factors such as weather. At the same time, broader economic uncertainty, particularly rising inflation driven by energy prices, continues to weigh on consumer sentiment and may influence short-term travel decisions.”
- “Despite these pressures, forward pacing points to a more positive outlook. Stronger bookings tied to Spring Break travel, major summer events, and the upcoming World Cup are already supporting demand growth into Q2. As a result, while near-term performance remains mixed, the underlying signals suggest a more stable and potentially stronger market in the months ahead.”

Source: AirDNA (4/20/2026)

U.S. Short Term Rentals Review

Short Term Rentals Update March 2026 (continued)

Key U.S. Short Term Rental Performance Metrics for March 2026

- Available listings reached 1.68 million, a 3.3% increase YoY
- Demand nights were up 2.0%
- Occupancy averaged 61.3%, down -0.3% YoY
- Average Daily Rates (ADR) climbed to $269.34, up 2.6% from last year
- Revenue per Available Rental (RevPAR) increased 2.3% year-over-year (YoY) to $165.14

Source: AirDNA (4/20/2026)

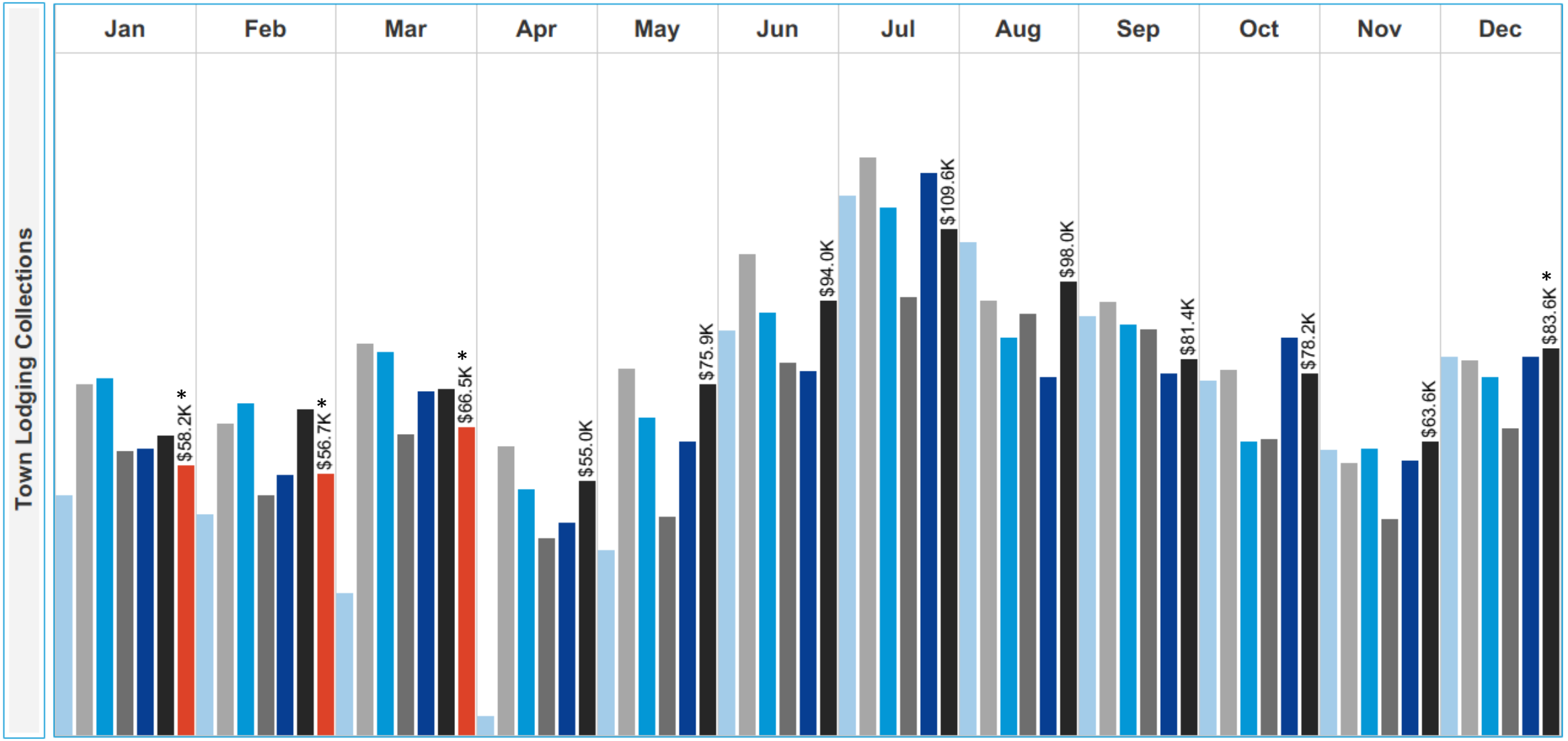
Lodging Tax Collections



Pagosa Springs Monthly Lodging Tax Collections

Town Collections Through March 2026

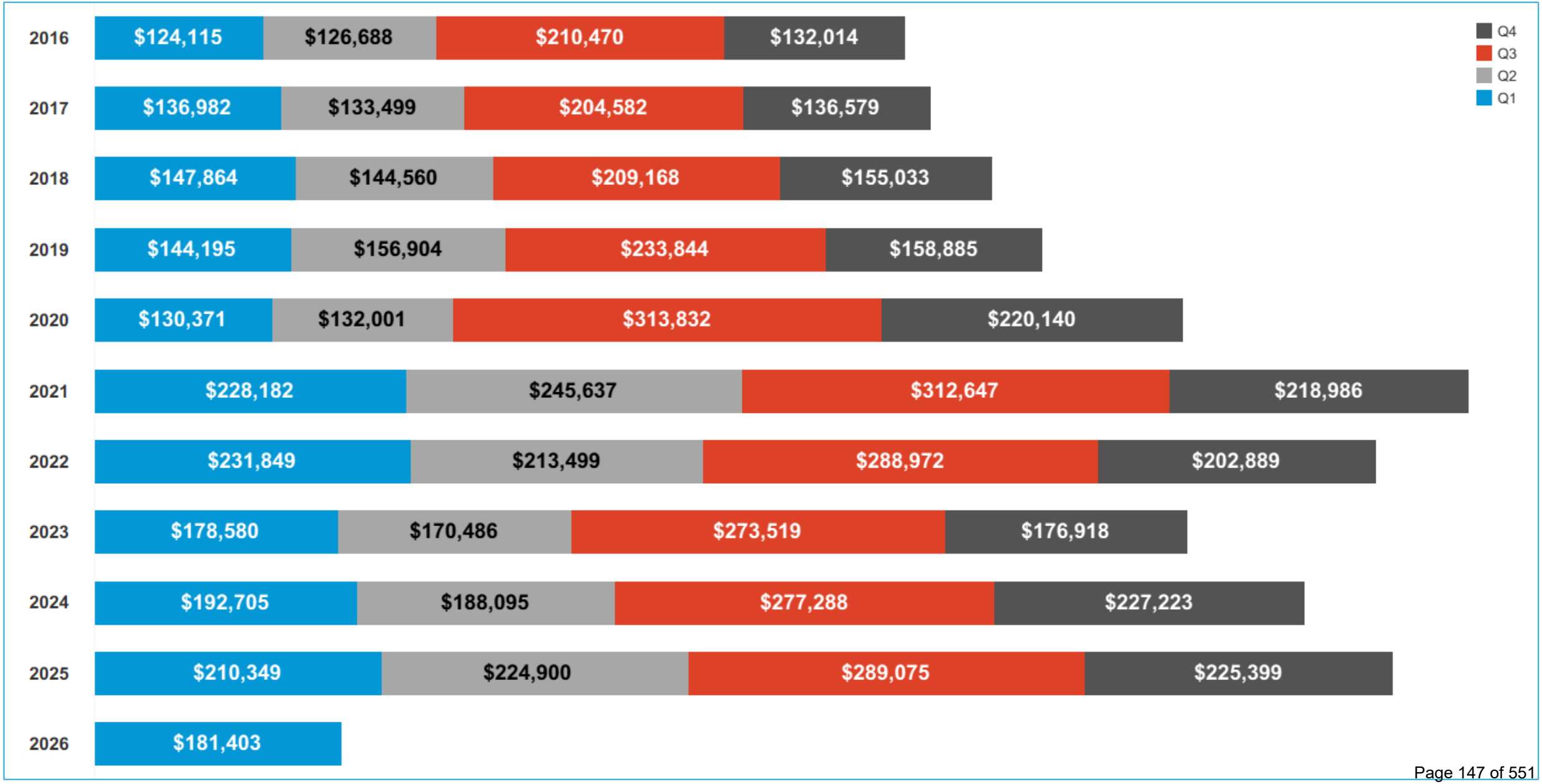
Note: Town collections are missing several payments from December 2025 through March 2026.



'26 vs '25	Jan	Feb	Mar
	-10.2%	-19.7%	-11.2%

Pagosa Springs Quarterly Lodging Tax Collections

Town Collections Through March 2026

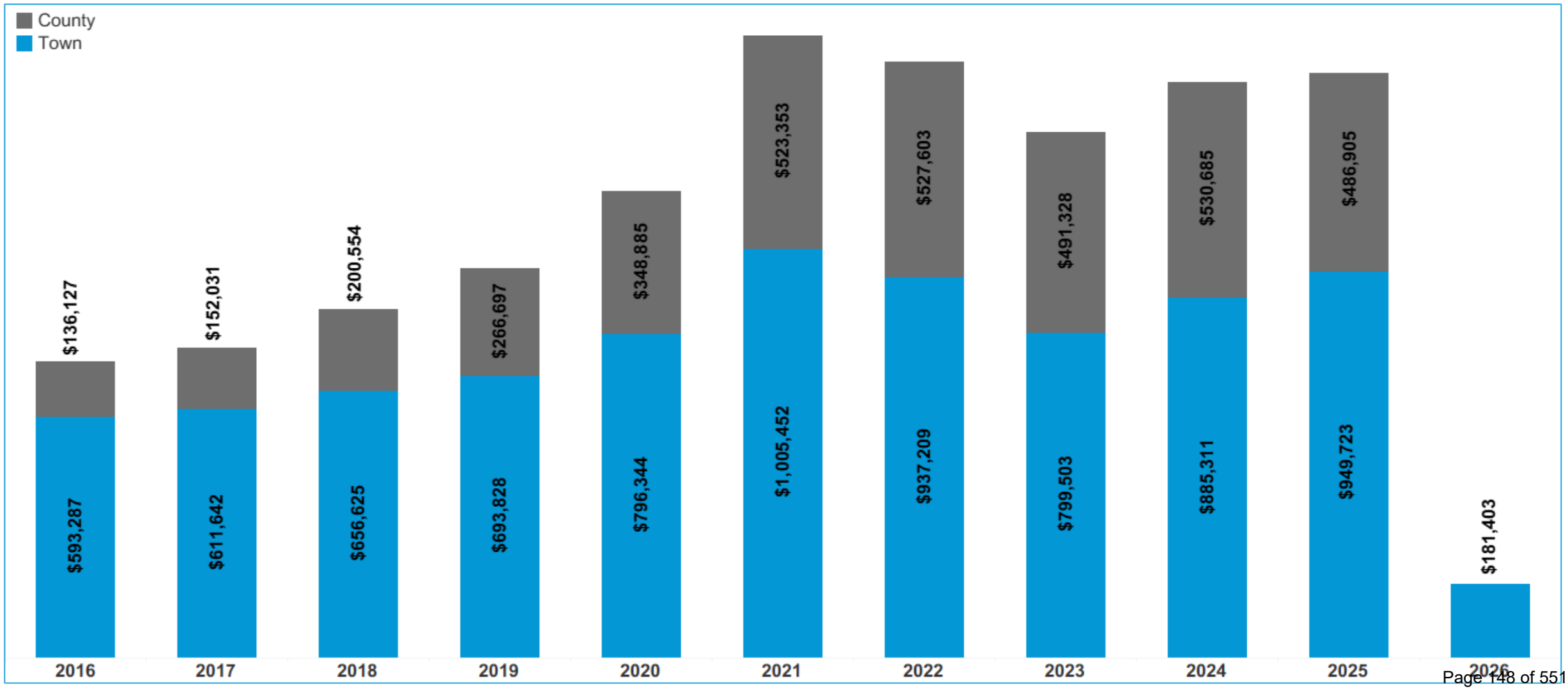


Pagosa Springs Annual Lodging Tax Collections

Total Collections Through March 2026

Note: County collections are reported quarterly, Town collections are reported monthly. County collections have not yet been reported for 2026.

2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
$729,414	$763,673	$857,179	$960,525	$1,145,229	$1,528,805	$1,464,812	$1,290,831	$1,415,996	$1,436,628	$181,403



Pagosa Springs Quarterly Lodging Tax Collections

Total Collections Through March 2026

Note: County collections are reported quarterly, Town collections are reported monthly. County collections have not yet been reported for 2026.

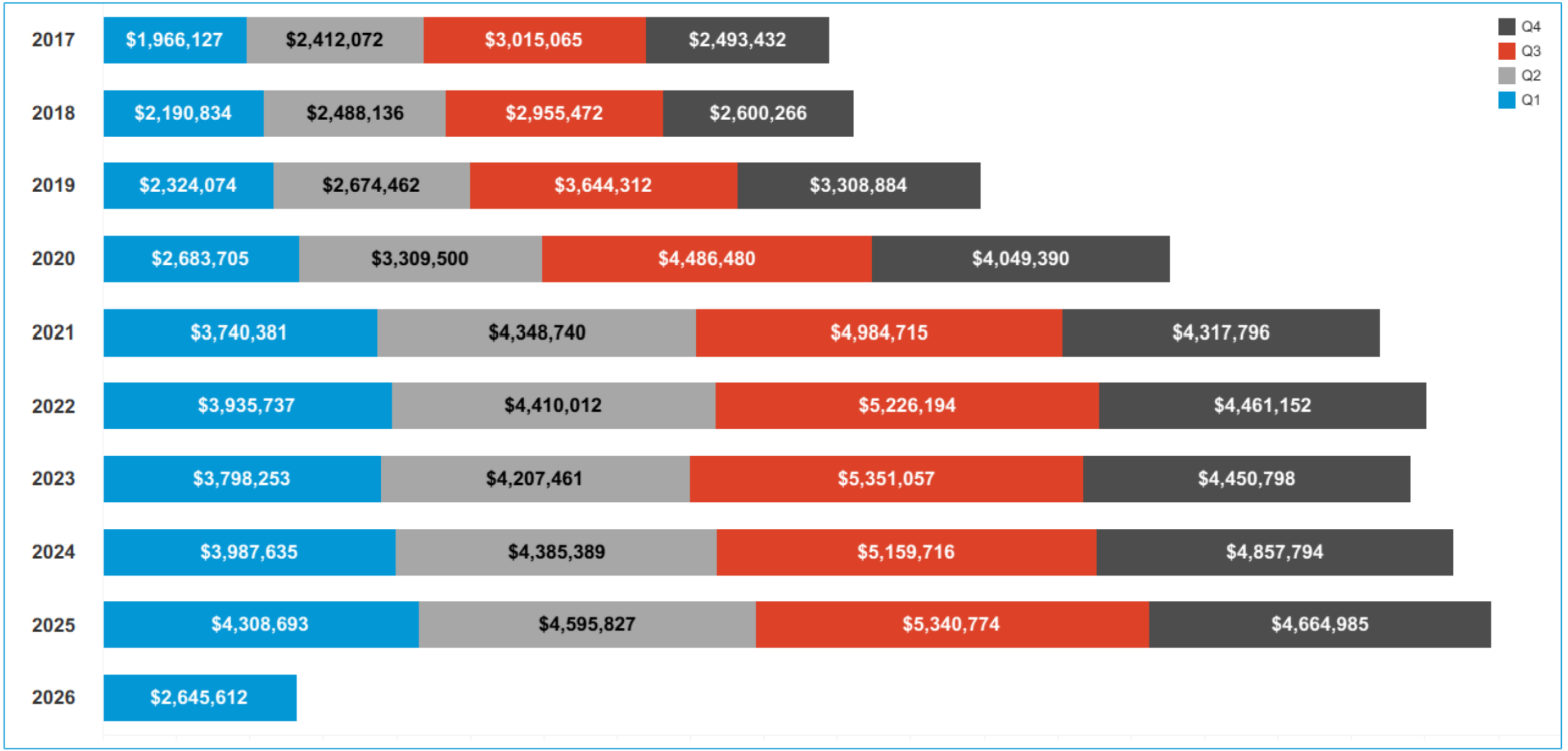
		2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
Q1	Town	$124,115	$136,982	$147,864	$144,195	$130,371	$228,182	$231,849	$178,580	$192,705	$210,349	$181,403
	County	$18,416	$35,792	$29,030	$46,261	$57,791	$128,910	$127,543	$125,829	$116,111	$130,422	
	Total	**$142,531**	**$172,774**	**$176,894**	**$190,456**	**$188,162**	**$357,092**	**$359,392**	**$304,409**	**$308,816**	**$340,771**	**$181,403**
Q2	Town	$126,688	$133,499	$144,560	$156,904	$132,001	$245,637	$213,499	$170,486	$188,095	$224,900	
	County	$33,172	$29,896	$56,080	$45,483	$52,809	$115,041	$129,385	$90,666	$106,066	$117,354	
	Total	**$159,860**	**$163,395**	**$200,640**	**$202,387**	**$184,810**	**$360,678**	**$342,884**	**$261,152**	**$294,161**	**$342,254**	
Q3	Town	$210,470	$204,582	$209,168	$233,844	$313,832	$312,647	$288,972	$273,519	$277,288	$289,075	
	County	$47,929	$49,470	$65,609	$93,349	$136,452	$166,440	$158,901	$155,889	$158,877	$103,140	
	Total	**$258,399**	**$254,052**	**$274,777**	**$327,193**	**$450,284**	**$479,087**	**$447,873**	**$429,408**	**$436,165**	**$392,215**	
Q4	Town	$132,014	$136,579	$155,033	$158,885	$220,140	$218,986	$202,889	$176,918	$227,223	$225,399	
	County	$36,610	$36,873	$49,835	$81,604	$101,833	$112,962	$111,774	$118,944	$149,631	$135,989	
	Total	**$168,624**	**$173,452**	**$204,868**	**$240,489**	**$321,973**	**$331,948**	**$314,663**	**$295,862**	**$376,854**	**$361,388**	
Grand Total		**$729,414**	**$763,673**	**$857,179**	**$960,525**	**$1,145,229**	**$1,528,805**	**$1,464,812**	**$1,290,831**	**$1,415,996**	**$1,436,628**	**$181,403**

Sales Tax Collections



Pagosa Springs Quarterly Sales Tax Collections

Collections Through February 2026



Pagosa Springs Quarterly Sales Tax Collections

Collections Through February 2026

	Jan	Feb	Mar	Q1 Total	Apr	May	Jun	Q2 Total	Jul	Aug	Sep	Q3 Total	Oct	Nov	Dec	Q4 Total
2017	$602,618	$614,496	$749,013	**$1,966,127**	$654,961	$766,390	$990,721	**$2,412,072**	$1,050,936	$1,034,538	$929,591	**$3,015,065**	$802,192	$735,197	$956,044	**$2,493,432**
2018	$720,250	$653,308	$817,277	**$2,190,834**	$685,584	$778,029	$1,024,523	**$2,488,136**	$1,055,648	$975,397	$924,427	**$2,955,472**	$894,585	$760,714	$944,967	**$2,600,266**
2019	$748,135	$705,628	$870,311	**$2,324,074**	$722,725	$847,452	$1,104,285	**$2,674,462**	$1,330,750	$1,156,262	$1,157,300	**$3,644,312**	$1,160,328	$966,585	$1,181,971	**$3,308,884**
2020	$893,260	$861,387	$929,059	**$2,683,705**	$881,784	$1,029,961	$1,397,755	**$3,309,500**	$1,478,390	$1,414,702	$1,593,388	**$4,486,480**	$1,351,716	$1,210,111	$1,487,563	**$4,049,390**
2021	$1,230,886	$1,118,790	$1,390,705	**$3,740,381**	$1,243,257	$1,382,546	$1,722,937	**$4,348,740**	$1,744,911	$1,544,973	$1,694,832	**$4,984,715**	$1,389,189	$1,328,089	$1,600,518	**$4,317,796**
2022	$1,285,659	$1,224,286	$1,425,792	**$3,935,737**	$1,265,285	$1,428,491	$1,716,237	**$4,410,012**	$1,831,470	$1,793,418	$1,601,307	**$5,226,194**	$1,425,011	$1,430,027	$1,606,114	**$4,461,152**
2023	$1,271,275	$1,186,669	$1,340,310	**$3,798,253**	$1,155,340	$1,376,511	$1,675,610	**$4,207,461**	$1,846,753	$1,867,837	$1,636,468	**$5,351,057**	$1,518,791	$1,391,273	$1,540,735	**$4,450,798**
2024	$1,338,250	$1,230,171	$1,419,214	**$3,987,635**	$1,261,412	$1,433,936	$1,690,041	**$4,385,389**	$1,855,193	$1,655,248	$1,649,275	**$5,159,716**	$1,718,686	$1,434,372	$1,704,736	**$4,857,794**
2025	$1,405,815	$1,364,117	$1,538,761	**$4,308,693**	$1,370,948	$1,469,254	$1,755,625	**$4,595,827**	$1,893,830	$1,669,302	$1,777,642	**$5,340,774**	$1,460,697	$1,284,224	$1,920,064	**$4,664,985**
2026	$1,256,228	$1,389,383		**$2,645,612**												

YOY Change

2023	-1%	-3%	-6%	**-3%**	-9%	-4%	-2%	**-5%**	1%	4%	2%	**2%**	7%	-3%	-4%	**0%**
2024	5%	4%	6%	**5%**	9%	4%	1%	**4%**	0%	-11%	1%	**-4%**	13%	3%	11%	**9%**
2025	5%	11%	8%	**8%**	9%	2%	4%	**5%**	2%	1%	8%	**4%**	-15%	-10%	13%	**-4%**
2026	-11%	2%		**-39%**												

Short-Term Rental Performance (Airbnb & Vrbo)

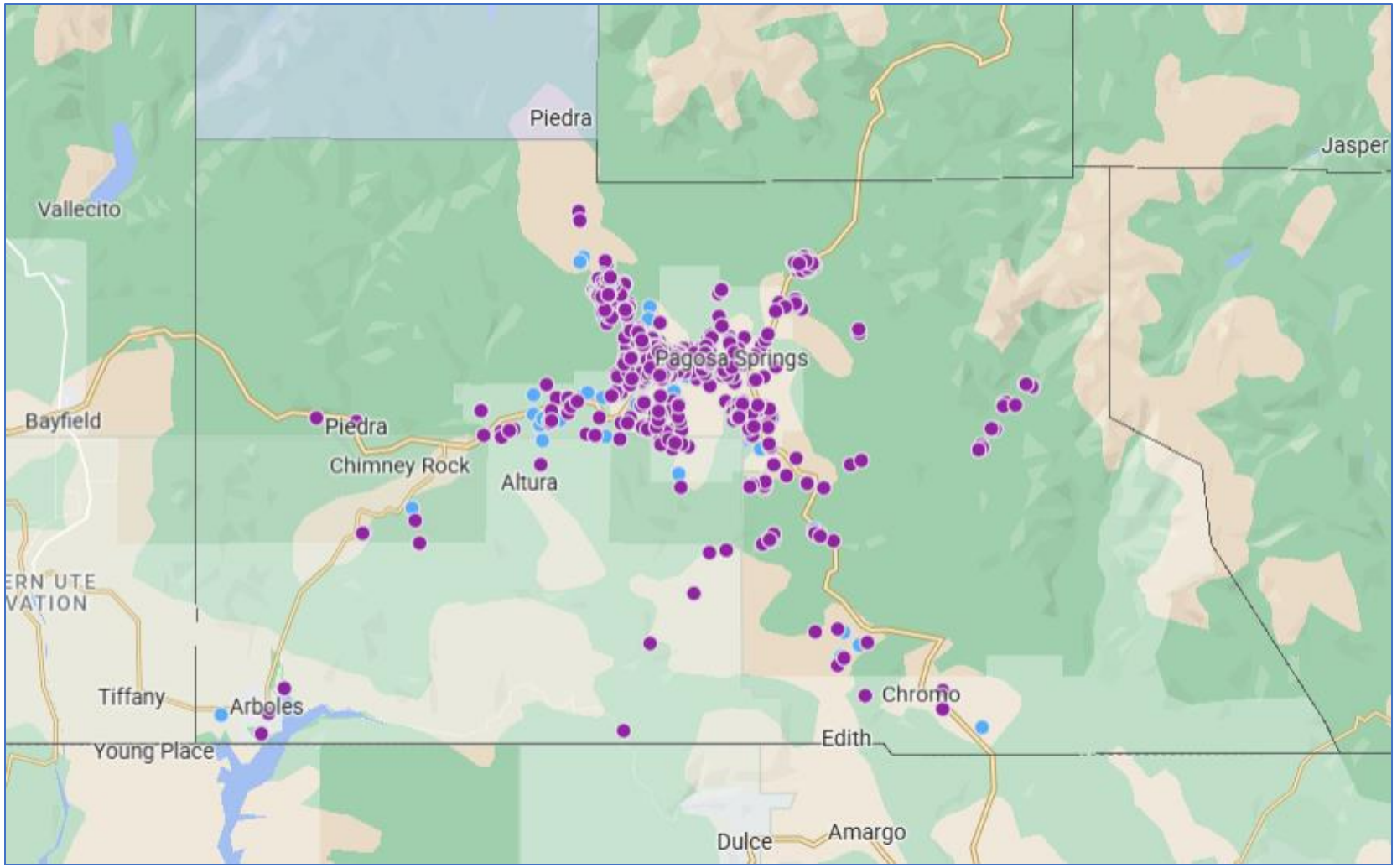


AirDNA - Definitions

- **Active Listings** – Total number of listings whose calendars had at least one day classified as available or reserved during the reporting period.
- **Average Daily Rate** – Average daily rate (ADR) of booked nights in USD (ADR = Total Revenue / Booked Nights).
- **Demand (Listing Days Booked)** – Total number of days booked during the reporting period.
- **Supply (Listing Days Available)** – Total number of days available during the reporting period.
- **Occupancy Rate** – Occupancy Rate = Total Booked Days / (Total Booked Days + Total Available Days). The calculation only includes vacation rentals with at least one Booked Night.
- **Revenue (USD)** – Total revenue (in US dollars) earned during the reporting period. Includes the advertised price from the time of booking, as well as cleaning fees.
- **RevPAR** – Revenue Per Available Rental = ADR * Occupancy Rate

Source: AirDNA

AirDNA Geographical Boundary



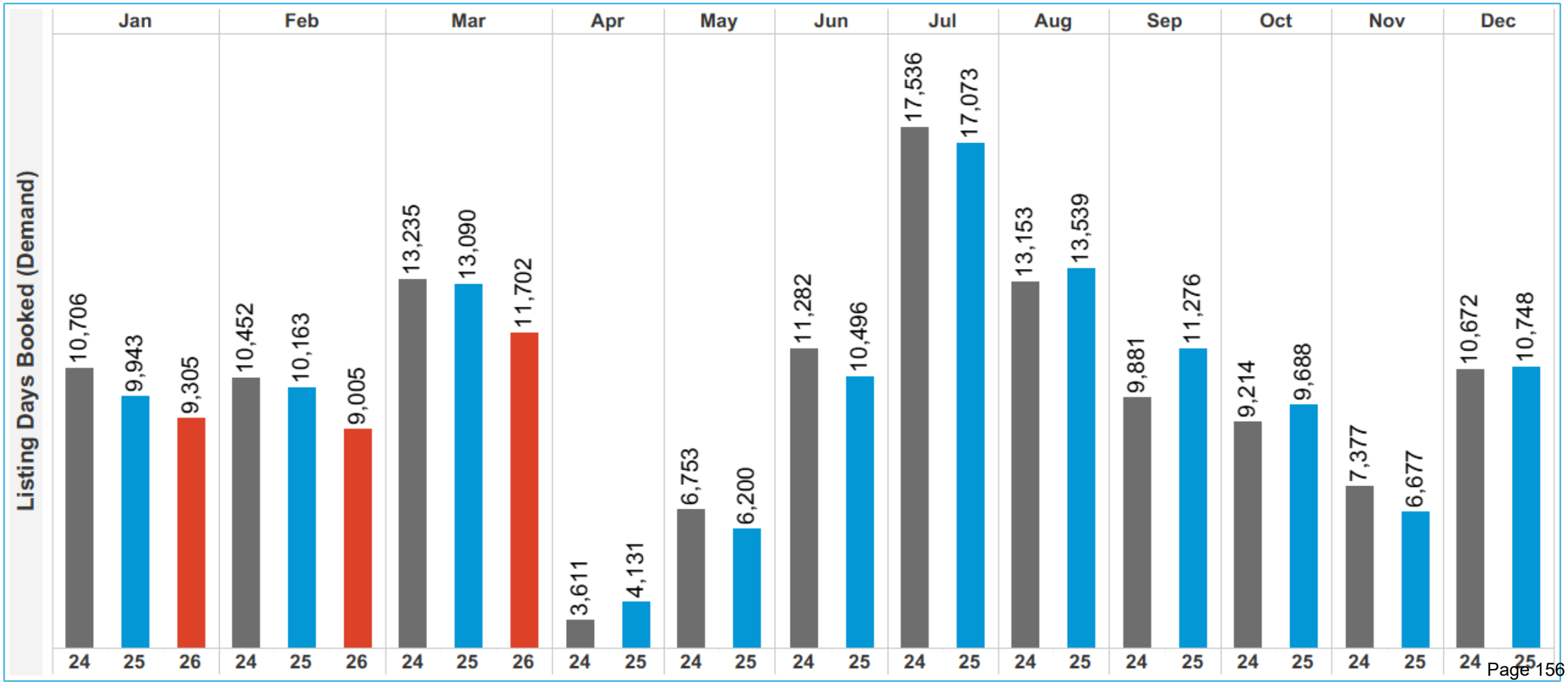
Source: AirDNA

Pagosa Springs Monthly Short-Term Rental Performance

March 2026

Source: AirDNA, 'Entire Place' Listings Only

	Occupancy	ADR	RevPAR	Active Listings	Listing Days Booked	Revenue
Mar '26	51.6%	$299.02	$154.35	826	11,702	$3,499,132
YOY	-7.3%	9.1%	1.1%	-3.3%	-10.6%	-2.5%

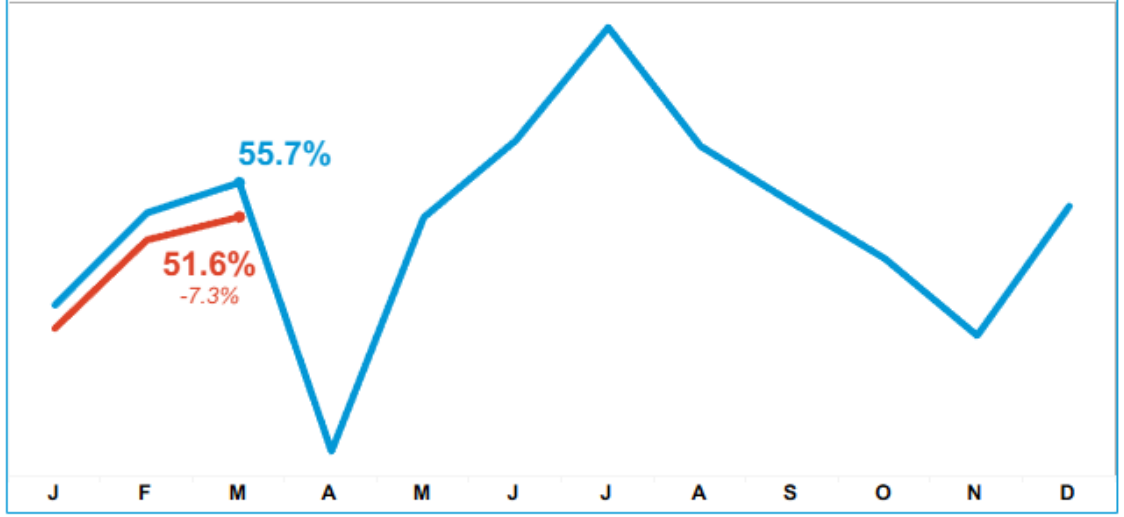


Pagosa Springs Monthly Short-Term Rental Performance

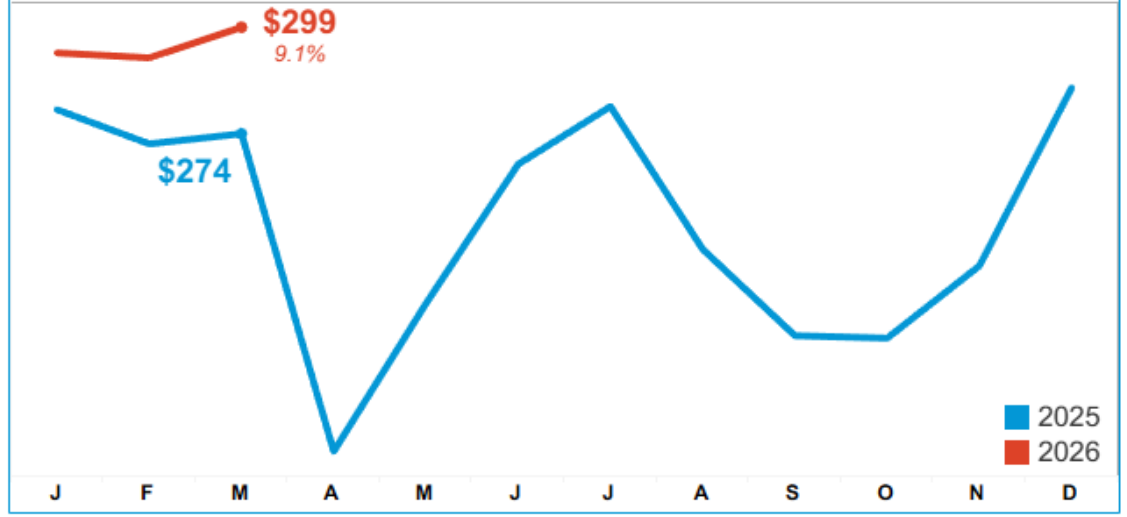
March 2026

Source: AirDNA, 'Entire Place' Listings Only

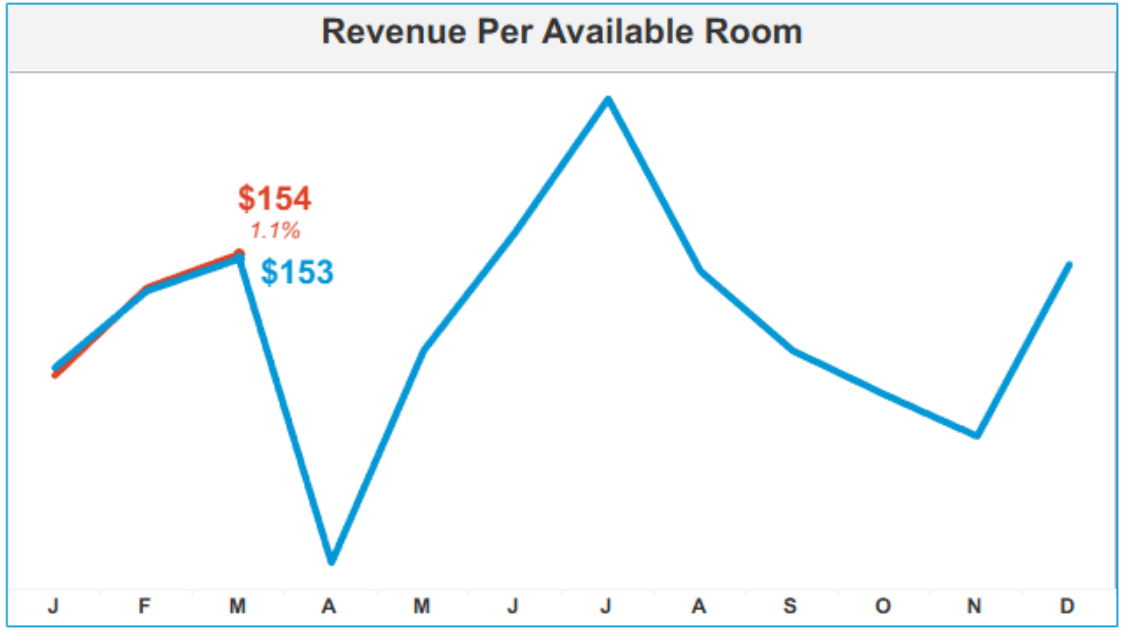
Occupancy



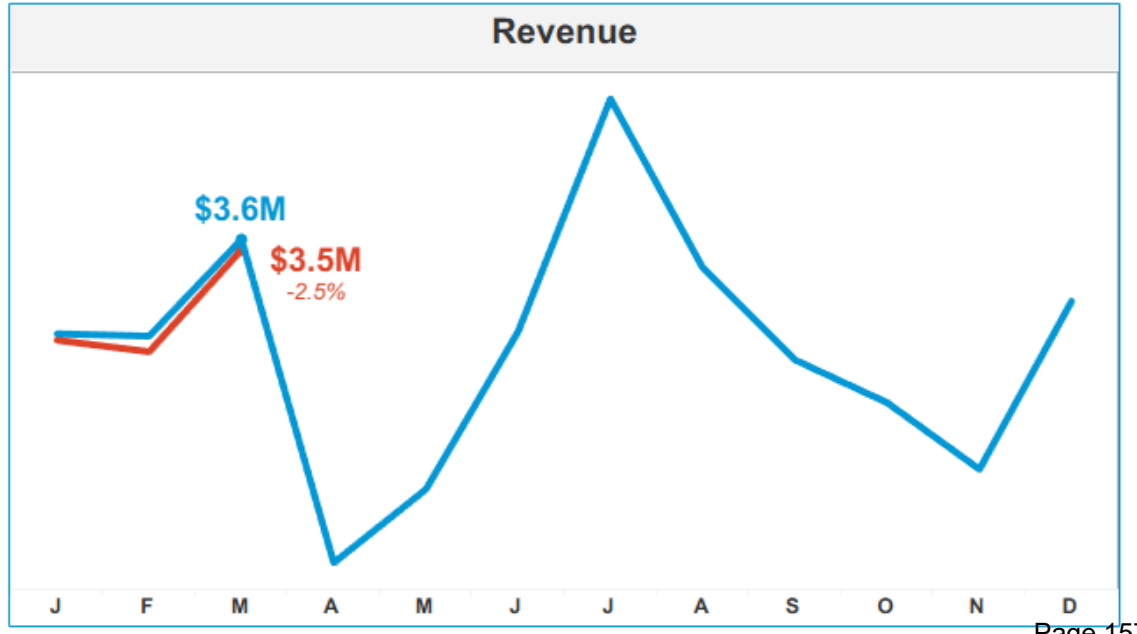
Average Daily Rate



Revenue Per Available Room



Revenue

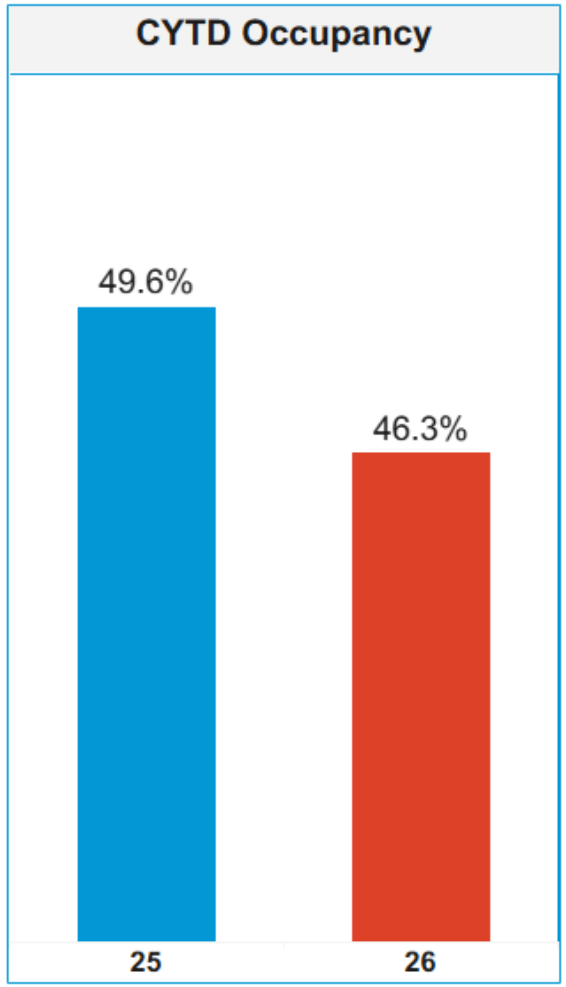


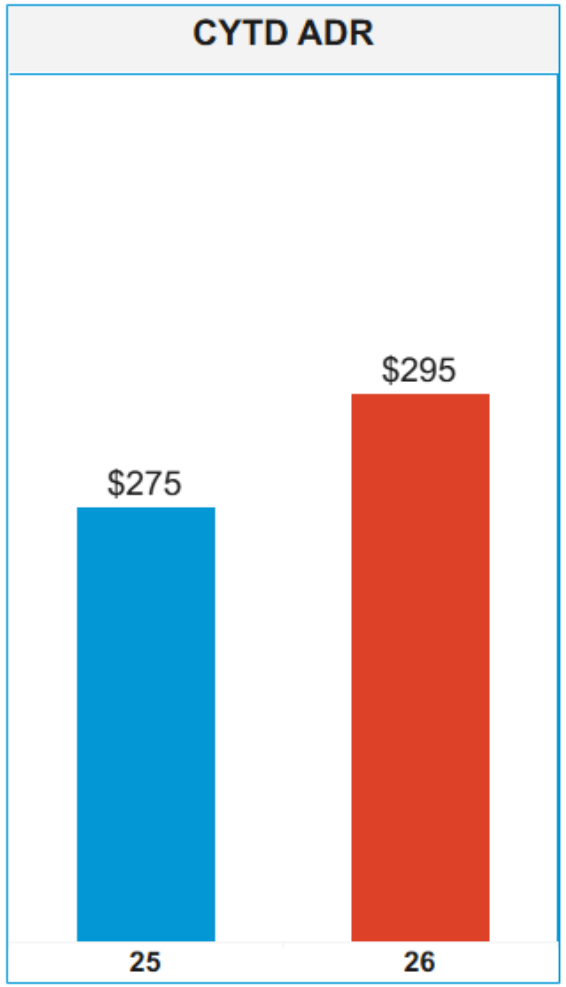
Pagosa Springs Monthly Short-Term Rental Performance

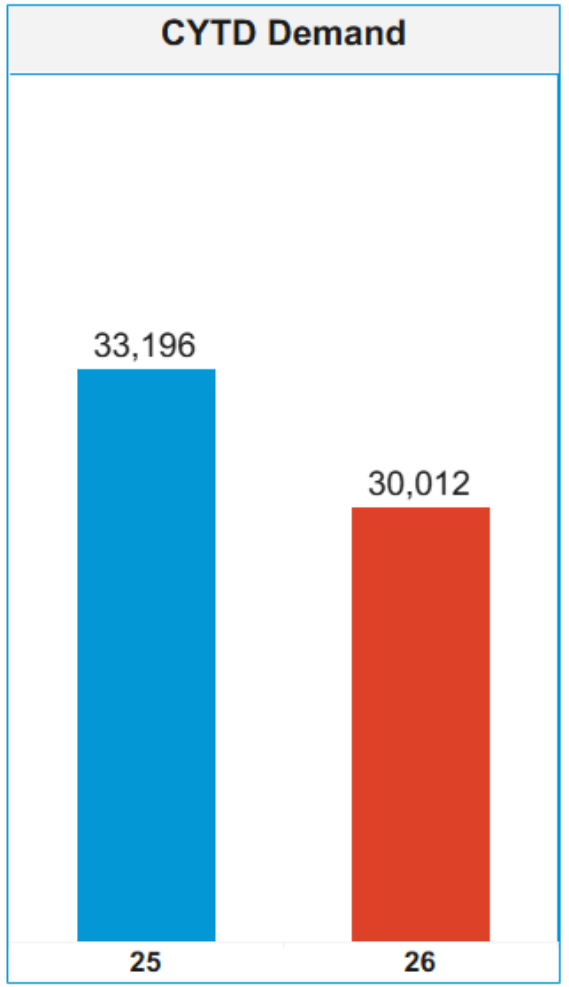
Calendar YTD Through March 2026

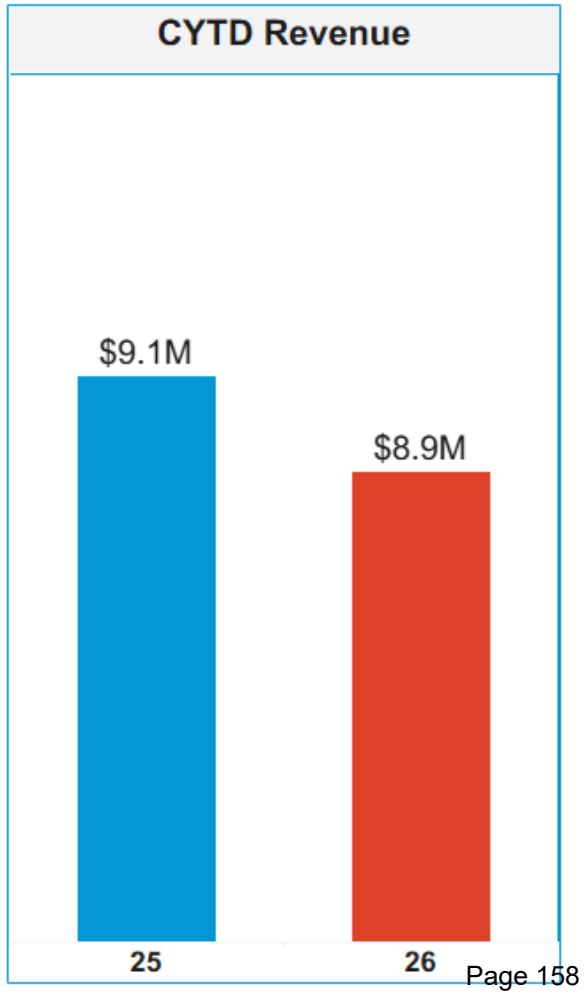
Source: AirDNA, 'Entire Place' Listings Only

	Occupancy	ADR	RevPAR	Avg. Active Listings	Listing Days Booked	Revenue
YTD '26	46.3%	$294.64	$136.44	829	30,012	$8,853,972
YOY	-6.8%	7.1%	0.0%	-2.5%	-9.6%	-3.0%









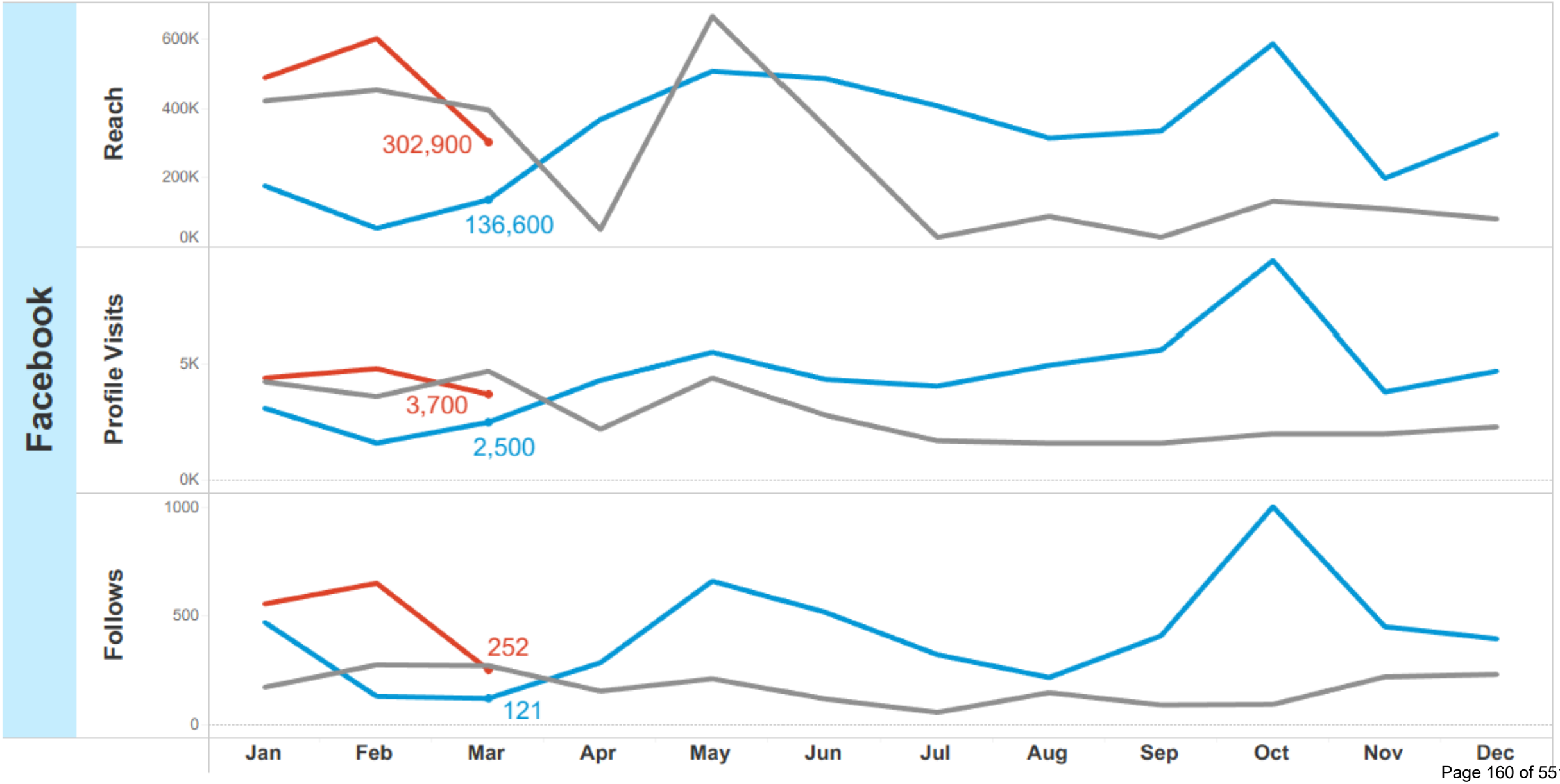
Social Media & Web Performance



Pagosa Springs Monthly Social Media Performance

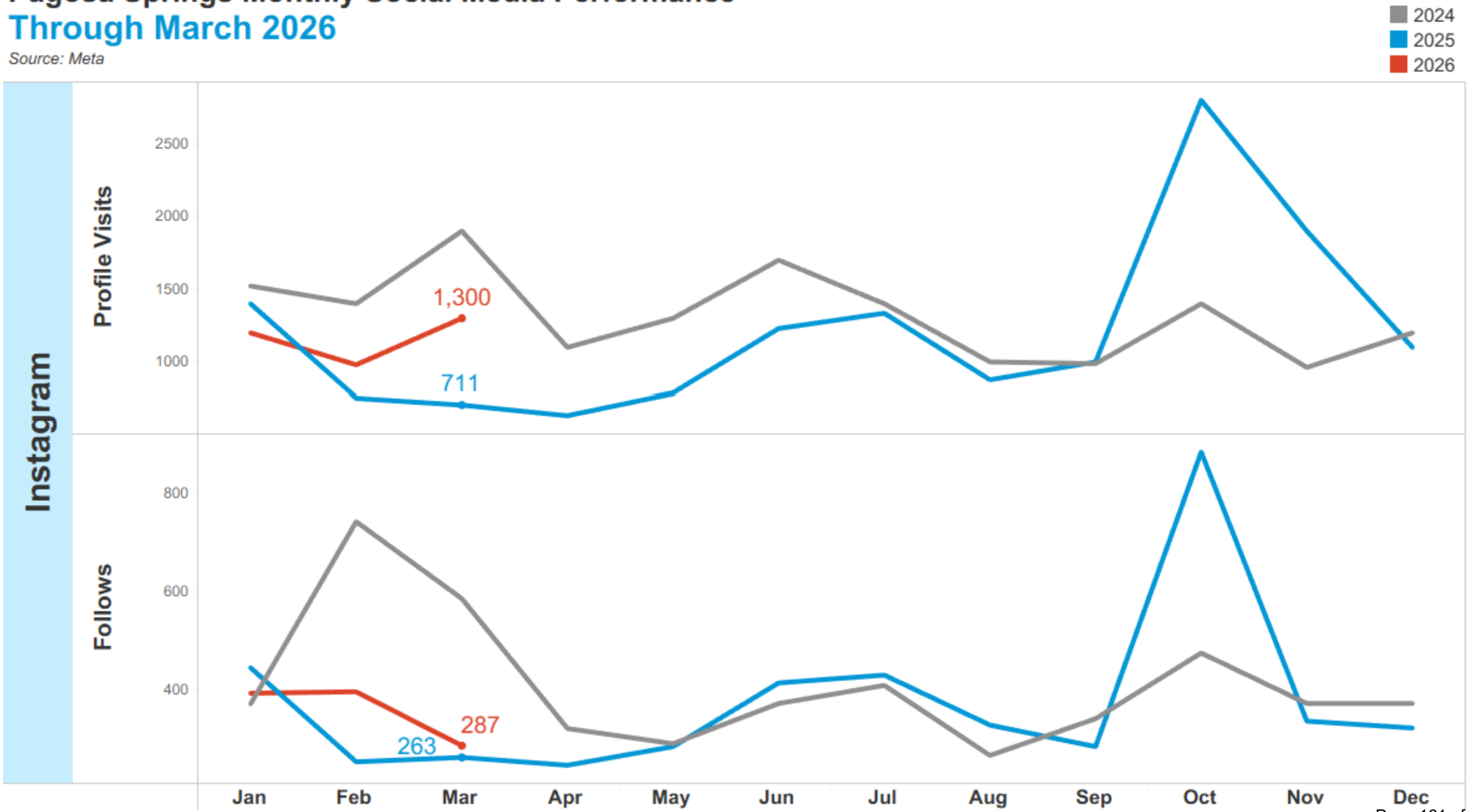
Through March 2026

Source: Meta



Pagosa Springs Monthly Social Media Performance
Through March 2026

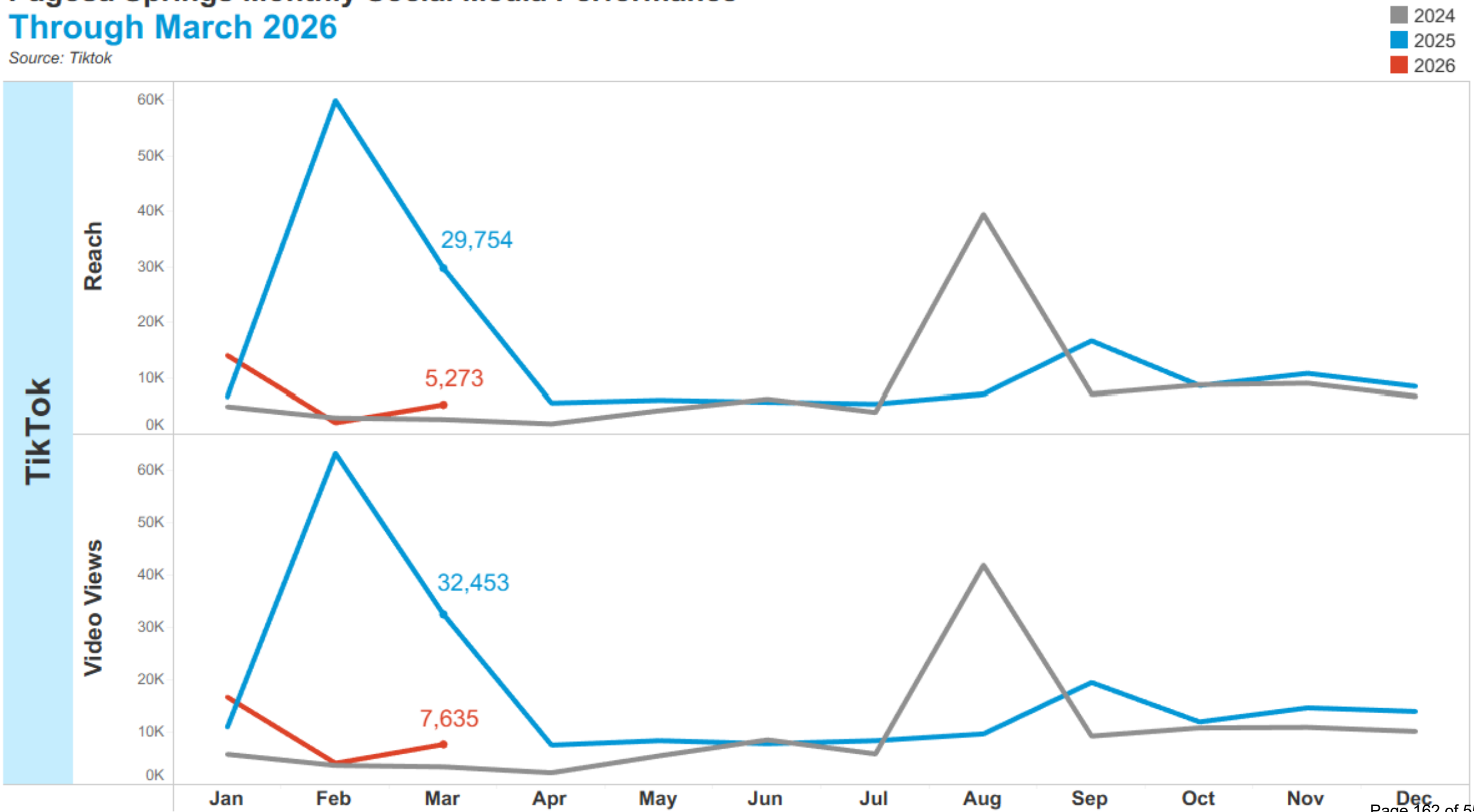
Source: Meta



Pagosa Springs Monthly Social Media Performance

Through March 2026

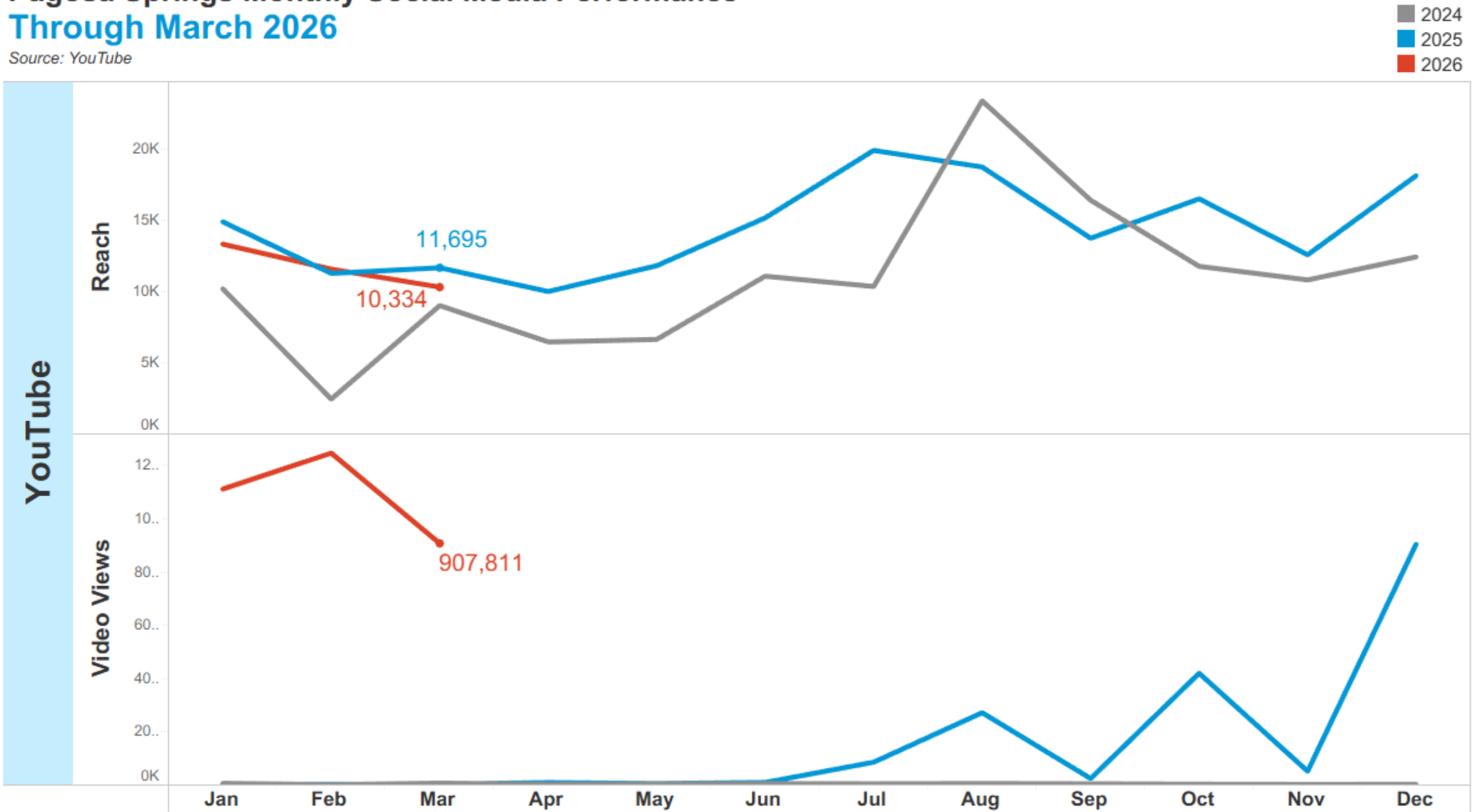
Source: Tiktok



Pagosa Springs Monthly Social Media Performance

Through March 2026

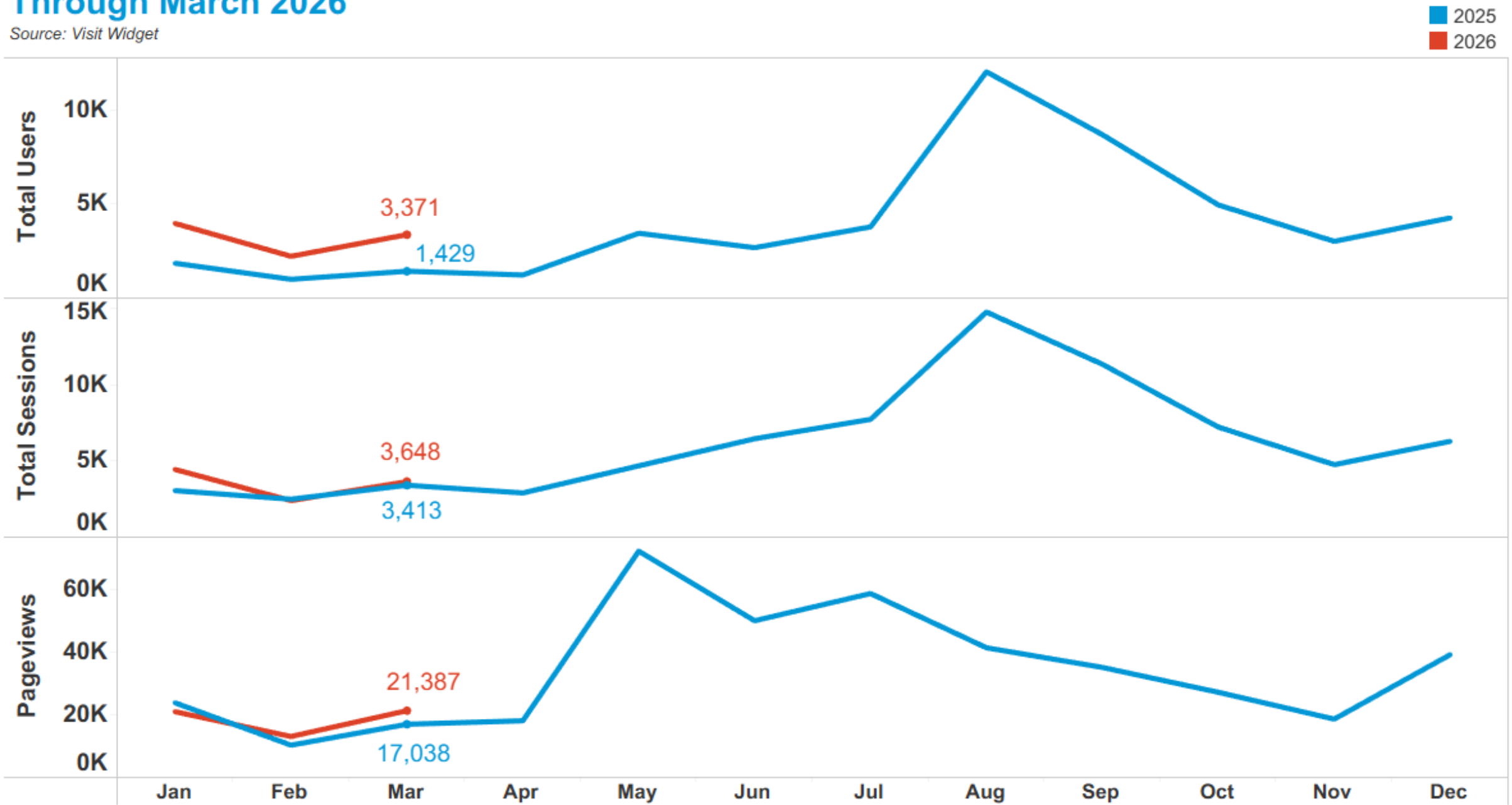
Source: YouTube



Pagosa Springs Monthly Website Performance

Through March 2026

Source: Visit Widget



Placer.ai Geolocation Data



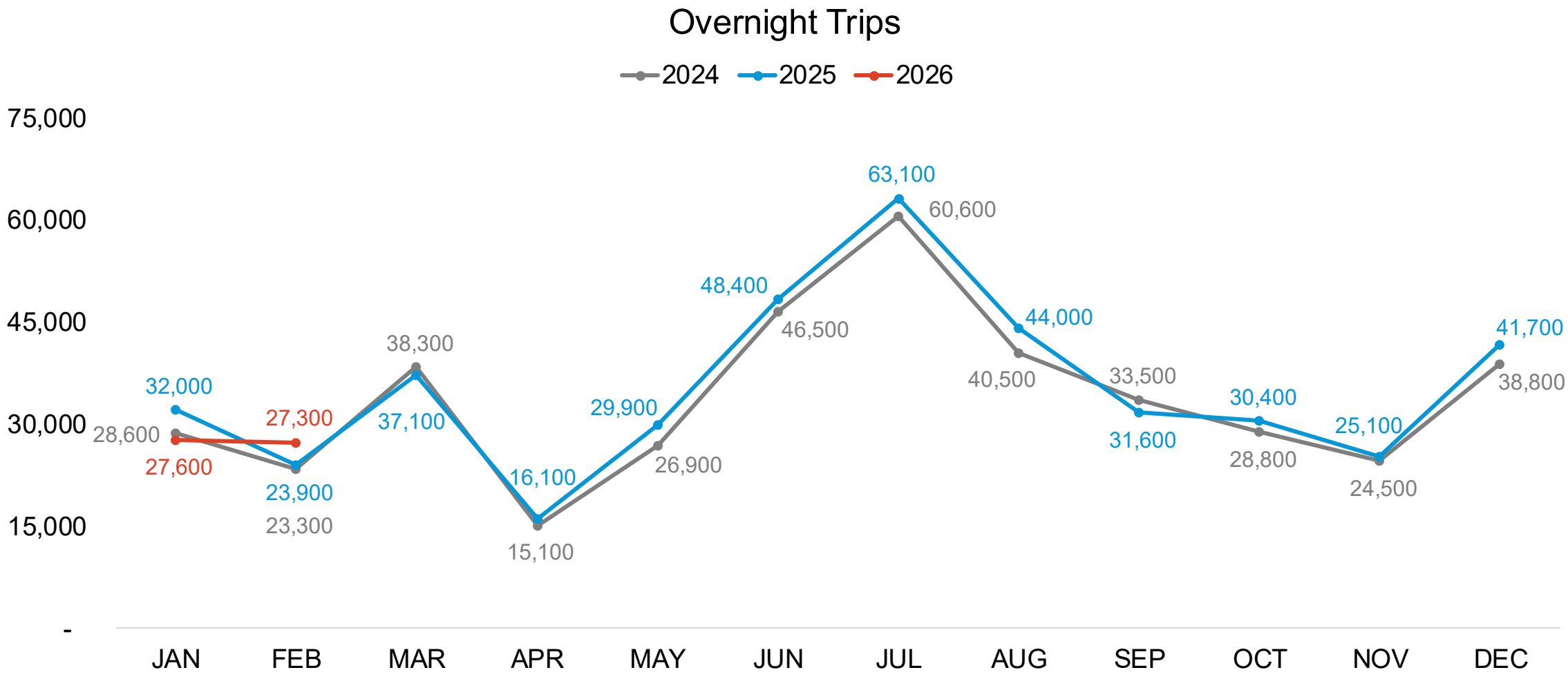
Placer.ai - Definitions

- **Overnight Trips** – **“**Overnight trips counts the total number of separate overnight trips (i.e. trips that include 1 or more overnight stays) made to the selected region within the selected timeframe, including multiple visits by the same person (so long as the multiple visits are in separate months; Multiple visits by the same person within a given month will be counted as 1 visit). Overnight Trips are counted for visitors whose home location is at least 10 miles away (changeable via the Filters).”

- **Visit Nights** – “Visit Nights counts the total number of Overnight stays made by people visiting the selected region within the selected timeframe. Visit Nights are counted for visitors whose home location is at least 10 miles away (changeable via the Filters).”

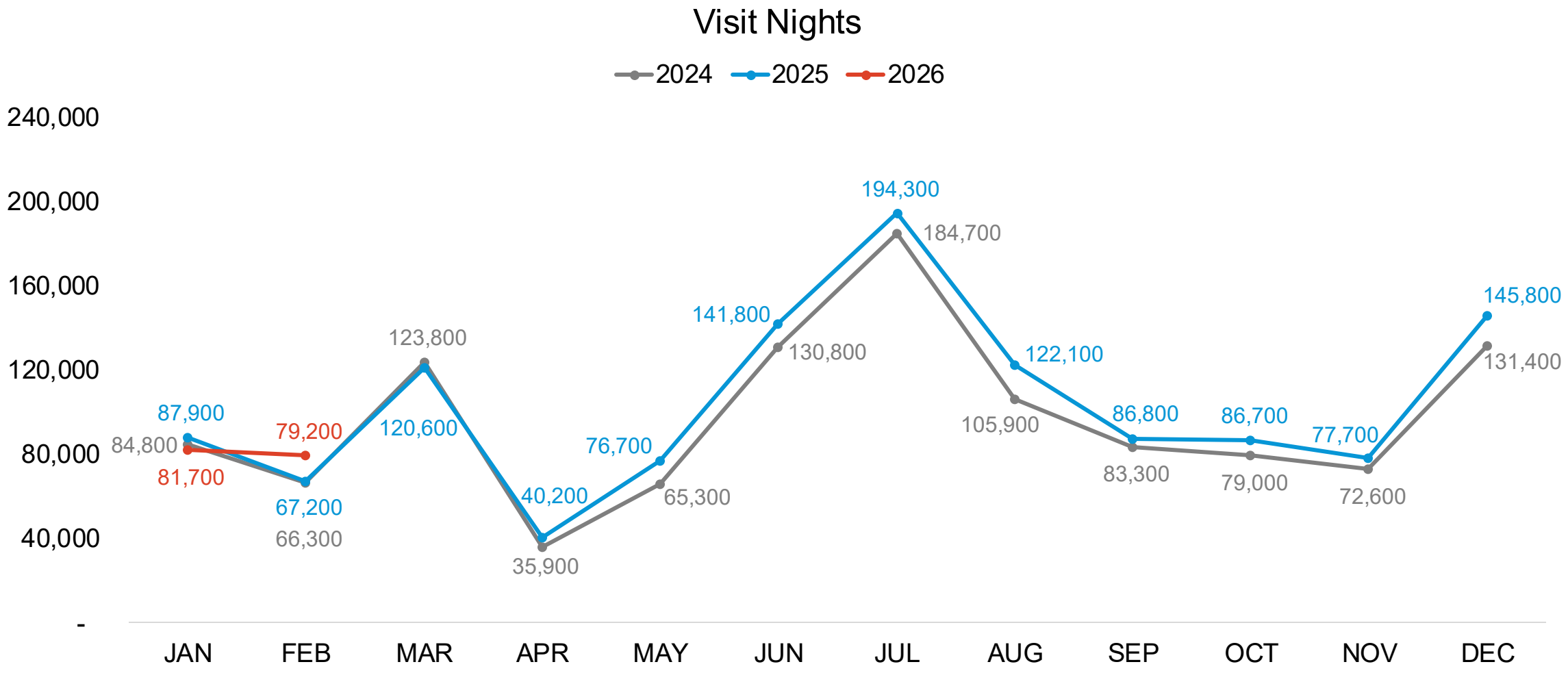
Source: Placer.ai

Placer.ai – Overnight Trips



Source: Placer.ai

Placer.ai – Visit Nights



Source: Placer.ai

Consumer Sentiment



American Travel Sentiment Study Wave 106

*Survey fielded April 7-8, 2026; US National Sample of 1,000 adults 18+

American Travel Sentiment Wave 106 Highlights

Key Findings:

1. **Concerns About Gas Prices Highest Since July 2022**
   Concerns about gas prices greatly impacting travel decisions has reached 33%, up 12.6 points from March 2026 (21%) and the highest since July 2022 (43%). Due to gas prices, four in ten travelers (41%) are choosing destinations closer to home and 36% are reducing the number of trips they're taking. Travelers are also reducing their spending on entertainment and recreation (35%), retail purchases (33%), and food and beverage (29%). Nearly one in ten (8%) are canceling their trips.

2. **Iran War Influencing International Travel Plans**
   A third of travelers (33%) plan to travel internationally in the next 12 months. However, the Iran war is impacting international travel plans, with 27% indicating they are less likely to travel internationally due to the war. Among travelers who indicated the Iran war is influencing their international travel plans, 40% will postpone their international trip and 31% plan to replace their international trip with a domestic trip. One in five (19%) will cancel their international trip.



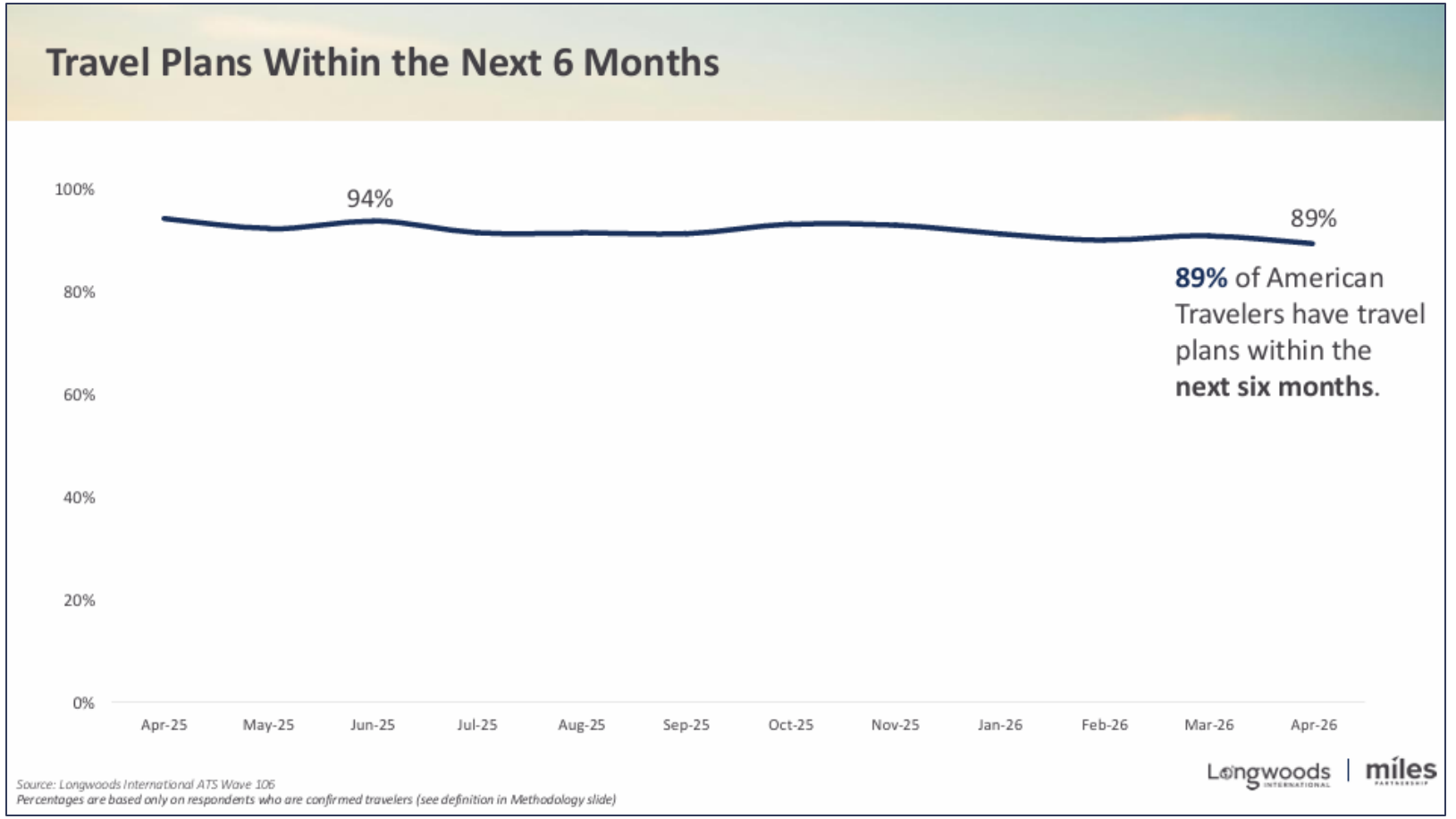
Source: Longwoods International ATS Wave 106

Longwoods | miles

Source: Longwoods International

American Travel Sentiment Study Wave 106

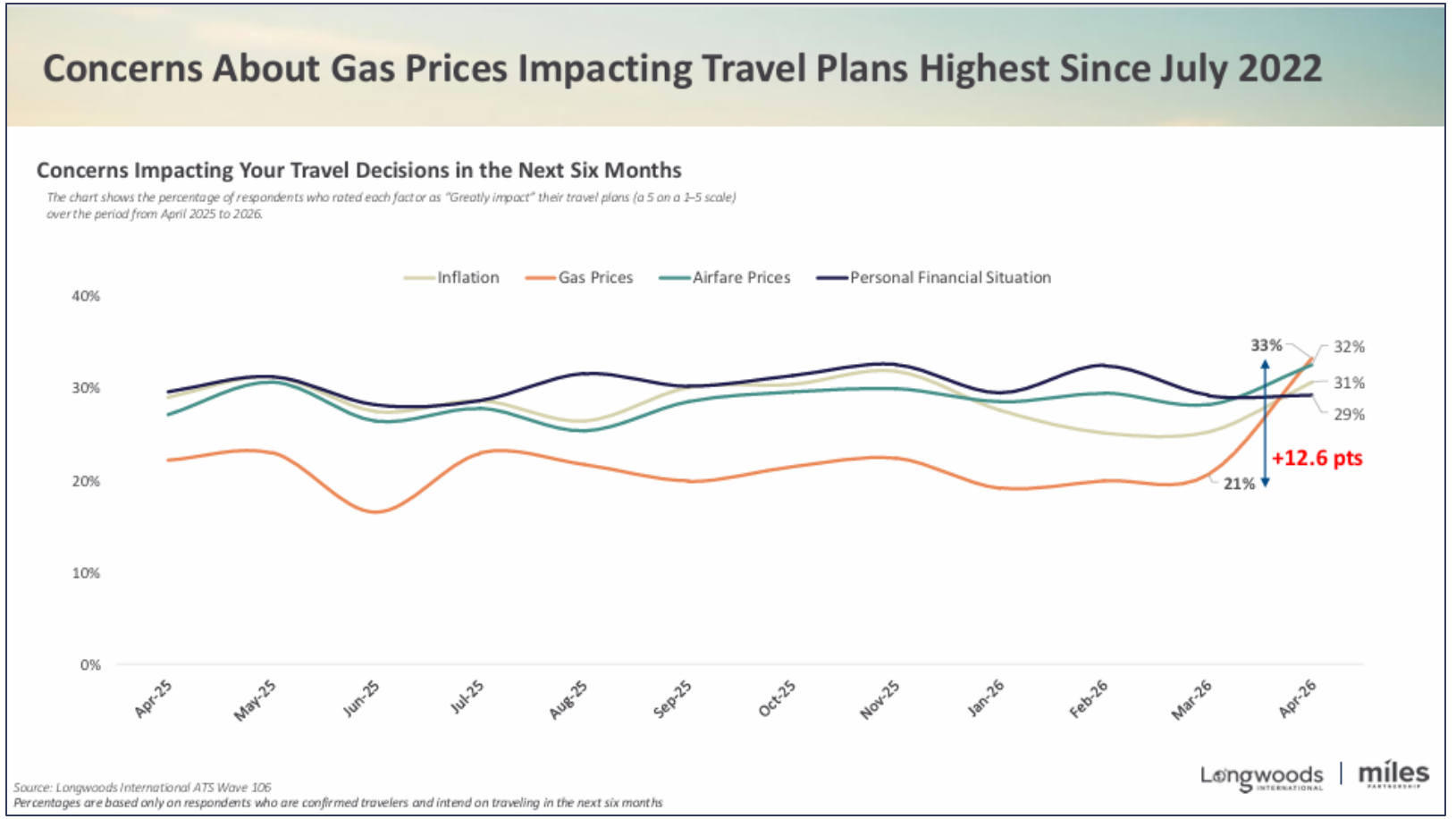
*Survey fielded April 7-8, 2026; US National Sample of 1,000 adults 18+



Source: Longwoods International

American Travel Sentiment Study Wave 106

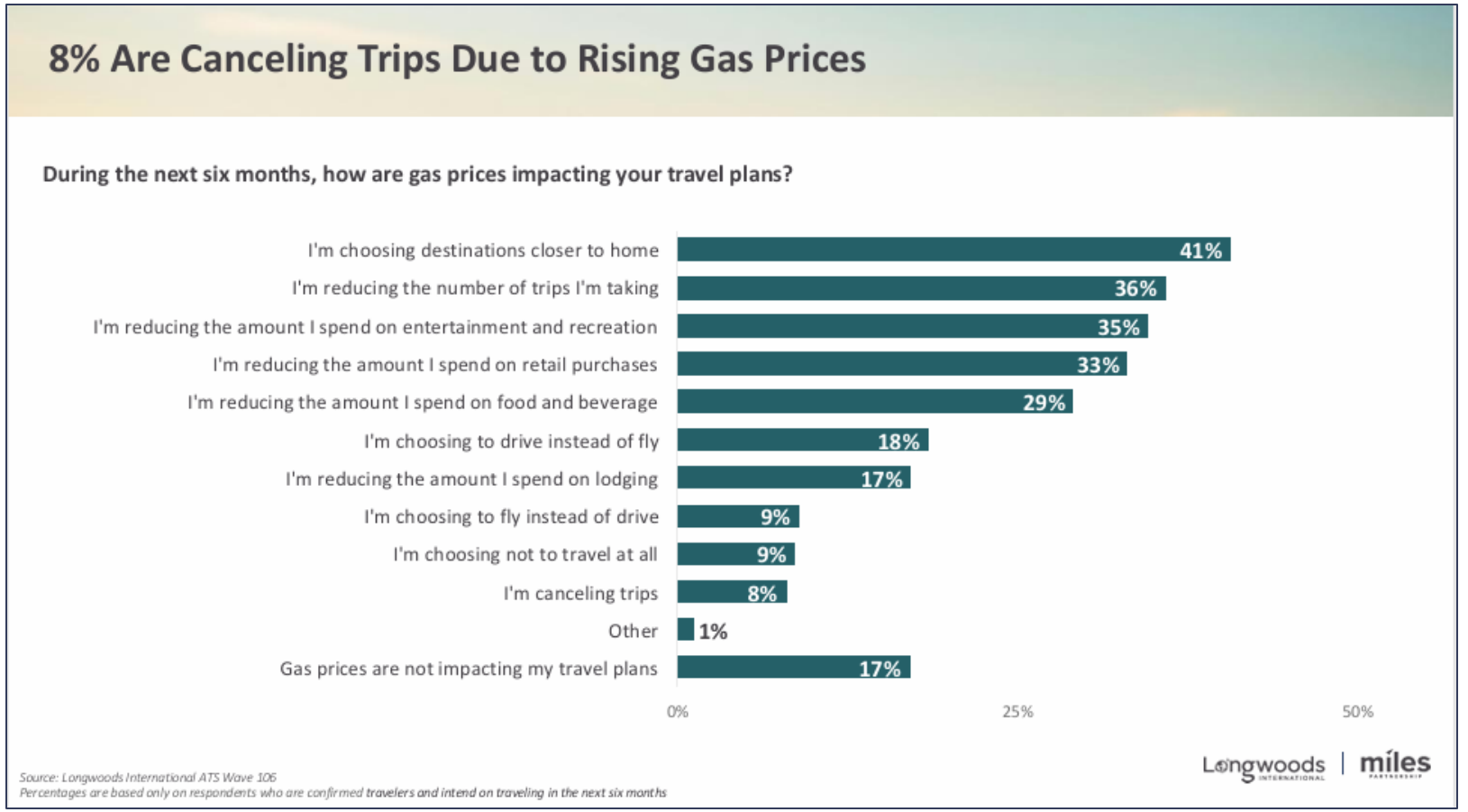
*Survey fielded April 7-8, 2026; US National Sample of 1,000 adults 18+



Source: Longwoods International

American Travel Sentiment Study Wave 106

*Survey fielded April 7-8, 2026; US National Sample of 1,000 adults 18+



Source: Longwoods International

American Travel Sentiment Study Wave 106

*Survey fielded April 7-8, 2026; US National Sample of 1,000 adults 18+



Source: Longwoods International

American Travel Sentiment Study Wave 106

*Survey fielded April 7-8, 2026; US National Sample of 1,000 adults 18+



Source: Longwoods International

American Travel Sentiment Study Wave 106

*Survey fielded April 7-8, 2026; US National Sample of 1,000 adults 18+



Source: Longwoods International

American Travel Sentiment Study Wave 106

*Survey fielded April 7-8, 2026; US National Sample of 1,000 adults 18+

American Travel Sentiment Methodology

The American National Travel Sentiment Study is the most comprehensive and longest-running survey of its kind, offering valuable insights into the factors influencing American travel behaviors.

Key Details:

- Survey Date: April 7 – 8, 2026
- Sample Size: 1,000 U.S. adults (18+)
- Margin of Error: ±3%
- Representative of U.S. population demographics (age, gender, region)

Travelers are only respondents that have taken a trip in the last 3 years and intend to take a trip in the next 2 years.

Conducted with support from Miles Partnership, this study remains a vital tool for understanding the dynamic landscape of American travel.



Longwoods | miles

Source: Longwoods International


THANK YOU
PAGOSA
SPRINGS
COLORADO

PAGOSA SPRINGS COLORADO

- REFRESHINGLY AUTHENTIC -

BLUE ROOM RESEARCH

Winter Data



COLORADO TOURISM OFFICE

Tab 2 - Multi-Segment: Colorado Office of Tourism

Currency: USD - US Doll

Colorado Office of Tourism

For the month of: December 2025

	Current Month - December 2025 vs December 2024												Year to Date - December 2025 vs December 2024											
	Occ %		ADR		RevPAR		Percent Change from December 2024						Occ %		ADR		RevPAR		Percent Change from YTD 2024					
	2025	2024	2025	2024	2025	2024	Occ	ADR	RevPAR	Room Rev	Room Avail	Room Sold	2025	2024	2025	2024	2025	2024	Occ	ADR	RevPAR	Room Rev	Room Avail	Room Sold
State of Colorado	50.9	49.2	170.19	173.83	86.58	85.49	3.4	-2.1	1.3	1.4	0.1	3.6	63.1	63.5	163.38	165.54	103.10	105.18	-0.7	-1.3	-2.0	-0.9	1.1	0.4
Aspen, Snowmass, Basalt+	58.4	59.9	861.26	851.89	502.63	510.10	-2.5	1.1	-1.5	-1.5	0.0	-2.5	57.6	58.1	574.19	565.02	330.55	328.33	-0.9	1.6	0.7	2.9	2.2	1.2
Breckenridge+	64.8	58.9	285.33	300.57	184.91	176.93	10.1	-5.1	4.5	4.6	0.1	10.1	60.2	60.2	222.34	226.38	133.90	136.34	-0.0	-1.8	-1.8	3.6	5.4	5.4
Colorado Southwest Area+	40.9	40.8	104.40	105.60	42.69	43.13	0.1	-1.1	-1.0	-0.7	0.3	0.4	57.9	56.5	123.25	125.70	71.33	71.08	2.4	-1.9	0.4	0.9	0.5	2.9
Durango+	51.7	52.3	133.08	132.06	68.85	69.07	-1.1	0.8	-0.3	-0.3	0.0	-1.1	64.2	64.0	150.96	149.14	96.85	95.41	0.3	1.2	1.5	1.5	-0.0	0.3
Estes Park+	37.3	37.1	124.75	125.81	46.48	46.69	0.4	-0.8	-0.4	-0.3	0.1	0.5	55.1	54.5	139.89	138.72	77.13	75.62	1.1	0.8	2.0	2.6	0.6	1.7
Glenwood Springs+	51.8	55.0	149.36	147.22	77.42	80.98	-5.8	1.5	-4.4	-4.9	-0.5	-6.2	65.0	66.3	151.23	151.21	98.32	100.33	-2.0	0.0	-2.0	-1.7	0.3	-1.7
Grand Junction, Fruita+	48.9	45.3	91.34	86.74	44.63	39.28	7.9	5.3	13.6	9.4	-3.7	3.9	65.1	63.1	113.19	111.63	73.67	70.48	3.1	1.4	4.5	2.6	-1.8	1.2
Gunnison+	34.0	36.5	101.43	95.64	34.49	34.87	-6.7	6.1	-1.1	-1.1	0.0	-6.7	59.0	57.3	125.72	127.45	74.12	72.99	2.9	-1.4	1.5	1.5	-0.0	2.9
Keystone/Frisco+	58.7	61.6	194.46	193.00	114.06	118.97	-4.9	0.8	-4.1	-4.1	0.0	-4.9	59.4	61.0	171.50	171.10	101.83	104.36	-2.6	0.2	-2.4	-3.7	-1.3	-3.9
Pagosa Springs, Alamosa+	40.4	38.0	105.55	105.41	42.69	40.01	6.6	0.1	6.7	6.7	0.0	6.6	56.8	52.4	119.03	119.35	67.63	62.53	8.4	-0.3	8.1	8.1	0.0	8.4
Ski Area+	58.5	58.3	501.97	515.01	293.67	300.29	0.3	-2.5	-2.2	-2.3	-0.1	0.2	56.7	56.3	357.69	365.10	202.97	205.59	0.8	-2.0	-1.3	0.4	1.7	2.5
Steamboat+	54.7	54.3	261.02	241.54	142.91	131.07	0.9	8.1	9.0	15.0	5.5	6.4	59.6	64.7	219.43	208.58	130.75	135.01	-7.9	5.2	-3.2	11.1	14.8	5.6
Telluride, Crested Butte, Leadville+		53.0		396.20		210.18							56.1	53.9	303.11	313.48	170.12	168.86	4.2	-3.3	0.7	0.9	0.2	4.4
Vail, Beaver Creek, Avon, Edwards+	60.3	59.2	623.87	652.21	376.35	386.42	1.8	-4.3	-2.6	-2.6	0.0	1.9	54.2	53.1	431.45	450.96	233.90	239.48	2.1	-4.3	-2.3	-0.3	2.1	4.2
Winter Park, Fraser, Georgetown+	58.0	58.2	199.02	208.53	115.45	121.33	-0.3	-4.6	-4.8	-4.8	0.0	-0.3	58.8	56.8	177.60	182.31	104.49	103.48	3.7	-2.6	1.0	-0.0	-1.0	2.6

Occupancy for December 2025 vs. December 2024 and YTD December 2025 vs. December 2024

Tab 2 - Multi-Segment: Colorado Office of Tourism

Currency: USD - US Doll

Colorado Office of Tourism

For the month of: January 2026

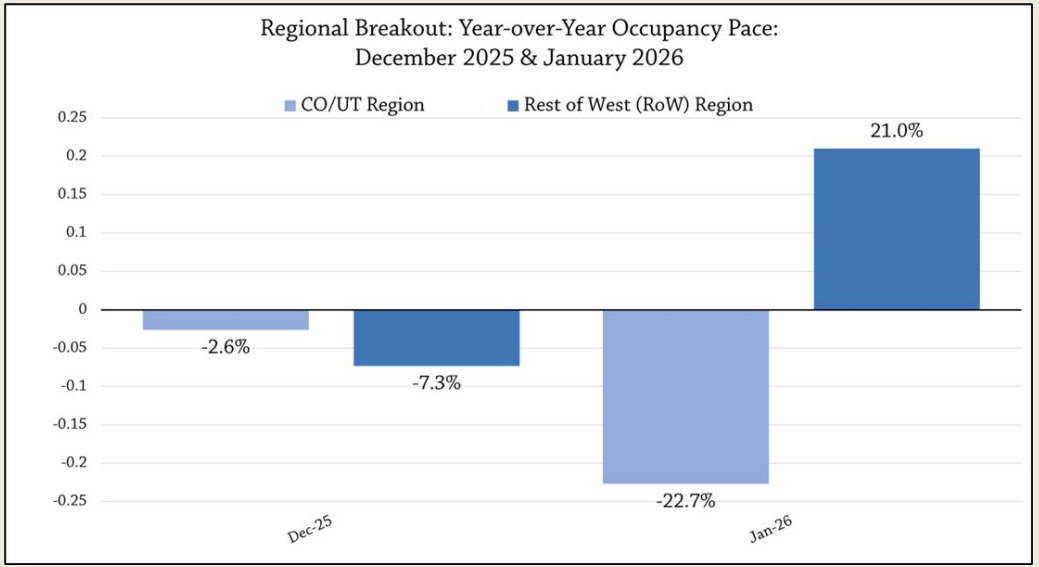
	Current Month - January 2026 vs January 2025												Year to Date - January 2026 vs January 2025											
	Occ %		ADR		RevPAR		Percent Change from January 2025						Occ %		ADR		RevPAR		Percent Change from YTD 2025					
	2026	2025	2026	2025	2026	2025	Occ	ADR	RevPAR	Room Rev	Room Avail	Room Sold	2026	2025	2026	2025	2026	2025	Occ	ADR	RevPAR	Room Rev	Room Avail	Room Sold
State of Colorado	51.6	51.0	172.87	177.14	89.18	90.40	1.1	-2.4	-1.4	-1.5	-0.1	1.0	51.6	51.0	172.87	177.14	89.18	90.40	1.1	-2.4	-1.4	-1.5	-0.1	1.0
Aspen, Snowmass, Basalt+	67.4	71.3	796.16	792.68	536.92	565.50	-5.5	0.4	-5.1	-5.1	0.0	-5.5	67.4	71.3	796.16	792.68	536.92	565.50	-5.5	0.4	-5.1	-5.1	0.0	-5.5
Breckenridge+	67.1	63.5	272.29	292.57	182.78	185.88	5.7	-6.9	-1.7	-1.6	0.1	5.7	67.1	63.5	272.29	292.57	182.78	185.88	5.7	-6.9	-1.7	-1.6	0.1	5.7
Colorado Southwest Area+	38.1	41.3	102.30	101.56	38.93	41.97	-7.9	0.7	-7.2	-5.1	2.3	-5.8	38.1	41.3	102.30	101.56	38.93	41.97	-7.9	0.7	-7.2	-5.1	2.3	-5.8
Durango+	42.1	42.4	109.20	111.67	45.95	47.31	-0.7	-2.2	-2.9	-2.9	0.0	-0.7	42.1	42.4	109.20	111.67	45.95	47.31	-0.7	-2.2	-2.9	-2.9	0.0	-0.7
Estes Park+	35.9	37.8	122.19	126.77	43.86	47.92	-5.0	-3.6	-8.5	-8.5	-0.0	-5.1	35.9	37.8	122.19	126.77	43.86	47.92	-5.0	-3.6	-8.5	-8.5	-0.0	-5.1
Glenwood Springs+	52.5	54.6	137.66	136.89	72.24	74.71	-3.8	0.6	-3.3	-3.8	-0.5	-4.3	52.5	54.6	137.66	136.89	72.24	74.71	-3.8	0.6	-3.3	-3.8	-0.5	-4.3
Grand Junction, Fruita+	44.1	43.3	87.16	85.27	38.46	36.92	1.9	2.2	4.2	0.3	-3.7	-1.9	44.1	43.3	87.16	85.27	38.46	36.92	1.9	2.2	4.2	0.3	-3.7	-1.9
Gunnison+	40.1	42.4	100.28	94.59	40.19	40.06	-5.4	6.0	0.3	0.3	0.0	-5.4	40.1	42.4	100.28	94.59	40.19	40.06	-5.4	6.0	0.3	0.3	0.0	-5.4
Keystone/Frisco+	59.2	60.9	198.38	209.47	117.54	127.53	-2.7	-5.3	-7.8	-7.8	0.0	-2.7	59.2	60.9	198.38	209.47	117.54	127.53	-2.7	-5.3	-7.8	-7.8	0.0	-2.7
Pagosa Springs, Alamosa+	38.9	38.0	103.62	104.12	40.27	39.60	2.2	-0.5	1.7	1.7	0.0	2.2	38.9	38.0	103.62	104.12	40.27	39.60	2.2	-0.5	1.7	1.7	0.0	2.2
Ski Area+	62.9	64.2	490.89	510.58	309.01	327.93	-2.0	-3.9	-5.8	-6.6	-0.9	-2.9	62.9	64.2	490.89	510.58	309.01	327.93	-2.0	-3.9	-5.8	-6.6	-0.9	-2.9
Steamboat+	58.5	60.1	289.55	313.70	169.36	188.60	-2.7	-7.7	-10.2	-5.5	5.2	2.4	58.5	60.1	289.55	313.70	169.36	188.60	-2.7	-7.7	-10.2	-5.5	5.2	2.4
Telluride, Crested Butte, Leadville+		59.3		417.83		247.90								59.3		417.83		247.90						
Vail, Beaver Creek, Avon, Edwards+	64.1	67.2	591.33	615.88	379.07	413.59	-4.5	-4.0	-8.3	-8.3	0.0	-4.5	64.1	67.2	591.33	615.88	379.07	413.59	-4.5	-4.0	-8.3	-8.3	0.0	-4.5
Winter Park, Fraser, Georgetown+	61.1	63.8	204.74	213.91	125.19	136.49	-4.2	-4.3	-8.3	-16.4	-8.9	-12.7	61.1	63.8	204.74	213.91	125.19	136.49	-4.2	-4.3	-8.3	-16.4	-8.9	-12.7

Occupancy for January 2026 vs. January 2025 and YTD January 2026 vs. January 2025

Mountain Town Trends

Regional Occupancy Pace - West Region Mountain Market (continued)

- "CO/UT resorts saw a -22.7% decline in YOY occupancy pace last month, a dramatic plunge down from the moderate -2.6% decline recorded in December, while the Rest of the West ("RoW") destinations enjoyed a strong 21.0% YOY gain in pace, a stunning improvement from the -7.3% decline recorded in December."
- "Not surprisingly, snow is the differentiator, with moderate--though still sketchy--snow falling in many RoW destinations, while CO/UT has been either unable to retain much of the snow it's received, or has been shut out almost completely."



Source: DestiMetrics (2/11/2026)

Tab 2 - Multi-Segment: Colorado Office of Tourism

Currency: USD - US Dol

Colorado Office of Tourism

For the month of: February 2026

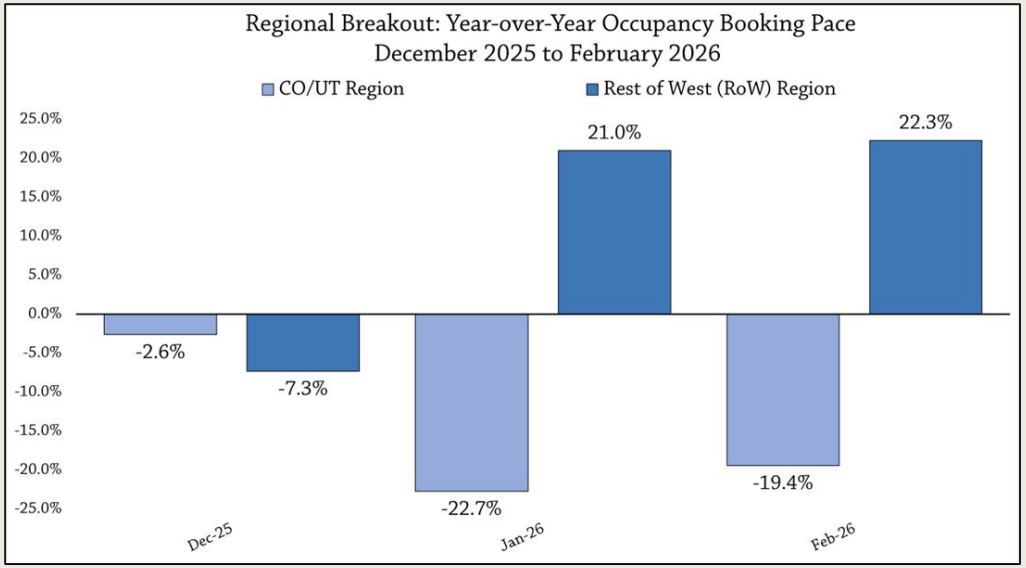
	Current Month - February 2026 vs February 2025												Year to Date - February 2026 vs February 2025											
	Occ %		ADR		RevPAR		Percent Change from February 2025						Occ %		ADR		RevPAR		Percent Change from YTD 2025					
	2026	2025	2026	2025	2026	2025	Occ	ADR	RevPAR	Room Rev	Room Avail	Room Sold	2026	2025	2026	2025	2026	2025	Occ	ADR	RevPAR	Room Rev	Room Avail	Room Sold
State of Colorado	57.2	59.4	187.85	193.54	107.52	115.03	-3.7	-2.9	-6.5	-6.4	0.2	-3.5	54.3	55.0	180.15	185.57	97.84	102.13	-1.3	-2.9	-4.2	-4.2	-0.0	-1.3
Aspen, Snowmass, Basalt+	75.2	78.4	919.48	863.65	691.02	676.81	-4.1	6.5	2.1	2.1	0.0	-4.1	71.1	74.7	858.18	828.03	610.15	618.32	-4.8	3.6	-1.3	-1.3	0.0	-4.8
Breckenridge+	72.6	74.6	305.35	335.96	221.53	250.71	-2.8	-9.1	-11.6	-11.6	0.1	-2.7	69.6	68.8	288.68	314.90	201.06	216.64	1.2	-8.3	-7.2	-7.1	0.1	1.3
Colorado Southwest Area+	43.1	46.9	106.38	108.43	45.84	50.81	-8.1	-1.9	-9.8	-7.7	2.3	-6.0	40.4	44.0	104.36	105.04	42.21	46.17	-8.0	-0.6	-8.6	-6.5	2.3	-5.9
Durango+	46.1	47.1	106.34	111.36	48.99	52.42	-2.1	-4.5	-6.5	-4.7	2.0	-0.2	44.0	44.6	107.76	111.51	47.41	49.73	-1.4	-3.4	-4.7	-3.8	1.0	-0.4
Estes Park+	42.8	42.9	136.48	136.08	58.43	58.38	-0.2	0.3	0.1	0.1	-0.0	-0.2	39.2	40.2	129.59	131.48	50.78	52.89	-2.6	-1.4	-4.0	-4.0	-0.0	-2.6
Glenwood Springs+	56.2	59.5	140.02	140.80	78.73	83.81	-5.5	-0.6	-6.1	-6.5	-0.5	-6.0	54.1	57.6	139.25	137.26	75.31	79.03	-6.1	1.5	-4.7	-5.2	-0.5	-6.5
Grand Junction, Fruita+	52.4	49.3	92.41	88.83	48.47	43.80	6.4	4.0	10.7	6.5	-3.7	2.4	48.1	46.1	89.90	87.08	43.22	40.19	4.2	3.2	7.6	3.5	-3.7	0.3
Gunnison+	46.9	53.1	100.88	103.82	47.33	55.16	-11.7	-2.8	-14.2	-14.2	0.0	-11.7	43.3	47.5	100.59	99.49	43.58	47.23	-8.7	1.1	-7.7	-7.7	0.0	-8.7
Keystone/Frisco+	66.6	72.8	213.96	234.33	142.51	170.68	-8.6	-8.7	-16.5	-16.5	0.0	-8.6	62.8	66.7	206.43	222.63	129.67	148.40	-5.8	-7.3	-12.6	-12.6	0.0	-5.8
Pagosa Springs, Alamosa+	45.3	44.5	107.39	109.04	48.66	48.51	1.9	-1.5	0.3	0.3	0.0	1.9	41.9	41.1	105.56	106.65	44.25	43.83	2.0	-1.0	1.0	1.0	0.0	2.0
Ski Area+	71.1	74.9	560.00	563.78	398.19	422.05	-5.0	-0.7	-5.7	-6.5	-0.9	-5.9	66.8	69.3	526.14	538.13	351.63	372.92	-3.6	-2.2	-5.7	-6.6	-0.9	-4.4
Steamboat+	65.6	70.7	318.27	345.35	208.72	244.23	-7.3	-7.8	-14.5	-10.1	5.2	-2.4	61.9	65.2	304.00	330.01	188.04	215.00	-5.1	-7.9	-12.5	-8.0	5.2	-0.1
Telluride, Crested Butte, Leadville+		71.4		478.99		342.05								65.1		449.69		292.58						
Vail, Beaver Creek, Avon, Edwards+	74.1	78.4	659.32	697.24	488.41	546.69	-5.5	-5.4	-10.7	-10.6	0.0	-5.5	68.8	72.5	626.05	657.64	430.96	476.76	-5.0	-4.8	-9.6	-9.6	0.0	-5.0
Winter Park, Fraser, Georgetown+	67.3	74.1	234.78	242.15	157.94	179.32	-9.2	-3.0	-11.9	-19.8	-8.9	-17.2	64.1	68.7	219.71	228.36	140.73	156.82	-6.7	-3.8	-10.3	-18.3	-8.9	-15.0

Occupancy for February 2026 vs. February 2025 and YTD February 2026 vs. February 2025

Mountain Town Trends

Regional Occupancy Pace - West Region Mountain Market (continued)

- “There are two stories to tell between the CO/UT and RoW regions, as both saw occupancy pace improve in February from January, but there were no real pattern shifts.”
- “The CO/UT region experienced a sharp -19.4% YOY decline in booking pace in February as the snow drought continued to keep skiers and riders away, while the RoW saw a 22.3% YOY gain, up from 21.0% YOY last month, and driven by ‘better than’ but not outstanding, conditions.”
- “And while the performance gap between the two regions narrowed a bit from 43.7 points last month to 41.7 this month, the story of disparity is pretty much unchanged.”



Source: DestiMetrics (3/12/2026)

Tab 2 - Multi-Segment: Colorado Office of Tourism

Currency: USD - US Dol

Colorado Office of Tourism

For the month of: March 2026

	Current Month - March 2026 vs March 2025												Year to Date - March 2026 vs March 2025											
	Occ %		ADR		RevPAR		Percent Change from March 2025						Occ %		ADR		RevPAR		Percent Change from YTD 2025					
	2026	2025	2026	2025	2026	2025	Occ	ADR	RevPAR	Room Rev	Room Avail	Room Sold	2026	2025	2026	2025	2026	2025	Occ	ADR	RevPAR	Room Rev	Room Avail	Room Sold
State of Colorado	61.9	59.6	173.19	180.27	107.21	107.49	3.8	-3.9	-0.3	-0.2	0.0	3.9	56.9	56.6	177.60	183.70	101.03	104.02	0.5	-3.3	-2.9	-2.9	-0.0	0.4
Aspen, Snowmass, Basalt+	64.3	73.4	749.72	790.34	482.35	580.38	-12.4	-5.1	-16.9	-16.9	0.0	-12.4	68.8	74.2	823.24	815.19	566.14	605.25	-7.4	1.0	-6.5	-6.5	0.0	-7.4
Breckenridge+	66.5	70.6	278.11	303.49	184.96	214.24	-5.8	-8.4	-13.7	-15.4	-2.0	-7.6	68.5	69.4	286.10	310.91	195.93	215.82	-1.3	-8.0	-9.2	-11.0	-2.0	-3.3
Colorado Southwest Area+	50.7	52.2	108.28	108.37	54.93	56.53	-2.7	-0.1	-2.8	-0.6	2.3	-0.5	44.0	46.8	105.92	106.32	46.59	49.74	-6.0	-0.4	-6.3	-4.2	2.3	-3.8
Durango+	54.9	54.2	108.92	115.20	59.77	62.44	1.2	-5.4	-4.3	-2.3	2.0	3.3	47.8	47.9	108.23	112.95	51.70	54.11	-0.3	-4.2	-4.5	-3.2	1.3	1.0
Estes Park+	45.9	46.6	123.94	131.77	56.95	61.43	-1.4	-5.9	-7.3	-7.3	-0.0	-1.5	41.3	42.4	125.60	131.59	51.86	55.83	-2.7	-4.6	-7.1	-7.1	-0.0	-2.7
Glenwood Springs+	64.1	63.7	144.13	141.86	92.46	90.37	0.7	1.6	2.3	1.8	-0.5	0.2	57.6	59.7	141.09	138.96	81.21	82.95	-3.6	1.5	-2.1	-2.6	-0.5	-4.1
Grand Junction, Fruita+	62.4	57.3	99.16	90.87	61.85	52.11	8.8	9.1	18.7	14.3	-3.7	4.7	53.0	50.0	93.63	88.57	49.63	44.29	6.0	5.7	12.0	7.9	-3.7	2.0
Gunnison+	42.9	49.8	94.72	97.11	40.62	48.40	-13.9	-2.5	-16.1	-16.1	0.0	-13.9	43.2	48.3	98.58	98.65	42.56	47.63	-10.6	-0.1	-10.6	-10.6	0.0	-10.6
Keystone/Frisco+	62.9	69.5	193.43	206.91	121.72	143.74	-9.4	-6.5	-15.3	-15.3	0.0	-9.4	62.9	67.6	201.93	217.07	126.93	146.79	-7.0	-7.0	-13.5	-13.5	0.0	-7.0
Pagosa Springs, Alamosa+	54.3	54.9	110.97	111.64	60.26	61.30	-1.1	-0.6	-1.7	-1.7	0.0	-1.1	46.3	46.0	107.78	108.70	49.88	49.98	0.6	-0.8	-0.2	-0.2	0.0	0.6
Ski Area+	64.3	70.2	482.27	508.40	310.12	356.67	-8.3	-5.1	-13.1	-14.3	-1.4	-9.6	65.9	69.6	512.67	527.90	338.06	367.66	-5.3	-2.9	-8.1	-9.3	-1.3	-6.6
Steamboat+	60.4	67.2	274.65	320.44	165.96	215.18	-10.0	-14.3	-22.9	-18.8	5.2	-5.3	61.4	65.8	294.04	326.64	180.43	215.06	-6.8	-10.0	-16.1	-11.7	5.2	-1.9
Telluride, Crested Butte, Leadville+		69.1		457.69		316.04								66.9		453.78		303.36						
Vail, Beaver Creek, Avon, Edwards+	66.0	72.8	590.86	616.87	390.24	448.79	-9.2	-4.2	-13.0	-13.0	0.0	-9.2	67.9	72.6	615.30	643.57	417.64	467.13	-6.5	-4.4	-10.6	-10.6	0.0	-6.4
Winter Park, Fraser, Georgetown+	61.5	67.4	204.50	218.03	125.69	146.95	-8.8	-6.2	-14.5	-22.1	-8.9	-16.9	63.2	68.2	214.61	224.85	135.55	153.42	-7.4	-4.6	-11.6	-19.5	-8.9	-15.7

Occupancy for current month March 2026 vs. March 2025 and YTD March 2026 vs. March 2025

2026 Event Funding Requests				
Event	**Event Date(s)**	**Amount Requested**	**Funds Requested For**	**2026 Funds Approved**
Chamber - Winterfest 2026	1/16-1/18/2026	$15,000	Funding from the Tourism Board will be used to directly support the production, promotion, and safety of Winterfest. Including marketing, event infrastructure, permits, entertainment, onsite support and volunteer resources.	$9,286.00
Thingamajig Theatre Company	Year Round	$30,000	On professional artists to travel to and perform in the live theatre events.	$27,500.00
Brews for Rescues Beer Festival	4/25/2026	$5,000	The money received from the tourism board will be used to pay for lodging for the band and the brewers that come in from out of town. Any extra that is not used for lodging will be used as part of the brewer/band meals that we provide for them the day of the event.	$4,875.00
Big Picture Classic	5/8-5/10/26	$5,000	$675.00 Park rental, $800.00 on advertising, $3,525.00 will be allocated directly to the cash prizes for the winners	$4,063.00
Pints, Pools, and Paddles 2026	5/14-5/16/2026	$4,000	The $4,000 requested from the Tourism Board will be used specifically to support key components of the 2026 Pints, Pools & Paddles festival, including: Live Music, Stage, Tent Rental	$3,313.00
Pagosa's SESQUISEMIQUINCENTENNIAL Heritage Celebration	7/4/26	$30,000	Money from the Tourism Board will be used to purchase TENTS, TABLES, CHAIRS, MUSICIANS, MC & SOUND, KIDS ACTIVITIES, AND FOR THE HERITAGE/HISTORY TENT.	$25,625.00
Tourism Organized Events	5/2/26, December, 12/19/26	$11,875	Lighting contest prizes, free Pagosa branded ornaments, live music, equipment rental; trash and recycling services for events	$11,875.00
Pagosa Springs Summer Concert Series	5/23/26 & 9/5/26	$20,000	To offset core production, marketing, and operational costs necessary to produce a safe, professional, and visitor-ready concert experience.	$5,214.29

2026 Event Funding Requests				
Event	**Event Date(s)**	**Amount Requested**	**Funds Requested For**	**2026 Funds Approved**
Reggae in the Park	6/20/2026	$10,000	Professional Sound and Crew - $2,000, Tent Rental - $2,485, Advertising with KSUT - $800, Headlining Act Performance Fee - $5,000	$2,571.43
84 Ranch Ag Festival	Fall 2026, Date TBD	$30,000	To enhance the quality, accessibility, and visitor experience of the 84 Ranch Ag Festival, with a strong focus on creating interactive, hands-on agricultural programming that differentiates this event from traditional lecture-based festivals.	$6,833.33
Mountain Light Music Festival	7/25/2026	$10,000	The MLMF raises money to pay for guest artists, travel, honorariums, venue rental, marketing assets, student scholarships, faculty assistance, housing, administrative costs. The Tourism Board money would directly support operational costs necessary to function in Pagosa Springs Colorado.	$1,600.00
Pickle in Pagosa	9/10-9/12/26	$1,500	We plan to use proceeds from last 2 years to provide $25K to Parks and Rec to install windscreens on the courts. The tourism board funding will be 20% of that.	$1,000.00
Hot Springs Fest 2026	11/6/2026	$4,000	The funding requested from the Tourism Board will be used strategically to maximize the impact of Hot Springs Fest 2026 including live music and marketing.	$2,333.33
School of Movement "Wonderland"	5/1, 5/2, 5/8, 5/9/2026	$5,000	Proceeds from the 'Wonderland' School of Movement event go directly back into supporting our community performers, while covering essential production costs such as venue rental staging, lighting, sound, costumes, technicians, designers, and safety equipment so local artists have a professional, supportive space to perform. Our show this year is anticipated to be an 'over the top' experience, with more locally built elaborate sets, props, costumes, creating a more 'immersive' experience.	$1,142.86
Pagosa Pride	6/13/2026	$1,500	Funds would cover costs for the Liberty theater movie, the stage (town stage not available), security, advertising by radio, the Pagosa Sun.	$285.71

2026 Event Funding Requests				
Event	**Event Date(s)**	**Amount Requested**	**Funds Requested For**	**2026 Funds Approved**
2026 Pagosa Paddle	5/15-5/16/26	$4,000	Awards $750 / 32 birch paddles and engraving Professional timing crew $500 Marketing $725 / Radio announcements, 2 event Banners , Newspaper advertisements, and posters Food/Beverage $500 / Lunch for 40 Volunteers Event Tee Shirts / $1200 Event pop up tent with our logo / $325	$1,166.67
Pagosa Springs Artists Studio Tour	8/21-8/23/26	$1,200	Printing of reusable banners and promotional posters	$371.43
Life at Chimney Rock	6/6-6/7/26	$4,275	Of the total budget for this event, 59% ($4,275) is being requested from the Tourism Board and would be spent toward the lodging in Pagosa Springs and stipends for the two Native American dance groups and for the art vendors, as well as advertising. Of the total budget, 41% is in CRIA's budget for this event.	$1,500.00
Mountain Chile Cha Cha	9/26/26	$12,500	To support key event infrastructure and programming that enhance the visitor experience at the Mountain Chile Cha Cha - Tent rentals, event infrastructure, family activity area, live music, sound, stage, lodging for musicians.	$4,785.71
Baskets for Big Picture Classic	5/8-5/10/26	$5,000	To purchase and install new professional-quality disc golf baskets for the Sneak-A-Peak Disc Golf Course located at Cloman Park in Pagosa Springs. In addition to purchasing the baskets, funding may also help cover necessary installation materials, such as ground sleeves and mounting hardware, which allow baskets to be securely installed while still being removable for maintenance if needed.	$2,857.14

2026 Event Funding Requests				
Event	**Event Date(s)**	**Amount Requested**	**Funds Requested For**	**2026 Funds Approved**
Main Street Art Walk	6/26/26 & 7/24/26	$5,000	Paid advertising targeting regional visitor markets (two-date promotion): $1,400 (Social $1,200 + Google/Search/Maps $200), Printed maps/passports (both dates): $1,600, Printed materials for visitor distribution (posters + lodging rack cards): $300, Participating storefront markers (required): $650 (custom suction-cup "ART WALK STOP" window flags/signs), Anchor/gateway wayfinding: $650 (one reusable banner + minimal directional arrows; evergreen "MAIN STREET EVENT – HAPPENING NOW" feather flags to be borrowed/in-kind if available), Light design support: $400 (finalize map and evergreen templates)	$2,714.29
17th Annual Car Show	6/12-6/13/26	$15,000	$15,000.00 Portion will be used to compensate for the huge increase in park rental fees and all permits and licensing involved. A portion will also be used to get a local DJ for Saturday. Payroll and Administration will also be paid from the funding. Security will take a large chunk of it if SJ Rangers can't do it and we need the Police to do it.	$5,500.00
Park 2 Park Artisan & Food Market	7/2-7/5/26	$15,000	To enhance the visitor experience and support event infrastructure, ensuring the market continues to attract both locals and out-of-town guests.	$2,500.00
Colorfest	9/18-9/20/26	$20,000	If granted, we would use the money for the increased rental fees for the venue. To cover the gap in donated versus paid hotel rooms that we will have to purchase. Increased marketing for the Passport to Pagosa Wine & Food Festival and winners. Help cover the costs of the shirts and glasses.	$5,416.67
Grillin' & Distillin'	8/15/26	$10,000	To maximize both the attendee experience and the economic impact for the community.	Canceled

2026 Event Funding Requests				
Event	**Event Date(s)**	**Amount Requested**	**Funds Requested For**	**2026 Funds Approved**
Breakfast with Balloons	9/19/26	$3,500	Offset the direct costs of producing Breakfast with Balloons, including catering ($2500), live music ($400), liability insurance ($176), advertising ($350), and event supplies ($150).	$1,214.29
		$278,350	**Approved through April 2026**	**$135,544.15**
			Amount Remaining	**$14,455.85**

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: Candace Dzielak

PROJECT: Municipal Court Department Report
ACTION: Information Only

PURPOSE/BACKGROUND:
Town Council Update

COURT FILINGS- April Year-to-Date	2026	2025	2024
Traffic	145	116	136
Parking	54	101	57
Offenses-Adult	19	18	25
Offenses-Juvenile	4	7	15
Civil	0	0	0

IN-COURT ACTIVITY UPDATE AND SUPERVISION CASELOAD UPDATE COURT SESSIONS ~ Three (3) court sessions were conducted in April 2026.

Pagosa Springs Municipal Court Activity April 2026	
Cases Docketed	42
Criminal	20
Adults	14
Juveniles	6
Traffic	22
Adults	21
Juveniles	1
Civil	0
Adults	0
Juveniles	0

Pagosa Springs Municipal Court Supervision Caseload May 1, 2026		
Cases Under Supervision	Total	Percentage of Caseload
Criminal	18	40.00%
Adults	16	
Juveniles	2	
Males	11	
Females	7	
Diversion	3	6.67%
Adults	1	
Juveniles	2	
Males	2	
Females	1	
Traffic	24	53.33%
Adults	23	
Juveniles	1	
Males	17	
Females	7	
Civil	0	0.00%
Adults	0	
Juveniles	0	
Males	0	
Females	0	

DEBT RECOVERY ~ The Town Council requested information on the Municipal Court's debt recovery processes and the debt recovery rates. Integral Recoveries provided a synopsis of the debt recovery process and a twelve-month recovery report representing February 2025-January 2026. These documents are attached for the Town Council's review.

Pagosa Springs Municipal Court
Debt Recovery Report
April 30, 2026

Year Referred	CRIMINAL			TRAFFIC		
	Cases Referred	Amount Referred	Amount Recovered	Cases Referred	Amount Referred	Amount Recovered
2018	0	$0.00	$0.00	0	$0.00	$0.00
2019	11	$3,155.45	$35.00	2	$8,643.14	$0.00
2020	16	$3,438.72	$0.00	3	$1,680.00	$0.00
2021	10	$3,065.00	$328.00	4	$12,429.25	$0.00
2022	16	$2,425.00	$0.00	34	$8,721.50	$156.00
2023	11	$3,640.63	$135.00	20	$5,627.00	$823.00
2024	10	$1,435.00	$0.00	27	$5,065.00	$335.00
2025	18	$2,966.99	$0.00	10	$2,000.00	$343.00
2026	0	$0.00	$0.00	0	$0.00	$0.00
TOTALS	**92**	**$20,126.79**	**$498.00**	**100**	**$44,165.89**	**$1,657.00**
	Criminal Restitution Owed $5,343.79			**Traffic Restitution Owed $23,948.89**		
	Amounts Unrecoverable $0.00			**Amounts Unrecoverable $450.00**		

Integral Recoveries Work Standards for your placements.

-Accounts are received and uploaded to our collection platform.

-The initial Validation Letter (a demand letter that lists their rights on the reverse side) is sent on all placed accounts.

-After a week to 10 days from placement, we run a batch process to obtain contact phone numbers on all accounts placed that did not come with a phone number.

-After the batch process for phone numbers, our Recovery Reps engage in a dialing campaign to make contact with the Defendants and try to induce payment. While on any call where contact is achieved, we first update all of their contact information and employment information. We then solicit payment in full. If Payment in full is not possible, we will then offer a repayment plan based on their ability to pay.

-On cases where contact is not achieved, those accounts are rescheduled for further call campaigns.

-We will conduct further periodic batch processing for updated contact information on these same accounts where resolution has not been achieved and include those in further call campaigns.

This process is perpetual and will continue on your existing inventory.

The reality of recovering delinquent court ordered fees and fines for Colorado's Municipal Courts.

The success of recovering delinquent court ordered fees and fines for Colorado's Municipal Courts has been drastically affected by the passing of HB21-1314 that became effective on 1/22/22. This eliminated the States' ability to issue an Outstanding Judgement Warrant (OJW) on unpaid fees and fines after 60 days unpaid. Previously, anyone who had a qualifying case (these were both cases in State Level Courts as well as some in Municipal Courts) that were unpaid, would have their Driver's License cancelled by the state and would have to pay all cases in full before qualifying for reinstatement. As you can imagine, this was a powerful motivator.

This has had a major negative effect on the recovery of these cases in all courts in Colorado.

An additional event was the closing of Colorado Central Collections, which was the states collection arm. While they proved, over time, to be ineffective compared to private collection agencies, they did have the statutory power to file income tax offsets with the Department of Revenue. That option no longer exists for Municipal Courts.

Finally, there is no vehicle for enforcement of these unpaid Municipal fees and fines that have been ordered in a court of competent jurisdiction. The state level courts have something named An Attachment of Earnings that can be issued similar to a wage garnishment but that is not available to the Municipal Courts.

What we are left with is the process I have described above. We have to rely on having quality contact information, Defendants that are willing to answer a call from a bill collector and have the ability or desire to make the situation a priority.

We have been providing recovery services for most of the courts in Colorado for over 30 years. I feel the situation has become dire at all levels. There is a lack of funds in most budgets along with a lack of accountability for the orders made by our judges and magistrates who apply our statutes and codes.

Nonetheless, we will continue our efforts as long as we are allowed.

I have attached your 12 Month Recovery Report. Under the current situation, I feel that the recovery rate on your more current cases should climb somewhere between 6-10% over time. Prior to 2022, it would have been over 20% and possibly over 30%.

Terry Boe – President
Integral Recoveries

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: Darren Lewis

PROJECT:	Parks and Recreation Report
ACTION:	Information Only

PURPOSE/BACKGROUND:

Recreation Brief

In April, 710 community members participated in free Community Center programs, including yoga, dance, drop-in volleyball, open gym, and various pickleball sessions.

Youth Sports & Registration

- **Fall/ Winter Sports Registration will Open June 1st!** Soccer, Basketball, Fitness/Conditioning Programs
- **T-Ball:** T-ball started and is doing fundamental drill practices, 74 kids are registered for this spring.
- **7-9 Coach Pitch and 10-12 Baseball:** Registration will end soon and will start End of May-Early June.
- **KIDS Camp:** Is almost full every week. A couple of weeks left with one or two sports open. Average is about 65 kids per day.
- **Volleyball Clinics:** New for this spring, we have been running 7th-8th Grade and Highschool Volleyball clinics. These has been led by part-time Staff Alison Hart and have been showing success with more opportunities for youth to participate in skill-focused sessions.

Summer Events Announced

Staff has been planning for Summer Events and has partnered with organizations to bring new events into the community.

- **June 19, July 17, Aug 21:** Comfest Free Outdoor Concert Series, 5:30-8:30PM, Artist and Non-Profits Announced on website
- **June 20:** 1st Annual Archuleta County BioBlitz, Riverwalk and Reservoir Hill
    - A community science event to work with field experts and contribute

essential species data to Colorado National Heritage Programs.

- **August 12:** After Dark in the Park: Perseid Meteor Shower Watch Night, 8:30 PM- Midnight, Yamaguchi Park Baseball Field
    - The Perseid meteor shower peaks on August 12-13th. ~100 meteors per hour can be seen under ideal conditions and this year, there is no moon to interfere with viewing! The Town will be partnering with the Town of Pagosa Dark Sky Committee to make this a successful event.

Parks Brief

Parks staff have been busy with maintenance across all Town parks. Staff recently held a successful Arbor Day celebration, during which three trees were planted. An additional four trees were planted prior to the event, for a total of seven new trees at Centennial Park.

Staff have also utilized all of the mulch created from last year's flood debris. Staff anticipate using the additional mulch that will be produced from the debris brought in by the contractor currently completing the river restoration.

Furthermore, all shade covers have been installed throughout the parks, and staff are now in the process of activating the irrigation systems. Staff will add new mulch around Yamaguchi Park in preparation for this year's event series, which starts May 23.

Finally, the Labyrinth walk on Reservoir Hill is scheduled for May 13 at 2:30 p.m. to showcase its installation.

Projects:

Three additional outdoor exercise equipment pieces have been added at Yamaguchi Park.

A new fence and windscreen were installed at the Pickleball Courts.

Grants are being pursued to help with further projects.

Bike Park is scheduled to start this month at Yamaguchi South. Completion by August 1st.

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: William Rockensock

PROJECT: PSPD Report
ACTION: Information Only

PURPOSE/BACKGROUND:

POLICE DEPARTMENT INCIDENT REPORTING

The Pagosa Springs Police Department Statistics for April 2026.

Officers responded to 549 calls for service.
Officers completed 50 incident offense reports.
Officers completed 11 accident investigation reports.

https://docs.google.com/spreadsheets/d/14wN9Oer2Fq-VgTP8srPL3TwUguGoMVou/edit?usp=sharing&ouid=110596842914264149875&rtpof=true&sd=true

OFFICER TRAINING UPDATE

Training for April 2026.

Daily training bulletins are administered to each officer by Lexipol to keep current on police department policy.
Chief Rockensock and Asst. Chief Brown attended Denver University Public Safety Leadership training.
Officer Hill and Officer Halverson completed Crisis Intervention training.
Detective Leewitt and Officer Bishop completed OIS Investigation Training.

RECRUITING UPDATE

The police department has one open positions.
Cadet Aragon will graduate the Police Academy May 16th.

COMMUNITY EVENTS UPDATE

The police department has increased foot patrol in the downtown area and the community policing effort.
The police department provided traffic control for the Old Fashion Christmas event.
You can follow the police department's updated events and local information on Facebook.

CAPITAL IMPROVEMENTS UPDATE

The police department has was awarded a Colorado POST in-service training grant for $4,280 for the 2025/2026 fiscal year.
The police department has received multiple regional POST scholarships for advanced training in multiple disciplines.

ATTACHMENTS:
None

FISCAL IMPACT: N/A

GOALS & OBJECTIVES: N\A

RECOMMENDATIONS: N/A

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: Branden Lattin

PROJECT: Streets Department
ACTION: Information Only

PURPOSE/BACKGROUND:

The Streets Department is reviewing possible traffic safety improvements for **San Juan Alley between South 8th Street and South 10th Street**. This area has ongoing concerns with traffic flow, speed, and congestion near the 8th Street signal.

Public Outreach

Before making any recommendation or moving forward, the Streets Department would like to gather public input from the residents and property owners directly affected by the alley.

We are considering handing out door flyers in the area explaining two options and asking for public feedback. The flyer would include contact information so residents can call or email with comments, concerns, or support.

Two options are currently being considered:

Option 1: Convert San Juan Alley to One-Way Traffic

This option would change the alley to **one-way westbound traffic**, directing vehicles from 8th Street toward 10th Street. The goal would be to improve traffic flow, reduce conflicts at the 8th Street signal, and create a safer, more predictable traffic pattern through the alley.

Option 2: Install a Speed Dip

This option would keep the alley as two-way traffic but add a speed control feature to help slow vehicles down. The goal would be to reduce speeding through the alley while maintaining the current traffic pattern.

Purpose of the Outreach

The goal is to make sure the Town understands the concerns of the neighborhood before any final decision is made. Public input will help determine whether a one-way change, a speed hump, or no change is the best option for the area.

Next Steps

The Streets Department would like to inform Council of the proposed outreach before the flyers are distributed. After public feedback is received, staff can summarize the responses and bring the information back for further discussion or direction.

ATTACHMENTS:

1. Handout for San Juan Alley

SAN JUAN ALLEY TRAFFIC IMPROVEMENT OPTIONS

WE WANT YOUR INPUT ABOUT THESE OPTIONS - PLEASE CALL OR EMAIL

Please let Brad Lattin, Streets Supervisor, know which option you prefer and any concerns or ideas you have. Call or email Brad with your input, or mark an option below and return this handout to the Town Shop at 550 Pirate Drive.

- ☐ I support Option 1 - One-Way Westbound Trial
- ☐ I support Option 2 - Speed Dip / Traffic-Calming Feature
- ☐ I support using both options together
- ☐ I prefer no change at this time
- ☐ I would like more information
- ☐ Other concern or idea: _____

OPTION 1 - ONE-WAY WESTBOUND TRIAL



C WHAT WOULD CHANGE

- Traffic would enter San Juan Alley from 8th Street and travel westbound only toward 10th Street.
- One-way signs would be placed along the alley, with a stop sign at the 10th Street intersection before vehicles enter 10th Street.
- Optional painted SLOW markings or other speed-control markings could be added midblock to reinforce lower speeds.

? WHY IT IS BEING CONSIDERED

- The alley is narrow and can create conflict when vehicles meet head-to-head.
- A one-way pattern creates a predictable direction of travel and reduces confusion near driveways, businesses, and side-access points.
- The change may help organize traffic around the 8th Street signal area, reduce alley racing used to cut toward 8th Street, improve school drop-off/pickup movement, and make 10th Street safer.

✓ TRIAL / REVIEW ITEMS

- A 90-day trial will be completed before considering a permanent change.
- Final sign locations will be field verified for sight distance, driveway access, school traffic, and emergency-service access.
- Staff will monitor traffic flow, driver compliance, public input, and any new issues on nearby streets.

QUESTIONS OR COMMENTS? PLEASE CALL OR EMAIL

Brad Lattin, Streets Supervisor, Town of Pagosa Springs | Blattin@pagosasprings.co.gov | 970-264-4151 ext. 401

SAN JUAN ALLEY TRAFFIC IMPROVEMENT OPTIONS

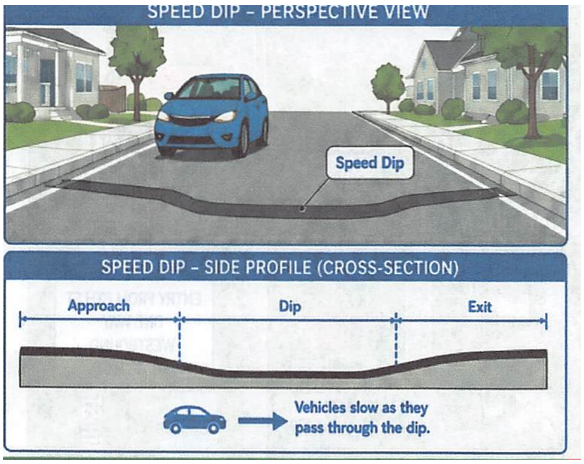
Option 2: Speed Dip / Traffic-Calming Feature - Community Review Handout (Page 2 of 2)

WE WANT YOUR INPUT ABOUT THESE OPTIONS - PLEASE CALL OR EMAIL

Please let Brad Lattin, Streets Supervisor, know which option you prefer and any concerns or ideas you have. Call or email Brad with your input, or mark an option below and return this handout to the Town Shop at 550 Pirate Drive.

- ☐ I support Option 1 - One-Way Westbound Trial
- ☐ I support Option 2 - Speed Dip / Traffic-Calming Feature
- ☐ I support using both options together
- ☐ I prefer no change at this time
- ☐ I would like more information
- ☐ Other concern or idea: _____

OPTION 2 - SPEED DIP / TRAFFIC-CALMING FEATURE



Purpose: Review whether a speed dip or similar traffic-calming feature is appropriate for a local residential road in Pagosa Springs.

A speed dip is a vertical traffic-calming feature where vehicles slow as they travel through a shallow low point in the road surface. This option should be reviewed carefully because a true dip can affect drainage, ice, snow removal, emergency access, and vehicle clearance.

PROS

- Slows vehicles at the location where the dip is installed and may discourage speeding at that point.
- May improve safety for pedestrians, children, bicyclists, pets, and residents backing out of driveways.
- Can be less expensive than a larger road redesign, intersection change, or major reconstruction project.
- Can be tested first using a temporary pilot or temporary markings before any permanent asphalt work is completed.
- Shows the Town is responding to neighborhood safety concerns and reviewing traffic-calming options.

CONS / CONCERNS

- Some drivers may brake hard at the feature, roll through slowly, then accelerate quickly afterward.
- Noise can increase from braking, engine acceleration, trailer bounce, loose loads, and vehicles hitting the dip.
- Snowplow operations, winter maintenance, drainage, gravel, and ice buildup are major concerns.
- A true dip can hold water, slush, and ice if not designed correctly, creating a slick spot or drainage issues.
- Fire, EMS, police, school buses, trash trucks, delivery vehicles, and larger equipment may need to slow down.
- Low-clearance vehicles, trailers, RVs, and equipment may scrape or bounce if the dip is too aggressive.

Staff review recommendation: Collect speed data, review drainage and winter maintenance impacts, ask emergency services and plow operators for input, and consider a temporary traffic-calming trial before any permanent installation.

QUESTIONS OR COMMENTS? PLEASE CALL OR EMAIL

Brad Lattin, Streets Supervisor, Town of Pagosa Springs | Blattin@pagosasprings.co.gov | 970-264-4151 ext. 401

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: Clayton Buchner

PROJECT:	Ordinance 1027, Second Reading, Adoption of 2024 Model Traffic Code
ACTION:	Discussion and Action

PURPOSE/BACKGROUND:
Ordinance 1027 updates the current version of the 2003 Model Traffic Code ("MTC") to the newest version of the 2024 Model Traffic Code as amended. The subject matter of the MTC relates primarily to comprehensive traffic control regulations for the Town. 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. The code itself comes with multiple amendments nesting it where allowed to the needs of the Town. The version of the MTC proposed for adoption was reviewed and edited with input from the Chief of Police, Town Clerk, and Town Prosecutor.

ATTACHMENTS:
1. Ordinance 1027
2. Exhibit A_Model Traffic Code

FISCAL IMPACT: No budget impact adopting this ordinance.

GOALS & OBJECTIVES: Update MTC to align with state statute and tailored to Pagosa Springs.

RECOMMENDATIONS:
1. Move to approve the Second Reading of Ordinance 1027 adopting the 2024 Model Traffic Code, as amended.

TOWN OF PAGOSA SPRINGS, COLORADO

Ordinance No. 1027
(Series 2026)

AN ORDINANCE AMENDING CHAPTER 18 OF THE PAGOSA SPRINGS MUNICIPAL CODE, REPEALING THE 2003 MODEL TRAFFIC CODE, AND READOPTING THE 2024 MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES

WHEREAS, the Town of Pagosa Springs ("Town") is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Pagosa Springs Home Rule Charter of 2003; and

WHEREAS, the Town is authorized pursuant to C.R.S. 42-4-110, to enact, adopt, and enforce traffic regulations covering the same subject matter as contained within Article 4, Titel 42, C.R.S., and may adopt by reference all or any part of a model municipal traffic code; and

WHEREAS, by Ordinance No. 643 (Series 2005), the Town previously adopted an amended version of the 2003 edition of the Model Traffic Code for Colorado ("MTC"); and

WHEREAS, the Town Council finds it in the best interest of the health, safety and welfare of the citizens and visitors of the Town to repeal the previously adopted 2003 edition of the MTC and readopt the 2024 edition of the MTC for Colorado Municipalities, with amendments.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, as follows:

Section 1. Adoption. Pursuant to parts 1 and 2 of article 16 of title 31 and part 4 of article 15 of title 30, there is hereby adopted the 2024 edition of the "Model Traffic Code," as amended by the Town and appearing in substantially the same form and format as Exhibit A, and promulgated and published as such by the Colorado Department of Transportation, Traffic Safety and Engineering Services, 2829 W Howard Place, Denver, CO 80204. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the Town. 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 Clerk of the (City Town County) of Colorado and may be inspected during regular business hours.

Section 2. Deletions. The 2024 edition of the Model Traffic Code is adopted as if set out at length save and except the following articles and/or sections which are declared to be inapplicable to this municipality and are therefore expressly deleted:

> Section 106(3)(d)(I-IV), (4), (4.5), (5); Section 110(4); Section (110.5)(1.7); Section 111(3); Section 202(4), (5); Section 1105(5), (6), (7), (8), (9); Sections 115, 118, 215.5, 616, 1012, 1210.

Section 3. Amendment. Amendment to Chapter 18, Article 1, Section 18.1.1. – Adoption, be amended with the stricken lines deleted and the double-underlined, bolded words added to read as follows:

18.1.1. – Adoption.

The ~~2003~~ **2024** edition of the Model Traffic Code for Colorado Municipalities, promulgated and published as such by the Colorado Department of Transportation, Safety and Traffic Engineering Branch, ~~4201 East Arkansas Avenue, EP700,~~ **2829 W. Howard Place,** Denver, Colorado ~~80222~~ **80204**, with all additional amendments set forth below ("Model Traffic Code"), is hereby adopted by reference as if set forth in full herein, to provide comprehensive traffic control regulations for the Town of Pagosa Springs, Colorado, consistent with state law and generally conforming to similar regulations applied throughout the state. Copies of the Model Traffic Code are on file in the office of the Clerk of the Town of Pagosa Springs and may be inspected during regular business hours.

Section 4. Additions and Modifications. All other portions, sections, and language of Municipal Code, Chapter 18, previously adopted as additions and/or modifications remain intact, unchanged, and enforceable as delineated therein.

Section 5. Penalties. The following penalties, herewith set forth in full, shall apply to this ordinance:

(a) It is unlawful for any person to violate any of the provisions adopted in this ordinance.

(b) Every person convicted of a violation of any provision adopted in this ordinance shall be punished by a fine and surcharge as set out in the Fine, Surcharge, and Point Schedule adopted by the Town.

Section 6. 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, either within or outside the corporate limits of the Town, the use of which the Town has jurisdiction and authority to regulate.

Section 7. Repeal. Existing or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

Section 8. Interpretation. This ordinance shall be so interpreted and construed as to effectuate its general purpose to conform with the State's uniform system for the regulation of vehicles and traffic. Article and section headings of the ordinance and adopted Model Traffic Code 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.

Section 9. Public Inspection. The full text of this Ordinance, with any amendments, is available for public inspection at the office of the Town Clerk.

Section 10. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

Section 11. Public Hearing. A public hearing on the first reading of this Ordinance shall be held on the 5th day of May, 2026 at 5:00 p.m., at the Pagosa Springs Town Hall, 551 Hot Springs Boulevard, Pagosa Springs, Colorado.

Section 12. Effective Date. Pursuant to Section 3.9 of the Town Charter, this Ordinance shall become effective and be in force immediately upon final passage at second reading, which shall be held on the 19th day of May, 2026 at 5:00 p.m., at the Pagosa Springs Town Hall, 551 Hot Springs Boulevard, Pagosa Springs, Colorado.

INTRODUCED, READ, AND ORDERED PUBLISHED BY TITLE ONLY PURSUANT TO SECTION 3.9, B) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE _____ DAY OF _____, 2026.

TOWN OF PAGOSA SPRINGS,COLORADO

By:_____
Shari Pierce, Mayor

Attest:

_____
April Hessman, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED BY TITLE ONLY PURSUANT TO SECTION 3.9, D) OF THE PAGOSA SPRINGS HOMERULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE _____ DAY OF _____, 2026.

TOWN OF PAGOSA SPRINGS,COLORADO

By:_____
Shari Pierce, Mayor

Attest:

_____
April Hessman, Town Clerk

CERTIFICATE OF PUBLICATION

I, the duly appointed, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 1027 (Series 2026) was approved by the Town Council of the Town of Pagosa Springs on first reading at its regular meeting held on the _____day of _____, 2026, and was published by title only, along with a statement indicating that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website on _____, 2026, which date was at least ten (10) days prior to the date of Town Council consideration on second reading.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this _____ day of_____, 2026.

_____
April Hessman, Town Clerk (SEAL)

I, the duly appointed, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 1027 (Series 2026) was approved by the Town Council of the Town of Pagosa Springs on second reading, at its regular meeting held on the _____ day of_____, 2026, and was published by title only, along with a statement indicating the effective date of the Ordinance and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on _____, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this _____ day of_____, 2026.

_____
April Hessman, Town Clerk (SEAL)

Model Traffic Code for Colorado

Originally adopted in 1952. Subsequently revised in 1962,1966,

1970, 1973, 1974, 1977, 1995, 2003, 2009, 2010, 2020, and 2024

November 2024 Revision 1.0



Colorado Department of Transportation

State of Colorado

How to Read Statutes

Many statutes are straightforward while others can be more complicated. Cross-references, dependent subdivisions, and exceptions to a statute's application can make the meaning difficult to follow. The Texas Legislative Council Guidance for Reading Statutes has been provided to assist the reader with general document comprehension.

Read the Entire Heading.

The heading establishes how the section fits into the organization of the entire code.

Review the Context of the Statute.

The statute should be thought of as a unit of law that is part of a series of units of law. The reader shall scan the contents to see what sections precede and follow the section they are reading. If there is a short title section the reader shall review it (typically at the beginning of the chapter or subchapter).

Key Verbs	Meaning
Shall	A duty imposed on a person or entity
May	A privilege or discretionary power
Must	A condition or a prerequisite
Is entitled to	A right, as opposed to a discretionary power
Shall not / May not	A prohibition

Focus on Organization and Format.

The reader shall assume everything in the statute has meaning, including punctuation and format; therefore, pay close attention for breaks in the statute text.

Identify Statute Exceptions.

Exceptions are identified by keywords such as "certain," "only," "under," "over," "more than," "less than," "if," and "unless." "And" or "or" connecting a final element to the rest of a series often indicates whether all or only one of the elements of the series are needed to satisfy conditions set by the statute.

Do Not Skip Unfamiliar Words.

Do not rely solely on common meanings for words that are unclear or unfamiliar. Instead use statutory context and definitions to determine the precise meaning. For example, "person" may differ from its everyday meaning.

Thoroughly Read All Cross-Referenced Sections.

Legislative drafters use cross-references to other statutory provisions and avoid text repetition. When a cross-reference covers an entire chapter or subchapter, review its table of contents and definitions section to understand the context.

Table of Contents

Part 1
Traffic Regulation - Generally

101. Short title.

102. Legislative declaration.

103. Scope and effect of C – exceptions to provisions.

104. Adoption of traffic control manual.

105. Local traffic control devices.

106. Who may restrict right to use highways.

107. Obedience to police officers.

108. Public officers to obey provisions - exceptions for emergency vehicles.

109. Low-power scooters, animals, skis, skates, and toy vehicles on highways.

109.5. Low-speed electric vehicles.

109.6. Class B low-speed electric vehicles - effective date - rules.

110. Provisions uniform throughout state.

110.5. Automated vehicle identification systems.

111. Powers of local authorities.

112. Noninterference with the rights of owners of realty.

113. Appropriations for administration of article.

114. Removal of traffic hazards.

115. Deleted.

116. Restrictions for minor drivers - definitions.

117. Personal mobility devices.

Part 2 Equipment

201. Obstruction of view or driving mechanism - hazardous situation.

202. Unsafe vehicles - penalty – identification plates.

203. Unsafe vehicles - spot inspections.

204. When lighted lamps are required.

205. Head lamps on motor vehicles.

206. Tail lamps and reflectors.

207. Clearance and identification.

208. Stop lamps and turn signals.

209. Lamp or flag on projecting load.

210. Lamps on parked vehicles.

211. Lamps on farm equipment and other vehicles and equipment.

212. Spot lamps and auxiliary lamps.

213. Audible and visual signals on emergency vehicles.

214. Visual signals on service vehicles.

215. Signal lamps and devices – additional lighting equipment.

215.5. Omitted.

216. Multiple-beam road lights.

217. Use of multiple-beam lights.

218. Single-beam road-lighting equipment.

219. Number of lamps permitted.

220. Low-power scooters – lighting equipment - department control - use and operation.

221. Bicycle and personal mobility device equipment.

222. Volunteer firefighters – volunteer ambulance attendants – special lights and alarm systems.

223. Brakes.

224. Horns or warning devices.

225. Mufflers - prevention of noise.

226. Mirrors - exterior placements.

227. Windows unobstructed – certain materials prohibited – windshield wiper requirements.

228. Restrictions on tire equipment.

229. Safety glazing material in motor vehicles.

230. Emergency lighting equipment - who must carry.

231. Parking lights.

232. Minimum safety standards for motorcycles and low-power scooters.

233. Alteration of suspension system.

234. Slow-moving vehicles - display of emblem.

235. Minimum standards for commercial vehicles

236. Child restraint systems required - definitions - exemptions.

237. Safety belt systems – mandatory use - exemptions - penalty.

238. Blue and red lights - illegal use or possession.

239. Misuse of a wireless telephone - definitions - penalty - preemption.

240. Low-speed electric vehicle equipment requirements.

Part 3
Emissions Inspection
(Omitted)

Part 4
Diesel Inspection Program
(Omitted)

Part 5
Size - Weight - Load

501. Size and weight violations - penalty.

502. Width of vehicles.

503. Projecting loads on passenger vehicles.

504. Height and length of vehicles.

505. Longer vehicle combinations.

506. Trailers and towed vehicles.

507. Wheel and axle loads.

508. Gross weight of vehicles and loads.

509. Vehicles weighed – excess removed.

510. Permits for excess size and weight and for manufactured homes - rules.

511. Permit standards - state and local.

511.2. Authority for cooperative agreements with regional states on excess size or weight vehicles - regulations.

512. Liability for damage to highway.

Part 6
Signals - Signs - Markings

601. Department to sign highways, where.

602. Local traffic control devices.

603. Obedience to official traffic control devices.

604. Traffic control signal legend.

605. Flashing signals.

606. Display of unauthorized signs or devices.

607. Interference with official devices.

608. Signals by hand or signal device.

609. Method of giving hand and arm signals.

610. Unauthorized insignia.

611. Paraplegic persons or persons with disabilities - distress flag.

612. When signals are inoperative or malfunctioning.

613. Failure to pay toll established by regional transportation authority.

614. Designation of highway maintenance, repair, or construction zones - signs - increase in penalties for speeding violations.

615. School zones - increase in penalties for moving traffic violations.

616. Wildlife crossing zones - increase in penalties for moving traffic violations.

617. Steep downhill grade zones – increase in penalties and surcharges for speeding violations – definitions.

Part 7
Rights-Of-Way

701. Vehicles approaching or entering intersection.

702. Vehicle turning left.

703. Entering through highway – stop or yield intersection.

704. Vehicle entering roadway.

705. Operation of vehicle approached by emergency vehicle – operation of vehicle approaching stationary emergency vehicle.

706. Obedience to railroad signal.

707. Certain vehicles must stop at railroad grade crossings.

708. Moving heavy equipment at railroad grade crossing.

709. Stop when traffic obstructed.

710. Emerging from or entering alley, driveway, or building.

711. Driving on mountain highways.

712. Driving in highway work area.

713. Yielding right-of-way to transit buses - definitions - penalty.

714. Bicyclist or other authorized user in bicycle lane.

715. Yielding right-of-way in roundabouts – definitions.

Part 8
Pedestrians

801. Pedestrian obedience to traffic control devices and traffic regulations.

802. Pedestrians' right-of-way in crosswalks.

803. Crossing at other than crosswalks.

804. Pedestrian to use right half of crosswalk. (Repealed)

805. Pedestrians walking or traveling in a wheelchair on highways.

806. Driving through safety zone prohibited.

807. Drivers to exercise due care.

808. Drivers and pedestrians, other than persons in wheelchairs, to yield to persons with disabilities.

Part 9
Turning - Stopping

901. Required position and method of turning.

902. Limitations on turning around.

903. Turning movements and required signals.

Part 10
Driving - Overtaking - Passing

1001. Drive on right side - exceptions.

1002. Passing oncoming vehicles.

1003. Overtaking a vehicle on the left.

1004. When overtaking on the right is permitted.

1005. Limitations on overtaking on the left.

1006. One-way roadways and rotary traffic islands.

1007. Driving on roadways laned for traffic.

1008. Following too closely.

1008.5. Crowding or threatening bicyclist.

1009. Coasting prohibited.

1010. Driving on divided or controlled access highways.

1011. Use of runaway vehicle ramps.

1012. Omitted.

1013. Passing lane - definitions - penalty.

Part 11
Speed Regulations

1101. Speed limits.

1102. Altering of speed limits.

1103. Minimum speed regulation.

1104. Speed limits on elevated structures.

1105. Speed contests - speed exhibitions - aiding and facilitating – immobilization of motor vehicle - definitions.

Part 12
Parking

1201. Starting parked vehicle.

1202. Parking or abandonment of vehicles.

1203. Ski areas to install signs.

1204. Stopping, standing, or parking prohibited in specified places.

1205. Parking at curb or edge of roadway.

1206. Unattended motor vehicle.

1207. Opening and closing vehicle doors.

1208. Parking privileges for persons with disabilities - applicability.

1209. Owner liability for parking violations.

1210. Omitted.

1211. Limitations on backing.

1212. Pay parking access for disabled.

Part 13
Alcohol And Drug Offenses
(Omitted)

Part 14
Other Offenses

1401. Reckless driving - penalty.

1402. Careless driving - penalty.

1402.5. Vulnerable road user – prohibition – violations and penalties – definition.

1403. Following fire apparatus prohibited.

1404. Crossing fire hose.

1405. Riding in trailers.

1406. Foreign matter on highway prohibited.

1407. Spilling loads on highways prohibited - prevention of spilling of aggregate, trash, or recyclables.

1407.5. Splash guards - when required.

1408. Operation of motor vehicles on property under control of or owned by parks and recreation districts.

1409. Compulsory insurance - penalty - legislative intent.

1410. Proof of financial responsibility required - suspension of license.

1411. Use of earphones while driving.

1412. Operation of bicycles and other human-powered vehicles.

1412.5. Statewide regulation of certain persons approaching intersections who are not operating motor vehicles – status of existing local ordinance or resolution – legislative declaration - definitions.

1413. Eluding or attempting to elude a police officer.

1414. Use of dyed fuel on highways prohibited.

1415. Radar jamming devices prohibited - penalty.

Part 15
Motorcycles

1501. Traffic laws apply to persons operating motorcycles – special permits.

1502. Riding on motorcycles – protective helmet.

1503. Operating motorcycles on roadways laned for traffic.

1504. Clinging to other vehicles.

Part 16
Accidents And Accident Reports
(Omitted)

Part 17
Penalties And Procedure

1701. Traffic offenses and infractions classified - penalties – penalty and surcharge schedule - repeal.

1702. Alcohol- or drug-related traffic offenses - collateral attack.

1703. Parties to a crime.

1704. Offenses by persons controlling vehicles.

1705. Person arrested to be taken before the proper court.

1706. Juveniles - convicted – arrested and incarcerated - provisions for confinement.

1707. Summons and complaint or penalty assessment notice for misdemeanors, petty offenses, and misdemeanor traffic offenses - release - registration.

1708. Traffic infractions - proper court for hearing, burden of proof - appeal - collateral attack.

1709. Penalty assessment notice for traffic infractions - violations of provisions by officer - driver's license.

1710. Failure to pay penalty for traffic infractions - failure of parent or guardian to sign penalty assessment notice - procedures.

1711. Compliance with promise to appear.

1712. Procedure prescribed not exclusive.

1713. Conviction record inadmissible in civil action.

1714. Traffic violation not to affect credibility of witness.

1715. Convictions, judgments, and charges recorded – public inspection.

1716. Notice to appear or pay fine – failure to appear - penalty.

1717. Conviction - attendance at driver improvement school - rules.

1718. Electronic transmission of data - standards.

1719. Violations - commercial driver's license - compliance with federal regulation.

Part 18
Vehicles Abandoned On Public Property

1801. Legislative declaration.

1802. Definitions.

1803. Abandonment of motor vehicles - public property.

1804. Report of abandoned motor vehicles - owner's opportunity to request hearing.

1805. Appraisal of abandoned motor vehicles - sale.

1806. Liens upon towed motor vehicles.

1807. Perfection of lien.

1808. Foreclosure of lien.

1809. Proceeds of sale.

1810. Transfer and purge of certificates of title.

1811. Penalty.

1812. Exemptions.

1813. Local regulations.

1814. Violation of motor vehicle registration or inspection laws – separate statutory provision.

Part 19
School Bus Requirements

1901. School buses - equipped with supplementary brake retarders.

1902. School bus drivers - special training required.

1903. School buses - stops - signs - passing.

1904. Regulations for school buses – regulations on discharge of passengers - penalty - exception.

Appendices

Definitions

PART A. Instructions for adopting the model traffic code by reference

PART B. Specimen ordinance for adopting model traffic code by reference

PART C. Specimen notice of hearing

PART D. Specimen certification – posting of notice

PART E. Instructions for amending Model Code previously adopted by reference

PART F. Listing of amendments for updating previous editions of the Model Traffic Code adopted by reference

PART G. Specimen certification of Model Code

Why a Model Traffic Code?

Forward

Because of the significant mobility of today's traffic and the influx of motorists from many areas, every driver has a right to expect the rules governing the movement of vehicles and pedestrians on streets and highways are clearly defined and reasonably uniform throughout the state and the nation. The General Assembly of the State of Colorado has recognized that conflicts between the state's traffic laws and municipal traffic ordinances lead to inconsistencies in the movement of traffic and has strengthened the requirements for uniformity of traffic regulations in the following terms:

"This article constitutes the uniform traffic code throughout the state and in all political subdivisions and municipalities therein". (Source: 42-4-110(1))

"All local authorities may, in the manner prescribed in article 16 of title 31, or in article 15 of title 30, adopt by reference all or any part of a model traffic code which embodies the rules of the road and vehicle requirements set forth in this article and such other additional regulations as are provided for in section 42-4-111; except that, in the case of state highways, any such additional regulations shall have the approval of the department of transportation". (Source: 42-4-110(1)(b))

"No local authority shall adopt, enact, or enforce on any street which is a state highway any ordinance, rule, or resolution which alters or changes the meaning of the "rules of the road" or is otherwise in conflict with the provisions of this article. For the purpose of this section, the "rules of the road" shall be construed to mean any of the regulations on the operation of vehicles set forth in this article which drivers throughout the state are required to obey without the benefit or necessity of official traffic control devices as declared in section 42-4-603(2)." (Source: 42-4-110(1)(c))

These provisions leave little doubt that the basic driving rules are expected to be uniform statewide for the protection of Colorado drivers and pedestrians. If state laws and local government traffic codes are to serve their purpose they must complement one another and be given the widest possible publicity as companion documents.

The National Committee on Uniform Traffic Laws and Ordinances points out that it is not the proper purpose of traffic legislation to impose unnecessary or unreasonable restrictions on street or highway traffic, but to ensure, as far as this can be done by law and its enforcement, that traffic shall move smoothly, efficiently and safely; that no legitimate user of the street or highway, whether in a vehicle or on foot, shall be killed, injured or frustrated in such use by the improper behavior of others.

Through the cooperative efforts of both state and local governments, the "Model Traffic Code for Colorado" has been developed to make available a specimen set of motor vehicle and traffic regulations that track state law.

Section 42-4-105, states that all traffic control devices placed or maintained by local authorities shall conform to the most recent edition of the federal "Manual on Uniform Traffic Control Devices" (MUTCD) and the state supplement thereto.

Traffic regulatory areas preempted by state law have not been made part of the Code. Local governments are urged to bring their traffic ordinances into harmony with the current Code.

Local governments that adopt the Code by reference are cautioned not to make any changes or additions which are in conflict with state law. However, the adopting local governments are at liberty to delete any parts, articles, or sections which are deemed to be inapplicable. A specimen ordinance and specimen public notices for adopting the Code by reference will be found in the Appendix.

The following official state documents work in tandem to provide a uniform system of traffic regulation and accepted traffic engineering practices for greater operational efficiency and safety:

- Colorado Revised Statutes (C.R.S.), Title 42, Article 4 - Uniform traffic code for the State of Colorado. Updated periodically to correlate with national model legislation.
- Model Traffic Code for Colorado – Model ordinance embodies provisions of Colorado Law applicable to driving in municipalities and counties in a form that can be adopted by reference.
- Colorado Drivers Manual – Drivers' handbooks authorized by Colorado statute. Issued by the Colorado Department of Revenue (Division of Motor Vehicles). Traffic control text and illustrations developed by the Colorado Department of Transportation.
- Manual on Uniform Traffic Control Devices (MUTCD) – Manual of Federal Highway Administration approved traffic control devices. Updated periodically and adopted by the Transportation Commission as required by Colorado Law.

Part 1
Traffic Regulation – Generally

101. Short title.

102. Legislative declaration.

103. Scope and effect of Code – exceptions to provisions.

(1) This Code constitutes the model traffic code throughout this jurisdiction.

(2) The provisions of this Code relating to the operation of vehicles and the movement of pedestrians refer exclusively to the use of streets and highways except:

(a) Where a different place is specifically referred to in a given section;

(b) For provisions of sections 1401, 1402 and 1413 of this Code which shall apply upon streets and highways and elsewhere throughout the jurisdiction.

104. Adoption of traffic control manual.

- See *Appendices Part A*.

105. Local traffic control devices.

Local authorities shall place and maintain such traffic control devices upon highways under their jurisdiction as they may deem necessary to indicate and to carry out the provisions of this Code or local traffic ordinances or to regulate, warn, or guide traffic, subject in the case of state highways to the provisions of sections 42-4-110 and 43-2-135(1)(g). All such traffic control devices shall conform to the state manual and specifications for statewide uniformity as provided in section 42-4-104.

106. Who may restrict right to use highways.

(1) Local authorities with respect to highways under their jurisdiction may by ordinance or resolution prohibit the operation of vehicles upon any such highway or impose restrictions as to the weight of vehicles to be operated upon any such highway, for a total period of not to exceed ninety days in any one calendar year, whenever any said highway by reason of deterioration, rain, snow, or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced.

(2) After enacting any such ordinance signs designating the permissible weights shall be erected and maintained.

(3) Local authorities, with respect to highways under their jurisdiction, may also, by ordinance or resolution:

(a) Prohibit the operation of trucks or commercial vehicles on designated highways;

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

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

(3)(d)(I) thru (5)(c)(III) - Omitted.

(6)(a) Local authorities may, within their respective jurisdictions, for the purpose of road construction and maintenance, temporarily close to through traffic or to all vehicular traffic any highway or portion thereof for a period not to exceed a specified number of workdays for project completion and shall, in conjunction with any such road closure, establish appropriate detours or provide for an alternative routing of the traffic affected when, in the opinion of concerned local authorities, as evidenced by resolution or ordinance, such temporary closing of the highway or portion thereof and the rerouting of traffic is necessary for traffic safety and for the protection of work crews and road equipment. Such temporary closing of the highway or portion thereof and the routing of traffic along other roads shall not become effective until official traffic control devices are erected giving notice of the restrictions, and, when such devices are in place, no driver shall disobey the instructions or directions thereof.

(b) Local authorities, within their respective jurisdictions, may provide for the temporary closing to vehicular traffic of any portion of a highway during a specified period of the day for the purpose of celebrations, parades, and special local events or civil functions when in the opinion of said authorities such temporary closing is necessary for the safety and protection of persons who are to use that portion of the highway during the temporary closing.

(c) Local authorities shall enter in to agreements with one another for the establishment, signing and marking of appropriate detours and alternative routes which jointly affect local road systems and which are necessary to carry out the provisions of paragraphs (a) and (b) of this subsection (6). Any temporary closing of the street which is a state highway and any rerouting of state highway traffic shall have the approval of the department before such closing becomes effective.

(7) A person who violates any provision of this section commits a class B traffic infraction.

107. Obedience to peace officers.

No person shall willfully fail or refuse to comply with any lawful order or direction of any peace officer invested by law with authority to direct, control, or regulate traffic. Any person who violates any provision of this section commits a class 2 misdemeanor traffic offense.

108. Public officers to obey provisions - exceptions for emergency vehicles.

(1) The provisions of this Code applicable to the drivers of vehicles upon the highways shall apply to the drivers of all vehicles owned or operated by the United States, this state, or any county, city, town, district, or other political subdivision of the state, subject to such specific exceptions as are set forth in this Code with reference to authorized emergency vehicles.

(2) The driver of an authorized emergency vehicle, when responding to an emergency call, or when in pursuit of an actual or suspected violator of the law, or when responding to but not upon

returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions stated in this Code. The driver of an authorized emergency vehicle may:

(a) Park or stand, irrespective of the provisions of this Code or State law;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the lawful speeds set forth in section 1101 (2) or exceed the maximum lawful speed limits set forth in section 1101 (8) so long as said driver does not endanger life or property;

(d) Disregard regulations governing directions of movement or turning in specified directions.

(3) The exemptions and conditions provided in paragraphs (b) to (d), in their entirety, of subsection (2) of this section for an authorized emergency vehicle shall apply only when such vehicle is making use of audible or visual signals meeting the requirements of section 213, and the exemption granted in paragraph (a) of subsection (2) of this section shall apply only when such vehicle is making use of visual signals meeting the requirements of section 213 unless using such visual signals would cause an obstruction to the normal flow of traffic; except that an authorized emergency vehicle being operated as a police vehicle while in actual pursuit of a suspected violator of any provision of this title need not display or make use of audible or visual signals so long as such pursuit is being made to obtain verification of or evidence of the guilt of the suspected violator. Nothing in this section shall be construed to require an emergency vehicle to make use of audible signals when such vehicle is not moving, whether or not the vehicle is occupied.

(4) The provisions of this section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of such driver's reckless disregard for the safety of others.

109. Low-power scooters, animals, skis, skates, and toy vehicles on highways.

(1) A person riding a low-power scooter upon a roadway where low-power scooter travel is permitted shall be granted all of the rights and shall be subject to all of the duties and penalties applicable to the driver of a vehicle as set forth in this Code except those provisions of this Code that, by their very nature, can have no application.

(2) A person riding a low-power scooter shall not ride other than upon or astride a permanent and regular seat attached thereto.

(3) No low-power scooter shall be used to carry more persons at one time than the number for which it is designed and equipped.

(4) No person riding upon any low-power scooter, coaster, roller skates, sled, or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.

(5) A person operating a low-power scooter upon a roadway shall ride as close to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(6) Persons riding low-power scooters upon a roadway shall not ride more than two abreast.

(6.5) A person under the age of eighteen years may not operate or carry a passenger who is under eighteen years of age on a low-power scooter unless the person and the passenger are wearing protective helmets in accordance with the provisions of section 1502 (4.5) of this Code.

(7) For the sake of uniformity and bicycle, electrical assisted bicycle, electric scooter, and low-power scooter safety throughout the state, the department of revenue in cooperation with the department of transportation shall prepare and make available to all local jurisdictions for distribution to bicycle, electrical assisted bicycle, electric scooter and low-power scooter riders a digest of state regulations explaining and illustrating the rules of the road, equipment requirements, and traffic control devices that are applicable to the riders and their bicycles, electrical assisted bicycles, electric scooters, or low-power scooters. Local authorities may supplement this digest with a leaflet describing any additional regulations of a local nature that apply within their respective jurisdictions.

(8) Persons riding or leading animals on or along any highway shall ride or lead such animals on the left side of said highway, facing approaching traffic. This shall not apply to persons driving herds of animals along highways.

(9) No person shall use the highways for traveling on skis, toboggans, coasting sleds, skates, or similar devices. It is unlawful for any person to use any roadway of this state as a sled or ski course for the purpose of coasting on sleds, skis, or similar devices. It is also unlawful for any person upon roller skates or riding in or by means of any coaster, toy vehicle, or similar device to go upon any roadway except while crossing a highway in a crosswalk, and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This subsection (9) does not apply to any public way which is set aside by proper authority as a play street and which is adequately roped off or otherwise marked for such purpose or to any highway or portion of a highway designated for over-snow use only by a local authority pursuant to section 42-4-106(3)(d).

(10) Every person riding or leading an animal or driving any animal-drawn conveyance upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Code, except those provisions of this Code which by their very nature can have no application.

(11) Where suitable bike paths, horseback trails, or other trails have been established on the right-of-way or parallel to and within one-fourth mile of the right-of-way of heavily traveled streets and highways, the department of transportation may, subject to the provisions of section 43-2-135, by resolution or order entered in its minutes, and local authorities may, where suitable bike paths, horseback trails, or other trails have been established on the right-of-way or parallel to it within four hundred fifty feet of the right-of-way of heavily traveled streets, by ordinance, determine and designate, upon the basis of an engineering and traffic investigation, those heavily traveled streets and highways upon which shall be prohibited any bicycle, electrical assisted bicycle, electric scooter, animal rider, animal-drawn conveyance, or other class or kind of nonmotorized traffic that is found to be incompatible with the normal and safe movement of traffic, and, upon such a determination, the department of transportation or local authority shall erect appropriate official signs giving notice of the prohibition; except that, with respect to controlled access highways, section 1010(3) applies. When the official signs are erected, a person

shall not violate any of the instructions contained on the official signs.

(12) The parent of any child or guardian of any ward shall not authorize or knowingly permit any child or ward to violate any provision of this section.

(13)(a) Except as otherwise provided in paragraph (b) of this subsection (13), any person who violates a provision of this section commits a class B traffic infraction.

(b) Any person who violates subsection (6.5) of this section commits a class A traffic infraction.

109.5. Low-speed electric vehicles.

(1)(a) A low-speed electric vehicle may be operated only on a roadway that has a speed limit equal to or less than thirty-five miles per hour; except that it may be operated to directly cross a roadway that has a speed limit greater than thirty-five miles per hour at an at-grade crossing to continue traveling along a roadway with a speed limit equal to or less than thirty-five miles per hour.

(b) Notwithstanding paragraph (a) of this subsection (1), a low-speed electric vehicle may be operated on a state highway that has a speed limit equal to forty miles per hour or cross a roadway with a speed limit equal to forty miles per hour to cross at-grade, if:

(I) Such roadway's lane width is eleven feet or greater;

(II) Such roadway provides two or more lanes in either direction; and

(III) The Colorado department of transportation has determined, in consultation with local government and law enforcement, upon the basis of a traffic investigation, survey, appropriate design standards, or projected volumes, that the operation of a low-speed electric vehicle on the roadway poses no substantial safety risk or hazard to motorists, bicyclists, pedestrians, or other persons.

(2) No person shall operate a low-speed electric vehicle on a limited-access highway.

(3) Any person who violates subsection (1) or (2) of this section commits a class B traffic infraction.

109.6. Class B low-speed electric vehicles - effective date - rules.

(1) A class B low speed electric vehicle may be operated only on a roadway that has a speed limit equal to or less than forty-five miles per hour; except that it may be operated to directly cross a roadway that has a speed limit greater than forty-five miles per hour at an at-grade crossing to continue traveling along a roadway with a speed limit equal to or less than forty-five miles per hour.

(2) No person shall operate a class B low speed electric vehicle on a limited-access highway.

(3) Any person who violates subsection (1) or (2) of this section commits a class B traffic infraction.

(4) For the purposes of this section, "class B low-speed electric vehicle" means a low-speed electric vehicle that is capable of traveling at greater than twenty-five miles per hour but less than forty-five miles per hour.

(5)(a) The department of revenue shall not register or issue a title for a class B low-speed electric vehicle until after the United States department of transportation, through the national highway traffic safety administration, has adopted a federal motor vehicle safety standard for low-speed electric vehicles that authorizes operation at greater than twenty-five miles per hour but less than forty-five miles per hour.

(b) After the United States department of transportation, through the national highway traffic safety administration, has adopted a federal motor vehicle safety standard for low-speed electric vehicles that authorizes operation at greater than twenty-five miles per hour but less than forty-five miles per hour, the department of revenue shall promulgate rules authorizing the operation of class B low-speed electric vehicles in compliance with this section and shall notify the revisor of statutes in writing. Upon the promulgation of rules authorizing the operation of such vehicles, subsections (1) to (3) of this section shall take effect.

(5) The Colorado department of transportation may regulate the operation of a class B low-speed electric vehicle on a state highway located outside of a municipality. The regulation shall take effect when the Colorado department of transportation places an appropriate sign that provides adequate notice of the regulation.

110. Provisions uniform throughout jurisdiction.

(1) The provisions of this Code shall be applicable and uniform throughout this state and in all political subdivisions and municipalities therein. Local governments shall regulate and enforce all traffic and parking restrictions on streets which are state highways as provided in section 43-2-135(1)(g). All local authorities may enact and enforce traffic regulations on other roads and streets within their respective jurisdictions. All such regulations shall be subject to the following conditions and limitations:

(a) All local governments may enact, adopt, or enforce traffic regulations which cover the same subject matter as the various sections of this Code or state law and such additional regulations as are included in section 111, except as otherwise stated in paragraphs (c) to (e) of this subsection (1).

(b) All local authorities may, in the manner prescribed in article 16 of title 31 or in article 15 of title 30 adopt by reference all or any part of a model traffic code which embodies the rules of the road and vehicle requirements set forth in this article and such additional regulations as are provided for in section 111; except that in the case of state highways, any such additional regulation shall have the approval of the department of transportation.

(c) No local authority shall adopt, enact, or enforce on any street which is a state highway any ordinance, rule, or resolution which alters or changes the meaning of any of the "rules of the road" or is otherwise in conflict with the provisions of this article. For the purpose of this section, the "rules of the road" shall be construed to mean any of the regulations on the operation of vehicles set forth in this article which drivers throughout the state are required to obey without the benefit or necessity of official traffic control devices as declared in

section 603(2).

(d) In no event shall local authorities have the power to enact by ordinance regulations governing the driving of vehicles by persons under the influence of alcohol or of a controlled substance as defined in section 18-18-102(5), or under the influence of any other drug to a degree that renders any such person incapable of safely operating a vehicle, or whose ability to operate a vehicle is impaired by the consumption of alcohol or by the use of a controlled substance as defined in section 18-18-102(5), or any other drug, the registration of vehicles and the licensing of drivers, the duties and obligations of persons involved in traffic accidents, and vehicle equipment requirements in conflict with the provisions of this article; but said local authorities within their respective jurisdictions shall enforce the state laws pertaining to these subjects, and in every charge of violation the complaint shall specify the section of state law under which the charge is made and the state court having jurisdiction.

(2) The municipal courts have jurisdiction over violations of traffic regulations enacted or adopted by municipalities. However, the provisions of sections 42-4-1701, 42-4-1705, and 42-4-1707 shall not be applicable to municipalities.

(3) No person convicted of or pleading guilty to a violation of a municipal traffic ordinance shall be charged or tried in a state court for the same or similar offense.

(4) **Omitted.**

(5) The general assembly declares that the adjudication of class A and class B traffic infractions through the county court magistrate system was not intended to create a conflict between the provisions of this article and municipal ordinances covering the same subject matter as this article nor was it intended to require or prohibit the decriminalization of municipal ordinances covering the same subject matter as this article. Municipalities may continue to enforce violations of such ordinances through municipal court even though similar state offenses are enforced through the magistrate system established under this article.

(6)(a) The general assembly hereby finds that the use of automated driving systems will help people who may have difficulty driving, including people who are elderly and people with disabilities, gain access to goods and services essential to daily life. This access requires traveling across and in multiple jurisdictions. Therefore, the regulation of automated driving systems is a matter of statewide concern.

(b) A state agency or a political subdivision of the state shall not adopt or enforce a policy, rule, or ordinance that sets standards for an automated driving system that are different from the standards set for a human driver.

110.5. Automated vehicle identification systems – legislative declaration - exceptions to liability - penalty - limits on use of photographs and video - definitions.

(1) The general assembly hereby finds and declares that the enforcement of traffic laws through the use of automated vehicle identification systems under this section is a matter of statewide concern and is an area in which uniform state standards are necessary.

(1.4) Nothing in this section applies to the use of automated vehicle identification systems for the purpose of collecting tolls, fees, or civil penalties in accordance with part 5 of article 4 of title 43

and section 43-4-808.

(1.5) Except as set out in (1.7), nothing in this section applies to a violation detected by an automated vehicle identification system for driving twenty-five miles per hour or more in excess of the reasonable and prudent speed or twenty-five miles per hour or more in excess of the maximum speed limit of seventy-five miles per hour detected by the use of an automated vehicle identification system.

(1.7) Omitted.

(2) A county or municipality may adopt an ordinance authorizing the use of an automated vehicle identification system to detect violations of traffic regulations adopted by the county or municipality, or the state, a county, a city and county, or a municipality may utilize an automated vehicle identification system to detect traffic violations under state law, subject to the following conditions and limitations:

(a)(I) (Deleted by amendment, L. 2002, p. 570, § 1, effective May 24, 2002.

(II) If the state, a county, a city and county, or a municipality detects any alleged violation of a county or municipal traffic regulation or a traffic violation under state law through the use of an automated vehicle identification system, then the state, county, city and county, or municipality shall issue, or cause its vendor to issue, to the registered owner of the motor vehicle involved in the alleged violation, by first-class mail, personal service, or by any mail delivery service offered by an entity other than the United Stated Postal Service that is equivalent to or superior to first-class mail with respect to delivery speed, reliability, and price, a notice of violation:

(A) within thirty days after the alleged violation occurred if the motor vehicle involved in the alleged violation is registered in the state; or

(B) within sixty days after the alleged violation occurred if the motor vehicle involved in the alleged violation is registered outside of the state.

(III) the notice of violation must contain:

(A) the name and address of the registered owner of the motor vehicle involved in the alleged violation;

(B) the license plate number of the motor vehicle involved in the alleged violation;

(C) the date, time and location of the alleged violation;

(D) the amount of the civil penalty prescribed for the alleged violation;

(E) the deadline for payment of the prescribed civil penalty and for disputing the alleged violation; and

(F) information on how the registered owner may either dispute the alleged violation in a hearing or pay the prescribed civil penalty.

(IV) If the state, a county, a city and county, or a municipality does not receive the prescribed civil penalty or a written notice requesting a hearing to dispute the alleged violation by the deadline stated on the notice of violation, which deadline must not be less than forty-five days after the issuance date on the notice of violation, the state, county,

city and county or municipality shall issue, or cause its vendor to issue, by first-class mail, personal service, or by any mail delivery service offered by an entity other than the United Stated Postal Service that is equivalent to or superior to first-class mail with respect to delivery speed, reliability, and price, a civil penalty assessment notice for the alleged violation to the registered owner of the motor vehicle involved in the alleged violation no later than thirty days after the deadline on the notice of violation.

(V) The civil penalty assessment notice must contain:

(A) the name and address of the registered owner of the motor vehicle involved in the alleged violation;

(B) the license plate of the motor vehicle involved in the alleged violation;

(C) the date, time, and location of the alleged violation;

(D) the amount of the civil penalty prescribed for the alleged violation;

(E) the deadline for payment of the prescribed civil penalty;

(F) information on how to pay the prescribed civil penalty.

(VI) if the registered owner of the motor vehicle fails to request a hearing to dispute the alleged violation by the deadline stated in the notice of violation, the registered owner waives any right to contest the violation or the amount of the prescribed civil penalty.

(VII) if the registered owner of the motor vehicle fails to pay in full the prescribed civil penalty by the deadline stated in the civil penalty assessment notice, a final order of liability shall be entered against the registered owner of the vehicle.

(VIII) Final orders may be appealed as to matters of law and fact to the county court in the county where the alleged violation or the municipal court in the municipality where the alleged violation occurred, the registered owner of the motor vehicle may assert in an appeal that a notice of violation served by first-class mail or other mail delivery service was not actually delivered. The appeal shall be a de novo hearing.

(IX) the state, a county, a city and county, or a municipality shall not initiate or pursue a collection action against a registered owner of a motor vehicle for a debt resulting from an unpaid penalty assessed pursuant to this section unless the registered owner is personally served the notice of violation or the final order of liability.

(b) Notwithstanding any other provision of the statutes to the contrary, the state, a county, a city and county, or a municipality shall not report to the department any conviction or entry of judgment against a defendant for violation of a county or municipal traffic regulation or a traffic violation under state law if the violation was detected through the use of an automated vehicle identification system.

(c) Repealed by Laws 2021, Ch. 460 (H.B. 21-1314), § 16, eff. January 1, 2022.

(d)(I) The state, a county, a city and county, or a municipality shall not use an automated vehicle identification system to detect a violation of part 11 of this article 4 or a local speed ordinance unless there is posted an appropriate temporary or permanent sign in a conspicuous place not fewer than three hundred feet before the area in which the automated vehicle identification system is to be used notifying the public that an automated vehicle

identification system is in use immediately ahead. The requirement of this subsection (2)(d)(I) shall not be deemed satisfied by the posting of a permanent sign or signs at the borders of a county, city and county, or municipality, nor by the posting of a permanent sign in an area in which an automated vehicle identification system is to be used, but this subsection (2)(d)(I) shall not be deemed a prohibition against the posting of such permanent signs.

(II) Except as provided in subsection (2)(d)(I) of this section, an automated vehicle identification system designed to detect disobedience to a traffic control signal or another violation of this article 4 or a local traffic ordinance shall not be used unless the state, county, city and county, or municipality using such system conspicuously posts a sign notifying the public that an automated vehicle identification system is in use immediately ahead. The sign shall:

(A) Be placed in a conspicuous location not fewer than two hundred feet nor more than five hundred feet before the automated vehicle identification system; and

(B) Use lettering that is at least four inches high for upper case letters and two and nine-tenths inches high for lower case letters.

(e)(I) If the state, county, city and county, or municipality implements a new automated vehicle identification system after July 1, 2023, that is not a replacement of an automated vehicle identification system:

(A) the agency responsible for the automated vehicle identification system shall publicly announce the implementation of the system through its website for at least 30 days prior to the use of the system; and

(B) for the first thirty days after the system is install or deployed, only warnings may be issued for violations of a county or municipal traffic regulation or traffic violation under state law detected by the system.

(II) a state, county, city and county, or municipality may conduct an extended public information campaign or warning period for systems installed or deployed either before or after July 1, 2023.

(f) Repealed by SB 23-200.

(g)(I) The state, a county, a city and county, or a municipality shall not issue a notice of violation or civil penalty assessment notice for a violation detected using an automated vehicle identification system unless the violation occurred within a school zone, as defined in section 42-4-615; within a residential neighborhood; within a maintenance, construction, or repair zone designated pursuant to section 42-4-614; along a street that borders a municipal park; or along a street or portion of a street that a county or municipality, by ordinance or by a resolution of its governing body, designates as an automated vehicle identification corridor, on which designated corridor the county or municipality may locate an automated vehicle identification system to detect violations of a county or municipal traffic regulation or a traffic violation under state law. Before a county or municipality begins operation of an automated vehicle identification system in an automated vehicle identification corridor, the county or municipality must:

(A) post a permanent sign in a conspicuous place not fewer than three hundred feet before the beginning of the corridor and a permanent sign not fewer than three hundred

feet before each camera within the corridor thereafter or a temporary sign not fewer than three hundred feet before any mobile camera;

(B) illustrate, through data collected within the past five years, incidents of crashes, speeding, reckless driving, or community complaints on a street designated as an automated vehicle identification corridor; and

(C) coordinate between the local jurisdiction, the department of transportation, and the Colorado state patrol.

(II) As used in this subsection (2)(g) unless the context otherwise requires, "residential neighborhood" means any block on which a majority of the improvements along both sides of the street are residential dwellings and the speed limit is thirty-five miles per hour or less.

(III) This subsection (2)(g) does not apply to an automated vehicle identification system designed to detect disobedience to a traffic control signal.

(IV) a county or municipality implementing an automated vehicle identification corridor pursuant to subsection (2)(g)(I) of the section shall publish a report on its website disclosing the number of citation and revenue generated by the automated vehicle identification corridor.

(V)(A) notwithstanding the provisions of subsection (2)(g)(I) of this section, the state may locate an automated vehicle identification system on a highway that is a part of the federal interstate highway system and may issue a notice of violation or a civil penalty assessment notice for a traffic violation under state law detected using the automated vehicle identification system.

(B) a county, a city and county, or a municipality shall not locate an automated vehicle identification system or create an automated vehicle identification corridor on any highway that is a part of the federal interstate highway system.

(h) the state, county, a city and county, or a municipality shall not require a registered owner of a vehicle to disclose the identity of a driver of the vehicle who is detected through the use of an automated vehicle identification system. However, the registered owner may be required to submit evidence that the owner was not the driver at the time of the alleged violation.

(3) The department has no authority to assess any points against a license under section 42-2-127 upon entry of a conviction or judgment for a violation of a municipal traffic regulation or a traffic violation under state law if the violation was detected through the use of an automated vehicle identification system. The department shall not keep any record of such violation in the official records maintained by the department under section 42-2-121.

(4)(a) If the state, a county, a city and county, or a municipality detects a speeding violation of less than ten miles per hour over the reasonable and prudent speed under a municipal traffic regulation or under state law through the use of an automated vehicle identification system and the violation is the first violation by the registered owner that the state, county, city and county, or municipality has detected using an automated vehicle identification system, then the state, county, city and county, or municipality may mail the registered owner a warning regarding the violation, but the state, county, city and county, or municipality shall not impose any penalty or

surcharge for such first violation.

(b)(I) If the state, a county, a city and county, or a municipality detects a second or subsequent speeding violation under a municipal traffic regulation or under state law by a driver, or a first such violation by the driver if the provisions of paragraph (a) of this subsection (4) do not apply, through the use of an automated vehicle identification system, then, except as may be permitted in subparagraph (II) of this paragraph (b), the maximum penalty that the state, county, city and county, or municipality may impose for such violation, including any surcharge, is forty dollars.

(II) If any violation described in subsection (4)(b)(I) of this section occurs within a school zone, as defined in section 42-4-615, the maximum penalty that may be imposed shall be doubled.

(III) Subsection (4)(b)(I) of this section does not apply within a maintenance, construction, or repair zone designated pursuant to section 42-4-614.

(4.5) If the state, a county, a city and county, or a municipality detects a violation of a county or municipal traffic regulation or under state law for disobedience to a traffic control signal through the use of an automated vehicle identification system, the maximum civil penalty that the state, a county, a city and county, or a municipality may impose for such violation, including any surcharge, is seventy-five dollars.

(4.7) If a registered owner fails to pay a penalty imposed for a violation of a county or municipal traffic regulation or a traffic violation under state law detected using an automated vehicle identification system, the state, a county, a city and county, or a municipality shall not attempt to enforce such a penalty by immobilizing the registered owner's vehicle.

(5) If the state, a county, a city and county, or a municipality has established an automated vehicle identification system for the enforcement of county or municipal traffic regulations or state traffic laws, then no portion of any fine collected through the use of such system may be paid to the manufacturer or vendor of the automated vehicle identification system equipment. The compensation paid by the state, county, city and county, or municipality for such equipment shall be based upon the value of such equipment and the value of any services provided to the state, county, city and county or municipality and may not be based upon the number of traffic citations issued or the revenue generated by such equipment.

(6)(a) As used in this section, the term "automated vehicle identification system" means a system whereby:

(I) A machine is used to automatically detect a violation of a traffic regulation and simultaneously record a photograph of the vehicle, the operator of the vehicle, and the license plate of the vehicle; and

(II) A notice of violation or civil penalty assessment notice may be issued to the registered owner of the motor vehicle.

(b) "automated vehicle identification system" includes a system used to detect a violation of part 11 of this article 4 or a local speed ordinance, a system used to detect violations of traffic restrictions imposed by traffic signals or traffic signs, and a system used to detect violation of bus lane or bicycle lane restrictions.

(7) The state, county, city and county, or municipality and any vendor operating an automated vehicle identification system shall, unless otherwise provided in this section:

(a) program the automated vehicle identification system to retain data only when a violation of a county or municipal traffic regulation or traffic violation under state law occurs;

(b) treat all photographs and video collected by the automated motor vehicle identification system as confidential and exempt from disclosure and inspection pursuant to the "Colorado Open Records Act", part 2 of article 72 of title 24;

(c) not use, disclose, sell, or permit access to photographs, video, or personal identifiable data collected by the automated motor vehicle identification system except to the extent necessary to operate the program, including for purposes of processing violations, for other law enforcement purposes, for transferring data to a new vendor or operating system, or, pursuant to a court order, for use in unrelated legal proceedings; and

(d) destroy any photographs and video of a violation collected by the automated vehicle identification system within three years after the final disposition of the violation unless the photographs or video are maintained in a separate system for other purposes allowed by law.

(I) Subparagraph (I) of this paragraph (b) shall not apply within a maintenance, construction, or repair zone designated pursuant to section 42-4-614.

111. Powers of Local Authorities.

(1) Except as otherwise provided in subsection (2) of this section, this article 4 does not prevent local authorities, with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power, from:

(a) Regulating or prohibiting the stopping, standing, or parking of vehicles, consistent with the provisions of this article;

(b) Establishing parking meter zones where it is determined upon the basis of an engineering and traffic investigation that the installation and operation of parking meetings is necessary to aid in the regulation and control of the parking of vehicles during the hours and on the days specified on parking meter signs;

(c) Regulating traffic by means of police officers or official traffic control devices, consistent with the provisions of this article;

(d) Regulating or prohibiting processions or assemblages on the highways, consistent with the provisions of this article;

(e) Designating particular highways or roadways for use by traffic moving in one direction, consistent with the provisions of this article;

(f) Designating any highway as a through highway or designating any intersection as a stop or yield intersection, consistent with the provisions of this article;

(g) Designating truck routes and restricting the use of highways, consistent with the provisions of this article;

(h) Regulating the operation of bicycles or electrical assisted bicycles and requiring the registration and licensing of same, including the requirement of a registration fee, consistent with the provisions of this article;

(i) Altering or establishing speed limits, consistent with the provisions of this article;

(j) Establishing speed limits for vehicles in public parks, consistent with the provisions of this article;

(k) Determining and designating streets, parts of streets, or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day, consistent with the provisions of this article;

(l) Regulating or prohibiting the turning of vehicles, consistent with the provisions of this article;

(m) Designating no-passing zones, consistent with the provisions of this article;

(n) Prohibiting or regulating the use of controlled-access roadways by nonmotorized traffic or other kinds of traffic, consistent with the provisions of this Code;

(o) Establishing minimum speed limits, consistent with the provisions of this Code;

(p) Designating hazardous railroad crossings, consistent with the provisions of this Code;

(q) Designating and regulating traffic on play streets, consistent with the provisions of this article;

(r) Prohibiting or restricting pedestrian crossing, consistent with the provisions of this Code;

(s) Regulating the movement of traffic at school crossings by official traffic control devices or by duly authorized school crossing guards, consistent with the provisions of the Code;

(t) Regulating persons propelling push carts;

(u) Regulating persons upon skates, coasters, sleds, or similar devices, consistent with the provisions of this Code;

(v) Adopting such temporary or experimental regulations as may be necessary to cover emergencies or special conditions;

(w) Adopting such other traffic regulations as are provided for by this article;

(x) Closing a street or portion thereof temporarily and establishing appropriate detours or an alternative routing for the traffic affected, consistent with the provisions of this article;

(y) Regulating the local movement of traffic or the use of local streets where such is not provided for in that article;

(z) Regulating the operation of low-powered scooters, consistent with the provisions of this article; except that local authorities shall be prohibited from establishing any requirements for the registration and licensing of low powered scooters;

(aa) Regulating the operation of low-speed electric vehicles, including, without limitation, establishing a safety inspection program, on streets and highways under their jurisdiction by resolution or ordinance of the governing body, if such regulation is consistent with this Code;

(bb) Authorizing and regulating the operation of golf cars on roadways by resolution or ordinance of the governing body, if the authorization or regulation is consistent with this title and does not authorize:

(I) An unlicensed driver of a golf car to carry a passenger who is under twenty-one years of age;

(II) Operation of a golf car by a person under sixteen years of age; or

(III) Operation of a golf car on a state highway; except that the ordinance or resolution may authorize a person to drive a golf car directly across a state highway at an at-grade sidewalk, bike path, or pedestrian path consistent with section 42-4-117(I) and (3);

(cc) Authorizing, prohibiting, or regulating the use of an EPAMD on a roadway, sidewalk, bike path, or pedestrian path consistent with section 117(1) and (3);

(dd) Authorizing or prohibiting the use of an electrical assisted bicycle or electric scooter on a bike or pedestrian path in accordance with section 42-4-1412;

(ee) Enacting the idling standards in conformity with section 42-14-103

(2)(a) An ordinance or regulation enacted under paragraph (a), (b), (e), (f), (g), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (v), (x), (y), (aa), or (cc) of subsection (1) of this section may not take effect until official signs or other traffic control devices conforming to standards as required by section 42-4-602, and giving notice of the local traffic regulations are placed upon or at the entrances to the highway or part thereof affected as may be most appropriate.

(b) Regulating the operation of an electric scooter consistent with this title 42.

(c) Subsection (1) of this section does not authorize a local authority to regulate or authorize the use of vehicles and motor vehicles on the state highway system that is subject to section 43-2-135, except in at-grade crossings where the roadway subject to the local authority's jurisdiction crosses the state highway. The local authority may regulate vehicles within such crossings only to the extent necessary to effect the local authority's power to regulate the roadway under the local authority's jurisdiction and only if the regulation or authorization does not interfere with the normal operation of the state highway.

(**3) Omitted.**

112. Noninterference with the rights of owners of realty.

Subject to the exception provided in section 103(2), nothing in this Code shall be construed to prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner and not as matter of right from prohibiting such use, or from requiring other or different or additional conditions than those specified in this Code, or from otherwise regulating such use as may seem best to such owner.

113. Appropriations for administration of article.

(See §42-4-113)

114. Removal of traffic hazards.

(1) Local authorities, within their respective jurisdictions, may by written notice sent by certified mail require the owner of real property abutting on the right-of-way of any highway, sidewalk, or other public way to trim or remove, at the expense of said property owner, any tree limb or any shrub, vine, hedge, or other plant which projects beyond the property line of such owner onto or over the public right-of-way and thereby obstructs the view of traffic, obscures any traffic control device, or otherwise constitutes a hazard to drivers or pedestrians.

(2) It is the duty of the property owner to remove any dead, overhanging boughs of trees located on the premises of such property owner that endanger life or property on the public right-of-way.

(3) In the event that any property owner fails or neglects to trim or remove any such tree limb or any such shrub, vine, hedge, or other plant within ten days after receipt of written notice from said local authority to do so, said local authority may do or cause to be done the necessary work incident thereto, and said property owner shall reimburse the state or local authority for the cost of the work performed.

115. Repealed.

116. Restrictions for minor drivers - definitions.

(1)(a) Except as provided in paragraph (c) of this subsection (1), a minor driver shall not operate a motor vehicle containing a passenger who is under twenty-one years of age and who is not a member of the driver's immediate family until such driver has held a valid driver's license for at least six months.

(b) Except as provided in paragraph (c) of this subsection (1), a minor driver shall not operate a motor vehicle containing more than one passenger who is under twenty-one years of age and who is not a member of the driver's immediate family until such driver has held a valid driver's license for at least one year.

(c) Paragraphs (a) and (b) of this subsection (1) shall not apply if:

(I) The motor vehicle contains the minor's parent or legal guardian or other responsible adult described in section 42-2-108;

(II) The motor vehicle contains an adult twenty-one years of age or older who currently holds a valid driver's license and has held such license for at least one year;

(III) The passenger who is under twenty-one years of age is in the vehicle on account of a medical emergency;

(IV) All passengers who are under twenty-one years of age are members of the driver's immediate family and all such passengers are wearing a seatbelt.

(2)(a) Except as provided in paragraph (b) of this subsection (2), a minor driver shall not operate a

motor vehicle between 12 midnight and 5 a.m. until such driver has held a driver's license for at least one year.

(b) This subsection (2) shall not apply if:

(I) The motor vehicle contains the minor's parent or legal guardian or other responsible adult described in section 42-2-108;

(II) The motor vehicle contains an adult twenty-one years of age or older who currently holds a valid driver's license and has held such license for at least one year;

(III) The minor is driving to school or a school-authorized activity when the school does not provide adequate transportation, so long as the driver possesses a signed statement from the school official containing the date the activity will occur;

(IV) The minor is driving on account of employment when necessary, so long as the driver possesses a signed statement from the employer verifying employment;

(V) The minor is driving on account of a medical emergency; or

(VI) The minor is an emancipated minor.

(3) A violation of this section is a traffic infraction, and, upon conviction, the violator may be punished as follows:

(a) By the imposition of not less than eight hours nor more than twenty-four hours of community service for a first offense and not less than sixteen hours nor more than forty hours of community service for a subsequent offense;

(b) By the levying of a fine of not more than fifty dollars for a first offense, a fine of not more than one hundred dollars for a second offense, and a fine of one hundred fifty dollars for a subsequent offense;

(c) By an assessment of two license suspension points pursuant to section 42-2-127(5)(kk)

(4) For the purposes of this section:

(a) "Emancipated minor" means an individual under eighteen years of age whose parents or guardian has surrendered parental responsibilities, custody, and the right to the care and earnings of such person, and are no longer under a duty to support such person.

(b) "Minor driver" means a person who is operating a motor vehicle and who is under eighteen years of age.

(5) No driver in a motor vehicle shall be cited for a violation of this section unless such driver was stopped by a law enforcement officer for an alleged violation of Codes 1 to 4 of Title 42 other than a violation of this section.

117. Personal mobility devices.

(1) A rider of an EPAMD shall have all the same rights and duties as an operator of any other

vehicle under this Code, except as to those provisions that by their nature have no application.

(2) Unless otherwise prohibited, an EPAMD may be operated on a roadway in conformity with vehicle use.

(3) An EPAMD shall not be operated:

(a) On a limited-access highway;

(b) On a bike or pedestrian path; or

(c) At a speed of greater than twelve and one-half miles per hour.

(4) A person who violates this section commits a class B traffic infraction.2

(7) Repealed.

118. Omitted.

Part 2
Equipment

201. Obstruction of view or driving mechanism - hazardous situation.

(1) No person shall drive a vehicle when it is so loaded or when there are in the front seat such number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

(2) No person shall knowingly drive a vehicle while any passenger therein is riding in any manner which endangers the safety of such passenger or others.

(3) A person shall not drive a motor vehicle equipped with a video display visible to the driver while the motor vehicle is in motion. The provisions of this subsection (3) does not prohibit the usage of a computer, data terminal, or safety equipment in a motor vehicle so long as the computer, data terminal, or safety equipment is not used to display visual entertainment, including internet browsing, social media, and e-mail, to the driver while the motor vehicle is in motion.

(4) No vehicle shall be operated upon any highway unless the driver's vision through any required glass equipment is normal and unobstructed.

(5) No passenger in a vehicle shall ride in such position as to create a hazard for such passenger or others, or to interfere with the driver's view ahead or to the sides, or to interfere with the driver's control over the driving mechanism of the vehicle; nor shall the driver of a vehicle permit any passenger therein to ride in such manner.

(6) No person shall hang on or otherwise attach himself or herself to the outside, top, hood, or fenders of any vehicle, or to any other portion thereof, other than the specific enclosed portion of such vehicle intended for passengers or while in a sitting position in the cargo area of a vehicle if such area is fully or partially enclosed on all four sides, while the same is in motion; nor shall the operator knowingly permit any person to hang on or otherwise attach himself or herself to the outside, top, hood, or fenders of any vehicle, or any other portion thereof, other than the specific enclosed portion of such vehicle intended for passengers or while in a sitting position in the cargo area of a vehicle if such area is fully or partially enclosed on all four sides, while the same is in motion. This subsection (6) shall not apply to parades, caravans, or exhibitions which are officially authorized or otherwise permitted by law.

(7) The provisions of subsection (6) of this section shall not apply to a vehicle owned by the United States government or any agency or instrumentality thereof, or to a vehicle owned by the state of Colorado or any of its political subdivisions, or to a privately owned vehicle when operating in a governmental capacity under contract with or permit from any governmental subdivision or under permit issued by the public utilities commission of the state of Colorado, when in the performance of their duties persons are required to stand or sit on the exterior of the vehicle and said vehicle is equipped with adequate handrails and safeguards.

(8) Any person who violates any provision of this section commits a class A traffic infraction.

202. Unsafe vehicles - penalty – identification plates.

(1) It is unlawful for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this section and sections 204 to 231 and part 3 of this Code, or which is equipped in any manner in violation of said sections and part 3 or for any person to do any act forbidden or fail to perform any act required under said sections and part 3.

(2) The provisions of this section and sections 204 to 231 and part 3 of this Code with respect to equipment on vehicles shall not apply to implements of husbandry or farm tractors, except as made applicable in said sections and part 3.

(3) Nothing in this Code shall be construed to prohibit the use of additional parts and accessories on any vehicle, consistent with the provisions of this Code.

(4) Omitted.

(5) Omitted.

203. Unsafe vehicles - spot inspections.

(1) Uniformed police officers, at any time upon reasonable cause, may require the driver of a vehicle to stop and submit such vehicle and its equipment to an inspection and such test with reference thereto as may be appropriate. The fact that a vehicle is an older model vehicle shall not alone constitute reasonable cause. In the event such vehicle is found to be in an unsafe condition or the required equipment is not present or is not in proper repair and adjustment, the officer may give a written notice and issue a summons to the driver. Said notice shall require that such vehicle be placed in safe condition and properly equipped or that its equipment be placed in proper repair and adjustment, the particulars of which shall be specified on said notice.

(2) In the event any such vehicle is, in the reasonable judgment of such police officer, in such condition that further operation would be hazardous, the officer may require, in addition to the instructions set forth in subsection (1) of this section, that the vehicle be moved at the operator’s expense and not operated under its own power or that it be driven to the nearest garage or other place of safety.

(3) Every owner or driver upon receiving the notice and summons issued pursuant to subsection (1) of this section or mailed pursuant to paragraph (b) of subsection (4) of this section shall comply therewith and shall secure a certification upon such notice by a law enforcement officer that such vehicle is in safe condition and its equipment has been placed in proper repair and adjustment and otherwise made to conform to the requirements of this Code. Said certification shall be returned to the owner or driver for presentation in court as provided for in subsection (4) of this section.

(4)(a)(I) Except as provided for in subparagraph (II) or subparagraph (III) of this paragraph (a), any owner receiving written notice and a summons pursuant to this section is guilty of a misdemeanor traffic offense and, upon conviction thereof, shall be punished by a fine of one hundred dollars, payable within thirty days after conviction.

(II) If the owner repairs the unsafe condition or installs or adjusts the required equipment within thirty days after issuance of the notice and summons and presents the certification required in subsection (3) of this section to the court of competent jurisdiction, the owner shall be punished by a fine of five dollars.

(III) If the owner submits to the court of competent jurisdiction within thirty days after the issuance of the summons proof that the owner has disposed of the vehicle for junk parts or immobilized the vehicle and also submits to the court the registration and license plates for the vehicle, the owner shall be punished by a fine of five dollars. If the owner wishes to relicense the vehicle in the future, the owner must obtain the certification required in subsection (3) of this section.

(b)(I) Except as provided for in subparagraph (II) of this paragraph (b), any nonowner driver receiving written notice and a summons pursuant to this section is guilty of a misdemeanor traffic offense and, upon conviction thereof, shall be punished by a fine of one hundred dollars, payable within thirty days after conviction.

(II) If the driver submits to the court of competent jurisdiction within thirty days after the issuance of the summons proof that the driver was not the owner of the car at the time the summons was issued and that the driver mailed, within five days of issuance thereof, a copy of the notice and summons by certified mail to the owner of the vehicle at the address on the registration, the driver shall be punished by a fine of five dollars.

(b) Upon a showing of good cause that the required repairs or adjustments cannot be made within thirty days after issuance of the notice and summons, the court of competent jurisdiction may extend the period of time for installation or adjustment of required equipment as may appear justified.

(c) The owner may, in lieu of appearance, submit to the court of competent jurisdiction, within thirty days after the issuance of the notice and summons, the certification specified in subsection (3) of this section and the fine of five dollars.

204. When lighted lamps are required.

(1) Every vehicle upon a highway within this state, between sunset and sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of one thousand feet ahead, shall display lighted lamps and illuminating devices as required by this Code for different classes of vehicles, subject to exceptions with respect to parked vehicles.

(2) Whenever requirement is declared by this Code as to distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times stated in subsection (1) of this section in respect to a vehicle without load when upon a straight, level, unlighted highway under normal atmospheric conditions, unless a different time or condition is expressly stated.

(3) Whenever requirement is declared by this Code as to the mounted height of lamps or devices, it shall mean from the center of such lamp or device to the level ground upon which the vehicle stands when such vehicle is without a load.

(4) Any person who violates any provision of this section commits a class A traffic infraction.

205. Head lamps on motor vehicles - penalty.

(1) Every motor vehicle other than a motorcycle or autocycle, shall be equipped with at least two head lamps with at least one on each side of the front of the motor vehicle. The head lamps shall comply with the requirements and limitations set forth in sections 202 and 204 to 231 and part 3 of this Code where applicable.

(2) Every motorcycle or autocycle shall be equipped with at least one and not more than two head lamps that comply with the requirements and limitations of sections 202 and 204 to 231 and part 3 of this Code where applicable.

(3) Every head lamp upon every motor vehicle, including every motorcycle, shall be located at a height measured from the center of the head lamp of not more than fifty-four inches nor less than twenty-four inches, to be measured as set forth in section 204 (3).

(4) Any person who violates any provision of this section commits a class B traffic infraction.

206. Tail lamps and reflectors - penalty.

(1) Every motor vehicle, trailer, semitrailer, and pole trailer and any other vehicle which is being drawn at the end of a train of vehicles must be equipped with at least one tail lamp mounted on the rear, which, when lighted as required in section 204, emits a red light plainly visible from a distance of five hundred feet to the rear; except that, in the case of a train of vehicles, only the tail lamp on the rear-most vehicle need actually be seen from the distance specified, and except as provided in section 204. Furthermore, every such vehicle registered in this state and manufactured or assembled after January 1, 1958, must be equipped with at least two tail lamps mounted on the rear, on the same level and as widely spaced laterally as practicable, which, when lighted as required in section 204, comply with the provisions of this section.

(2) Every tail lamp upon every vehicle shall be located at a height of not more than seventy-two inches nor less than twenty inches, to be measured as set forth in section 204 (3).

(3) Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of fifty feet to the rear. Any tail lamp, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the head lamps or auxiliary driving lamps are lighted.

(4) Every motor vehicle operated on and after January 1, 1958, upon a highway in the state of Colorado must carry on the rear, either as part of a tail lamp or separately, one red reflector meeting the requirements of this section; except that vehicles of the type mentioned in section 207 shall be equipped with reflectors as required in those sections applicable thereto and except as provided in section 204.

(5) Every new motor vehicle sold on or after January 1, 1958, and operated upon a highway shall carry on the rear, whether as a part of the tail lamps or separately, two red reflectors; except that every motorcycle or autocycle shall carry at least one reflector meeting the requirements of this section, and vehicles of the type mentioned in section 207 shall be equipped with reflectors as required in this part 2.

(6) Every reflector shall be mounted on the vehicle at a height of not less than twenty inches nor more than sixty inches, measured as set forth in section 204 (3) and shall be of such size and characteristics and so mounted as to be visible at night from all distances within three hundred fifty feet to one hundred feet from such vehicle when directly in front of lawful upper beams and head lamps; except that visibility from a greater distance is required by law of reflectors on certain types of vehicles.

(7) Any person who violates any provision of this section commits a class B traffic infraction.

207. Clearance and identification.

(1) Every vehicle designed or used for the transportation of property or for the transportation of persons shall display lighted lamps at the times mentioned in section 204 when and as required in this section.

(2) Clearance lamps.

(a) Every motor vehicle or motor-drawn vehicle having a width at any part in excess of eighty inches shall be equipped with four clearance lamps located as follows:

(I) Two on the front and one at each side, displaying an amber light visible from a distance of five hundred feet to the front of the vehicle;

(II) Two on the rear and one at each side, displaying a red light visible only to the rear and visible from a distance of five hundred feet to the rear of the vehicle, which said rear clearance lamps shall be in addition to the rear red lamp required in section 206.

(b) All clearance lamps required shall be placed on the extreme sides and located on the highest stationary support; except that, when three or more identification lamps are mounted on the rear of a vehicle on the vertical center line and at the extreme height of the vehicle, rear clearance lamps may be mounted at optional height.

(c) Any trailer, when operated in conjunction with a vehicle which is properly equipped with front clearance lamps as provided in this section, may be, but is not required to be, equipped with front clearance lamps if the towing vehicle is of equal or greater width than the towed vehicle.

(d) All clearance lamps required in this section shall be of a type approved by the department of revenue.

(3) Side marker lamps.

(a) Every motor vehicle or motor-drawn vehicle or combination of such vehicles which exceeds thirty feet in overall length shall be equipped with four side marker lamps located as follows:

(I) One on each side near the front displaying an amber light visible from a distance of five hundred feet to the side of the vehicle on which it is located;

(II) One on each side near the rear displaying a red light visible from a distance of five hundred feet to the side of the vehicle on which it is located; but the rear marker light shall not be so placed as to be visible from the front of the vehicle.

(b) Each side marker lamp required shall be located not less than fifteen inches above the level on which the vehicle stands.

(c) If the clearance lamps required by this section are of such a design as to display lights visible from a distance of five hundred feet at right angles to the sides of the vehicles, they shall be deemed to meet the requirements as to marker lamps in this subsection (3).

(d) All marker lamps required in this section shall be of a type approved by the department of revenue.

(4) Clearance reflectors.

(a) Every motor vehicle having a width at any part in excess of eighty inches shall be equipped with clearance reflectors located as follows:

(I) Two red reflectors on the rear and one at each side, located not more than one inch from the extreme outside edges of the vehicle;

(II) All such reflectors shall be located not more than sixty inches nor less than fifteen inches above the level on which the vehicle stands.

(b) One or both of the required rear red reflectors may be incorporated within the tail lamp or tail lamps if any such tail lamps meet the location limits specified for reflectors.

(c) All such clearance reflectors shall be of a type approved by the department of revenue.

(5) Side marker reflectors.

(a) Every motor vehicle or motor-drawn vehicle or combination of vehicles which exceeds thirty feet in overall length shall be equipped with four side marker reflectors located as follows:

(I) One amber reflector on each side near the front;

(II) One red reflector on each side near the rear.

(b) Each side marker reflector shall be located not more than sixty inches nor less than fifteen inches above the level on which the vehicle stands.

(c) All such side marker reflectors shall be of a type approved by the department of revenue.

(6) Any person who violates any provision of this section commits a class B traffic infraction.

(7) Nothing in this section shall be construed to supersede any federal motor vehicle safety standard established pursuant to the “National Traffic and Motor Vehicle Safety Act of 1966”, Public Law 89-563, as amended.

208. Stop lamps and turn signals - penalty.

(1) Every motor vehicle or motor-drawn vehicle shall be equipped with a stop light in good working order at all times and shall meet the requirements of section 215 (1).

(2) A person shall not sell or offer for sale or operate on the highways any motor vehicle registered in this state and manufactured or assembled after January 1, 1958, unless it is equipped with at least two stop lamps meeting the requirements of section 215 (1); except that a motorcycle or autocycle manufactured or assembled after January 1, 1958, must be equipped with at least one stop lamp meeting the requirements of section 215 (1).

(3) A person shall not sell or offer for sale or operate on the highways any motor vehicle, trailer, or semitrailer registered in this state and manufactured or assembled after January 1, 1958, and a person shall not operate any motor vehicle, trailer, or semitrailer on the highways when the distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of the motor vehicle exceeds twenty-four inches, unless it is equipped with electrical turn signals meeting the requirements of section 215 (2). This subsection (3) does not apply to any motorcycle, autocycle, or low-power scooter.

(4) Any person who violates any provision of this section commits a class B traffic infraction.

209. Lamp or flag on projecting load.

Whenever the load upon any vehicle extends to the rear four feet or more beyond the bed or body of such vehicle, there shall be displayed at the extreme rear end of the load, at the time specified in section 204, a red light or lantern plainly visible from a distance of at least five hundred feet to the sides and rear. The red light or lantern required under this section shall be in addition to the red rear light required upon every vehicle. At any other time, there shall be displayed at the extreme rear end of such load a red flag or cloth not less than twelve inches square and so hung that the entire area is visible to the driver of a vehicle approaching from the rear. Any person who violates any provision of this section commits a class A traffic infraction.

210. Lamps on parked vehicles.

(1) Whenever a vehicle is lawfully parked upon a highway during the hours between sunset and sunrise and in the event there is sufficient light to reveal any person or object within a distance of one thousand feet upon such highway, no lights need be displayed upon such parked vehicle.

(2) Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between sunset and sunrise and there is not sufficient light to reveal any person or object within a distance of one thousand feet upon such highway, such vehicle so parked or stopped shall be equipped with one or more operating lamps meeting the following requirements: At least one lamp shall display a white or amber light visible from a distance of five hundred feet to the front of the vehicle, and the same lamp or at least one other lamp shall display a red light visible from a distance of five hundred feet to the rear of the vehicle, and the location of said lamp or lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable

to the side of the vehicle that is closer to passing traffic. This subsection (2) shall not apply to a low-power scooter.

(3) Any lighted head lamps upon a parked vehicle shall be depressed or dimmed.

(4) Any person who violates any provision of this section commits a class B traffic infraction.

(5) This section shall not apply to low-speed electric vehicles.

211. Lamps on farm equipment and other vehicles and equipment.

(1) Every farm tractor and every self-propelled farm equipment unit or implement of husbandry not equipped with an electric lighting system shall, at all times mentioned in section 204, be equipped with at least one lamp displaying a white light visible from a distance of not less than five hundred feet to the front of such vehicle and shall also be equipped with at least one lamp displaying a red light visible from a distance of not less than five hundred feet to the rear of such vehicle.

(2) Every self-propelled unit of farm equipment not equipped with an electric lighting system shall, at all times mentioned in section 204, in addition to the lamps required in subsection (1) of this section, be equipped with two red reflectors visible from all distances within six hundred feet to one hundred feet to the rear when directly in front of lawful upper beams of head lamps.

(3) Every combination of farm tractor and towed unit of farm equipment or implement of husbandry not equipped with an electric lighting system shall, at all times mentioned in section 204, be equipped with the following lamps:

(a) At least one lamp mounted to indicate as nearly as practicable to the extreme left projection of said combination and displaying a white light visible from a distance of not less than five hundred feet to the front of said combination;

(b) Two lamps each displaying a red light visible when lighted from a distance of not less than five hundred feet to the rear of said combination or, as an alternative, at least one lamp displaying a red light visible from a distance of not less than five hundred feet to the rear thereof and two red reflectors visible from all distances within six hundred feet to one hundred feet to the rear thereof when illuminated by the upper beams of head lamps.

(4) Every farm tractor and every self-propelled unit of farm equipment or implement of husbandry equipped with an electric lighting system shall, at all times mentioned in section 204, be equipped with two single-beam head lamps meeting the requirements of section 216 or 218, respectively, and at least one red lamp visible from a distance of not less than five hundred feet to the rear; but every such self-propelled unit of farm equipment other than a farm tractor shall have two such red lamps or, as an alternative, one such red lamp and two red reflectors visible from all distances within six hundred feet to one hundred feet when directly in front of lawful upper beams of head lamps.

(5)(a) Every combination of farm tractor and towed farm equipment or towed implement of husbandry equipped with an electric lighting system shall, at all times mentioned in section 204, be equipped with lamps as follows:

(I) The farm tractor element of every such combination shall be equipped as required in subsection (4) of this section.

(II) The towed unit of farm equipment or implement of husbandry element of such combination shall be equipped with two red lamps visible from a distance of not less than five hundred feet to the rear or, as an alternative, two red reflectors visible from all distances within six hundred feet to the rear when directly in front of lawful upper beams of head lamps.

(b) Said combinations shall also be equipped with a lamp displaying a white or amber light, or any shade of color between white and amber, visible from a distance of not less than five hundred feet to the front and a lamp displaying a red light visible when lighted from a distance of not less than five hundred feet to the rear.

(6) The lamps and reflectors required in this section shall be so positioned as to show from front and rear as nearly as practicable the extreme projection of the vehicle carrying them on the side of the roadway used in passing such vehicle. If a farm tractor or a unit of farm equipment, whether self-propelled or towed, is equipped with two or more lamps or reflectors visible from the front or two or more lamps or reflectors visible from the rear, such lamps or reflectors shall be so positioned that the extreme projections, both to the right and to the left of said vehicle, shall be indicated as nearly as practicable.

(7) Every vehicle, including animal-drawn vehicles and vehicles referred to in section 202 (2), not specifically required by the provisions of this Code to be equipped with lamps or other lighting devices shall at all times specified in section 204 be equipped with at least one lamp displaying a white light visible from a distance of not less than five hundred feet to the front of said vehicle and shall also be equipped with two lamps displaying red lights visible from a distance of not less than five hundred feet to the rear of said vehicle or, as an alternative, one lamp displaying a red light visible from a distance of not less than five hundred feet to the rear and two red reflectors visible for distances of one hundred feet to six hundred feet to the rear when illuminated by the upper beams of head lamps.

(8) Any person who violates any provision of this section commits a class B traffic infraction.

212. Spot lamps and auxiliary lamps.

(1) Any motor vehicle may be equipped with not more than two spot lamps, and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred feet ahead of the vehicle.

(2) Any motor vehicle may be equipped with not more than two fog lamps mounted on the front at a height of not less than twelve inches nor more than thirty inches above the level surface upon which the vehicle stands and so aimed that, when the vehicle is not loaded, none of the high-intensity portion of the light to the left of the center of the vehicle shall at a distance of twenty-five feet ahead project higher than a level of four inches below the level of the center of the lamp from which it comes. Lighted fog lamps meeting the requirements of this subsection (2) may be used with lower head-lamp beams as specified in section 216 (1)(b).

(3) Any motor vehicle may be equipped with not more than two auxiliary passing lamps mounted on the front at a height of not less than twenty inches nor more than forty-two inches above the level surface upon which the vehicle stands. The provisions of section 216 shall apply to any combination of head lamps and auxiliary passing lamps.

(4) Any motor vehicle may be equipped with not more than two auxiliary driving lamps mounted on the front at a height of not less than sixteen inches nor more than forty-two inches above the level surface upon which the vehicle stands. The provisions of section 216 shall apply to any combination of head lamps and auxiliary driving lamps.

(5) Any person who violates any provision of this section commits a class B traffic infraction.

213. Audible and visual signals on emergency vehicles.

(1) Except as otherwise provided in this section or in section 42-4-222 in the case of volunteer fire vehicles and volunteer ambulances, every authorized emergency vehicle shall, in addition to any other equipment and distinctive markings required by this Code, be equipped as a minimum with a siren and a horn. Such devices shall be capable of emitting a sound audible under normal conditions from a distance of not less than five hundred feet.

(2) Every authorized emergency vehicle, except those used as undercover vehicles by governmental agencies, shall, in addition to any other equipment and distinctive markings required by this Code, be equipped with at least one signal lamp mounted as high as practicable, which shall be capable of displaying a flashing, oscillating, or rotating red light to the front and to the rear having sufficient intensity to be visible at five hundred feet in normal sunlight. In addition to the required red light, flashing, oscillating, or rotating signal lights may be used which emit blue, white, or blue in combination with white.

(3) A police vehicle, when used as an authorized emergency vehicle, may but need not be equipped with the red lights specified in this section.

(4) Any authorized emergency vehicle, including those authorized by section 222, may be equipped with green flashing lights, mounted at sufficient height and having sufficient intensity to be visible at five hundred feet in all directions in normal daylight. Such lights may only be used at the single designated command post at any emergency location or incident and only when such command post is stationary. The single command post shall be designated by the on-scene incident commander in accordance with local or state government emergency plans. Any other use of a green light by a vehicle shall constitute a violation of this section.

(5) The use of either the audible or the visual signal equipment described in this section shall impose upon drivers of other vehicles the obligation to yield right-of-way and stop as prescribed in section 705.

(6) Any person who violates any provision of this section commits a class A traffic infraction.

214. Visual signals on service vehicles.

(1) Except as otherwise provided in this section, every authorized service vehicle must, in addition to any other equipment required by this Code, be equipped with one or more warning lamps

mounted as high as practicable, which must be capable of displaying in all directions one or more flashing, oscillating, or rotating yellow lights. Only yellow and no other color or combination of colors may be used as a warning lamp on an authorized service vehicle; except that an authorized service vehicle snowplow operated by a state, county, or local government may also be equipped with and use no more than two flashing, oscillating, or rotating blue lights as warning lamps. Lighted directional signs used by police and highway departments to direct traffic need not be visible except to the front and rear. Such lights must have sufficient intensity to be visible at five hundred feet in normal sunlight.

(2) The warning lamps authorized in subsection (1) of this section shall be activated by the operator of an authorized service vehicle only when the vehicle is operating upon the roadway so as to create a hazard to other traffic. The use of such lamps shall not relieve the operator from the duty of using due care for the safety of others or from the obligation of using any other safety equipment or protective devices that are required by this Code. Service vehicles authorized to operate also as emergency vehicles shall also be equipped to comply with signal requirements for emergency vehicles.

(3) Whenever an authorized service vehicle is performing its service function and is displaying lights as authorized in subsection (1) of this section, drivers of all other vehicles shall exercise more than ordinary care and caution in approaching, overtaking, or passing such service vehicle and, in the case of highway and traffic maintenance equipment engaged in work upon the highway, shall comply with the instructions of section 712.

(4) On or after January 1, 1978, only authorized service vehicles shall be equipped with the warning lights authorized in subsection (1) of this section.

(5) The department of transportation shall determine by rule which types of vehicles render an essential public service when operating on or along a roadway and warrant designation as authorized service vehicles under specified conditions, including, without limitation, vehicles that sell or apply chains or other equipment to motor vehicles necessary to enable compliance with section 106.

(6)(a) Any person who violates any provision of this section commits a class B traffic infraction; except that a person commits a class A traffic infraction if the person passes an authorized service vehicle snowplow that is operated by a state, county, or local government, displaying lights as authorized in subsection (1) of this section, and performing its service function in echelon formation with one or more other such snowplows.

(b) As used in this subsection (6), unless the context otherwise requires, “echelon formation” mean a formation in which snowplows are arranged diagonally, with each unit stationed behind and to the right, or behind and to the left, of the unit ahead.

215. Signal lamps and devices – additional lighting equipment.

(1) Any motor vehicle may be equipped, and when required under this Code shall be equipped, with a stop lamp or lamps on the rear of the vehicle which, except as provided in section 204, shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred feet to the rear in normal sunlight, and which shall be

actuated upon application of the service (foot) brake, and which may but need not be incorporated with one or more other rear lamps. Such stop lamp or lamps may also be automatically actuated by a mechanical device when the vehicle is reducing speed or stopping. If two or more stop lamps are installed on any motor vehicle, any device actuating such lamps shall be so designed and installed that all stop lamps are actuated by such device.

(2) Any motor vehicle may be equipped, and when required under this Code shall be equipped, with lamps showing to the front and rear for the purpose of indicating an intention to turn either to the right or to the left. Such lamps showing to the front shall be located on the same level and as widely spaced laterally as practicable and when in use shall display a white or amber light, or any shade of color between white and amber, visible from a distance of not less than one hundred feet to the front in normal sunlight, and the lamps showing to the rear shall be located at the same level and as widely spaced laterally as practicable and, except as provided in section 204, when in use shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred feet to the rear in normal sunlight. When actuated, such lamps shall indicate the intended direction of turning by flashing the light showing to the front and rear on the side toward which the turn is made.

(3) No stop lamp or signal lamp shall project a glaring or dazzling light.

(4) Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit an amber or white light without glare.

(5) Any motor vehicle may be equipped with not more than one running board courtesy lamp on each side thereof, which shall emit a white or amber light without glare.

(6) Any motor vehicle may be equipped with not more than two back-up lamps either separately or in combination with other lamps, but no such back-up lamp shall be lighted when the motor vehicle is in forward motion.

(7) Any vehicle may be equipped with lamps which may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking, or passing and, when so equipped and when the said vehicle is not in motion or is being operated at a speed of twenty-five miles per hour or less and at no other time, may display such warning in addition to any other warning signals required by this Code. The lamps used to display such warning to the front shall be mounted at the same level and as widely spaced laterally as practicable and shall display simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable and, except as provided in section 204, shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. These warning lights shall be visible from a distance of not less than five hundred feet under normal atmospheric conditions at night.

(8) Any vehicle eighty inches or more in overall width may be equipped with not more than three identification lamps showing to the front which shall emit an amber light without glare and not more than three identification lamps showing to the rear which shall emit a red light without glare. Such lamps shall be mounted horizontally.

(9) Any person who violates any provision of this section commits a class B traffic infraction.

215.5. **Repealed.**

216. Multiple-beam road lights - penalty.

(1) Except as provided in this Code, the head lamps or the auxiliary driving lamp or the auxiliary passing lamp or combination of lamps on motor vehicles, other than motorcycles, autocycles, or low-power scooters, shall be arranged so that the driver may select at will between distributions of light projected to different elevations, and the lamps may, in addition, be so arranged that such selection can be made automatically, subject to the following limitations:

(a) There shall be an uppermost distribution of light or composite beam so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty feet ahead for all conditions of loading.

(b) There shall be a lowermost distribution of light or composite beam so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least one hundred feet ahead; and on a straight level road under any condition of loading, none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

(1.5) Head lamps arranged to provide a single distribution of light not supplemented by auxiliary driving lamps shall be permitted for low-speed electric vehicles in lieu of multiple beam, road-lighting equipment specified in this section if the single distribution of light complies with paragraph (b) of subsection (1) of this section.

(2) A new motor vehicle, other than a motorcycle, autocycle, or low-power scooter, that has multiple beam road-lighting equipment, shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the head lamps is in use and shall not otherwise be lighted. The indicator shall be designed and located so that when lighted it will be readily visible without glare to the driver of the vehicle so equipped.

(3) Any person who violates any provision of this section commits a class B traffic infraction.

217. Use of multiple-beam lights.

(1) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the times specified in section 204, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

(a) Whenever a driver of a vehicle approaches an oncoming vehicle within five hundred feet, such driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light or composite beam specified in section 216 (1)(b) shall be deemed to avoid glare at all times, regardless of road contour and loading.

(b) Whenever the driver of a vehicle follows another vehicle within two hundred feet to the rear, except when engaged in the act of overtaking and passing, such driver shall use a distribution of light permissible under this title other than the uppermost distribution of light specified in section 216 (1)(a).

(c) A low-speed electric vehicle may use the distribution of light authorized in section 216 (1.5).

(2) Any person who violates any provision of this section commits a class A traffic infraction.

218. Single-beam road-lighting equipment.

(1) Head lamps arranged to provide a single distribution of light not supplemented by auxiliary driving lamps shall be permitted on motor vehicles manufactured and sold prior to July 15, 1936, in lieu of multiple-beam road-lighting equipment specified in section 216 if the single distribution of light complies with the following requirements and limitations:

(a) The head lamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall, at a distance of twenty-five feet ahead, project higher than a level of five inches below the level of the center of the lamp from which it comes and in no case higher than forty-two inches above the level on which the vehicle stands at a distance of seventy-five feet ahead.

(b) The intensity shall be sufficient to reveal persons and vehicles at a distance of at least two hundred feet.

(2) Any person who violates any provision of this section commits a class B traffic infraction.

219. Number of lamps permitted.

Whenever a motor vehicle equipped with head lamps as required in this Code is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of an intensity greater than three hundred candlepower, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway. Any person who violates any provision of this section commits a class B traffic infraction.

220. Low-power scooters – lighting equipment - department control - use and operation.

(1)(a) A low-power scooter when in use at the times specified in section 204 shall be equipped with a lamp on the front that shall emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear, of a type approved by the department, that shall be visible from all distances from fifty feet to three hundred feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector.

(b) No person shall operate a low-power scooter unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred feet; except

that a low-power scooter shall not be equipped with nor shall any person use upon a low-power scooter a siren or whistle.

(c) A low-power scooter shall be equipped with a brake that will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(5) (Deleted by amendment, L. 2009, (HB 09-1026), ch. 281, p. 1274, § 44, effective October 1, 2009.)

(3)(a) Any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps, and school bus warning lamps, which projects a beam of light of an intensity greater than three hundred candlepower shall be so directed that no part of the high-intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.

(b) Repealed

(c) This subsection (3) shall not be construed to prohibit the use on any vehicle of simultaneously flashing hazard warning lights as provided by section 215 (7).

(4) No person shall have for sale, sell, or offer for sale, for use upon or as a part of the equipment of a motor vehicle, trailer, or semitrailer or for use upon any such vehicle, any head lamp, auxiliary or fog lamp, rear lamp, signal lamp, or reflector, which reflector is required under this Code, or parts of any of the foregoing which tend to change the original design or performance thereof, unless of a type which has been approved by the department of revenue.

(5) No person shall have for sale, sell, or offer for sale, for use upon or as a part of the equipment of a motor vehicle, trailer, or semitrailer, any lamp or device mentioned in this section which has been approved by the department unless such lamp or device bears thereon the trademark or name under which it is approved so as to be legible when installed.

(6) No person shall use upon any motor vehicle, trailer, or semitrailer any lamps mentioned in this section unless said lamps are mounted, adjusted, and aimed in accordance with instructions of the department of revenue.

(7) Any person who violates any provision of this section commits a class B traffic infraction.

221. Bicycle, electric scooter, and personal mobility device equipment.

(1) No other provision of this part 2 and no provision of part 3 of article 4 applies to a bicycle, electrical assisted bicycle, electric scooter, or EPAMD or to equipment for use on a bicycle, electrical assisted bicycle, electric scooter, or EPAMD except those provisions in this Article 4 made specifically applicable to such a vehicle.

(2) Every bicycle, electrical assisted bicycle, or EPAMD in use at the times described in section 204 shall be equipped with a lamp on the front emitting a white light visible from a distance of at least five hundred feet to the front.

(3) Every bicycle, electrical assisted bicycle, electric scooter, or EPAMD shall be equipped with a red reflector of a type approved by the department, which shall be visible for six hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle.

(4) Every bicycle, electrical assisted bicycle, electric scooter, or EPAMD when in use at the times described in section 204 shall be equipped with reflective material of sufficient size and reflectivity to be visible from both sides for six hundred feet when directly in front of lawful lower beams of head lamps on a motor vehicle or, in lieu of such reflective material, with a lighted lamp visible from both sides from a distance of at least five hundred feet.

(5) A bicycle, electrical assisted bicycle, electric scooter, or EPAMD or its rider may be equipped with lights or reflectors in addition to those required by subsections (2) to (4) of this section.

(6) A bicycle, electrical assisted bicycle, or electric scooter shall not be equipped with, nor shall any person use upon a bicycle, electrical assisted bicycle, or electric scooter, any siren or whistle.

(7) Every bicycle, electrical assisted bicycle, or electric scooter shall be equipped with a brake or brakes that will enable its rider to stop the bicycle, electrical assisted bicycle, or electric scooter within twenty-five feet from a speed of ten miles per hour on dry, level, clean pavement.

(8) A person engaged in the business of selling bicycles, electrical assisted bicycles, or electric scooters at retail shall not sell any bicycle, electrical assisted bicycle, or electric scooter, unless the bicycle, electrical assisted bicycle, or electric scooter, has an identifying number permanently stamped or cast on its frame.

(8.5) A local government may regulate the operation of an electric scooter in a manner that is no more restrictive than the manner in which the local government may regulate the operation of a class 1 electric assisted bicycle.

(9)(a) On or after January 1, 2018, every manufacturer or distributor of new electrical assisted bicycles intended for sale or distribution in this state shall permanently affix to each electrical assisted bicycle, in a prominent location, a label that contains the classification number, top assisted speed, and motor wattage of the electrical assisted bicycle. The label must be printed in the Arial font in at least nine-point type.

(b) A person shall not knowingly modify an electrical assisted bicycle so as to change the speed capability or motor engagement of the electrical assisted bicycle without also appropriately replacing, or causing to be replaced, the label indicating the classification required by subsection (9)(a) of this section.

(10)(a) An electrical assisted bicycle must comply with the equipment and manufacturing requirements for bicycles adopted by the United States consumer product safety commission and codified at 16 CFR 1512 or its successor regulation.

(b) A class 2 electrical assisted bicycle must operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied. Class 1 and class 3 electrical assisted bicycles must be equipped with a mechanism or circuit that cannot be bypassed and that causes the electric motor to disengage or cease to function when the rider stops pedaling.

(c) A class 3 electrical assisted bicycle must be equipped with a speedometer that displays, in miles per hours, the speed the electrical assisted bicycle is traveling.

(11) A person who violated this section commits a class B traffic infraction.

222. Volunteer firefighters – volunteer ambulance–attendants - special lights and alarm systems.

(1)(a) All members of volunteer fire departments regularly attached to the fire departments organized within incorporated towns, counties, cities, and fire protection districts and all members of a volunteer ambulance service regularly attached to a volunteer ambulance service within an area that the ambulance service would be reasonably expected to serve may have their private automobiles equipped with a signal lamp or a combination of signal lamps capable of displaying flashing, oscillating, or rotating red lights visible to the front and rear at five hundred feet in normal sunlight. In addition to the red light, flashing, oscillating, or rotating signal lights may be used that emit white or white in combination with red lights. At least one of such signal lamps or combination of signal lamps shall be mounted on the top of the automobile. Said automobiles may be equipped with audible signal systems such as sirens, whistles, or bells. Said lights, together with any signal systems authorized by this subsection (1), may be used only as authorized by subsection (3) of this section or when a member of a fire department is responding to or attending a fire alarm or other emergency or when a member of an ambulance service is responding to an emergency requiring the member's services. Except as authorized in subsection (6) of this section, neither such lights nor such signals shall be used for any other purpose than those set forth in this subsection (1). If used for any other purpose, such use shall constitute a violation of this subsection (1), and the violator commits a class B traffic infraction.

(b) Notwithstanding the provisions of paragraph (a) of this subsection (1), a member of a volunteer fire department or a volunteer ambulance service may equip his or her private automobile with the equipment described in paragraph (a) of this subsection (1) only after receiving a permit for the equipment from the fire chief of the fire department or chief executive officer of the ambulance service through which the volunteer serves.

(2) (Deleted by amendment, L. 96, p. 957, § 3, effective July 1, 1996.)

(3) A fire engine collector or member of a fire department may use the signal system authorized by subsection (1) of this section in a funeral, parade, or for other special purposes if the circumstances would not lead a reasonable person to believe that such vehicle is responding to an actual emergency.

223. Brakes – penalty.

(1) Brake equipment required:

(a) Every motor vehicle, other than a motorcycle or autocycle, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold the vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be constructed so that failure of any one part

of the operating mechanism does not leave the motor vehicle without brakes on at least two wheels.

(b) Every motorcycle, autocycle, and low-power scooter, when operated upon a highway, shall be equipped with at least one brake, which may be operated by hand or foot.

(c) Every trailer or semitrailer of a gross weight of three thousand pounds or more, when operated upon a highway, shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from the cab, and said brakes shall be so designed and connected that in case of an accidental breakaway of the towed vehicle the brakes shall be automatically applied. The provisions of this paragraph (c) shall not be applicable to any trailer which does not meet the definition of "commercial vehicle" as that term is defined in section 235 (1) (a) and which is owned by a farmer when transporting agricultural products produced on the owner's farm or supplies back to the farm of the owner of the trailer, tank trailers not exceeding ten thousand pounds gross weight used solely for transporting liquid fertilizer or gaseous fertilizer under pressure, or distributor trailers not exceeding ten thousand pounds gross weight used solely for transporting and distributing dry fertilizer when hauled by a truck capable of stopping within the distance specified in subsection (2) of this section.

(d) Every motor vehicle, trailer, or semitrailer constructed or sold in this state or operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle; except that:

(I) Any trailer or semitrailer of less than three thousand pounds gross weight, or any horse trailer of a capacity of two horses or less, or any trailer which does not meet the definition of "commercial vehicle" as that term is defined in section 235 (1)(a) and which is owned by a farmer when transporting agricultural products produced on the owner's farm or supplies back to the farm of the owner of the trailer, or tank trailers not exceeding ten thousand pounds gross weight used solely for transporting liquid fertilizer or gaseous fertilizer under pressure, or distributor trailers not exceeding ten thousand pounds gross weight used solely for transporting and distributing dry fertilizer when hauled by a truck capable of stopping with loaded trailer attached in the distance specified by subsection (2) of this section need not be equipped with brakes, and any two-wheel motor vehicle need have brakes on only one wheel.

(II) Any truck or truck tractor, manufactured before July 25, 1980, and having three or more axles, need not have brakes on the wheels of the front or tandem steering axles if the brakes on the other wheels meet the performance requirements of subsection (2) of this section.

(III) Every trailer or semitrailer of three thousand pounds or more gross weight must have brakes on all wheels.

(e) Provisions of this subsection (1) shall not apply to manufactured homes.

(2) Performance ability of brakes:

(a) The service brakes upon any motor vehicle or combination of vehicles shall be adequate to stop such vehicle when traveling twenty miles per hour within a distance of forty feet when upon dry asphalt or concrete pavement surface free from loose material where the grade does not exceed one percent.

(b) Under the conditions stated in paragraph (a) of this subsection (2), the hand brakes shall be adequate to stop such vehicle within a distance of fifty-five feet, and said hand brake shall be adequate to hold such vehicle stationary on any grade upon which operated.

(c) Under the conditions stated in paragraph (a) of this subsection (2), the service brakes upon a motor vehicle equipped with two-wheel brakes only, when permitted under this section, shall be adequate to stop the vehicle within a distance of fifty-five feet.

(d) All braking distances specified in this section shall apply to all vehicles mentioned, whether such vehicles are not loaded or are loaded to the maximum capacity permitted under this title.

(e) All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as possible with respect to the wheels on opposite sides of the vehicle.

(2.5) The department of public safety is specifically authorized to adopt rules relating to the use of surge brakes.

(3) Any person who violates any provision of this section commits a class A traffic infraction.

224. Horns or warning devices.

(1) Every motor vehicle, when operated upon a highway, shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound, except as provided in section 213(1) in the case of authorized emergency vehicles or as provided in section 222. The driver of a motor vehicle, when reasonably necessary to ensure safe operation, shall give audible warning with the horn but shall not otherwise use such horn when upon a highway.

(2) No vehicle shall be equipped with nor shall any person use upon a vehicle any audible device except as otherwise permitted in this section. It is permissible but not required that any vehicle be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as a warning signal unless the alarm device is a required part of the vehicle. Nothing in this section is meant to preclude the use of audible warning devices that are activated when the vehicle is backing. Any authorized emergency vehicle may be equipped with an audible signal device under section 213 (1), but such device shall not be used except when such vehicle is operated in response to an emergency call or in the actual pursuit of a suspected violator of the law or for other special purposes, including, but not limited to, funerals, parades, and the escorting of dignitaries. Such device shall not be used for such special purposes unless the circumstances would not lead a reasonable person to believe that such vehicle is responding to an actual emergency.

(3) A bicycle, electrical assisted bicycle, electric scooter, or low-power scooter shall not be equipped with, nor shall any person use upon a bicycle, electrical assisted bicycle, electric scooter, or a low-power scooter, a siren or whistle.

(4) Snowplows and other snow-removal equipment shall display flashing yellow lights meeting the requirements of section 214 as a warning to drivers when such equipment is in service on the highway.

(5)(a) When any snowplow or other snow removal equipment displaying flashing yellow lights is engaged in snow and ice removal or control, drivers of all other vehicles shall exercise more than ordinary care and caution in approaching, overtaking, or passing such snowplow.

(b) The driver of a snowplow, while engaged in the removal or control of snow and ice on any highway open to traffic and while displaying the required flashing yellow warning lights as provided by section 214, shall not be charged with any violation of the provisions of this Code relating to parking or standing, turning, backing, or yielding the right-of-way. These exemptions shall not relieve the driver of a snowplow from the duty to drive with due regard for the safety of all persons, nor shall these exemptions protect the driver of a snowplow from the consequences of a reckless or careless disregard for the safety of others.

(6)(a) Any person who violates any provision of this section commits a class B traffic infraction; except that a person commits a class A traffic infraction if the person passes an authorized service vehicle snowplow that is operated by a state, county, or local government, displaying lights as authorized in section 42-4-214, and performing its service function in echelon formation with one or more other such snowplows.

(b) As used in this subsection (6), unless the context otherwise requires, “echelon formation” means a formation in which snowplows are arranged diagonally, with each unity stationed behind and to the right, or behind, and to the left, of the unit ahead.

225. Mufflers - prevention of noise.

(1) Every motor vehicle subject to registration and operated on a highway shall at all times be equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise, and no such muffler or exhaust system shall be equipped with a cut-off, bypass, or similar device. No person shall modify the exhaust system of a motor vehicle in a manner which will amplify or increase the noise emitted by the motor of such vehicle above that emitted by the muffler originally installed on the vehicle, and such original muffler shall comply with all of the requirements of this section.

(1.5) Any commercial vehicle, as defined in section 235 (1)(a), subject to registration and operated on a highway, that is equipped with an engine compression brake device is required to have a muffler.

(2) A muffler is a device consisting of a series of chamber or baffle plates or other mechanical design for the purpose of receiving exhaust gas from an internal combustion engine and effective in reducing noise.

(3) Any person who violates subsection (1) of this section commits a class B traffic infraction. Any person who violates subsection (1.5) of this section shall, upon conviction, be punished by a fine of five hundred dollars. Fifty percent of any fine for a violation of subsection (1.5) of this section occurring within the corporate limits of a city or town, or within the unincorporated area of a county, shall be transmitted to the treasurer or chief financial officer of said city, town, or county, and the remaining fifty percent shall be transmitted to the state treasurer, credited to the highway users tax fund, and allocated and expended as specified in §§43-4-205(5.5)(a).

(4) This section shall not apply to electric motor vehicles.

226. Mirrors - exterior placements.

(1) Every motor vehicle shall be equipped with a mirror or mirrors so located and so constructed as to reflect to the driver a free and unobstructed view of the highway for a distance of at least two hundred feet to the rear of such vehicle.

(2) Whenever any motor vehicle is not equipped with a rear window and rear side windows or has a rear window and rear side windows composed of, covered by, or treated with any material or component that, when viewed from the position of the driver, obstructs the rear view of the driver or makes such window or windows nontransparent, or whenever any motor vehicle is towing another vehicle or trailer or carrying any load or cargo or object that obstructs the rear view of the driver, such vehicle shall be equipped with an exterior mirror on each side so located with respect to the position of the driver as to comply with the visual requirement of subsection (1) of this section.

(3) Any person who violates any provision of this section commits a class B traffic infraction.

227. Windows unobstructed – certain materials prohibited - windshield wiper requirements.

(1)(a)(I) Except as provided in this paragraph (a), no person shall operate any motor vehicle registered in Colorado on which any window, except the windshield, is composed of, covered by, or treated with any material or component which presents an opaque, nontransparent, or metallic or mirrored appearance in such a way that it allows less than twenty-seven percent light transmittance. The windshield shall allow seventy percent light transmittance.

(II) The provisions of this paragraph (a) shall not apply to the windows to the rear of the driver, including the rear window, on any motor vehicle; however, if such windows allow less than twenty-seven percent light transmittance, then the front side windows and the windshield on such vehicles shall allow seventy percent light transmittance.

(III) A law enforcement vehicle may have its windows, except the windshield, treated in such a manner so as to allow less than twenty-seven percent light transmittance only for the purpose of providing a valid law enforcement service. A law enforcement vehicle with such window treatment shall not be used for any traffic law enforcement operations, including operations concerning any offense in this article. For purposes of this subparagraph (III), “law enforcement vehicle” means a vehicle owned or leased by a state or local law

enforcement agency. The treatment of the windshield of a law enforcement vehicle is subject to the limits described in paragraph (b) of this subsection (1).

(b) Notwithstanding any provision of paragraph (a) of this subsection (1), nontransparent material may be applied, installed, or affixed to the topmost portion of the windshield subject to the following:

(I) The bottom edge of the material extends no more than four inches measured from the top of the windshield down;

(II) The material is not red or amber in color, nor does it affect perception of primary colors or otherwise distort vision or contain lettering that distorts or obstructs vision;

(III) The material does not reflect sunlight or headlight glare into the eyes of occupants of oncoming or preceding vehicles to any greater extent than the windshield without the material.

(c) Nothing in this subsection (1) shall be construed to prevent the use of any window which is composed of, covered by, or treated with any material or component in a manner approved by federal statute or regulation if such window was included as a component part of a vehicle at the time of the vehicle manufacture, or the replacement of any such window by such covering which meets such guidelines.

(d) No material shall be used on any window in the motor vehicle that presents a metallic or mirrored appearance.

(e) Nothing in this subsection (1) shall be construed to deny or prevent the use of certificates or other papers which do not obstruct the view of the driver and which may be required by law to be displayed.

(2) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

(3) (a) Except as provided in paragraph (b) of this subsection (3), any person who violates any provision of this section commits a class B traffic infraction.

(b) Any person who installs, covers, or treats a windshield or window so that the windshield or window does not meet the requirements of subsection (1)(a) of this section commits a class A traffic infraction.

(4) This section shall apply to all motor vehicles; except that subsection (2) of this section shall not apply to low-speed electric vehicles.

228. Restrictions on tire equipment.

(1) Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery.

(2) No person shall operate or move on any highway any motor vehicle, trailer, or semitrailer having any metal tire in contact with the roadway, and it is unlawful to operate upon the highways of this state any motor vehicle, trailer, or semitrailer equipped with solid rubber tires.

(3) No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat, or spike or any other protuberances of any material other than rubber which projects beyond the tread on the traction surface of the tire; except that, on single-tired passenger vehicles and on other single-tired vehicles with rated capacities up to and including three-fourths ton, it shall be permissible to use tires containing studs or other protuberances which do not project more than one-sixteenth of an inch beyond the tread of the traction surface of the tire; and except that it shall be permissible to use farm machinery with tires having protuberances which will not injure the highway; and except also that it shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid.

(4) The department of transportation and local authorities in their respective jurisdictions, in their discretion, may issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this Code.

(5)(a) No person shall drive or move a motor vehicle on any highway unless such vehicle is equipped with tires in safe operating condition in accordance with this subsection (5) and any supplemental rules and regulations promulgated by the executive director of the department.

(b) The executive director of the department shall promulgate such rules as the executive director deems necessary setting forth requirements of safe operating conditions for tires. These rules shall be utilized by law enforcement officers for visual inspection of tires and shall include methods for simple gauge measurement of tire tread depth.

(c) A tire shall be considered unsafe if it has:

(I) Any bump, bulge, or knot affecting the tire structure;

(II) A break which exposes a tire body cord or is repaired with a boot or patch;

(III) A tread depth of less than two thirty-seconds of an inch measured in any two tread grooves at three locations equally spaced around the circumference of the tire, or, on those tires with tread wear indicators, a tire shall be considered unsafe if it is worn to the point that the tread wear indicators contact the road in any two-tread grooves at three locations equally spaced around the circumference of the tire; except that this subparagraph (III) shall not apply to tires on a commercial vehicle as such term is defined in section 235 (1)(a); or

(IV) Such other conditions as may be reasonably demonstrated to render it unsafe.

(6) No passenger car tire shall be used on any motor vehicle which is driven or moved on any highway if such tire was designed or manufactured for non-highway use.

(7) No person shall sell any motor vehicle for highway use unless the vehicle is equipped with tires that are in compliance with subsections (5) and (6) of this section and any rules of safe operating condition promulgated by the department.

(8)(a) Any person who violates any provision of subsection (1), (2), (3), (5), or (6) of this section commits a class A traffic infraction.

(b) Any person who violates any provision of subsection (7) of this section commits a class 2 misdemeanor traffic offense.

229. Safety glazing material in motor vehicles.

(1) No person shall sell any new motor vehicle, nor shall any new motor vehicle be registered, unless such vehicle is equipped with safety glazing material of a type approved by the department for any required front windshield and wherever glazing material is used in doors and windows of said motor vehicle. This section shall apply to all passenger-type motor vehicles, including passenger buses and school buses, but, in respect to camper coaches and trucks, including truck tractors, the requirements as to safety glazing material shall apply only to all glazing material used in required front windshields and that used in doors and windows in the drivers' compartments and such other compartments as are lawfully occupied by passengers in said vehicles.

(2) The term "safety glazing materials" means such glazing materials as will reduce substantially, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from exterior sources or by these safety glazing materials when they may be cracked or broken.

(3) The department shall compile and publish a list of types of glazing material by name approved by it as meeting the requirements of this section, and the department shall not, after January 1, 1958, register any motor vehicle which is subject to the provisions of this section unless it is equipped with an approved type of safety glazing material, and the department shall suspend the registration of any motor vehicle subject to this section which is found to be not so equipped until it is made to conform to the requirements of this section.

(4) No person shall operate a motor vehicle on any highway within this state unless the vehicle is equipped with a front windshield as provided in this section, except as provided in section 232 (1) and except for motor vehicles registered as collectors' items under sections 42-12-301 or 42-12-302.

(5) Any person who violates any provision of this section commits a class B traffic infraction.

230. Emergency lighting equipment - who must carry.

(1) No motor vehicle carrying a truck license and weighing six thousand pounds or more and no passenger bus shall be operated over the highways of this state at any time without carrying in an accessible place inside or on the outside of the vehicle three bidirectional emergency reflective triangles of a type approved by the department, but the use of such equipment is not required in municipalities where there are street lights within not more than one hundred feet.

(2) Whenever a motor vehicle referred to in subsection (1) of this section is stopped upon the traveled portion of a highway or the shoulder of a highway for any cause other than necessary traffic stops, the driver of the stopped motor vehicle shall immediately activate the vehicular hazard warning signal flashers and continue the flashing until the driver places the bidirectional emergency reflective triangles as directed in subsection (3) of this section.

(3) Except as provided in subsection (2) of this section, whenever a motor vehicle referred to in subsection (1) of this section is stopped upon the traveled portion of a highway or the shoulder of a highway for any cause other than necessary traffic stops, the driver shall, as soon as possible, but in any event within ten minutes, place the bidirectional emergency reflective triangles in the following manner:

(a) One at the traffic side of the stopped vehicle, within ten feet of the front or rear of the vehicle;

(b) One at a distance of approximately one hundred feet from the stopped vehicle in the center of the traffic lane or shoulder occupied by the vehicle and in the direction toward traffic approaching in that lane; and

(c) One at a distance of approximately one hundred feet from the stopped vehicle in the opposite direction from those placed in accordance with paragraphs (a) and (b) of this subsection (3) in the center of the traffic lane or shoulder occupied by the vehicle; or

(d) If the vehicle is stopped within five hundred feet of a curve, crest of a hill, or other obstruction to view, the driver shall place the emergency equipment required by this subsection (3) in the direction of the obstruction to view at a distance of one hundred feet to five hundred feet from the stopped vehicle so as to afford ample warning to other users of the highway; or

(e) If the vehicle is stopped upon the traveled portion or the shoulder of a divided or one-way highway, the driver shall place the emergency equipment required by this subsection (3), one at a distance of two hundred feet and one at a distance of one hundred feet in a direction toward approaching traffic in the center of the lane or shoulder occupied by the vehicle, and one at the traffic side of the vehicle within ten feet of the rear of the vehicle.

(4) No motor vehicle operating as a tow truck, as defined in section 40-10.1-101(21), at the scene of an accident shall move or attempt to move any wrecked vehicle without first complying with those sections of the law concerning emergency lighting.

(5) Any person who violates any provision of this section commits a class B traffic infraction.

231. Parking lights.

When lighted lamps are required by section 204, no vehicle shall be driven upon a highway with the parking lights lighted except when the lights are being used as signal lamps and except when the head lamps are lighted at the same time. Parking lights are those lights permitted by section 215 and any other lights mounted on the front of the vehicle, designed to be displayed primarily when the vehicle is parked. Any person who violates any provision of this section commits a class B traffic infraction.

232. Minimum safety standards for motorcycles, autocycles, and low-power scooters.

(1)(a) Except as provided in subsection (1)(b) of this section, a person shall not drive a motorcycle, autocycle, or low-power scooter on a public highway unless the person and any passenger in or on the motorcycle, autocycle, or low-power scooter is wearing goggles or eyeglasses with lenses made of safety glass or plastic; except that this subsection (1) does not apply to a person wearing a helmet containing eye protection made of safety glass or plastic.

(b) A person driving or riding an autocycle need not wear eye protection if the autocycle has:

(I) Three wheels;

(II) A maximum design speed of twenty-five miles per hour or less;

(III) A windshield; and

(IV) Seat belts.

(2) The department shall adopt standards and specifications for the design of goggles and eyeglasses.

(3) Any motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be equipped with footrests for such passengers.

(4) Any person who violates any provision of this section commits a class A traffic infraction.

233. Alteration of suspension system.

(1) No person shall operate a motor vehicle of a type required to be registered under the laws of this state upon a public highway with either the rear or front suspension system altered or changed from the manufacturer's original design except in accordance with specifications permitting such alteration established by the department. Nothing contained in this section shall prevent the installation of manufactured heavy duty equipment to include shock absorbers and overload springs, nor shall anything contained in this section prevent a person from operating a motor vehicle on a public highway with normal wear of the suspension system if normal wear shall not affect the control of the vehicle.

(2) This section shall not apply to motor vehicles designed or modified primarily for off-highway racing purposes, and such motor vehicles may be lawfully towed on the highways of this state.

(3) Any person who violates any provision of this section commits a class 2 misdemeanor traffic offense.

234. Slow-moving vehicles - display of emblem.

(1)(a) All machinery, equipment, and vehicles, except bicycles, electrical assisted bicycles, electric scooters, and other human-powered vehicles, designed to operate or normally operated at a speed of less than twenty-five miles per hour on a public highway must display a triangular slow-moving vehicle emblem on the rear.

(b) The department shall set standards for a triangular slow-moving emblem for use on low-speed electric vehicles.

(c) Bicycles, electrical assisted bicycles, electric scooters and other human-powered vehicles may, but need not, display the emblem specified in this subsection (1).

(2) The executive director of the department shall adopt standards and specifications for such emblem, position of the mounting thereof, and requirements for certification of conformance with the standards and specifications adopted by the American society of agricultural engineers concerning such emblems. The requirements of such emblem shall be in addition to any lighting device required by law.

(3) The use of the emblem required under this section shall be restricted to the use specified in subsection (1) of this section, and its use on any other type of vehicle or stationary object shall be prohibited.

(4) Any person who violates any provision of this section commits a class B traffic infraction.

235. Minimum standards for commercial vehicles – motor carrier safety fund – created – definition - rules.

(1) As used in this section, unless the context otherwise requires:

(a) "Commercial vehicle" means:

(I) A self-propelled or towed vehicle;

(A) Bearing an apportioned plate;

(B) Having a manufacturer’s gross vehicle weight rating or gross combination rating of at least sixteen thousand one pounds and used in commerce on public highways; or

(C) Having a manufacturer’s gross vehicle weight rating or gross combination rating of at least sixteen thousand one pounds and used to transport sixteen or more passengers, including the driver, unless the vehicle is a school bus regulated in accordance with section 42-4-1904, or a vehicle that does not have a gross vehicle weight rating of twenty-six thousand one or more pounds and that is owned or operated by a school district so long as the school district does not receive remuneration, other than reimbursement of the school district’s costs, for the use of the vehicle;

(II) Any motor vehicle designed or equipped to transport other motor vehicles from place to place by means of winches, cables, pulleys, or other equipment for towing, pulling, or lifting, when such motor vehicle is used in commerce on the public highways of this state; and

(III) A motor vehicle that is used on the public highways and transports materials determined by the secretary of transportation to be hazardous under 49 U.S.C. sec. 5103 in such quantities as to require placarding under 49 CFR parts 172 and 173.

(b) Repealed.

(c) "Motor carrier" means every person, lessee, receiver, or trustee appointed by any court whatsoever owning, controlling, operating, or managing any commercial vehicle as defined in paragraph (a) of this subsection (1).

(2)(a) A person shall not operate a commercial vehicle, as defined in subsection (1) of this section, on any public highway of this state unless the vehicle is in compliance with the rules adopted by the chief of the Colorado state patrol pursuant to subsection (4) of this section. A person that violates such rules, including intrastate motor carriers, shall be subject to the civil penalties authorized pursuant to 49 CFR 386, subpart G. A person that uses an independent contractor is not liable for penalties imposed on the independent contractor for equipment, acts, and omissions within the independent contractor's control or supervision. A state agency or court collecting civil penalties pursuant to this article 4 shall transmit the civil penalties to the state treasurer, who shall credit the same to the highway users tax fund created in section 43-4-201, for allocation and expenditure as specified in section 43-4-205(5.5)(a).

(b) Notwithstanding paragraph (a) of this subsection (2):

(I) Intrastate motor carriers shall not be subject to any provisions in 49 CFR, part 386, subpart G that relate the amount of a penalty to a violator's ability to pay, and such penalties shall be based upon the nature and gravity of the violation, the degree of culpability, and such other matters as justice and public safety may require;

(II) When determining the assessment of a civil penalty for safety violations, the period of a motor carrier's safety compliance history that a compliance review officer may consider shall not exceed three years; and

(III) The intrastate operation of implements of husbandry shall not be subject to the civil penalties provided in 49 CFR, part 386, subpart G. Nothing in this subsection (2) shall be construed to repeal, preempt, or negate any existing regulatory exemption for agricultural operations, intrastate farm vehicle drivers, intrastate vehicles or combinations of vehicles with a gross vehicle weight rating of not more than twenty-six thousand pounds that do not require a commercial driver's license to operate, or any successor or analogous agricultural exemptions, whether based on federal or state law.

(IV) This section does not apply to a motor vehicle or motor vehicle and trailer combination:

(A) With a gross vehicle weight, gross vehicle weight rating, or gross combination rating of less than twenty-six thousand one pounds;

(B) Not operated in interstate commerce;

(C) Not transporting hazardous materials requiring placarding;

(D) Not transporting either sixteen or more passengers including the driver or eight or more passengers for compensation; and

(E) If the motor vehicle or combination is being used solely for agricultural purposes.

(c) The Colorado state patrol has exclusive enforcement authority to conduct compliance reviews, as defined in 49 CFR 385.3, and to impose civil penalties pursuant to the reviews.

This subsection (2)(c) does not expand or limit the ability of local governments to conduct roadside safety inspections.

(d)(I) Pursuant to section 42-3-120, upon notice from the Colorado state patrol, for a carrier that fails to pay in full a civil penalty imposed pursuant to this subsection (2) within thirty days after notification of the penalty or fails to cooperate with the completion of a compliance review within thirty days after notification of the failure to cooperate, the department shall:

(A) cancel the motor carrier's registration; and

(B) enter both the motor carrier and its vehicles as out-of-service in the federal motor carrier safety administration system of record.

(II) Repealed.

(3) Any motor carrier operating a commercial vehicle within Colorado must declare knowledge of the rules and regulations adopted by the chief of the Colorado state patrol pursuant to subsection (4) of this section. The declaration of knowledge shall be in writing on a form provided by the Colorado state patrol. Such form must be signed and returned by a motor carrier according to rules adopted by the chief.

(4)(a)(I) Except as described in subsection (4)(a)(III) of this section, the chief of the Colorado state patrol shall adopt rules for the operation of all commercial vehicles and, as specified in subsection (4)(a)(II) of this section, vehicles that would be commercial vehicles but for the fact that they have a manufacturer's gross vehicle weight rating or gross combination rating of ten thousand one pounds or more but not more than sixteen thousand pounds. In adopting the rules, the chief shall use as general guidelines the standards contained in the current rules and regulations of the United States department of transportation relating to safety regulations, qualifications of drivers, driving of motor vehicles, parts and accessories, notification and reporting of accidents, hours of service of drivers, inspection, repair and maintenance of motor vehicles, financial responsibility, insurance, and employee safety and health standards; except that rules regarding financial responsibility and insurance do not apply to a commercial vehicle as defined in subsection (1) of this section that is also subject to regulation by the public utilities commission under article 10.1 of title 40. On and after September 1, 2003, all commercial vehicle safety inspections conducted to determine compliance with rules promulgated by the chief pursuant to this subsection (4)(a) must be performed by an enforcement official, as defined in section 42-20-103(2), who has been certified by the commercial vehicle safety alliance, or any successor organization thereto, to perform level I inspections.

(II) With respect to the operation of all vehicles that would be commercial vehicles but for the fact that they have a manufacturer's gross vehicle weight rating or gross combination rating of ten thousand one pounds or more but not more than sixteen thousand pounds, the chief of the Colorado state patrol may adopt rules that authorize the Colorado state patrol to:

(A) Annually inspect these vehicles;

(B) Enforce with respect to these vehicles all requirements for the securing of loads that apply to commercial vehicles; and

(C) Enforce with respect to these vehicles all requirements relating to the use of coupling devices for commercial vehicles.

(III) Rules establishing insurance requirements for vehicles used by licensed river outfitters are established by the parks and wildlife commission pursuant to section 33-32-103(1)(e).

(b) The Colorado public utilities commission may enforce safety rules of the chief of the Colorado state patrol governing commercial vehicles described in subparagraphs (I) and (II) of paragraph (a) of subsection (1) of this section pursuant to his or her authority to regulate motor carriers, as defined in section 40-10.1-101, including the issuance of civil penalties for violations of such rules as provided in section 40-7-113.

(5) Any person who violates a rule or regulation promulgated by the chief of the Colorado state patrol pursuant to this section or fails to comply with subsection (3) of this section commits a class 2 misdemeanor traffic offense.

(6) The motor carrier safety fund is created in the state treasury. The fund consists of moneys transferred from the public utilities commission motor carrier fund pursuant to section 40-2-110.5(9)(a). Moneys in the fund are subject to appropriation by the general assembly for the direct and indirect costs of the advancement of highway safety relating to commercial carrier operations pursuant to this section. All interest derived from the deposit and investment of moneys in the fund are credited to the fund, and any moneys not appropriated remain in the fund and do not transfer or revert to the general fund or any other fund.

236. Child restraint systems required - definitions - exemptions.

(1) As used in this section, unless the context otherwise requires:

(a) “Child care center” means a facility required to be licensed under the “Foster Care, Residential, Day Treatment, and Agency Licensing Act”, part 9 of article 6 of title 26, or the “Child Care Licensing Act”, part 3 of article 5 of title 26.5.

(a.3) Deleted.

(a.5) “Child restraint system” means a specially designed seating system that is designed to protect, hold, or restrain a child in a motor vehicle in such a way as to prevent or minimize injury to the child in the event of a motor vehicle accident that is either permanently affixed to a motor vehicle or is affixed to such vehicle by a safety belt or a universal attachment system, and that meets the federal motor vehicle safety standards set forth in section 49 CFR 571.213, as amended.

(a.7) Deleted.

(a.8) "Motor vehicle" means a passenger car; a pickup truck; or a van, minivan, or sport utility vehicle with a gross vehicle weight rating of less than ten thousand pounds. "Motor vehicle" does not include motorcycles, low-power scooters, and farm tractors and implements of husbandry designed primarily or exclusively for use in agricultural operations.

(b) “Safety belt” means a lap belt, a shoulder belt, or any other belt or combination of belts installed in a motor vehicle to restrain drivers and passengers, except any such belt that is

physically a part of a child restraint system. “Safety belt” includes the anchorages, the buckles, and all other equipment directly related to the operation of safety belts. Proper use of a safety belt means the shoulder belt, if present, crosses the shoulder and chest and the lap belt crosses the hips, touching the thighs.

(c) “Seating position” means any motor vehicle interior space intended by the motor vehicle manufacturer to provide seating accommodation while the motor vehicle is in motion.

(2)(a)(I) Unless exempted pursuant to subsection (3) of this section, and except as otherwise provided in subparagraphs (II) and (III) of this paragraph (a), every child who is under eight years of age and who is being transported in this state in a motor vehicle or in a vehicle operated by a child care center, shall be properly restrained in a child restraint system according to the manufacturer’s instructions:

(II) If the child is less than one year of age and weighs less than twenty pounds, the child shall be properly restrained in a rear-facing child restraint system in a rear seat of the vehicle.

(III) If the child is one year of age or older, but less than four years of age, and weighs less than forty pounds, but at least twenty pounds, the child shall be properly restrained in a rear-facing or forward- facing child restraint system.

(b) Unless excepted pursuant to subsection (3) of this section, every child, who is at least eight years of age but less than sixteen years of age who is being transported in this state in a motor vehicle or in a vehicle operated by a child care center, shall be properly restrained in a safety belt or child restraint system according to the manufacturer's instructions.

(c) If a parent is in the motor vehicle, it is the responsibility of the parent to ensure that his or her child or children are provided with and that they properly use a child restraint system or safety belt system. If a parent is not in the motor vehicle, it is the responsibility of the driver transporting a child or children, subject to the requirements of this section, to ensure that such children are provided with and that they properly use a child restraint system or safety belt system.

(3) Except as provided in section 42-2-105.5(4), the requirements of subsection (2) of this section shall not apply to a child who:

(a) Repealed.

(b) Is less than eight years of age and is being transported in a motor vehicle as a result of a medical or other life-threatening emergency and a child restraint system is not available;

(c) Is being transported in a commercial motor vehicle, as defined in section 42-2-402(4)(a), that is operated by a child care center; or

(d) Is the driver of a motor vehicle and is subject to the safety belt requirements provided in section 237;

(e) (Deleted by amendment, L. 2011, (SB 11-227), ch. 295, p. 1399, § 1, effective June 7, 2011.)

(f) Is being transported in a motor vehicle that is operated in the business of transporting persons for compensation or hire by or on behalf of a common carrier or a contract carrier as those terms are defined in section 40-10.1-101, or an operator of a luxury limousine service as defined in section 40-10.1-301.

(4) No Rule.

(5) No person shall use a safety belt or child restraint system, whichever is applicable under the provisions of this section, for children under sixteen years of age in a motor vehicle unless it conforms to all applicable federal motor vehicle safety standards.

(6) Any violation of this section shall not constitute negligence per se or contributory negligence per se.

(7) (a) Except as otherwise provided in paragraph (b) of this subsection (7), any person who violates any provision of this section commits a class B traffic infraction.

(b) A minor driver under eighteen years of age who violates this section shall be punished in accordance with section 42-2-105.5(5)(b).

(8) The fine may be waived if the defendant presents the court with satisfactory evidence or proof of the acquisition, purchase, or rental of a child restraint system by the time of the court appearance.

(9) (Deleted by amendment, L. 2010, (SB 10-110), ch 294, p. 1365, § 3, effective August 1, 2020.

(10) and (11) Repealed.

237. Safety belt systems – mandatory use - exemptions – penalty - definitions.

(1) As used in this section:

(a) “Motor vehicle” means a self-propelled vehicle intended primarily for use and operation on the public highways, including passenger cars, station wagons, vans, taxicabs, ambulances, motor homes, and pickups. The term does not include motorcycles, low-power scooters, passenger buses, school buses, and farm tractors and implements of husbandry designed primarily or exclusively for use in agricultural operations.

(b) “Safety belt system” means a system utilizing a lap belt, a shoulder belt, or any other belt or combination of belts installed in a motor vehicle to restrain drivers and passengers, which system conforms to federal motor vehicle safety standards.

(2) Unless exempted pursuant to subsection (3) of this section, every driver of and every front seat passenger in a motor vehicle and every driver of and every passenger in an autocycle equipped with a safety belt system shall wear a fastened safety belt while the motor vehicle is being operated on a street or highway in this state.

(3) Except as provided in section 42-2-105.5, the requirement of subsection (2) of this section shall not apply to:

(a) A child required by section 236 to be restrained by a child restraint system;

(b) A member of an ambulance team, other than the driver, while involved in patient care;

(c) A peace officer as described in section 16-2.5-101, while performing official duties so long as the performance of said duties is in accordance with rules and regulations applicable to said officer which are at least as restrictive as subsection (2) of this section and which only provide exceptions necessary to protect the officer;

(d) A person with a physically or psychologically disabling condition whose physical or psychological disability prevents appropriate restraint by a safety belt system if such person possesses a written statement by a physician certifying the condition, as well as stating the reason why such restraint is inappropriate;

(e) A person driving or riding in a motor vehicle not equipped with a safety belt system due to the fact that federal law does not require such vehicle to be equipped with a safety belt system;

(f) A rural letter carrier of the United States postal service while performing duties as a rural letter carrier; and

(g) A person operating a motor vehicle which does not meet the definition of "commercial vehicle" as that term is defined in section 235 (1)(a) for commercial or residential delivery or pickup service; except that such person shall be required to wear a fastened safety belt during the time period prior to the first delivery or pickup of the day and during the time period following the last delivery or pickup of the day.

(4)(a) Except as otherwise provided in paragraph (b) of this subsection (4), any person who operates a motor vehicle while such person or any passenger is in violation of the requirement of subsection (2) of this section commits a class B traffic infraction. Penalties collected pursuant to this subsection (4) shall be transmitted to the appropriate authority pursuant to the provisions of section 42-1-217(1)(e) and (2).

(b) A minor driver under eighteen years of age who violates this section shall be punished in accordance with section 42-2-105.5(5)(b).

(5) No driver in a motor vehicle shall be cited for a violation of subsection (2) of this section unless such driver was stopped by a law enforcement officer for an alleged violation of Codes 1 to 4 of this title other than a violation of this section.

(6) Testimony at a trial for a violation charged pursuant to subsection (4) of this section may include:

(a) Testimony by a law enforcement officer that the officer observed the person charged operating a motor vehicle while said operator or any passenger was in violation of the requirement of subsection (2) of this section; or

(b) Evidence that the driver removed the safety belts or knowingly drove a vehicle from which the safety belts had been removed.

(7) Evidence of failure to comply with the requirement of subsection (2) of this section shall be admissible to mitigate damages with respect to any person who was involved in a motor vehicle accident and who seeks in any subsequent litigation to recover damages for injuries resulting from the accident. Such mitigation shall be limited to awards for pain and suffering and shall not be used for limiting recovery of economic loss and medical payments.

238. Blue and red lights - illegal use or possession.

(1) A person shall not be in actual physical control of a vehicle, except an authorized emergency vehicle as defined in section 42-1-102(6), that the person knows contains a lamp or device that is designed to display, or that is capable of displaying if affixed or attached to the vehicle, a red or blue light visible directly in front of the center of the vehicle.

(2) It shall be an affirmative defense that the defendant was:

(a) A peace officer as described in section 16-2.5-101; or

(b) In actual physical control of a vehicle expressly authorized by a chief of police or sheriff to contain a lamp or device that is designed to display, or that is capable of displaying if affixed or attached to the vehicle, a red or blue light visible from directly in front of the center of the vehicle; or

(c) A member of a volunteer fire department or a volunteer ambulance service who possesses a permit from the fire chief of the fire department or chief executive officer of the ambulance service through which the volunteer serves to operate a vehicle pursuant to section 222 (1)(b); or

(d) A vendor who exhibits, sells, or offers for sale a lamp or device designed to display, or that is capable of displaying, if affixed or attached to the vehicle, a red or blue light; or

(e) A collector of fire engines, fire suppression vehicles, or ambulances and the vehicle to which the red or blue lamps were affixed is valued for the vehicle's historical interest or as a collector's item.

(3) A violation of this section is a class 2 misdemeanor.

239. Misuse of a wireless telephone – definitions - penalty - preemption.

(1) As used in this section, unless the context otherwise requires:

(a) "Emergency" means a situation in which a person:

(I) Has reason to fear for such person's life or safety or believes that a criminal act may be perpetrated against such person or another person, requiring the use of a wireless telephone while the car is moving; or

(II) Reports a fire, a traffic accident in which one or more injuries are apparent, a serious road hazard, a medical or hazardous materials emergency, or a person who is driving in a reckless, careless, or otherwise unsafe manner.

(b) “Operating a motor vehicle” means driving a motor vehicle on a public highway, but “operating a motor vehicle” shall not mean maintaining the instruments of control while the motor vehicle is at rest in a shoulder lane or lawfully parked.

(c) “Use” means talking on or listening to a wireless telephone or engaging the wireless telephone for text messaging or other similar forms of manual data entry or transmission.

(d) “Wireless telephone” means a telephone that operates without a physical, wireline connection to the provider’s equipment. The term includes, without limitation, cellular and mobile telephones.

(2) A person under eighteen years of age shall not use a wireless telephone while operating a motor vehicle. This subsection (2) does not apply to acts specified in subsection (3) of this section.

(3) A person shall not use a wireless telephone for the purpose of engaging in text messaging or other similar forms of manual data entry or transmission while operating a motor vehicle.

(4) Subsection (2) or (3) of this section shall not apply to a person who is using the wireless telephone:

(a) To contact a public safety entity; or

(b) During an emergency.

(5)(a) A person who operates a motor vehicle in violation of subsection (2) of this section commits a class A traffic infraction as defined in section 42-4-1701(3). and the court or the department of revenue shall assess a fine of fifty dollars.

(b) A second or subsequent violation of subsection (2) of this section is a class A traffic infraction as defined in section 1701(3), and the court or the department of revenue shall assess a fine of one hundred dollars.

(5.5)(a) Except as provided in subsections (5.5)(b) and (5.5)(c) of this section, a person who operates a motor vehicle in violation of subsection (3) of this section commits a class 2 misdemeanor traffic offense, and the court or the department shall assess a fine of three hundred dollars.

(b) If the person’s actions are the proximate cause of bodily injury to another, the person commits a class 1 misdemeanor traffic offense and shall be punished as provided in section 42-4-1701(3)(a)(II).

(c) If the person’s actions are the proximate cause of death to another, the person commits a class 1 misdemeanor traffic offense and shall be punished as provided in section 42-4-1701(3)(a)(II).

(6)(a) An operator of a motor vehicle shall not be cited for a violation of subsection (2) of this section unless the operator was under eighteen years of age and a law enforcement officer saw the operator use, as defined in paragraph (c) of subsection (1) of this section, a wireless telephone.

(b) An operator of a motor vehicle shall not be cited for a violation of subsection (3) of this section unless a law enforcement officer saw the operator use a wireless telephone for the purpose of engaging in text messaging or other similar forms of manual data entry or transmission, in a manner that caused the operator to drive in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic, and use of the streets and highways and all other attendant circumstances, as prohibited by 42-4-1402.

(7) The provisions of this section shall not be construed to authorize the seizure and forfeiture of a wireless telephone, unless otherwise provided by law.

(8) This section does not restrict operation of an amateur radio station by a person who holds a valid amateur radio operator license issued by the federal communications commission.

(9) The general assembly finds and declares that use of wireless telephones in motor vehicles is a matter of statewide concern.

240. Low-speed electric vehicle equipment requirements.

A low-speed electric vehicle shall conform with applicable federal manufacturing equipment standards. Any person who operates a low-speed electric vehicle in violation of this section commits a class B traffic infraction.

241. Unlawful removal of tow-truck signage - unlawful usage of tow-truck signage.

(1)(a) A person, other than a towing carrier or peace officer as described in section 16-2.5-101, commits the crime of unlawful removal of tow-truck signage if:

(I) A towing carrier has placed a tow-truck warning sign on the driver-side window of a vehicle to be towed or, if window placement is impracticable, in another location on the driver-side of the vehicle; and

(II) The vehicle to be towed is within fifty feet of the towing carrier vehicle; and

(III) The person removes the tow-truck warning sign from the vehicle before the tow is completed.

(b) A person commits the crime of unlawful usage of tow-truck signage if the person places a tow-truck warning sign on a vehicle when the vehicle is not in the process of being towed or when the vehicle is occupied.

(c) A towing carrier may permit an owner of the vehicle to be towed to retrieve any personal items from the vehicle before the vehicle is towed.

(2) A person who violates subsection (1) of this section commits a class A traffic infraction.

(3) For purposes of this section, "tow-truck warning sign" means a sign that is at least eight inches by eight inches, is either yellow or orange, and states the following:

WARNING: This vehicle is in tow. Attempting to operate or operating this vehicle may result in criminal prosecution and may lead to injury or death to you or another person.

242. Automated driving systems – safe harbor.

(1) A person may use an automated driving system to drive a motor vehicle or to control a function of a motor vehicle if the system is capable of complying with every state and federal law that applies to the function that the system is operating.

(2) Any provision in articles 1 to 3 of title 42 and article 4 that by its nature regulates a human driver, including section 42-2-101, does not apply to an automated driving system, except for laws regulating the physical driving of a vehicle.

(3)(a) If an automated driving system is not capable of complying with every state and federal law that applies to the function the system is operating, a person shall not test the system unless approved by the Colorado state patrol and the Colorado department of transportation, in accordance with a process overseen by the Colorado state patrol and the Colorado department of transportation.

(b) A person who violates this subsection (3) commits a class B traffic infraction. Upon determining that there is probable cause to believe that a motor vehicle was used to violate this subsection (3), a peace officer of the state patrol may impound or immobilize the motor vehicle until the person who violated this section has obtained the required approval in accordance with subsection (3)(a) of this section or signed an affidavit, under penalty of perjury, stating the person's intention to cease using the automated driving system in Colorado without the required approval.

(4) The Colorado department of transportation shall report to the transportation legislation review committee by September 1 of each year, concerning the testing of automated driving systems in Colorado. The first report is due by September 1, 2018. Notwithstanding the provisions of section 24-1-136, the reporting requirements contained in this subsection (4) continued indefinitely.

(5) Liability for a crash involving an automated driving system driving a motor vehicle that is not under human control is determined in accordance with applicable state law, federal law, or common law.

Part 3
Emissions Inspection
(Omitted)

Part 4
Diesel Inspection Program
(Omitted)

Part 5
Size - Weight - Load

501. Size and weight violations - penalty.

Except as provided in section 509, it is a traffic infraction for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or vehicles of a size or weight exceeding the limitations stated in sections 502 to 512 or otherwise in violation of said sections or section 1407, except as permitted in section 510. The maximum size and weight of vehicles specified in said sections shall be lawful throughout this state, and local authorities shall have no power or authority to alter said limitations, except as express authority may be granted in section 42-4-106.

502. Width of vehicles.

(1) The total outside width of any vehicle or the load thereon shall not exceed eight feet six inches, except as otherwise provided in this section.

(2)(a) A load of loose hay, including loosely bound, round bales, whether horse drawn or by motor, shall not exceed twelve feet in width.

(b) A vehicle and trailer may transport a load of rectangular hay bales if such vehicle and load do not exceed ten feet six inches in width.

(3) It is unlawful for any person to operate a vehicle or a motor vehicle which has attached thereto in any manner any chain, rope, wire, or other equipment which drags, swings, or projects in any manner so as to endanger the person or property of another.

(4) The total outside width of buses and coaches used for the transportation of passengers shall not exceed eight feet six inches.

(5)(a) The total outside width of vehicles as included in this section shall not be construed so as to prohibit the projection beyond such width of clearance lights, rearview mirrors, or other accessories required by federal, state, or city laws or regulations.

(b) The width requirements imposed by subsection (1) of this section shall not include appurtenances on recreational vehicles, including but not limited to motor homes, travel trailers, fifth wheel trailers, camping trailers, recreational park trailers, multipurpose trailers, and truck campers, all as defined in section 24-32-902, so long as such recreational vehicle, including such appurtenances, does not exceed a total outside width of nine feet six inches.

(6) Any person who violates any provision of this section commits a class B traffic infraction.

503. Projecting loads on passenger vehicles.

Except with regard to the operation of a motorcycle, autocycle, bicycle, electrical assisted bicycle or electric scooter, a person shall not operate a passenger-type vehicle on any highway with any load carried extending beyond the line of the fenders on the left side of the vehicle nor extending

more than six inches beyond the line of the fenders on the right side of the vehicle. A person who violates this section commits a class B traffic infraction.

504. Height and length of vehicles.

(1) No vehicle unladen or with load shall exceed a height of fourteen feet six inches. The department of transportation shall designate highways with overhead highway structures that have less than fourteen feet six inches of vertical clearance. A driver shall not drive a vehicle under a structure if the vehicle's height exceeds the department's designated vertical clearance for the structure.

(2) No single motor vehicle shall exceed a length of forty-five feet extreme overall dimension, inclusive of front and rear bumpers. The length of vehicles used for the mass transportation of passengers wholly within the limits of a town, city, or municipality or within a radius of fifteen miles thereof may extend to sixty feet. The length of school buses may extend to forty feet.

(3) Buses used for the transportation of passengers between towns, cities, and municipalities in the state of Colorado may be sixty feet extreme overall length, inclusive of front and rear bumpers but shall not exceed a height of thirteen feet six inches, if such buses are equipped to conform with the load and weight limitations set forth in section 508; except that buses with a height of fourteen feet six inches which otherwise conform to the requirements of this subsection (3) shall be operated only on highways designated by the department of transportation.

(4) No combination of vehicles coupled together shall consist of more than four units, and no such combination of vehicles shall exceed a total overall length of seventy feet. Said length limitation shall not apply to unladen truck tractor-semitrailer combinations when the semitrailer is fifty-seven feet four inches or less in length or to unladen truck tractor-semitrailer-trailer combinations when the semitrailer and the trailer are each twenty-eight feet six inches or less in length. Said length limitations shall also not apply to vehicles operated by a public utility when required for emergency repair of public service facilities or properties or when operated under special permit as provided in section 42-4-510, but, in respect to night transportation, every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load.

(4.5) Notwithstanding the provisions of subsection (4) of this section, drivers shall not drive the following combinations of vehicles:

(a) Saddlemount combinations consisting of more than four units or saddlemount combinations exceeding ninety-seven feet in overall length;

(b) Laden truck tractor-semitrailer combinations exceeding seventy-five feet in overall length; and

(c) Stinger-steered vehicle combinations for transporting automobiles or boats and whose total overall length exceeds eighty feet; except that the overall length of these combinations excludes:

(I) Safety devices that are not designed or used for carrying cargo;

(II) Automobiles or boats being transported;

(III) Any extension device that may be used for loading beyond the extreme front or rear ends of a vehicle or combination of vehicles; except that the projection of a load, including any extension devices loaded to the front of the vehicle, shall not extend more than four feet beyond the extreme front of the grill of such vehicle and no load or extension device may extend more than six feet to the extreme rear of the vehicle.

(d) Towaway trailer transporter combinations that:

(I) Exceed eighty-two feet in overall length;

(II) Carry property;

(III) Exceed an overall weight of twenty-six thousand pounds;

(IV) Consist of more than a single towing unit and two trailers or semitrailers; or

(V) Do not constitute inventory property of a manufacturer, distributor, or dealer of the trailer or semitrailer.

(5) The load upon any vehicle operated alone or the load upon the front vehicle of a combination of vehicles shall not extend beyond the front wheels of such vehicles or vehicle or the front most point of the grill of such vehicle; but a load may project not more than four feet beyond the front most point of the grill assembly of the vehicle engine compartment of such a vehicle at a point above the cab of the driver's compartment so long as that part of any load projecting ahead of the rear of the cab or driver's compartment shall be so loaded as not to obscure the vision of the driver to the front or to either side.

(6) The length limitations of vehicles and combinations of vehicles provided for in this section as they apply to vehicles being operated and utilized for the transportation of steel, fabricated beams, trusses, utility poles, and pipes shall be determined without regard to the projection of said commodities beyond the extreme front or rear of the vehicle or combination of vehicles; except that the projection of a load to the front shall be governed by the provisions of subsection (5) of this section, and no load shall project to the rear more than ten feet.

(7) Any person who violates any provision of this section commits a class B traffic infraction.

505. Longer vehicle combinations.

(1) Notwithstanding any other provision of this Code to the contrary, the department of transportation, in the exercise of its discretion, may issue permits for the use of longer vehicle combinations. An annual permit for such use may be issued to each qualified carrier company. The carrier company shall maintain a copy of such annual permit in each vehicle operating as a longer vehicle combination; except that, if a peace officer, as described in section 16-2.5-101, or an authorized agent of the department of transportation may determine that the permit can be electronically verified at the time of contact, a copy of the permit need not be in each vehicle. The fee for the permit shall be two hundred fifty dollars per year.

(2) The permits shall allow operation, over designated highways, of the following vehicle combinations of not more than three cargo units and neither fewer than six axles nor more than nine axles:

(a) An unladen truck tractor, a semitrailer, and two trailers. A semitrailer used with a converter dolly shall be considered a trailer. Semitrailers and trailers shall be of approximately equal lengths not to exceed twenty-eight feet six inches in length.

(b) An unladen truck tractor, a semitrailer, and a single trailer. A semitrailer used with a converter dolly shall be considered a trailer. Semitrailers and trailers shall be of approximately equal lengths not to exceed forty-eight feet in length. Notwithstanding any other restriction set forth in this section, such combination may have up to eleven axles when used to transport empty trailers.

(c) An unladen truck tractor, a semitrailer, and a single trailer, one trailer of which is not more than forty-eight feet long, the other trailer of which is not more than twenty-eight feet six inches long. A semitrailer used with a converter dolly shall be considered a trailer. The shorter trailer shall be operated as the rear trailer.

(d) A truck and single trailer, having an overall length of not more than eighty-five feet, the truck of which is not more than thirty-five feet long and the trailer of which is not more than forty feet long. For the purposes of this paragraph (d), a semitrailer used with a converter dolly shall be considered a trailer.

(3) The long combinations are limited to interstate highway 25, interstate highway 76, interstate highway 70 west of its intersection with state highway 13 in Garfield county, interstate highway 70 east of its intersection with U.S. 40 and state highway 26, the circumferential highways designated I-225 and I-270, and state highway 133 in Delta county from mile marker 8.9 to mile marker 9.7.

(4) The department of transportation shall promulgate rules and regulations governing the issuance of the permits, including, but not limited to, selection of carriers, driver qualifications, equipment selection, hours of operation, and safety considerations; except that they shall not include hazardous materials subject to regulation by the provisions of Code 20 of this title.

(5) Any person who violates any provision of this section commits a class B traffic infraction.

506. Trailers and towed vehicles.

(1) When one vehicle is towing another, the drawbar or other connection shall be of sufficient strength to pull all weight towed thereby, and said drawbar or other connection shall not exceed fifteen feet from one vehicle to the other, except the connection between any two vehicles transporting poles, pipe, machinery, or other objects of a structural nature which cannot readily be dismembered and except connections between vehicles in which the combined lengths of the vehicles and the connection does not exceed an overall length of fifty-five feet and the connection is of rigid construction included as part of the structural design of the towed vehicle.

(2) When one vehicle is towing another and the connection consists of a chain, rope, or cable, there shall be displayed upon such connection a white flag or cloth not less than twelve inches square.

(3) Whenever one vehicle is towing another, in addition to the drawbar or other connection, except a fifth wheel connection meeting the requirements of the department of transportation, safety chains or cables arranged in such a way that it will be impossible for the vehicle being towed to break loose from the vehicle towing in the event the drawbar or other connection were to be broken, loosened, or otherwise damaged shall be used. This subsection (3) shall apply to all motor vehicles, to all trailers, except semitrailers connected by a proper fifth wheel, and to any dolly used to convert a semitrailer to a full trailer.

(4) Any person who violates any provision of this section commits a class B traffic infraction.

507. Wheel and axle loads.

(1) The gross weight upon any wheel of a vehicle shall not exceed the following:

(a) When the wheel is equipped with a solid rubber or cushion tire, eight thousand pounds;

(b) When the wheel is equipped with a pneumatic tire, nine thousand pounds.

(2) The gross weight upon any single axle or tandem axle of a vehicle shall not exceed the following:

(a) When the wheels attached to said axle are equipped with solid rubber or cushion tires, sixteen thousand pounds;

(b) Except as provided in paragraph (b.5) of this subsection (2), when the wheels attached to a single axle are equipped with pneumatic tires, twenty thousand pounds;

(b.5) When the wheels attached to a single axle are equipped with pneumatic tires and the vehicle or vehicle combination is a digger derrick or bucket boom truck operated by an electric utility on a highway that is not on the interstate system as defined in section 43-2-101 (2), twenty-one thousand pounds;

(c) When the wheels attached to a tandem axle are equipped with pneumatic tires, thirty-six thousand pounds for highways on the interstate system and forty thousand pounds for highways not on the interstate system.

(3)(a) Vehicles equipped with a self-compactor and used solely for the transporting of trash are exempted from the provisions of paragraph (b) of subsection (2) of this section.

(b) (omitted for 1987 passed date?)

(c) A vehicle contracted by or owned and operated by a local authority or special district is exempt from paragraph (c) of subsection (2) of this section of the vehicle:

(I) Is equipped with a vacuum or jet equipment to load or unload solid, semisolid, or liquid waste for water or wastewater treatment or transportation systems or for the removal of storm water; and

(II) Is not operated on the interstate system as defined by section 43-2-101.

(4) For the purposes of this section:

(a) A single axle is defined as all wheels, whose centers may be included within two parallel transverse vertical planes not more than forty inches apart, extending across the full width of the vehicle.

(b) A tandem axle is defined as two or more consecutive axles, the centers of which may be included between parallel vertical planes spaced more than forty inches and not more than ninety-six inches apart, extending across the full width of the vehicle.

(5) The gross weight upon any one wheel of a steel-tired vehicle shall not exceed five hundred pounds per inch of cross-sectional width of tire.

(6) Any person who drives a vehicle or owns a vehicle in violation of any provision of this section commits a class 2 misdemeanor traffic offense.

508. Gross weight of vehicles and loads - definition.

(1)(a) Except as provided in subsection (1.5) of this section, a person shall not move or operate a vehicle or combination of vehicles on any highway or bridge when the gross weight upon any one axle of a vehicle exceeds the limits prescribed in section 507.

(b) Subject to the limitations prescribed in section 507, the maximum gross weight of any vehicle or combination of vehicles shall not exceed that determined by the formula W = 1,000 (L + 40), where W represents the gross weight in pounds and L represents the length in feet between the centers of the first and last axles of such vehicle or combination of vehicles; except that, in computation of this formula, the gross vehicle weight must not exceed eighty-five thousand pounds. For the purposes of this section, where a combination of vehicles is used, a vehicle must not carry a gross weight of less than ten percent of the overall gross weight of the combination of vehicles; except that these limitations shall not apply to specialized trailers of fixed public utilities whose axles may carry less than ten percent of the weight of the combination. The limitations provided in this section must be strictly construed and enforced.

(c) Notwithstanding any other provisions of this section, except as may be authorized under section 510, a person shall not move or operate a vehicle or combination of vehicles on any highway or bridge that is part of the national system of interstate and defense highways, also known as the interstate system, when the gross weight of such vehicle or combination of vehicles exceeds the amount determined by the formula W = 500 [(LN/N-1) + 12N + 36], up to a maximum of eighty thousand pounds, where W represents the overall gross weight on any group of two or more consecutive axles to the nearest 500 pounds, L represents the distance in feet between the extreme of any group of two or more consecutive axles, and N represents the number of axles in the group.

(d) For the purposes of this subsection (1), where a combination of vehicles is used, a vehicle must not carry a gross weight of less than ten percent of the overall gross weight of the combination of vehicles; except that this limitation does not apply to specialized trailers whose specific use is to haul poles and whose axles may carry less than ten percent of the weight of the combination.

(1.5) The gross weight limits provided in subsection (1) of this section increase, but by no more than two thousand pounds, for any vehicle or combination of vehicles if the vehicle or combination of vehicles contains an alternative fuel system and operates on alternative fuel or both alternative and conventional fuel. For the purposes of this subsection (1.5), "alternative fuel" has the same meaning provided in section 24-30-1104(2)(c)(III)(a).

(2) The department upon registering any vehicle under the laws of this state, which vehicle is designed and used primarily for the transportation of property or for the transportation of ten or more persons, may acquire such information and may make such investigation or tests as necessary to enable it to determine whether such vehicle may safely be operated upon the highways in compliance with all the provisions of this article. The department shall not register any such vehicle for a permissible gross weight exceeding the limitations set forth in sections 501 to 512 and 1407 of this Code. Every such vehicle shall meet the following requirements:

(a) It shall be equipped with brakes as required in section 223;

(b) Every motor vehicle to be operated outside of business and residential district shall have motive power adequate to propel at a reasonable speed such vehicle and any load thereon or be drawn thereby.

(3) If the federal highway administration or the United States congress prescribes or adopts vehicle size or weight limits greater than those now prescribed by the “Federal-Aid Highway Act of 1956”, which limits exceed in full or in part the provisions of section 504 or paragraph (b) or (c) of subsection (1) of this Code, the transportation commission, upon determining that Colorado highways have been constructed to standards which will accommodate such additional size or weight and that the adoption of said size and weight limitations will not jeopardize any distribution of federal highway funds to the state, may adopt size and weight limits comparable to those prescribed or adopted by the federal highway administration or the United States congress and may authorize said limits to be used by owners or operators of vehicles while said vehicles are using highways within this state; but no vehicle size or weight limit so adopted by the commission shall be less in any respect than those now provided for in section 504 or paragraph (b) or (c) of subsection (1) of this section.

(4) Any person who drives a vehicle or owns a vehicle in violation of any provision of this section commits a class 2 misdemeanor traffic offense.

509. Vehicles weighed – excess removed.

(1) Any police or peace officer, as described in section 16-2.5-101, having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the same by means of either portable or stationary scales or shall require that such vehicle be driven to the nearest public scales in the event such scales are within five miles.

(2)(a) Except as provided in paragraph (b) of this subsection (2), whenever an officer upon weighing a vehicle and load as provided in subsection (1) of this section determines that the weight is unlawful, such officer shall require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under sections 501 to 512 and 1407. All material

so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.

(b) Whenever an officer upon weighing a vehicle and load as provided in subsection (1) of this section determines that the weight is unlawful and the load consists solely of either explosives or hazardous materials as defined in section 102 (32), such officer shall permit the driver of such vehicle to proceed to the driver's destination without requiring the driver to unload the excess portion of such load.

(3) Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing or who fails or refuses when directed by an officer upon a weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this section commits a class 2 misdemeanor traffic offense.

510. Permits for excess size and weight and for manufactured homes – rules - definition.

(1)(a) Any local authority with respect to highways under its jurisdiction may, upon application in writing and good cause being shown therefor, issue a single trip, a special, or an annual permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this Code or otherwise not in conformity with the provisions of this Code upon any highway under the jurisdiction of the party granting such permit and for the maintenance of which said party is responsible; except that permits for the movement of any manufactured home shall be issued as provided in subsection (2) of this section.

(b)(I) The application for any permit shall specifically describe the vehicle and load to be operated or moved and the particular highways for which the permit to operate is requested, and whether such permit is for a single trip, a special, or an annual operation, and the time of such movement. All local permits shall be issued in the discretion of the local authority pursuant to ordinances or resolutions adopted in accordance with section 511. Any ordinances or resolutions of local authorities shall not conflict with this section.

(II) An overweight permit issued pursuant to this section shall be available for overweight divisible loads if:

(A) The vehicle has a quad axle grouping and the maximum gross weight of the vehicle does not exceed one hundred ten thousand pounds; or

(B) The vehicle is operated in combination with a trailer or semitrailer, the trailer has two or three axles, and the maximum gross weight of the vehicle does not exceed ninety-seven thousand pounds; and

(C) The owner and operator of the motor vehicle are in compliance with the federal "Motor Carrier Safety Improvement Act of 1999", Pub.L. 106-159, as amended, as applicable to commercial vehicles; and

(D) The vehicle complies with rules promulgated by the department of transportation concerning the distribution of the load upon the vehicle's axles.

(III) A permit issued pursuant to this paragraph (b) shall not authorize the operation or movement of a motor vehicle on the interstate highway in violation of federal law.

(c)(I) A single trip or annual permit shall be issued pursuant to this section for a self-propelled fixed load crane that exceeds legal weight limits if it does not exceed the weight limits authorized by the department of transportation. A boom trailer or boom dolly shall not be permitted unless the boom trailer or boom dolly is attached to the crane in a manner and for the purpose of distributing load to meet the weight requirements established by the department. A self-propelled fixed load crane may be permitted with counterweights when a boom trailer or boom dolly is used if the counterweights do not exceed the manufacturer's rated capacity of the self-propelled fixed load crane and do not cause the vehicle to exceed permitted axle or gross weight limits. A permit issued pursuant to this paragraph (c) shall not authorize movement on interstate highways if not approved by federal law.

(II) For the purposes of this paragraph (c), "self-propelled fixed load crane" means a self-powered mobile crane designed with equipment or parts permanently attached to the body of the crane. A self-propelled fixed load crane includes, without limitation, the crane's shackles and slings.

(d) For the purposes of this section, section 42-4-511, and any rule promulgated under this section or section 42-4-511, a load of fluid milk products carried by a vehicle is deemed to not be a divisible load.

Note: 1.5 & 1.7(2)(a) An authentication of paid ad valorem taxes, after notification of such movement to the county treasurer, may serve as a permit for movement of manufactured homes on public streets or highways under the county's jurisdiction. An authentication of paid ad valorem taxes from the county treasurer of the county from which the manufactured home is to be moved, after notification of such movement has been provided to the county assessor of the county to which the manufactured home is to be moved, pursuant to section 39-5-205, may also serve as a permit for the movement of manufactured homes from one adjoining county to an adjoining county on streets and highways under local jurisdiction. The treasurer shall issue along with the authentication of paid ad valorem taxes a transportable manufactured home permit. The treasurer may establish and collect a fee, which shall not exceed ten dollars, for issuing the authentication of paid ad valorem taxes and the transportable manufactured home permit. Such transportable manufactured home permit shall be printed on an eleven inch by six inch fluorescent orange card and shall contain the following information: The name and address of the owner of the mobile home; the name and address of the mover; the transport number of the mover, a description of the mobile home including the make, year, and identification or serial number; the county authentication number; and an expiration date. The expiration date shall be set by the treasurer, but in no event shall the expiration date be more than thirty days after the date of issue of the permit. Such transportable manufactured home permit shall be valid for a single trip only. The transportable manufactured home permit shall be prominently displayed on the rear of the mobile home during transit of the mobile home. Peace officers and local tax and assessment officials may request, and upon demand shall be shown, all moving permits, tax receipts, or certificates required by this subsection (2). Nothing in this section shall require a permit from a county treasurer for the movement of a new manufactured home. For the purposes of this section,

a new manufactured home is one in transit under invoice or manufacturer's statement of origin which has not been previously occupied for residential purposes.

(b) All applications for permits to move manufactured homes over state highways shall comply with the following special provisions:

(I) Each such application shall be for a single trip, a special permit, an annual permit, or, subject to the requirements of paragraph (a) of subsection (1.5) of this section, an annual fleet permit. The application shall be accompanied by a certificate or other proof of public liability insurance in amounts of not less than one hundred thousand dollars per person and three hundred thousand dollars per accident for all manufactured homes moved within this state by the permit holder during the effective term of the permit. Each application for a single trip permit shall be accompanied by an authentication of paid ad valorem taxes on the used manufactured home.

(II) Holders of permits shall keep and maintain, for not less than three calendar years, records of all manufactured homes moved in whole or in part within this state, which records shall include the plate number of the towing vehicle; the year, make, serial number, and size of the unit moved, together with date of the move; the place of pickup; and the exact address of the final destination and the county of final destination and the name and address of the landowner of the final destination. These records shall be available upon request within this state for inspection by the state of Colorado or any of its ad valorem taxing governmental subdivisions.

(III) Holders of permits shall obtain an authentication of paid ad valorem taxes through the date of the move from the owner of a used manufactured home or from the county treasurer of the county from which the used manufactured home is being moved. Permit holders shall notify the county treasurer of the county from which the manufactured home is being moved of the new exact address of the final destination and the county of final destination of the manufactured home and the name and address of the landowner of the final destination, and, if within the state, the county treasurer shall forward copies of the used manufactured home tax certificate to the county assessor of the destination county. County treasurers may compute ad valorem manufactured home taxes due based upon the next preceding year's assessment prorated through the date of the move and accept payment of such as payment in full.

(IV) No owner of a manufactured home shall move the manufactured home or provide for the movement of the manufactured home without being the holder of a paid ad valorem tax certificate and a transportable manufactured home permit thereon, and no person shall assist such an owner in the movement of such owner's manufactured home, including a manufactured home dealer. Except as otherwise provided in this paragraph (b), a permit holder who moves any manufactured home within this state shall be liable for all unpaid ad valorem taxes thereon through the date of such move if movement is made prior to payment of the ad valorem taxes due on the manufactured home moved.

(V) In the event of an imminent natural or man-made disaster or emergency, including, but not limited to, rising waters, flood, or fire, the owner, owner's representative or agent, occupant, or tenant of a manufactured home or the mobile home park owner or manager,

lienholder, or manufactured home dealer is specifically exempted from the need to obtain a permit pursuant to this section and may move the endangered manufactured home out of the danger area to a temporary or new permanent location and may move such manufactured home back to its original location without a permit or penalty or fee requirement. Upon any such move to a temporary location as a result of a disaster or emergency, the person making the move or such person's agent or representative shall notify the county assessor in the county to which the manufactured home has been moved, within twenty days after such move, of the date and circumstances pertaining to the move and the temporary or permanent new location of the manufactured home. If the manufactured home is moved to a new permanent location from a temporary location as a result of a disaster or emergency, a permit for such move shall be issued but no fee shall be assessed.

(3) Any local authority is authorized to issue or withhold a permit, as provided in this section, and, if such permit is issued, to limit the number of trips, or to establish seasonal or other time limitations within which the vehicles described may be operated on the highways indicated, or otherwise to limit or prescribe conditions of operation of such vehicles, when necessary to protect the safety of highway users, to protect the efficient movement of traffic from unreasonable interference, or to protect the highways from undue damage to the road foundations, surfaces, or structures and may require such undertaking or other security as may be deemed necessary to compensate for any injury to any highway or highway structure.

(4) The original or a copy of every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting such permit; except that, if a peace officer, as described in section 16-2.5-101, or an authorized agent of the authority that granted a permit may determine that the permit can be electronically verified at the time of contact, a copy of the permit need not be carried in the vehicle or combination of vehicles to which it refers. No person shall violate any of the terms or conditions of such permit.

(5) No vehicle having a permit under this section shall be remodeled, rebuilt, altered, or changed except in such a way as to conform to those specifications and limitations established in sections 501 to 507 and 1407.

(6) Any person who has obtained a valid permit for the movement of any oversize vehicle or load may attach to such vehicle or load or to any vehicle accompanying the same not more than three illuminated flashing yellow signals as warning devices.

(7) No permit shall be necessary for the operation of authorized emergency vehicles, public transportation vehicles operated by municipalities or other political subdivisions of the state, county road maintenance and county road construction equipment temporarily moved upon the highway, implements of husbandry, and farm tractors temporarily moved upon the highway, including transportation of such tractors or implements by a person dealing therein to such person's place of business within the state or to the premises of a purchaser or prospective purchaser within the state; nor shall such vehicles or equipment be subject to the size and weight provisions of this part 5.

(8) The department of transportation shall have a procedure to allow those persons who are transporting loads from another state into Colorado and who would require a permit under the provisions of this section to make advance arrangements by telephone or other means of communication for the issuance of a permit if the load otherwise complies with the requirements of this section.

(9) No permit shall be necessary for the operation of authorized emergency vehicles, public transportation vehicles operated by municipalities or other political subdivisions of the state, county road maintenance and county road construction equipment temporarily moved upon the highway, implements of husbandry, and farm tractors temporarily moved upon the highway, including transportation of such tractors or implements by a person dealing therein to such person's place of business within the state or to the premises of a purchaser or prospective purchaser within the state; nor shall such vehicles or equipment be subject to the size and weight provisions of this part 5.

(10) Local law enforcement officials shall verify the validity of permits issued under this section whenever feasible. Upon determination by any of such officials or by any personnel of a county assessor's or county treasurer's office indicating that a manufactured home has been moved without a valid permit, the district attorney shall investigate and prosecute any alleged violation as authorized by law.

(11)(a) The department of transportation or the Colorado state patrol may charge permit applicants permit fees as follows:

(I) For overlength, overwidth, and overheight permits on loads or vehicles which do not exceed legal weight limits:

(A) Annual permit, two hundred fifty dollars;

(B) Single trip permit, fifteen dollars;

(II) Not applicable.

(III) For overweight permits for vehicles or loads exceeding legal weight limits up to two hundred thousand pounds:

(A) Annual permit, four hundred dollars;

(B) Single trip permit, fifteen dollars plus five dollars per axle;

(C) Annual fleet permits, one thousand five hundred dollars plus twenty-five dollars per vehicle to be permitted. For purposes of this sub-subparagraph (C), "fleet" means any group of two or more vehicles owned by one person. This sub-subparagraph (C) shall apply only to longer vehicle combinations as defined in section 505.

(IV) Special permits for structural, oversize, or overweight moves requiring extraordinary action or moves involving weight in excess of two hundred thousand pounds, one hundred twenty-five dollars for a permit for a single trip, including a super-load permit issued under subsection (1.7) of this section; except that a super-load permit fee is four hundred dollars;

(V) The fee for an annual fleet permit issued pursuant to subsection (1.5) or (2) of this section is three thousand dollars for a fleet of from two to ten vehicles plus three hundred dollars for each additional vehicle in the fleet;

(VI) For overweight permits for vehicles that have a quad axle grouping for subdivisible vehicles or loads exceeding legal weight limits issued pursuant to subsection (1)(b)(II)(A) of this section:

(A) Annual permit, five hundred dollars; and

(B) Single trip permit, thirty dollars plus ten dollars per axle.

(VII) For overweight permits for vehicle combinations with a trailer that has two or three axles for divisible vehicles or loads exceeding legal weight limits established by subsection (1)(b)(II)(B) of this section:

(A) Annual permit, five hundred dollars;

(B) Six-month permit, two hundred fifty dollars; and

(C) Single-trip permit, fifteen dollars plus ten dollars per axle.

(VIII) For annual fleet overweight permits for fleets of vehicles that have a quad axle grouping, fleets of vehicle combinations with a trailer that has two or three axles, and fleets of both vehicles that have a quad axle grouping and vehicle combinations with a trailer that has two or three axles for divisible vehicles or loads exceeding legal weight limits established by subsection (1)(b)(II) of this section, two thousand dollars plus thirty-five dollars per vehicle to be permitted.

(b) Any local authority may impose a fee, in addition to but not to exceed the amounts required in subparagraphs (I) and (III) of paragraph (a) of this subsection (11), as provided by the applicable local ordinance or resolution; and, in the case of a permit under subparagraph (IV) of paragraph (a) of this subsection (11), the amount of the fee shall not exceed the actual cost of the extraordinary action.

(12)(a) Any person holding a permit issued pursuant to this section or any person operating a vehicle pursuant to such permit who violates any provision of this section, any ordinance or resolution of a local authority, or any standards or rules or regulations promulgated pursuant to this section, except the provisions of subsection (2)(b)(IV) of this section, commits a class 2 misdemeanor.

(b) Any person who violates the provisions of subsection (2)(b)(IV) of this section commits a petty offense.

(c) A local authority with regard to a local permit may, after a hearing, revoke, suspend, refuse to renew, or refuse to issue any permit authorized by this section upon a finding that the holder of the permit has violated the provisions of this section, any ordinance or resolution of the local authority, or any standards or rules promulgated pursuant to this section.

(d) A driver or holder of a permit issued pursuant to subsection (1.7) of this section who fails to comply with the terms of the permit or subsection (1.7) of this section commits a class 2 misdemeanor.

511. Permit standards - state and local.

(1)(a) Any permits which may be required by local authorities shall be issued in accordance with ordinances and resolutions adopted by the respective local authorities after a public hearing at which testimony is received from affected motor vehicle owners and operators. Notice of such public hearing shall be published in a newspaper having general circulation within the local authority's jurisdiction. Such notice shall not be less than eight days prior to the date of hearing. The publication shall not be placed in that portion of the newspaper in which legal notices or classified advertisements appear. Such notice shall state the purpose of the hearing, the time and place of the hearing, and that the general public, including motor vehicle owners and operators to be affected, may attend and make oral or written comments regarding the proposed ordinance or resolution. Notice of any subsequent hearing shall be published in the same manner as for the original hearing.

(b) At least thirty days prior to such public hearing, the local authority shall transmit a copy of the proposed ordinance or resolution to the department of transportation for its comments, and said department shall make such comments in writing to the local authority prior to such public hearing.

(c) Any local authority that adopts or has adopted an ordinance or resolution governing permits for the movement of oversize or overweight vehicles or loads shall file a copy of the ordinance or resolution with the department of transportation.

512. Liability for damage to highway.

(1) No person shall drive, operate, or move upon or over any highway or highway structure any vehicle, object, or contrivance in such a manner so as to cause damage to said highway or highway structure. When the damage sustained to said highway or highway structure is the result of the operating, driving, or moving of such vehicle, object, or contrivance weighing in excess of the maximum weight authorized by sections 501 to 512 and 1407, it shall be no defense to any action, either civil or criminal, brought against such person that the weight of the vehicle was authorized by special permit issued in accordance with sections 501 to 512 and 1407.

(2) Every person violating the provisions of subsection (1) of this section shall be liable for all damage which said highway or highway structure may sustain as a result thereof. Whenever the driver of such vehicle, object, or contrivance is not the owner thereof but is operating, driving, or moving such vehicle, object, or contrivance with the express or implied consent of the owner thereof, then said owner or driver shall be jointly and severally liable for any such damage. The liability for damage sustained by any such highway or highway structure may be enforced by a civil action by the authorities in control of such highway or highway structure. No satisfaction of such civil liability, however, shall be deemed to be a release or satisfaction of any criminal liability for violation of the provisions of subsection (1) of this section.

(3) Any person who violates any provision of this section commits a class A traffic infraction.

Part 6
Signals - Signs – Markings

601. Local governments to sign highways, where.

This local government shall place and maintain such traffic control devices, conforming to the "Manual of Uniform Traffic Control Devices" and specifications, upon streets and highways as it deems necessary to indicate and to carry out the provisions of this Code or to regulate, warn, or guide traffic.

602. Local traffic control devices.

(1) No local authority shall erect or maintain any stop sign or traffic control signal at any location so as to require the traffic on any state highway to stop before entering or crossing any intersecting highway unless approval in writing has first been obtained from the department of transportation.

(2) Where practical no local authority shall maintain three traffic control signals located on a roadway so as to be within one minute’s driving time (to be determined by the speed limit) from any one of the signals to the other without synchronizing the lights to enhance the flow of traffic and thereby reduce air pollution.

603. Obedience to official traffic control devices.

(1) No driver of a vehicle shall disobey the instructions of any official traffic control device including any official hand signal device placed or displayed in accordance with the provisions of this Code unless otherwise directed by a police officer subject to the exceptions in this Code granted the driver of an authorized emergency vehicle.

(2) No provision of this Code for which official traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic control devices are required, such section shall be effective even though no devices are erected or in place.

(3) Whenever official traffic control devices are placed in position approximately conforming to the requirements of this Code, such devices shall be presumed to have been so placed by the official act or direction of lawful authority unless the contrary is established by competent evidence.

(4) Any official traffic control device placed pursuant to the provisions of this Code and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this Code unless the contrary is established by competent evidence.

(5) Any person who violates any provision of this section commits a class A traffic infraction.

604. Traffic control signal legend.

(1) If traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination as declared in the traffic control manual adopted by the department of transportation, only the colors green, yellow, and red shall be used, except for special pedestrian-control signals carrying a word or symbol legend as provided in section 802, and said lights, arrows, and combinations thereof shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) Green indication:

(I) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits such turn; but vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection and to pedestrians lawfully within an adjacent crosswalk at the time such signal is exhibited.

(II) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(III) Unless otherwise directed by a pedestrian-control signal as provided in section 42-4-802, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(b) Steady yellow indication:

(I) Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter.

(II) Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian-control signal as provided in section 802, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown, and no pedestrian shall then start to cross the roadway.

(c) Steady red indication:

(I) Vehicular traffic facing a steady circular red signal alone shall stop at a clearly marked stop line but, if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until an indication to proceed is shown; except that:

(A) Such vehicular traffic, after coming to a stop and yielding the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection, may make a right turn, unless state or local road authorities within their

respective jurisdictions have by ordinance or resolution prohibited any such right turn and have erected an official sign at each intersection where such right turn is prohibited.

(B) Such vehicular traffic, when proceeding on a one-way street and after coming to a stop, may make a left turn onto a one-way street upon which traffic is moving to the left of the driver. Such turn shall be made only after yielding the right-of-way to pedestrians and other traffic proceeding as directed. No turn shall be made pursuant to this sub-subparagraph (B) if local authorities have by ordinance prohibited any such left turn and erected a sign giving notice of any such prohibition at each intersection where such left turn is prohibited.

(C) To promote uniformity in traffic regulation throughout the state and to protect the public peace, health, and safety, the general assembly declares that no local authority shall have any discretion other than is expressly provided in this subparagraph (I).

(II) Pedestrians facing a steady circular red signal alone shall not enter the roadway, unless otherwise directed by a pedestrian-control signal as provided in section 802.

(III) Vehicular traffic facing a steady red arrow signal may not enter the intersection to make the movement indicated by such arrow and, unless entering the intersection to make such other movement as is permitted by other indications shown at the same time, shall stop at a clearly marked stop line but, if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until an indication to make the movement indicated by such arrow is shown.

(IV) Pedestrians facing a steady red arrow signal shall not enter the roadway, unless otherwise directed by a pedestrian-control signal as provided in section 802.

(d) Non-intersection signal: In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or pavement marking indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

(e) Lane-use-control signals: Whenever lane-use-control signals are placed over the individual lanes of a street or highway, as declared in the traffic control manual adopted by the department of transportation, such signals shall indicate and apply to drivers of vehicles as follows:

(I) Downward-pointing green arrow (steady): A driver facing such signal may drive in any lane over which said green arrow signal is located.

(II) Yellow “X” (steady): A driver facing such signal is warned that the related green arrow movement is being terminated and shall vacate in a safe manner the lane over which said steady yellow signal is located to avoid if possible occupying that lane when the steady red “X” signal is exhibited.

(III) Yellow “X” (flashing): A driver facing such signal may use the lane over which said flashing yellow signal is located for the purpose of making a left turn or a passing maneuver, using proper caution, but for no other purpose.

(IV) Red “X” (steady): A driver facing such signal shall not drive in any lane over which said red signal is exhibited.

(2) Any person who violates any provision of this section commits a class A traffic infraction.

605. Flashing signals.

(1) Whenever an illuminated flashing red or yellow signal is used in conjunction with a traffic sign or a traffic signal or as a traffic beacon, it shall require obedience by vehicular traffic as follows:

(a) When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line but, if none, before entering the crosswalk on the near side of the intersection or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(b) When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed past such signal and through the intersection or other hazardous location only with caution.

(2) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad crossings shall be governed by the provisions of sections 706 to 708.

(3) Any person who violates any provision of this section commits a class A traffic infraction.

606. Display of unauthorized signs or devices.

(1) No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal, and no person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising. The provisions of this section shall not be deemed to prohibit the use of motorist services information of a general nature on official highway guide signs if such signs do not indicate the brand, trademark, or name of any private business or commercial enterprise offering the service, nor shall this section be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

(2) Every such prohibited sign, signal, or marking is declared to be a public nuisance, and the authority having jurisdiction over the highway is empowered to remove the same or cause it to be removed without notice.

(3) Any person who violates any provision of this section commits a class A traffic infraction.

(4) The provisions of this section shall not be applicable to informational sites authorized under section 43-1-405.

(5) The provisions of this section shall not be applicable to specific information signs authorized under section 43-1-420.

607. Interference with official devices.

(1)(a) No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down, remove, or interfere with the effective operation of any official traffic control device or any railroad sign or signal or any inscription, shield, or insignia thereon or any other part thereof. Except as otherwise provided in subsection (2) of this section, any person who violates any provision of this paragraph (a) commits a class B traffic infraction.

(b) No person shall possess or sell, without lawful authority, an electronic device that is designed to cause a traffic light to change. A person who violates any provision of this paragraph (b) commits a class B traffic infraction.

(2)(a) No person shall use an electronic device, without lawful authority, that causes a traffic light to change. Except as otherwise provided in paragraph (b) of this subsection (2), a person who violates any provision of this paragraph (a) commits a class A traffic infraction.

(b) A person who violates any provision of paragraph (a) of this subsection (2) and thereby proximately causes bodily injury to another person commits a class 1 misdemeanor traffic offense. In addition to any other penalty imposed by law, the court shall impose a fine of one thousand dollars.

608. Signals by hand or signal device.

(1) Any stop or turn signal when required as provided by section 42-4-903, shall be given either by means of the hand and arm as provided by section 42-4-609, or by signal lamps or signal device of the type approved by the department, except as otherwise provided in subsection (2) of this section.

(2) Any motor vehicle in use on a highway shall be equipped with, and the required signal shall be given by, signal lamps when the distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of such motor vehicle exceeds twenty-four inches or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen feet. The latter measurement shall apply to any single vehicle, also to any combination of vehicles.

(3) Any person who violates any provision of this section commits a class A traffic infraction.

609. Method of giving hand and arm signals.

(1) All signals required to be given by hand and arm shall be given from the left side of the vehicle in the following manner, and such signals shall indicate as follows:

(a) Left-turn, hand and arm extended horizontally;

(b) Right-turn, hand and arm extended upward;

(c) Stop or decrease speed, hand and arm extended downward.

(2) Any person who violates any provision of this section commits a class A traffic infraction.

610. Unauthorized insignia.

No owner shall display upon any part of the owner's vehicle any official designation, sign, or insignia of any public or quasi-public corporation or municipal, state, or national department or governmental subdivision without authority of such agency or any insignia, badge, sign, emblem, or distinctive mark of any organization or society of which the owner is not a bona fide member or otherwise authorized to display such sign or insignia. Any person who violates any provision of this section commits a class B traffic infraction.

611. Paraplegic persons or persons with disabilities - distress flag.

(1) Any paraplegic person or person with a disability when in motor vehicle distress is authorized to display by the side of such person's disabled vehicle a white flag of approximately seven and one-half inches in width and thirteen inches in length, with the letter "D" thereon in red color with an irregular one-half inch red border. Said flag shall be of reflective material so as to be readily discernible under darkened conditions, and said reflective material must be submitted to and approved by the department of transportation before the same is used.

(2) Any person who is not a paraplegic person or a person with a disability who uses such flag as a signal or for any other purpose is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than three hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than ninety days, or by both such fine and imprisonment.

(3) Any person who is not a paraplegic person or a person with a disability who uses such flag as a signal or for any other purpose commits a class A traffic infraction.

612. When signals are inoperative or malfunctioning.

(1)(a) When a driver approaches an intersection and faces a traffic control signal that is inoperative, that remains on steady red or steady yellow during several time cycles, or that does not recognize a motorcycle or autocycle that is operated by the driver, the provisions controlling entrance to a through street or highway from a stop sign or highway, as provided under section 703, apply until a police officer assumes control of traffic or until the traffic control signal resumes normal operation.

(b) If a traffic control signal at a place other than an intersection ceases to operate or malfunctions as specified in subsection (1)(a) of this section, drivers may proceed past the signal only with caution, as if the signal were flashing yellow.

(2) Whenever a pedestrian faces a pedestrian-control signal as provided in section 802 which is inoperative or which remains on "Don't Walk" or "Wait" during several time cycles, such pedestrian shall not enter the roadway unless the pedestrian can do so safely and without interfering with any vehicular traffic.

(3) Any person who violates any provision of this section commits a class A traffic infraction.

613. Failure to pay toll established by regional transportation authority.

Any person who fails to pay a required fee, toll, rate, or charge established by a regional transportation authority created pursuant to part 6 of Code 4 of title 43, for the privilege of traveling on or using any property included in a regional transportation system pursuant to part 6 of Code 4 of title 43, commits a class A traffic infraction.

614. Designation of highway maintenance, repair, or construction zones - signs - increase in penalties for speeding violations.

(1)(a) If maintenance, repair, or construction activities are occurring or will occur within four hours on a portion of a state highway, the department of transportation may designate such portion of the highway as a highway maintenance, repair, or construction zone. Any person who commits certain violations listed in section 1701 (4) in a maintenance, repair, or construction zone that is designated pursuant to this section is subject to the increased penalties and surcharges imposed by section 1701 (4)(c).

(b) If maintenance, repair, or construction activities are occurring or will occur within four hours on a portion of a roadway that is not a state highway, the public entity conducting the activities may designate such portion of the roadway as a maintenance, repair, or construction zone. A person who commits certain violations listed in section 1701 (4) in a maintenance, repair, or construction zone that is designated pursuant to this section is subject to the increased penalties and surcharges imposed by section 1701 (4)(c).

(2) Local authorities, within their jurisdiction, shall designate a maintenance, repair, or construction zone by erecting or placing an appropriate sign in a conspicuous place before the area where the maintenance, repair, or construction activity is taking place or will be taking place within four hours. Such sign shall notify the public that increased penalties for certain traffic violations are in effect in such zone. Local authorities shall erect or place a second sign after such zone indicating that the increased penalties for certain traffic violations are no longer in effect. A maintenance, repair, or construction zone begins at the location of the sign indicating that increased penalties are in effect and ends at the location of the sign indicating that the increased penalties are no longer in effect.

(3) Signs used for designating the beginning and end of a maintenance, construction, or repair zone shall conform to department of transportation requirements. Local authorities may display such signs on any fixed, variable, or movable stand. Local authorities may place such a sign on a moving vehicle if required for certain activities, including, but not limited to, highway painting work.

615. School zones - increase in penalties for moving traffic violations.

(1) Any person who commits a moving traffic violation in a school zone is subject to the increased penalties and surcharges imposed by section 1701(4)(d).

(2) For the purposes of this section, “school zone” means an area that is designated as a school zone and has appropriate signs posted indicating that the penalties and surcharges will be doubled. The state or local government having jurisdiction over the placement of traffic signs and

traffic control devices in the school zone area shall designate when the area will be deemed to be a school zone for the purposes of this section. In making such designation, the state or local government shall consider when increased penalties are necessary to protect the safety of school children.

(3) This section does not apply if the penalty and surcharge for a violation has been doubled pursuant to section 614 because such violation also occurred within a highway maintenance, repair, or construction zone.

616. Wildlife crossing zones - increase in penalties for moving traffic violations.

(1) Except as described by subsection (4) of this section, a person who commits a moving traffic violation in a wildlife crossing zone is subject to the increased penalties and surcharges imposed by section 1701 (4)(d.5).

(2) For the purposes of this section, "wildlife crossing zone" means an area on a public highway that:

(a) Begins at a sign that conforms to the state traffic control manual, was erected by the department of transportation pursuant to section 118, and indicates that a person is about to enter a wildlife crossing zone; and

(b) Extends to:

(I) A sign that conforms to the state traffic control manual, was erected by the department of transportation pursuant to section 118, and indicates that a person is about to leave a wildlife crossing zone; or

(II) If no sign exists that complies with subparagraph (I) of this paragraph (b), the distance indicated on the sign indicating the beginning of the wildlife crossing zone; or

(III) If no sign exists that complies with subparagraph (I) or (II) of this paragraph (b), one-half mile beyond the sign indicating the beginning of the wildlife crossing zone.

(3)(a) If the department of transportation erects a sign that indicates that a person is about to enter a wildlife crossing zone pursuant to section 118, the department of transportation shall:

(I) Establish the times of day and the periods of the calendar year during which the area will be deemed to be a wildlife crossing zone for the purposes of this section; and

(II) Ensure that the sign indicates the times of day and the periods of the calendar year during which the area will be deemed to be a wildlife crossing zone for the purposes of this section.

(b) In erecting signs as described in paragraph (a) of this subsection (3), the department of transportation, pursuant to section 118, shall not erect signs establishing a lower speed limit for more than one hundred miles of the public highways of the state that have been established as wildlife crossing zones.

(4) This section shall not apply if:

(a) The person who commits a moving traffic violation in a wildlife crossing zone is already subject to increased penalties and surcharges for said violation pursuant to section 614 or 615;

(b) The sign indicating that a person is about to enter a wildlife crossing zone does not indicate that increased traffic penalties are in effect in the zone; or

(c) The person who commits a moving traffic violation in a wildlife crossing zone commits the violation during a time that the area is not deemed by the department of transportation to be a wildlife crossing zone for the purposes of this section.

617. Steep downhill grade zones – increase in penalties and surcharges for speeding violations – definitions.

(1) The department may designate a steep downhill grade zone in any area of any state highway where the downhill grade is five percent or greater and where the department determines there are safety concerns related to commercial motor vehicles exceeding the posted speed limits.

(2) The department shall erect, where applicable, signs consistent with subsection (3) of this section notifying drivers of each area of the state highways that the department has designated as a steep downhill grade zone.

(3) As used in this section, unless the context otherwise requires, "steep downhill grade zone" means an area of a state highway that:

(a) begins at a sign that:

(I) conforms to the state traffic control manual;

(II) was erected by the department pursuant to subsection (2) of this section;

(III) indicates that a driver is about to enter a steep downhill grade zone; and

(IV) notifies commercial motor vehicle drivers that increased penalties and surcharges are in effect and assessed for speeding in the zone; and

(b) extends to:

(I) a sign that:

(A) conforms to the state traffic control manual;

(B) was erected by the department pursuant to subsection (2) of this section and

(C) indicates that a driver is at the end of the steep downhill grade zone; or

(II) if no signs exist that complies with subsection (3)(b)(I) of this section, a distance:

(A) as indicated on the sign described in subsection (3)(a) of this section; or

(B) of one-half of a mile beyond the sign described in subsection (3)(a) of this section; and (c) is designated as a steep downhill grade zone by the department of transportation pursuant to subsection (1) of this section.

(4) A driver of a commercial motor vehicle who commits a speeding violation in a steep downhill grade zone is subject to the increased penalties and surcharges imposed under section 42-4-1701(4)(d)(7).

(5) As used in this section:

(a) “commercial motor vehicle” has the same meaning as set forth in 42-4-102(4).

(b) “department” means the department of transportation created in in section 43-1-103.

Part 7
Rights-Of-Way

701. Vehicles approaching or entering an intersection.

(1) When two vehicles approach or enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

(2) The foregoing rule is modified at through highways and otherwise as stated in sections 702 to 704.

(3) Any person who violates any provision of this section commits a class A traffic infraction.

702. Vehicle turning left.

The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road, or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard. Any person who violates any provision of this section commits a class A traffic infraction.

703. Entering through highway - stop or yield intersection.

(1) The department of transportation and local authorities, within their respective jurisdictions, may erect and maintain stop signs, yield signs, or other official traffic control devices to designate through highways or to designate intersections or other roadway junctions at which vehicular traffic on one or more of the roadways is directed to yield or to stop and yield before entering the intersection or junction. In the case of state highways, such regulations shall be subject to the provisions of section 43-2-135(1)(g).

(2) Every sign erected pursuant to subsection (1) of this section shall be a standard sign adopted by the department of transportation.

(3) Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After having stopped, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection or junction of roadways.

(4) The driver of a vehicle approaching a yield sign, in obedience to such sign, shall slow to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After slowing or stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is

moving across or within the intersection or junction of roadways; except that, if a driver is involved in a collision with a vehicle in the intersection or junction of roadways after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of the driver's failure to yield right-of-way.

(5) Any person who violates any provision of this section commits a class A traffic infraction.

704. Vehicle entering roadway.

The driver of a vehicle about to enter or cross a roadway from any place other than another roadway shall yield the right-of-way to all vehicles approaching on the roadway to be entered or crossed. Any person who violates any provision of this section commits a class A traffic infraction.

705. Operation of vehicle approached by emergency vehicle - operation of vehicle approaching stationary emergency vehicle, stationary towing carrier vehicle, or stationary public utility service vehicle.

(1) Upon the immediate approach of an authorized emergency vehicle making use of audible or visual signals meeting the requirements of section 213 or 222, the driver of every other vehicle shall yield the right-of-way and where possible shall immediately clear the farthest left hand lane lawfully available to through traffic and shall drive to a position parallel to, and as close as possible to, the right-hand edge or curb of a roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

(2)(a) A driver in a motor vehicle shall exhibit due care and caution and proceed as described in subsections (2)(b) and (2)(c) of this section when approaching or passing:

(I) A stationary authorized emergency vehicle, including a port of entry vehicle, that is giving a visual signal by means of flashing, rotating, or oscillating red, blue, or white lights as permitted by section 213 or 222;

(II) A stationary towing carrier vehicle that is giving a visual signal by means of flashing, rotating, or oscillating yellow lights;

(III) A stationary public utility service vehicle that is operated by a public utility, as defined in section 39-4-101 or 40-1-103, or an authorized contractor of the public utility and that is giving a visual signal by means of flashing, rotating, or oscillating amber lights; or

(IV) A stationary motor vehicle giving a hazard signal by displaying alternately flashing lights or displaying warning lights.

(b) On a highway with at least two adjacent lanes proceeding in the same direction on the same side of the highway where a stationary vehicle described on subsection (2)(a) of this section is located, the driver of an approaching or passing vehicle shall proceed with due care and caution and yield the right-of-way by moving into a lane at least one moving lane apart from the stationary vehicle described in subsection (2)(a) of this section unless directed otherwise by a peace officer or other authorized emergency personnel. If movement to an adjacent moving lane is not possible due to weather, road conditions, or the immediate

presence of vehicular or pedestrian traffic, the driver of the approaching vehicle shall proceed in the manner described in subsection (2)(c) of this section.

(c)(I) On a highway that does not have at least two adjacent lanes proceeding in the same direction on the same side of the highway where a stationary vehicle described in subsection (2)(a) of this section is located, or if movement by the driver of the approaching motor vehicle into an adjacent moving lane, as described in subsection (2)(b) of this section, is not possible, the driver of an approaching motor vehicle shall reduce and maintain a safe speed with regard to the location of the stationary vehicle described in subsection (2)(a) of this section; weather conditions; road conditions; and vehicular or pedestrian traffic and proceed with due care and caution, or as directed by a peace officer or other authorized emergency personnel.

(II) For the purposes of this subsection (2)(c), the following speeds are presumed to be safe unless the speeds are unsafe for the conditions as provided in section 1101(1) and (3):

(a) If the speed limit is less than forty-five miles per hour, twenty-five miles per hour or less; or

(b) If the speed limit is forty-five miles per or more, twenty miles per hour less than the speed limit.

(2.5)(a) A driver in a vehicle that is approaching or passing a maintenance, repair, or construction vehicle that is moving at less than twenty miles per hour shall exhibit due care and caution and proceed as described in paragraphs (b) and (c) of this subsection (2.5).

(b) On a highway with at least two adjacent lanes proceeding in the same direction on the same side of the highway where a stationary or slow-moving maintenance, repair, or construction vehicle is located, the driver of an approaching or passing vehicle shall proceed with due care and caution and yield the right-of-way by moving into a lane at least one moving lane apart from the vehicle, unless directed otherwise by a peace officer or other authorized emergency personnel. If movement to an adjacent moving lane is not possible due to weather, road conditions, or the immediate presence of vehicular or pedestrian traffic, the driver of the approaching vehicle shall proceed in the manner described in paragraph (c) of this subsection (2.5).

(c)(I) On a highway that does not have at least two adjacent lanes proceeding in the same direction on the same side of the highway where a stationary or slow-moving maintenance, repair, or construction vehicle is located, or if movement by the driver of the approaching vehicle into an adjacent moving lane, as described in paragraph (b) of this subsection (2.5), is not possible, the driver of an approaching vehicle shall reduce and maintain a safe speed with regard to the location of the stationary or slow-moving maintenance, repair, or construction vehicle, weather conditions, road conditions, and vehicular or pedestrian traffic, and shall proceed with due care and caution, or as directed by a peace officer or other authorized emergency personnel.

(2.6) A driver in a vehicle that is approaching or passing a motor vehicle where the tires are being equipped with chains on the side of the highway shall exhibit due care and caution and proceed as described in subsection (2) of this section. The driver of a motor vehicle that is being equipped

with chains shall give a hazard signal by displaying alternately flashing lights or displaying warning lights.

(3)(a) Any person who violates subsection (1) of this section commits a class A traffic infraction.

(b)(I) Except as otherwise provided in subsection (3)(b)(II) and (3)(b)(III) of this section, any person who violates subsection (2), (2.5), or (2.6) of this section commits careless driving as described in 42-4-1402.

(II) If the person violates subsection (2) of this section and the person's actions are the proximate cause of bodily injury to another person, the person commits a class 1 traffic misdemeanor.

(III) If the person violations subsection (2) of this section and the person's actions are the proximate cause of the death of another person, the person commits a class 6 felony and shall be punished as described in section 18-1.3-401.

706. Obedience to railroad signal.

(1) Any driver of a motor vehicle approaching a railroad crossing sign shall slow down to a speed that is reasonable and safe for the existing conditions. If required to stop for a traffic control device, flagperson, or safety before crossing the railroad grade crossing, the driver shall stop at the marked stop line, if any. If no such stop line exists, the driver shall:

(a) Stop not less than fifteen feet nor more than fifty feet from the nearest rail of the railroad grade crossing and shall not proceed until the railroad grade can be crossed safely; or

(b) If the driver would not have a reasonable view of approaching trains or on-track equipment when stopped in accordance with subsection (1)(a) of this section:

(I) Stop before proceeding across the railroad grade crossing at the point nearest the crossing where the driver has reasonable view of approaching trains or on-track equipment; and

(II) Not proceed until the railroad grade can be crossed safely.

(2) No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed, nor shall any pedestrian pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed.

(3) Any person who violates any provision of this section commits a class A traffic infraction.

707. Certain vehicles must stop at railroad grade crossings.

(1)(a) Except as otherwise provided in this section, the driver of a school bus, as defined in subsection (5)(b) of this section, carrying any schoolchild, the driver of a vehicle carrying hazardous materials that is required to be placarded in accordance with rules issued under section 42-20-108, or the driver of a commercial vehicle, as defined in section 42-4-235, that is transporting passengers, before crossing at grade any tracks of a railroad

(I) shall stop such vehicle within fifty feet but not less than fifteen feet from the nearest rail of the railroad;

(II) While stopped, shall listen and look in both directions along the track for any approaching train or on-track equipment or for signals indicating the approach of a train or on-track equipment; and

(III) Shall not proceed until the driver can do so safely.

(b) After stopping as required in this section and upon proceeding when it is safe to do so, the driver of a vehicle described in subsection (1)(a) of this section:

(I) shall cross only if there is no necessity for changing gears while traversing the crossing; and

(II) Shall not manually shift gears while crossing the tracks.

(2) This section shall not apply at street railway grade crossings within a business district.

(3) When stopping as required at such railroad crossing, the driver shall keep as far to the right of the roadway as possible and shall not form two lanes of traffic unless the roadway is marked for four or more lanes of traffic.

(4) Subsection (1) of this section does not apply at:

(a) (Deleted by amendment, L. 2006, p. 42, §1, effective July 1, 2006.)

(b) Any railroad grade crossing at which traffic is regulated by a traffic control signal;

(c) Any railroad grade crossing at which traffic is controlled by a police officer or human flagperson;

(d) A railroad crossing where state or local road authorities within their respective jurisdictions have determined that trains or on-track equipment are not operating during certain periods or seasons of the year and have erected an official sign carrying the legend “exempt”, which sign constitutes legally sufficient notice that the crossing is exempt from the stopping requirement in this section.

(5) For the purposes of this section:

(a) The definition of hazardous materials shall be the definition contained in the rules adopted by the chief of the Colorado state patrol pursuant to section 42-20-108.

(b) “School bus” means only those school buses that are required to bear on the front and rear of such school bus the words “SCHOOL BUS” and display visual signal lights pursuant to section 1903(2)(a).

(6) Any person who violates any provision of this section commits a class A traffic infraction.

708. Moving heavy equipment at railroad grade crossing.

(1) No person shall operate or move any crawler-type tractor, steam shovel, derrick, or roller or any equipment or structure having a normal operating speed of ten or less miles per hour or a vertical body or load clearance of less than nine inches above the level surface of a roadway upon or across any tracks at a railroad grade crossing without first complying with this section.

(2) Notice of any such intended crossing shall be given to a superintendent of such railroad and a reasonable time be given to such railroad to provide proper protection at such crossing.

(3) Before making a crossing described in subsection (1) of this section, the person operating or moving the vehicle or equipment:

(a) Shall first stop the vehicle or equipment not less than fifteen feet nor more than fifty feet from the nearest rail of the railroad;

(b) While stopped, shall listen and look in both directions along the track for any approaching train, for on-track equipment or for signals indicating the approach of a train or on-track equipment; and

(c) Shall not proceed until the crossing can be made safely.

(4) Before making a crossing described in subsection (1) of this section, the person moving or operating the vehicle or equipment shall ensure that no warning is being given, whether by automatic signal or crossing gates or a flagperson or otherwise of the immediate approach of a railroad train or on-track equipment.

(5) Subsection (3) of this section does not apply at any railroad crossing where state or local road authorities within their respective jurisdictions have determined that trains or on-track equipment are not operating during certain periods or seasons of the year and have erected an official sign carrying the legend “exempt”, which sign constitutes legally sufficient notice that the crossing is exempt from the stopping requirement in this section.

(6) Any person who violates any provision of this section commits a class B traffic infraction.

709. Stop when traffic obstructed.

A driver shall not enter an intersection or a marked crosswalk or drive onto any railroad grade crossing unless there is sufficient space on the other side of the intersection, crosswalk, or railroad grade crossing to accommodate the vehicle the driver is operating without obstructing the passage of other vehicles, pedestrians, railroad trains, or railroad on-track equipment, notwithstanding the indication of a traffic control signal to proceed. Any person who violates any provision of this section commits a class A traffic infraction.

710. Emerging from or entering alley, driveway, or building.

(1) The driver of a vehicle emerging from an alley, driveway, building, parking lot, or other place, immediately prior to driving onto a sidewalk or into the sidewalk area extending across any such alleyway, driveway, or entranceway, shall yield the right-of-way to any pedestrian upon or about

to enter such sidewalk or sidewalk area extending across such alleyway, driveway, or entranceway, as may be necessary to avoid collision, and when entering the roadway shall comply with the provisions of section 704.

(2) The driver of a vehicle entering an alley, driveway, or entranceway shall yield the right-of-way to any pedestrian within or about to enter the sidewalk or sidewalk area extending across such alleyway, driveway, or entranceway.

(3) No person shall drive any vehicle other than a bicycle, electrical assisted bicycle, or any other human-powered vehicle upon a sidewalk or sidewalk area, except upon a permanent or duly authorized temporary driveway.

(4) Any person who violates any provision of this section commits a class A traffic infraction.

711. Driving on mountain highways.

(1) The driver of a motor vehicle traveling through defiles or canyons or on mountain highways shall hold such motor vehicle under control and as near to the right-hand edge of the highway as reasonably possible and, except when driving entirely to the right of the center of the roadway, shall give audible warning with the horn of such motor vehicle upon approaching any curve where the view is obstructed within a distance of two hundred feet along the highway.

(2) On narrow mountain highways with turnouts having a grade of six percent or more, ascending vehicles shall have the right-of-way over descending vehicles, except where it is more practicable for the ascending vehicle to return to a turnout.

(3) Any person who violates any provision of this section commits a class A traffic infraction.

712. Driving in highway work area.

(1) The driver of a vehicle shall yield the right-of-way to any authorized vehicle or pedestrian engaged in work upon a highway within any highway construction or maintenance work area indicated by official traffic control devices.

(2) The driver of a vehicle shall yield the right-of-way to any authorized service vehicle engaged in work upon a highway whenever such vehicle displays flashing lights meeting the requirements of section 214.

(3) Any person who violates any provision of this section commits a class A traffic infraction.

713. Yielding right-of-way to transit buses – definitions – penalty.

(1) As used in this section, unless the context otherwise requires:

(a) “Public mass transit operator” has the same meaning as in section 43-1-102(5).

(b) “Transit bus” means a bus operated by a public mass transit operator.

(2) Drivers of vehicles in the same lane of traffic and behind a transit bus shall yield the right-of-way to the bus if:

(a) The driver of the transit bus, after stopping to allow passengers to board or exit, is signaling an intention to enter a traffic lane; and

(b) A yield sign as described in subsection (3) of this section is displayed and illuminated on the back of the transit bus.

(3) The yield sign referred to in paragraph (b) of subsection (2) of this section shall:

(a) Warn a driver of a vehicle behind the transit bus that the driver is required to yield when the bus is entering a traffic lane; and

(b) Be illuminated when the driver of the transit bus is attempting to enter a traffic lane.

(4) This section does not require a public mass transit operator to install yield signs as described in subsection (3) of this section on transit buses operated by the public mass transit operator.

(5) This section does not relieve a driver of a transit bus from the duty to drive with due regard for the safety of all persons using the roadway.

714. Bicyclist or other authorized user in bicycle lane.

(1) The driver of a vehicle shall yield the right-of-way to a bicyclist or other authorized user of a bicycle lane in a bicycle lane.

(2)(a) Except as provided in subsection (2)(b) of this section, any person who violates subsection (1) of this section commits a class A traffic infraction.

(b)(I) If a person violates subsection (1) of this section and the person's actions are the proximate cause of a crash, the person commits careless driving and shall be punished as described in section 42-4-1402(2)(a).

(II) If a person violates subsection (1) of this section and the person's actions are the proximate cause of bodily injury to another person, the person commits careless driving and shall be punished as described in section 42-4-1402(2)(b).

715. Yielding right-of-way in roundabouts – definitions.

(1) As used in this section:

(a) “Large Vehicle” means a truck, bus, emergency vehicle, or recreational vehicle that generally has a total length of more than thirty-five feet or a total width of more than ten feet.

(b) “Roundabout” means a circular intersection or junction in which road traffic flows almost continuously in one direction around a central island.

(2)(a) When entering, exiting, or driving in the circulatory lanes in a roundabout, a person driving a vehicle shall:

(I) yield the right-of-way to the driver of a large vehicle that is entering, exiting, or driving in the circulatory lanes in a roundabout at the same time or so closely as to present an immediate hazard; and

(II) slow down or yield to the other vehicle as required by subsection (2)(a)(I) of this section.

(b) This subsection (2) does not require a person who is entering, exiting, or driving in the circulatory lanes in a roundabout to yield the right-of-way to the driver of a large vehicle that is approaching, but has not yet entered, the roundabout.

(c) this subsection (2) does not require a person who is driving a vehicle that is entering, exiting, or driving in the circulatory lanes in a roundabout to yield the right-of-way to a large vehicle that is driving behind the person's vehicle and allow the large vehicle to pass the person's vehicle.

(3) If two vehicles that are large vehicles enter, exit, or drive in the circulatory lanes in a roundabout at the same time or so closely as to present an immediate hazard, the driver on the right shall yield the right-of-way to the driver on the left and shall slow down or yield to the driver on the left.

(4) A person who violates this section commits a class A traffic infraction.

Part 8
Pedestrians

801. Pedestrian obedience to traffic control devices and traffic regulations.

(1) A pedestrian shall obey the instructions of any official traffic control device specifically applicable to the pedestrian, unless otherwise directed by a police officer.

(2) Pedestrians shall be subject to traffic and pedestrian-control signals as provided in sections 604 and 802(5).

(3) At all other places, pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this Code.

(4) Any person who violates any provision of this section commits a class B traffic infraction.

802. Pedestrians' right-of-way in crosswalks.

(1) When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(2) Subsection (1) of this section shall not apply under the conditions stated in section 803.

(3) A pedestrian shall not suddenly leave a curb or other place of safety and ride a bicycle, electrical assisted bicycle, or electric scooter, or walk, or run into the path of a moving vehicle that is so close as to constitute an immediate hazard.

(4) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

(5) Whenever special pedestrian-control signals exhibiting "Walk" or "Don't Walk" word or symbol indications are in place, as declared in the traffic control manual adopted by the department of transportation, such signals shall indicate and require as follows:

(a) "Walk" (steady): While the "Walk" indication is steadily illuminated, pedestrians facing such signal may proceed across the roadway in the direction of the signal indication and shall be given the right-of-way by the drivers of all vehicles.

(b) "Don't Walk" (steady): While the "Don't Walk" indication is steadily illuminated, no pedestrian shall enter the roadway in the direction of the signal indication.

(c) "Don't Walk" (flashing): Whenever the "Don't Walk" indication is flashing, no pedestrian shall start to cross the roadway in the direction of such signal indication, but any pedestrian who has partly completed crossing during the "Walk" indication shall proceed to a sidewalk or to a safety island, and all drivers of vehicles shall yield to any such pedestrian.

(d) Whenever a signal system provides for the stopping of all vehicular traffic and the exclusive movement of pedestrians and “Walk” and “Don’t Walk” signal indications control such pedestrian movement, pedestrians may cross in any direction between corners of the intersection offering the shortest route within the boundaries of the intersection while the “Walk” indication is exhibited, if signals and other official devices direct pedestrian movement in such manner consistent with section 803(4).

(6) Any person who violates any provision of this section commits a class A traffic infraction.

803. Crossing at other than crosswalks.

(1) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(2) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(3) Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

(4) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movements.

(5) Any person who violates any provision of this section commits a class B traffic infraction.

804. Pedestrian to use right half of crosswalk. (Repealed)

805. Pedestrians walking or traveling in a wheelchair on highways.

(1) Pedestrians walking or traveling in a wheelchair along and upon highways where sidewalks are not provided shall walk or travel only on a road shoulder as far as practicable from the edge of the roadway. Where neither a sidewalk nor road shoulder is available, any pedestrian walking or traveling in a wheelchair along and upon a highway shall walk as near as practicable to an outside edge of the roadway and, in the case of a two-way roadway, shall walk or travel only on the left side of the roadway facing traffic that may approach from the opposite direction; except that any person lawfully soliciting a ride may stand on either side of such two-way roadway where there is a view of traffic approaching from both directions.

(2) No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle. For the purposes of this subsection (2), “roadway” means that portion of the road normally used by moving motor vehicle traffic.

(3) It is unlawful for any person who is under the influence of alcohol or of any controlled substance, as defined in section 12-22-303(7), or of any stupefying drug to walk or be upon that portion of any highway normally used by moving motor vehicle traffic.

(4) This section applying to pedestrians shall also be applicable to riders of animals.

(5) This local government may, by ordinance, regulate the use by pedestrians of streets and highways under its jurisdiction to the extent authorized under subsection (6) of this section and sections 110 and 111, but no ordinance regulating such use of streets and highways in a manner differing from this section shall be effective until official signs or devices giving notice thereof have been placed as required by section 111(2).

(6) No person shall solicit a ride on any highway included in the interstate system, as defined in section 43-2-101(2), except at an entrance to or exit from such highway or at places specifically designated by the department of transportation; or, in an emergency affecting a vehicle or its operation, a driver or passenger of a disabled vehicle may solicit a ride on any highway.

(7) Pedestrians shall only be picked up where there is adequate road space for vehicles to pull off and not endanger and impede the flow of traffic.

(8) Upon the immediate approach of an authorized emergency vehicle making use of audible or visual signals meeting the requirements of section 213 or of a police vehicle properly and lawfully making use of an audible signal only, every pedestrian shall yield the right-of-way to the authorized emergency vehicle and shall leave the roadway and remain off the same until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. This subsection (8) shall not relieve the driver of an authorized emergency vehicle from the duty to use due care as provided in sections 108(4) and 807.

(9) Any person who violates any provision of this section commits a class B traffic infraction.

806. Driving through safety zone prohibited.

No vehicle at any time shall be driven through or within a safety zone. Any person who violates any provision of this section commits a class A traffic infraction.

807. Drivers to exercise due care.

Notwithstanding any of the provisions of this Code, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any obviously confused or incapacitated person upon a roadway. Any person who violates any provision of this section commits a class A traffic infraction.

808. Drivers and pedestrians, other than persons in wheelchairs, to yield to persons with disabilities.

(1) Any pedestrian other than a person in a wheelchair, or any driver of a vehicle who approaches an individual who has an obviously apparent disability shall immediately come to a full stop and take such precautions before proceeding as are necessary to avoid an accident or injury to said individual. A disability shall be deemed to be obviously apparent if, by way of example and without limitation, the individual is using a mobility device, is assisted by a service animal as defined in section 24-34-301, is being assisted by another person, or is walking with an obvious physical impairment. Any person who violates any provision of this section commits a class A traffic offense.

Part 9
Turning – Stopping

901. Required position and method of turning.

(1) The driver of a motor vehicle intending to turn shall do so as follows:

(a) Right turns. Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

Left turns. The driver of a vehicle intending to turn left shall approach the turn in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle. Whenever practicable, the left turn shall be made to the left of the center of the intersection so as to leave the intersection or other location in the extreme left-hand lane lawfully available to traffic moving in the same direction as such vehicle on the roadway being entered.

(c) Two-way left-turn lanes. Where a special lane for making left turns by drivers proceeding in opposite directions has been indicated by official traffic control devices in the manner prescribed in the state traffic control manual, a left turn shall not be made from any other lane, and a vehicle shall not be driven in said special lane except when preparing for or making a left turn from or into the roadway or when preparing for or making a U-turn when otherwise permitted by law.

(2) Local authorities in their respective jurisdictions may cause official traffic control devices to be placed and thereby require and direct that a different course from that specified in this section be traveled by turning vehicles, and, when such devices are so placed, no driver shall turn a vehicle other than as directed and required by such devices. In the case of streets which are a part of the state highway system, the local regulation shall be subject to the approval of the department of transportation as provided in section 43-2-135(1)(g).

(3) Any person who violates any provision of this section commits a class A traffic infraction.

902. Limitations on turning around.

(1) No vehicle shall be turned so as to proceed in the opposite direction upon any curve or upon the approach to or near the crest of a grade where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within such distance as is necessary to avoid interfering with or endangering approaching traffic.

(2) The driver of any vehicle shall not turn such vehicle at an intersection or any other location so as to proceed in the opposite direction unless such movement can be made in safety and without interfering with or endangering other traffic.

(3) Local authorities, within their respective jurisdictions, subject to the provisions of section 43-2-135(1)(g), in the case of streets which are state highways, may erect “U-turn” prohibition or restriction signs at intersections or other locations where such movements are deemed to be hazardous, and, whenever official signs are so erected, no driver of a vehicle shall disobey the instructions thereof.

(4) Any person who violates any provision of this section commits a class A traffic infraction.

903. Turning movements and required signals.

(1) No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in section 901, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety and then only after giving an appropriate signal in the manner provided in sections 608 and 609.

(2) A signal of intention to turn right or left shall be given continuously during not less than the last one hundred feet traveled by the vehicle before turning in urban or metropolitan areas and shall be given continuously for at least two hundred feet on all four-lane highways and other highways where the prima facie or posted speed limit is more than forty miles per hour. Such signals shall be given regardless of existing weather conditions.

(3) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided in sections 608 and 609 to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

(4) The signals provided for in section 608(2) shall be used to indicate an intention to turn, change lanes, or start from a parked position and shall not be flashed on one side only on a parked or disabled vehicle or flashed as a courtesy or “do pass” signal to operators of other vehicles approaching from the rear.

(5) Any person who violates any provision of this section commits a class A traffic infraction.

Part 10
Driving - Overtaking – Passing

1001. Drive on right side - exceptions.

(1) Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway, except as follows:

(a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;

(b) When an obstruction exists making it necessary to drive to the left of the center of the highway; but any person so doing shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed portion of the highway within such distance as to constitute an immediate hazard;

(c) Upon a roadway divided into three lanes for traffic under the rules applicable thereon; or

(d) Upon a roadway restricted to one-way traffic as indicated by official traffic control devices.

(2) Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

(3) Upon any roadway having four or more lanes for moving traffic and providing for two-way movement of traffic, no vehicle shall be driven to the left of the center line of the roadway, except when authorized by official traffic control devices designating certain lanes to the left side of the center of the roadway for use by traffic not otherwise permitted to use such lanes or except as permitted under subsection (1)(b) of this section. However, this subsection (3) does not prohibit the crossing of the center line in making a left turn into or from an alley, private road, or driveway when such movement can be made in safety and without interfering with, impeding, or endangering other traffic lawfully using the highway.

(4) Any person who violates any provision of this section commits a class A traffic infraction.

1002. Passing oncoming vehicles.

(1) Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and, upon roadways having width for not more than one lane of traffic in each direction, each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

(2) A driver shall not pass a bicyclist moving in the same direction and in the same lane when there is oncoming traffic unless the driver can simultaneously:

(a) Allow oncoming vehicles at least one-half of the main-traveled portion of the roadway in accordance with subsection (1) of this section; and

(b) Allow the bicyclist at least a three-foot separation between the right side of the driver's vehicle, including all mirrors or other projections, and the left side of the bicyclist at all times.

(3) Any person who violates any provision of this section commits a class A traffic infraction.

1003. Overtaking a vehicle on the left.

(1) The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to the limitations, exceptions, and special rules stated in this section and sections 1004 to 1008:

(a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left of the vehicle at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(b) The driver of a motor vehicle overtaking a bicyclist proceeding in the same direction shall allow the bicyclist at least a three-foot separation between the right side of the driver's vehicle, including all mirrors or other projections, and the left side of the bicyclist at all times.

(c) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of the driver's vehicle until completely passed by the overtaking vehicle.

(2) Any person who violates any provision of this section commits a class A traffic infraction.

1004. When overtaking on the right is permitted.

(1) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

(a) When the vehicle overtaken is making or giving indication of making a left turn;

(b) Upon a street or highway with unobstructed pavement not occupied by parked vehicles and marked for two or more lanes of moving vehicles in each direction; or

(c) Upon a one-way street or upon any roadway on which traffic is restricted to one direction of movement where the roadway is free from obstructions and marked for two or more lanes of moving vehicles.

(1.5) The driver of a motor vehicle upon a one-way roadway with two or more marked traffic lanes, when overtaking a bicyclist proceeding in the same direction and riding on the left-hand side of the road, shall allow the bicyclist at least a three-foot separation between the left side of the driver's vehicle, including all mirrors or other projections, and the right side of the bicyclist at all times.

(2) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway.

(3) Any person who violates any provision of this section commits a class A traffic infraction.

1005. Limitations on overtaking on the left.

(1) No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless authorized by the provisions of this Code and unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completed without interfering with the operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to an authorized lane of travel as soon as practicable and, in the event the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within two hundred feet of any approaching vehicle.

(2) No vehicle shall be driven on the left side of the roadway under the following conditions:

(a) When approaching or upon the crest of a grade or a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;

(b) When approaching within one hundred feet of or traversing any intersection or railroad grade crossing; or

(c) When the view is obstructed upon approaching within one hundred feet of any bridge, viaduct, or tunnel.

(3) Local authorities are authorized to determine those portions of any highway under their respective jurisdictions where overtaking and passing or driving on the left side of the roadway would be especially hazardous and may by appropriate signs or markings on the roadway indicate the beginning and end of such zones. Where such signs or markings are in place to define a no-passing zone and such signs or markings are clearly visible to an ordinarily observant person, no driver shall drive on the left side of the roadway within such no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone throughout its length.

(4) The provisions of this section shall not apply:

(a) Upon a one-way roadway;

(b) Under the conditions described in section 1001(1)(b);

(c) To the driver of a vehicle turning left into or from an alley, private road, or driveway when such movement can be made in safety and without interfering with, impeding, or endangering other traffic lawfully using the highway; or

(d) To the driver of a vehicle passing a bicyclist moving the same direction and in the same lane when such movement can be made in safety and without interfering with, impeding, or endangering other traffic lawfully using the highway.

(1) Any person who violates any provision of this section commits a class A traffic infraction.

1006. One-way roadways and rotary traffic islands.

(1) Upon a roadway restricted to one-way traffic, a vehicle shall be driven only in the direction designated at all or such times as shall be indicated by official traffic control devices.

(2) A vehicle passing around a rotary traffic island shall be driven only to the right of such island.

(3) Local authorities with respect to highways under their respective jurisdictions may designate any roadway, part of a roadway, or specific lanes upon which vehicular traffic shall proceed in one direction at all or such times as shall be indicated by official traffic control devices. In the case of streets which are a part of the state highway system, the regulation shall be subject to the approval of the department of transportation pursuant to section 43-2-135(1)(g).

(4) Any person who violates any provision of this section commits a class A traffic infraction.

1007. Driving on roadways laned for traffic.

(1) Whenever any roadway has been divided into two or more clearly marked lanes for traffic, the following rules in addition to all others consistent with this section shall apply:

(a) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(b) Upon a roadway which is divided into three lanes and provides for two-way movement of traffic, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle traveling in the same direction where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn, or where such center lane is at the time allocated exclusively to the traffic moving in the direction the vehicle is proceeding and is designated by official traffic control devices to give notice of such allocation. Under no condition shall an attempt be made to pass upon the shoulder or any portion of the roadway remaining to the right of the indicated right-hand traffic lane.

(c) Official traffic control devices may be erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway, and drivers of vehicles shall obey the directions of every such device.

(d) Official traffic control devices may be installed prohibiting the changing of lanes on sections of roadway, and drivers of vehicles shall obey the directions of every such device.

(2)(a) The department of transportation may designate with signage an area on a roadway not otherwise laned for traffic for use by commercial vehicles, as defined in section 235(1)(a), that are designed to transport sixteen or more passengers, including the driver, and that are operated

by a governmental entity or government-owned business that transports the general public or by a contractor on behalf of such an entity or government-owned business. Use of such an area is limited to vehicles authorized by the department operating under conditions of use established by the department but, subject to the conditions of use, the driver of an authorized vehicle has sole discretion to decide whether or not to drive on such an area based on the driver's assessment of the safety of doing so. The department shall consult with the Colorado state patrol before granting authorization for the use of the area and establishing conditions of use. The department shall impose and each authorized user shall acknowledge the conditions for use by written agreement, and the department need not note the conditions of use in roadway signage. An authorized user does not violate this section or section 1004 when operating in accordance with the conditions of use for an area imposed by the department and acknowledged by the user in a written agreement.

(b) The department of transportation shall work with local governmental agencies in implementing the provisions of this subsection (2).

(3) Any person who violates any provision of this section commits a class A traffic infraction.

1008. Following too closely.

(1) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

(2) The driver of any motor truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another motor truck or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger; except that this shall not prevent a motor truck or motor vehicle drawing another vehicle from overtaking and passing any like vehicle or other vehicle.

(3) Motor vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade, whether or not towing other vehicles, shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. This provision shall not apply to funeral processions.

(4) Any person who violates any provision of this section commits a class A traffic infraction.

1008.5. Crowding or threatening bicyclist.

(1) The driver of a motor vehicle shall not, in a careless and imprudent manner, drive the vehicle unnecessarily close to, toward, or near a bicyclist.

(2) Any person who violates subsection (1) of this section commits careless driving as described in section 1402.

1009. Coasting prohibited.

(1) The driver of any motor vehicle when traveling upon a downgrade shall not coast with the gears or transmission of such vehicle in neutral.

(2) The driver of a truck or bus when traveling upon a downgrade shall not coast with the clutch disengaged.

(3) Any person who violates any provision of this section commits a class A traffic infraction.

1010. Driving on divided or controlled-access highways.

(1) Whenever any highway has been divided into separate roadways by leaving an intervening space or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway, unless directed or permitted to use another roadway by official traffic control devices. No vehicle shall be driven over, across, or within any such dividing space, barrier, or section, except through an opening in such physical barrier or dividing section or space or at a crossover or intersection as established, unless specifically prohibited by official signs and markings or by the provisions of section 42-4-902. However, this subsection (1) does not prohibit a left turn across a median island formed by standard pavement markings or other mountable or traversable devices as prescribed in the state traffic control manual when such movement can be made in safety and without interfering with, impeding, or endangering other traffic lawfully using the highway.

(2)(a) No person shall drive a vehicle onto or from any controlled-access roadway except at such entrances and exits as are established by public authority.

(b) Wherever an acceleration lane has been provided in conjunction with a ramp entering a controlled-access highway and the ramp intersection is not designated or signed as a stop or yield intersection as provided in section 703(1), drivers may use the acceleration lane to attain a safe speed for merging with through traffic when conditions permit such acceleration with safety. Traffic so merging shall be subject to the rule governing the changing of lanes as set forth in section 1007(1)(a).

(c) Wherever a deceleration lane has been provided in conjunction with a ramp leaving a controlled-access highway, drivers shall use such lane to slow to a safe speed for making an exit turn after leaving the mainstream of faster-moving traffic.

(3) Local authorities may by ordinance consistent with the provisions of section 43-2-135(1)(g), with respect to any controlled-access highway under their respective jurisdictions, prohibit the use of any such highway by any class or kind of traffic which is found to be incompatible with the normal and safe movement of traffic. After adopting such prohibitory regulations shall install official traffic control devices in conformity with the standards established by sections 601 and 602 at entrance points or along the highway on which such regulations are applicable. When such devices are so in place, giving notice thereof, no person shall disobey the restrictions made known by such devices.

(4) Any person who violates any provision of this section commits a class A traffic infraction.

1011. Use of runaway vehicle ramps.

(1) No person shall use a runaway vehicle ramp unless such person is in an emergency situation requiring use of the ramp to stop such person's vehicle.

(2) No person shall stop, stand, or park a vehicle on a runaway vehicle ramp or in the pathway of the ramp.

(3) Any person who violates any provision of this section commits a class A traffic infraction.

1012. **Omitted**

1013. Passing lane - definitions - penalty.

(1) A person shall not drive a motor vehicle in the passing lane of a highway if the speed limit is sixty-five miles per hour or more unless such person is passing other motor vehicles that are in a non-passing lane or turning left, or unless the volume of traffic does not permit the motor vehicle to safely merge into a non-passing lane.

(2) For the purposes of this section:

(a) "Non-passing lane" means any lane that is to the right of the passing lane if there are two or more adjacent lanes of traffic moving in the same direction in one roadway.

(b) "Passing lane" means the farthest to the left lane if there are two or more adjacent lanes of traffic moving in the same direction in one roadway; except that, if such left lane is restricted to high occupancy vehicle use or is designed for left turns only, the passing lane shall be the lane immediately to the right of such high occupancy lane or left-turn lane.

(3) A person who violates this section commits a class A traffic infraction.

Part 11
Speed Regulations

1101. Speed limits.

(1) No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions then existing.

(2) Except when a special hazard exists that requires a lower speed, the following speeds shall be lawful:

(a) Twenty miles per hour on narrow, winding mountain highways or on blind curves;

(b) Twenty-five miles per hour in any business district, as defined in section 42-1-102(11);

(c) Thirty miles per hour in any residence district, as defined in section 42-1-102(80);

(d) Forty miles per hour on open mountain highways;

(e) Forty-five miles per hour for all single rear axle vehicles in the business of transporting trash that exceed twenty thousand pounds, where higher speeds are posted, when said vehicle is loaded as an exempted vehicle pursuant to section 507(3);

(f) Fifty-five miles per hour on other open highways which are not on the interstate system, as defined in section 43-2-101(2), and are not surfaced, four-lane freeways or expressways;

(g) Sixty-five miles per hour on surfaced, four-lane highways which are on the interstate system, as defined in section 43-2-101(2), or are freeways or expressways;

(h) Any speed not in excess of a speed limit designated by an official traffic control device.

(3) No driver of a vehicle shall fail to decrease the speed of such vehicle from an otherwise lawful speed to a reasonable and prudent speed when a special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.

(4) Except as otherwise provided in paragraph (c) of subsection (8) of this section, any speed in excess of the lawful speeds set forth in subsection (2) of this section shall be prima facie evidence that such speed was not reasonable or prudent under the conditions then existing. As used in this subsection (4), “prima facie evidence” means evidence which is sufficient proof that the speed was not reasonable or prudent under the conditions then existing, and which will remain sufficient proof of such fact, unless contradicted and overcome by evidence bearing upon the question of whether or not the speed was reasonable and prudent under the conditions then existing.

(5) In every charge of violating subsection (1) of this section, the complaint, summons and complaint, or penalty assessment notice shall specify the speed at which the defendant is alleged to have driven and also the alleged reasonable and prudent speed applicable at the specified time and location of the alleged violation.

(6) The provisions of this section shall not be construed to relieve the party alleging negligence under this section in any civil action for damages from the burden of proving that such negligence was the proximate cause of an accident.

(7) Notwithstanding paragraphs (a), (b), and (c) of subsection (2) of this section, any city or town may by ordinance adopt absolute speed limits as the maximum lawful speed limits in its jurisdiction, and such speed limits shall not be subject to the provisions of subsection (4) of this section.

(8)(a) (Deleted by amendment, L. 96, p. 578, § 2, effective May 25, 1996.)

(b) Notwithstanding any other provisions of this section, no person shall drive a vehicle on a highway at a speed in excess of a maximum lawful speed limit of seventy-five miles per hour.

(c) The speed limit set forth in paragraph (b) of this subsection (8) is the maximum lawful speed limit and is not subject to the provisions of subsection (4) of this section.

(d) Local authorities within their respective jurisdictions shall not authorize any speed limit which exceeds seventy-five miles per hour on any highway.

(e) The provisions of this subsection (8) are declared to be matters of both local and statewide concern requiring uniform compliance throughout the state.

(f) In every charge of a violation of paragraph (b) of this subsection (8), the complaint, summons and complaint, or penalty assessment notice shall specify the speed at which the defendant is alleged to have driven and also the maximum lawful speed limit of seventy-five miles per hour.

(g) Notwithstanding any other provision of this section, no person shall drive a low-power scooter on a roadway at a speed in excess of forty miles per hour. Local authorities shall not authorize low-power scooters to exceed forty miles per hour on a roadway.

(9) The conduct of a driver of a vehicle which would otherwise constitute a violation of this section is justifiable and not unlawful when:

(a) It is necessary as an emergency measure to avoid an imminent public or private injury which is about to occur by reason of a situation occasioned or developed through no conduct of said driver and which is of sufficient gravity that, according to ordinary standards of intelligence and morality, the desirability and urgency of avoiding the injury clearly outweigh the desirability of avoiding the consequences sought to be prevented by this section; or

(b) With respect to authorized emergency vehicles, the applicable conditions for exemption, as set forth in section 108, exist.

(10) The minimum requirement for commission of a traffic infraction or misdemeanor traffic offense under this section is the performance by a driver of prohibited conduct, which includes a voluntary act or the omission to perform an act which said driver is physically capable of performing.

(11) It shall not be a defense to prosecution for a violation of this section that:

(a) The defendant's conduct was not performed intentionally, knowingly, recklessly, or with criminal negligence; or

(b) The defendant's conduct was performed under a mistaken belief of fact, including, but not limited to, a mistaken belief of the defendant regarding the speed of the defendant's vehicle; or

(c) The defendant's vehicle has a greater operating or fuel-conserving efficiency at speeds greater than the reasonable and prudent speed under the conditions then existing or at speeds greater than the maximum lawful speed limit.

(12)(a) A violation of driving one to twenty-four miles per hour in excess of the reasonable and prudent speed or in excess of the maximum lawful speed limit of seventy-five miles per hour is a class A traffic infraction.

(b) A violation of driving twenty-five or more miles per hour in excess of the reasonable and prudent speed or in excess of the maximum lawful speed limit of seventy-five miles per hour is a class 2 misdemeanor traffic offense; except that such violation within a maintenance, repair, or construction zone, designated pursuant to section 614, is a class 1 misdemeanor traffic offense.

(c) A violation under subsection (3) of this section is a class A traffic infraction.

1102. Altering of speed limits – department to study rural state highways and increase speed limits – definitions – repeal.

(1)(a) Whenever local authorities determine upon the basis of a traffic investigation or survey or upon the basis of appropriate design standards and projected traffic volumes in the case of newly constructed highways or segments thereof that any speed specified or established as authorized under sections 1101 to 1104 is greater or less than is reasonable or safe under the road and traffic conditions at any intersection or other place or upon any part of a state highway under its jurisdiction, said local authority shall determine and declare a reasonable and safe speed limit thereat which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or upon the approaches thereto; except that no speed limit in excess of seventy-five miles per hour shall be authorized by said local authority.

(b) Repealed.

(2) Whenever county or municipal authorities within their respective jurisdictions determine upon the basis of a traffic investigation or survey, or upon the basis of appropriate design standards and projected traffic volumes in the case of newly constructed highways or segments thereof, that any speed specified or established as authorized under sections 1101 to 1104 is greater or less than is reasonable or safe under the road and traffic conditions at any intersection or other place or upon any part of a street or highway in its jurisdiction, said local authority shall determine and declare a reasonable and safe speed limit thereat which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or upon the approaches thereto. No such local authority shall have the power to alter the basic rules set forth in section 1101(1) or in any event to authorize by resolution or ordinance a speed in excess of seventy-five miles per hour.

(3) Local municipal authorities within their respective jurisdictions shall determine upon the basis of a traffic investigation or survey the proper speed for all arterial streets and shall declare a reasonable and safe speed limit thereon which may be greater or less than the speed specified under section 1101(2)(b) or (2)(c). Such speed limit shall not exceed seventy-five miles per hour and shall become effective when appropriate signs are erected giving notice thereof. For purposes of this subsection (3), an "arterial street" means any United States or state-numbered route, controlled-access highway, or other major radial or circumferential street or highway designated by local authorities within their respective jurisdictions as part of a major arterial system of streets or highways.

(4) No alteration of speed limits on state highways within cities, cities and counties, and incorporated towns is effective until it has been approved in writing by the department of transportation. Upon the request of any incorporated city or town, the department of transportation shall conduct any traffic investigation or survey that is deemed to be warranted for determination of a safe and reasonable speed limit on any street or portion thereof that is a state highway. In conducting such a traffic investigation, the department may receive and consider traffic and engineering data provided by the city or county engineer of any requesting local government that will be impacted by a proposed alteration of speed limits. Any speed limit so determined by the department becomes effective when declared by the local authority and made known by official signs conforming to the state traffic control manual.

(5) Whenever the local authorities, within their respective jurisdictions, determine upon the basis of a traffic investigation or survey that a reduced speed limit is warranted in a school or construction area or other place during certain hours or periods of the day when special or temporary hazards exist, the department or the concerned local authority may erect or display official signs of a type prescribed in the state traffic control manual giving notice of the appropriate speed limit for such conditions and stating the time or period the regulation is effective. When such signs are erected or displayed, the lawful speed limit at the particular time and place shall be that which is then indicated upon such signs; except that no such speed limit shall be less than twenty miles per hour on a state highway or other arterial street as defined in subsection (3) of this section nor less than fifteen miles per hour on any other road or street, nor shall any such reduced speed limit be made applicable at times when the special conditions for which it is imposed cease to exist. Such reduced speed limits on streets which are state highways shall be subject to the written approval of the department of transportation before becoming effective.

(6) In its discretion, a municipality, by ordinance, or a county, by resolution of the board of county commissioners, may impose and enforce stop sign regulations and speed limits, not inconsistent with the provisions of sections 1101 to 1104, upon any way which is open to travel by motor vehicles and which is privately maintained in mobile home parks, when appropriate signs giving notice of such enforcement are erected at the entrances to such ways. Unless there is an agreement to the contrary, the jurisdiction ordering the regulations shall be responsible for the erection and maintenance of the signs.

(7) Any powers granted in this section to county or municipal authorities may be exercised by such authorities or by any municipal officer or employee who is designated by ordinance to exercise such powers.

1103. Minimum speed regulation.

(1) No person shall drive a motor vehicle on any highway at such a slow speed as to impede or block the normal and reasonable forward movement of traffic, except when a reduced speed is necessary for safe operation of such vehicle or in compliance with law.

(2) Whenever the department of transportation or local authorities within their respective jurisdictions determine, on the basis of an engineering and traffic investigation as described in the state traffic control manual, that slow speeds on any part of a highway consistently impede the normal and reasonable movement of traffic, said department or such local authority may determine and declare a minimum speed limit below which no person shall drive a vehicle, except when necessary for safe operation or in compliance with law.

(3) Notwithstanding any minimum speed that may be authorized and posted pursuant to this section, if any person drives a motor vehicle on a highway outside an incorporated area or on any controlled-access highway at a speed less than the normal and reasonable speed of traffic under the conditions then and there existing and by so driving at such slower speed impedes or retards the normal and reasonable movement of vehicular traffic following immediately behind, then such driver shall:

(a) Where the width of the traveled way permits, drive in the right-hand lane available to traffic or on the extreme right side of the roadway consistent with the provisions of section 1001 (2) until such impeded traffic has passed by; or

(b) Pull off the roadway at the first available place where such movement can safely and lawfully be made until such impeded traffic has passed by.

(4) Wherever special uphill traffic lanes or roadside turnouts are provided and posted, drivers of all vehicles proceeding at less than the normal and reasonable speed of traffic shall use such lanes or turnouts to allow other vehicles to pass or maintain normal traffic flow.

(5) Any person who violates any provision of this section commits a class A traffic infraction.

1104. Speed limits on elevated structures.

(1) No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to such bridge or structure, when such structure is signposted as provided in this section.

(2) The department of transportation upon request from any local authority shall, or upon its own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and, if it finds that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under sections 1101 to 1104, said department shall determine and declare the maximum speed of vehicles which such structure can withstand and shall cause or permit suitable standard signs stating such maximum speed to be erected and maintained before each end of such structure in conformity with the state traffic control manual.

(3) Upon the trial of any person charged with a violation of this section, proof of said determination of the maximum speed by said department and the existence of said signs shall constitute conclusive evidence of the maximum speed which can be maintained with safety to such bridge or structure.

(4) Any person who violates any provision of this section commits a class A traffic infraction.

1105. Speed contests - speed exhibitions - aiding and facilitating - immobilization of motor vehicle - definitions.

(I)(a) Except as otherwise provided in subsection (4) of this section, it is unlawful for a person to knowingly engage in a speed contest on a highway.

(b) For purposes of this section, "speed contest" means the operation of one or more motor vehicles to conduct a race or a time trial, including but not limited to rapid acceleration, exceeding reasonable and prudent speeds for highways and existing traffic conditions, vying for position, or performing one or more lane changes in an attempt to gain advantage over one or more of the other race participants.

(c) A person who violates any provision of this subsection (1) commits a class 1 misdemeanor traffic offense.

(2)(a) Except as otherwise provided in subsection (4) of this section, it is unlawful for a person to knowingly engage in a speed exhibition on a highway.

(b) For purposes of this section, "speed exhibition" means the operation of a motor vehicle to present a display of speed or power. "Speed exhibition" includes, but is not limited to, squealing the tires of a motor vehicle while it is stationary or in motion, rapid acceleration, rapid swerving or weaving in and out of traffic, producing smoke from tire slippage, or leaving visible tire acceleration marks on the surface of the highway or ground.

(c) A person who violates any provision of this subsection (2) commits a class 2 misdemeanor traffic offense.

(3)(a) Except as otherwise provided in subsection (4) of this section, a person shall not, for the purpose of facilitating or aiding or as an incident to any speed contest or speed exhibition upon a highway, in any manner obstruct or place a barricade or obstruction, or assist or participate in placing any such barricade or obstruction, upon a highway.

(b) A person who violates any provision of this subsection (3) commits, pursuant to section 1703, the offense that the person aided in or facilitated the commission of. Nothing in this subsection (3) shall be construed to preclude charging a person under section 1703 for otherwise being a party to the crime of engaging in a speed contest or engaging in a speed exhibition.

(4) The provisions of this section shall not apply to the operation of a motor vehicle in an organized competition according to accepted rules on a designated and duly authorized race track, race course, or drag strip.

(5) **Omitted.**

(6) **Omitted.**

(7) **Omitted.**

(8) **Omitted.**

(9) **Omitted.**

Part 12
Parking

1201. Starting parked vehicle.

No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety. Any person who violates any provision of this section commits a class A traffic infraction.

1202. Parking or abandonment of vehicles.

(1) No person shall stop, park, or leave standing any vehicle, either attended or unattended, outside of a business or a residential district, upon the paved or improved and main-traveled part of the highway. Nothing contained in this section shall apply to the driver of any vehicle which is disabled while on the paved or improved and main-traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position, subject, when applicable, to the emergency lighting requirements set forth in section 230.

(2) Any person who violates any provision of this section commits a class B traffic infraction.

1203. Ski areas to install signs

(1) Colorado ski areas shall install traffic control signs as provided in this section on both sides of that segment of every highway which is within one mile of and which leads to the recognized entrances to the ski area parking lots if it is found that:

(a) The ski area has insufficient parking capacity as evidenced by the practice of parking by motor vehicles on such highways; and

(b) Such parking constitutes a hazard to traffic or an obstacle to snow removal or the movement or passage of emergency equipment.

(2) The findings required by subsection (1) of this section shall be made by the department of transportation for the state highway system, by the chairman of the board of county commissioners for county roads, and by the chief executive officer of a municipality for a municipal street system. Such findings shall be based upon a traffic investigation.

(3) Such signs shall conform to any and all specifications of the department of transportation adopted pursuant to section 42-4-601. All such signs shall contain a statement that there is no parking allowed on a highway right-of-way so as to obstruct traffic or highway maintenance and that offending vehicles will be towed away.

1204. Stopping, standing, or parking prohibited in specified places.

(1) Except as otherwise provided in subsection (4) of this section, no person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or an official traffic control device, in any of the following places:

(a) On a sidewalk;

(b) Within an intersection;

(c) On a crosswalk;

(d) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings;

(e) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

(f) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

(g) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

(h) On any railroad tracks;

(i) On any controlled-access highway;

(j) In the area between roadways of a divided highway, including crossovers;

(k) At any other place where official signs prohibit stopping.

(2) Except as otherwise provided in subsection (4) of this section, in addition to the restrictions specified in subsection (1) of this section, no person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or an official traffic control device, in any of the following places:

(a) Within five feet of a public or private driveway;

(b) Within fifteen feet of a fire hydrant;

(c) Within twenty feet of a crosswalk at an intersection;

(d) Within thirty feet upon the approach to any flashing beacon or signal, stop sign, yield sign, or traffic control signal located at the side of a roadway;

(e) Within twenty feet of the driveway entrance to any fire station or, on the side of a street opposite the entrance to any fire station, within seventy-five feet of said entrance when properly signposted;

(f) At any other place where official signs prohibit standing.

(3) In addition to the restrictions specified in subsections (1) and (2) of this section, no person shall park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device, in any of the following places:

(a) Within fifty feet of the nearest rail of a railroad crossing;

(b) At any other place where official signs prohibit parking.

(4)(a) Subsection (1)(a) of this section does not prohibit a person from parking a bicycle, electrical assisted bicycle, or electric scooter on a sidewalk in accordance with the provisions of section 1412(11)(a) and (11)(b).

(b) Subsection (1)(f) of this section does not prohibit persons from parking two or more bicycles, electrical assisted bicycles, or electric scooters abreast in accordance with the provisions of section 1412(11)(d).

(c) Subsections (2)(a), (2)(c), and (2)(d) of this section do not apply to a bicycle, electrical assisted bicycle, or electric scooter parked on a sidewalk in accordance with section 1412(11)(a) and (11)(b).

(10) No person shall move a vehicle not lawfully under such person's control into any such prohibited area or away from a curb such distance as is unlawful.

(11) This local authority, with respect to highways under its jurisdiction, may place official traffic control devices prohibiting, limiting, or restricting the stopping, standing, or parking of vehicles on any highway where it is determined, upon the basis of a traffic investigation or study, that such stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic thereon. No person shall stop, stand, or park any vehicle in violation of the restrictions indicated by such devices.

(12) Any person who violates any provision of this section commits a class B traffic infraction; except that, if a person violates paragraph (b) of subsection (2) of this section and the violation occurs in an unincorporated area of a county, the penalty is fifty dollars.

(13) A political subdivision shall not adopt or enforce an ordinance or regulation that prohibits the parking of more than one motorcycle or autocycle within a space served by a single parking meter.

1205. Parking at curb or edge of roadway.

(1) Except as otherwise provided in this section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within twelve inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.

(2) Except as otherwise provided by local ordinance, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway in the direction of authorized traffic movement, with its right-hand wheels within twelve inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder or with its left-hand wheels within twelve inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.

(3) Local authorities may by ordinance permit angle parking on any roadway; except that angle parking shall not be permitted on any state highway unless the department of transportation has

determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

(4) Any person who violates any provision of this section commits a class B traffic infraction.

1206. Unattended motor vehicle - definitions.

(1) A person driving or in charge of an unlocked motor vehicle shall not permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition, and effectively setting the brake thereon. When the vehicle is standing upon any grade, the person shall turn the front wheels to the curb or side of the highway in such a manner as to prevent the vehicle from rolling onto the traveled way.

(2) Any person who violates any provision of this section commits a class B traffic infraction.

(3) The use or operation of a remote starter system and adequate security measures is sufficient to comply with subsection (1) of this section.

(4) As used in this section:

(a) "Adequate security measures" includes, but is not limited to:

(I) Using a vehicle that requires a key to put the vehicle into gear and move the vehicle;

(II) Keeping a keyless start fob out of proximity of the vehicle; or

(III) Employing steering wheel security devices.

(b) "Remote starter system" means a device installed in a motor vehicle that allows the engine of the vehicle to be started by remote or radio control.

(5) Nothing in this section preempts or otherwise impairs the power of local authorities to enforce or enact ordinances or resolutions concerning time limits on the idling of motor vehicles on or before August 10, 2017.

1207. Opening and closing vehicle doors.

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so and can be done without interfering with the movement of other traffic; nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. Any person who violates any provision of this section commits a class B traffic infraction.

1208. Reserve parking for persons with disabilities – applicability - rules.

(1) Definitions. As used in this section:

(a) “Disability” or “disabled” has the same meaning as set forth in section 42-3-204.

(b) “Holder” means a person with a disability who has lawfully obtained an identifying plate or placard.

(c) “Identifying figure” has the same meaning as set forth in section 42-3-204.

(d) “Identifying placard” has the same meaning as set forth in section 42-3-204.

(e) “Identifying plate” has the same meaning as set forth in section 42-3-204.

(f) “Professional” has the same meaning as set forth in section 42-3-204.

(f.5) “Remuneration-exempt identifying placard” has the same meaning as set forth in section 42-3-204.

(g) "Reserved parking" means a parking space reserved for a person with a disability.

(2) Use of plate or placard.

(a) A person with a disability may use reserved parking on public property or private property if the person displays an identifying plate or placard while using reserved parking.

(b) When an identifying placard is used for reserved parking, the driver of the parked motor vehicle shall ensure that the front of the identifying placard is legible and visible through the windshield when viewed from outside the vehicle. The driver shall hang the placard from the rear-view mirror unless a rear-view mirror is not available or the individual is physically unable to hang the placard from the rear-view mirror. If the tag is not hung from the rear-view mirror, the driver shall display it on the dashboard.

(c) A person with a disability who is a resident of a state other than Colorado may use reserved parking in Colorado if the motor vehicle displays an identifying plate or placard issued by a state other than Colorado, and if:

(I) The identifying plate or placard is currently valid in the state of issuance and meets the requirements of 23 CFR 1235; and

(II) The holder has not been a resident in Colorado for more than ninety days.

(d) A motor vehicle with an identifying plate or a placard may be parked in public parking areas along public streets or in private parking lots regardless of any time limitation imposed upon parking in the area; except that a jurisdiction may specifically limit reserved parking on any public street to no less than four hours. To limit reserved parking, the jurisdiction must clearly post the appropriate time limits in the area. The ability to park notwithstanding parking limitations does not apply to areas in which:

(I) Stopping, standing, or parking of all vehicles is prohibited;

(II) Only special vehicles may be parked; or

(III) Parking is not allowed during specific periods of the day in order to accommodate heavy traffic.

(e)(I) The owner of public or private property may request the installation of official signs or pavement markings identifying reserved parking spaces. The request operates as a waiver of any objection the owner may assert concerning enforcement of this section by a peace officer.

An officer may enforce this section on private property notwithstanding any provision of law to the contrary.

(II)(A) The number and placement of accessible parking spaces should meet or exceed section 1106 of chapter 11 of the 2012 (second printing) version of the international building code, or any succeeding standard, published by the international code council.

(B) The technical standards for accessible parking spaces should meet or exceed section 502, or any successor section, of the “Accessible and Useable Buildings and Facilities” standard, or any succeeding standard, promulgated and amended from time to time by the international code council (commonly cited as ICC/ANSI A117.1).

(C) Access aisles should post "Wheelchair Access Aisle Absolutely No Parking" sign, which blocks neither the access aisle nor accessible routes.

(D) The technical standards for post- or wall-mounted signs indicating accessible parking spaces and van-accessible parking spaces should meet or exceed section 2B.46 concerning parking, standing, and stopping signs and section 2B.47 concerning design of parking, standing, and stopping of the 2009 version of the manual on uniform traffic control devices, or any succeeding standard, published by the United States federal highway administration.

(III) The owner of real property with multiple-family dwellings affixed and with reserved parking shall retain the reserved parking as commonly owned for the tenants, owners, or visitors of the individual units within the dwellings. This subparagraph (III) does not prohibit the sale of all commonly owned property so long as the reserved parking is not severed from the other elements.

(IV) A person shall not impose restrictions on the use of disabled parking unless specifically authorized by a statute of Colorado and a resolution of or ordinance of a political subdivision of Colorado and notice of the restriction is prominently posted by a sign clearly visible at the parking space.

(3) Misuse of reserved parking.

(a) A person without a disability shall not park in a parking space on public or private property that is clearly identified by an official sign or by visible pavement markings as being reserved parking or as being a passenger loading zone unless:

(I) The person is parking the vehicle for the direct benefit of a person with a disability to enter or exit the vehicle while it is parked in the reserved parking space; and

(II) An identifying plate or placard obtained under or authorized by section 42-3-204, is displayed in or on the vehicle if the license plate or placard is currently valid or has expired less than one month before the day the person used the reserved parking.

(a.5) A person shall not, while parked in a parking space that requires remuneration, display a remuneration-exempt identifying placard that is not issued to the person. A person who possesses a remuneration-exempt identifying placard shall not allow another person to use the placard to park in a parking space that requires remuneration.

(b) **Omitted.**

(c) A person shall not use reserved parking for a commercial purpose unless:

(I) The purpose relates to transacting business with a business the reserved parking is intended to serve; or

(II) The owner of private property consents to allow the use.

(d)(I) An employee of an entity shall not use an identifying placard issued to the entity unless the employee is transporting persons with disabilities.

(II) For a violation of this paragraph (d), the chief operations officer within Colorado of the entity to whom the placard or plate was issued and the offending employee are each subject to the penalties in section 42-4-1701(4)(a)(I)(M).

(III)(A) It is an affirmative defense to a violation of this paragraph (d) for the chief operations officer within Colorado that the entity enforces an internal policy controlling access to and use of identifying placards issued to the entity.

(B) If the placard used is expired by operation of section 42-3-204(6)(f), it is an affirmative defense to a violation of this paragraph (d) that the person did not know the placard was expired if the person who used the placard was the person to whom it was issued.

(e)(I) A person who violates subsection (3)(a) or (3)(a.5) of this section is subject to the penalties in section 42-4-1701(4)(a)(VIII) and (IX).

(II) A person who violates paragraphs (b) to (d) of this subsection (3) is subject to the penalties in section 42-4-1701(4)(a)(I)(M).

(4) Blocking access.

(a) Regardless of whether a person displays an identifying plate or placard, a person shall not park a vehicle so as to block reasonable access to curb ramps, passenger loading zones, or accessible routes, as identified in 28 CFR part 36 appendix A, that are clearly identified unless the person is actively loading or unloading a person with a disability.

(b) A person who violates this subsection (4) is subject to the penalties in section 42-4-1701(4)(a)(VIII).

(5) Fraud and trafficking. A person is subject to the penalties in section 42-4-1701(4)(a)(X), if the person:

(a) Knowingly and fraudulently obtains, possesses, uses, or transfers an identifying placard issued to a person with a disability;

(b) Knowingly makes, possesses, uses, alters, or transfers what purports to be, but is not, an identifying placard; or

(c) Knowingly creates or uses a device intended to give the impression that it is an identifying placard when viewed from outside the vehicle.

(6) Enforcement of reserved parking.

(a) A peace officer or authorized and uniformed parking enforcement official may check the identification of a person using an identifying plate or placard in order to determine whether the use is authorized.

(b)(I) A peace officer or authorized and uniformed parking enforcement official may confiscate an identifying placard that is being used in violation of this section.

(II) The peace officer or parking enforcement official shall send a confiscated placard to the department unless it is being held as evidence for prosecution of a violation of this section. If the tag is being held as evidence, the peace officer or parking enforcement official shall notify the department of the confiscation and pending charges.

(III) The department shall hold a confiscated placard for thirty days and may dispose of the placard after thirty days. The department shall release the placard to the person with a disability to whom it was issued when the person signs a statement under penalty of perjury that he or she was unaware that the violator used, or intended to use, the placard in violation of this section.

(c) A peace officer and the department may investigate an allegation that a person is violating this section.

(d) A person who observes a violation of this section may submit evidence, including a sworn statement, concerning the violation to any law enforcement agency.

(e)(I) A peace officer may issue a penalty assessment notice for a violation of paragraph (b), (c), or (d) of subsection (3) of this section by sending it by certified mail to the registered owner of the motor vehicle. The peace officer shall include in the penalty assessment notice the offense or infraction, the time and place where it occurred, and a statement that the payment of the penalty assessment and a surcharge is due within twenty days after the issuance of the notice. The department receives payment of the penalty assessment by the due date if the payment is received or postmarked by the twentieth day after the vehicle owner received the penalty assessment notice.

(II) If the penalty assessment and surcharge are not paid within twenty days after the date the vehicle owner receives the assessment notice specified in subparagraph (I) of this paragraph (e), the peace officer who issued the original penalty assessment notice shall file a complaint with a court having jurisdiction and issue and serve upon the registered owner of the vehicle a summons to appear in court at the time and place specified.

(f)(I) The entering court shall send certification of the entry of judgment for each violation of paragraph (b), (c), or (d) of subsection (3) of this section to the department.

(II) Upon receipt of certification of an entry of judgment for a violation of paragraph (b), (c), or (d) of subsection (3) of this section, the department shall not register the person's vehicle until all fines imposed for the violations have been paid.

(III) Upon receipt of certification or independent verification of an entry of judgment, the department shall revoke an identifying plate or placard as provided in section 42-3-204(7)(d).

(g)(I) Notwithstanding any other provision of this section to the contrary, a holder is liable for any penalty or fine as set forth in this section or section 42-3-204, or for any misuse of an identifying plate or placard, including the use of such plate or placard by any person other than a holder, unless the holder furnishes sufficient evidence that the identifying plate or placard was, at the time of the violation, in the care, custody, or control of another person without the holder's knowledge or consent.

(II) A holder may avoid the liability described in subparagraph (I) of this paragraph (g) if, within a reasonable time after notification of the violation, the holder furnishes to the prosecutorial division of the appropriate jurisdiction the name and address of the person who had the care, custody, or control of the identifying plate or placard at the time of the violation or the holder reports the license plate or placard lost or stolen to both the appropriate local law enforcement agency and the department.

(h) An employer shall not forbid an employee from reporting violations of this section. A person shall not initiate or administer any disciplinary action against an employee because the employee notified the authorities of a possible violation of this section if the employee has a good-faith belief that a violation has occurred.

(i) A landlord shall not retaliate against a tenant because the tenant notified the authorities of a possible violation of this section if the tenant has a good-faith belief that a violation has occurred.

(j) In order to stop a vehicle from blocking access or illegally using reserved parking, a peace officer may order a vehicle that is used to violate subsection (4) of this section to be towed to an impound lot or a vehicle storage location. The peace officer shall verify that the vehicle has not been stolen and report the tow to the department of revenue in accordance with section 42-4-1804.

(k) The local authority issuing a citation under this section, or under any local ordinance defining a substantially equivalent offense, shall transfer one-half of the fine to the state treasurer, who shall credit the fine to the disabled parking education and enforcement fund created in section 42-1-226.

1209. Owner liability for parking violations.

In addition to any other liability provided for in this Code, the owner of a motor vehicle who is engaged in the business of leasing or renting motor vehicles is liable for payment of a parking violation fine unless the owner of the leased or rented motor vehicle can furnish sufficient evidence that the vehicle was, at the time of the parking violation, in the care, custody, or control of another person. To avoid liability for payment the owner of the motor vehicle is required, within a reasonable time after notification of the parking violation, to furnish to the prosecutorial division of the appropriate jurisdiction the name and address of the person or company who leased, rented, or otherwise had the care, custody, or control of such vehicle. As a condition to avoid liability for payment of a parking violation, any person or company who leases or rents motor vehicles to another person shall attach to the leasing or rental agreement a notice stating that, pursuant to the requirements of this section, the operator of the vehicle is liable for payment of a parking violation fine incurred when the operator has the care, custody, or control of the motor vehicle. The notice shall inform the operator that the operator’s name and address shall be furnished to the prosecutorial division of the appropriate jurisdiction when a parking

violation fine is incurred by the operator.

1210. **Omitted.**

1211. Limitations on backing.

(1)(a) The driver of a vehicle, whether on public property or private property which is used by the general public for parking purposes, shall not back the same unless such movement can be made with safety and without interfering with other traffic.

(b) The driver of a vehicle shall not back the same upon any shoulder or roadway of any controlled-access highway.

(2) Any person who violates any provision of this section commits a class A traffic infraction.

1212. Pay parking access for disabled.

(1) A person who owns, operates, or manages a parking space that requires remuneration shall not tow, boot, or otherwise take adverse action against an individual or motor vehicle parking in the space for failure to pay the remuneration if the motor vehicle bears a remuneration-exempt identifying placard issued pursuant to section 42-3-204.

(2) Notwithstanding any statute, resolution, or ordinance of the state of Colorado, a political subdivision of Colorado, or a governing board of a state institution of higher education, parking in a space without paying the required remuneration is not a violation of the statute, resolution, or ordinance if the conditions specified in subsection (1) of this section are met.

(3) A law or parking enforcement agency shall withdraw any penalty assessment notice or summons and complaint that is deemed not to be a violation under subsection (2) of this section within five business days after being shown proof that the individual cited has a valid remuneration-exempt identifying placard.

1213. Parking in electric motor vehicle charging stations.

(1)(a) For the purposes of this section, “official sign” means a sign identifying a parking space for electric motor vehicle charging that cites this section or the equivalent local ordinance and that clearly displays the penalties for violating this section or the equivalent local ordinance.

(b) The owner of public or private property may install official signs that identify a parking space as a dedicated charging station. The installation operates as a waiver of any objection the owner may assert concerning enforcement of this section by a peace officer. A peace officer may enforce this section on private property.

(2)(a) A person shall not park a motor vehicle within a parking space designated for charging a plug-in electric motor vehicle unless the motor vehicle is a plug-in electric motor vehicle.

(b) Except as provided in subsection (3) of this section, a person shall not park a plug-in electric motor vehicle in a parking space with a dedicated charging connector for the parking space unless the person is parked in the charging station for the purpose of charging the plug-in electric motor vehicle.

(c) A plug-in electric motor vehicle is rebuttably presumed to not be charging if the motor

vehicle is:

(I) Parked in a charging station parking space with a dedicated charging connector for the space; and

(II) Not continuously and electrically connected to the charger for longer than thirty minutes.

(3)(a) A person may park a plug-in electric motor vehicle at a charging after the motor vehicle is fully charged in a parking lot:

(I) That serves a lodging business if the person is a client of the lodging business and has parked the plug-in electric motor vehicle in the lot to charge overnight;

(II) That serves an airport if the person is a client of the airport and has parked the plug-in electric motor vehicle in the lot to charge when traveling; or

(III) Between the hours of 11 p.m. and 5 a.m.

(b) The exception in subsection (3)(a) of this section is an affirmative defense to a violation of subsection (2) of this section.

(4) A person who violates this section commits a class B traffic infraction.

Part 13
Alcohol And Drug Offenses
(Omitted)

Part 14
Other Offenses

1401. Reckless driving – penalty.

(1) A person who drives a motor vehicle, bicycle, electrical assisted bicycle, electric scooter, or low-power scooter in such a matter as to indicate either a wanton or a willful disregard for the safety of the persons or property is guilty of reckless driving. A person convicted of reckless driving of a bicycle, electrical assisted bicycle, or electric scooter is not subject to section 42-4-127.

1402. Careless driving – penalty.

(1) A person who drives a motor vehicle, bicycle, electr0069cal assisted bicycle, electric scooter, or low-power scooter in a careless and imprudent matter, without due regard for the width, grade, curves, corners, traffic, and use of the streets and highways and all other attendant circumstances, is guilty of careless driving. A person convicted of careless driving of a bicycle, electrical assisted bicycle, or electric scooter is not subject to section 42-2-127.

(2)(a) Except as otherwise provided in paragraphs (b) and (c) of this subsection (2), any person who violates any provision of this section commits a class 2 misdemeanor traffic offense.

(b) If the person's actions are the proximate cause of bodily injury to another, such person commits a class 1 misdemeanor traffic offense.

(c) If the person's actions are the proximate cause of death to another, such person commits a class 1 misdemeanor traffic offense.

1402.5. Vulnerable road user – prohibition – violations and penalties – definition.

1) Definition. As used in this section, unless the context otherwise requires, “vulnerable road user” means:

(a) A pedestrian;

(b) A person engaged in work upon a roadway or upon utility facilities along a roadway;

(c) A person providing emergency services within a right-of-way;

(d) A peace officer who is outside a motor vehicle and performing the peace officer's duties in a right-of-way;

(e) A person riding or leading an animal; or

(f) A person lawfully using any of the following on a public right-of-way, crosswalk, or shoulder of the roadway:

(I) A bicycle, electrical assisted bicycle, tricycle, or other pedal-powered vehicle;

(II) A farm tractor or similar vehicle designed primarily for farm use;

(III) A skateboard;

(IV) Roller skates;

(V) In-line skates;

(VI) A scooter;

(VII) A moped;

(VIII) A motorcycle;

(IX) An off-highway vehicle;

(X) An animal-drawn, wheeled vehicle;

(XI) Farm equipment;

(XII) A sled;

(XIII) An electric personal assistive mobility device;

(XIV) A wheelchair;

(XV) A baby stroller;

(XVI) A nonmotorized pull wagon; or

(XVII) An autocycle.

(2) Prohibition. A person who drives a motor vehicle in violation of section 1402 and whose actions are the proximate cause of serious bodily injury, as defined in section 1601(4)(b), to a vulnerable road user commits infliction of serious bodily injury to a vulnerable road user.

(3) Violations and penalties. (a) Infliction of serious bodily injury to a vulnerable road user is a class 1 traffic misdemeanor.

(b) In addition to the penalties imposed in subsections (3)(a) and (3)(c) of this section, the court may order the violator to: (I) Attend a driver improvement course in accordance with section 1717; and (II) Perform useful public service for a number of hours, which must not exceed three hundred twenty hours, to be determined by the court in accordance with section 18-1.3-507.

(c) In addition to the penalties imposed in subsections (3)(a) and (3)(b) of this section, a person who is convicted of violating this section is subject to:

(I) License suspension in accordance with section 42-2-127; and

(II) An order of restitution under part 6 of article 1.3 of title 18.

1403. Following fire apparatus prohibited.

The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. Any person who violates any provision of this section commits a class A traffic infraction.

1404. Crossing fire hose.

No vehicle shall be driven over any unprotected hose of a fire department used at any fire, alarm of fire, or practice runs or laid down on any street, private driveway, or highway without the consent of the fire department official in command. Any person who violates any provision of this section commits a class B traffic infraction.

1405. Riding in trailers.

No person shall occupy a trailer while it is being moved upon a public highway. Any person who violates any provision of this section commits a class B traffic infraction.

1406. Foreign matter on highway prohibited.

(1)(a) No person shall throw or deposit upon or along any highway any glass bottle, glass, stones, nails, tacks, wire, cans, container of human waste, or other substance likely to injure any person, animal, or vehicle upon or along such highway.

(b) No person shall throw, drop, or otherwise expel a lighted cigarette, cigar, match, or other burning material from a motor vehicle upon any highway.

(2) Any person who drops, or permits to be dropped or thrown, upon any highway or structure any destructive or injurious material or lighted or burning substance shall immediately remove the same or cause it to be removed.

(3) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

(4) No person shall excavate a ditch or other aqueduct, or construct any flume or pipeline or any steam, electric, or other railway, or construct any approach to a public highway without written consent of the authority responsible for the maintenance of that highway.

(5)(a) Except as provided in paragraph (b) of this subsection (5), any person who violates any provision of this section commits a class B traffic infraction.

(b)(I) Any person who violates subsection (1)(b) of this section commits a petty offense and shall be punished as provided in section 18-1.3-501.

(II) Any person who violates paragraph (a) of subsection (1) of this section by throwing or depositing a container of human waste upon or along any highway shall be punished by a fine of five hundred dollars in lieu of the penalty and surcharge prescribed in section 1701(4)(a)(I)(N).

(6) As used in this section:

(a) “Container” includes, but is not limited to, a bottle, a can, a box, or a diaper.

(b) “Human waste” means urine or feces produced by a human.

1407. Spilling loads on highways prohibited - prevention of spilling of aggregate, trash, or recyclables.

(1) No vehicle shall be driven or moved on any highway unless such vehicle is constructed or loaded or the load thereof securely covered to prevent any of its load from blowing, dropping, sifting, leaking, or otherwise escaping therefrom; except that material may be dropped for the purpose of securing traction or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.

(2) (Deleted by amendment, L. 99, p. 295, §1, effective July 1, 1999.)

(2.4)(a) A vehicle shall not be driven or moved on a highway if the vehicle is transporting trash or recyclables unless at least one of the following conditions is met:

(I) The load is covered by a tarp or other cover in a manner that prevents the load from blowing, dropping, shifting, leaking, or otherwise escaping from the vehicle;

(II) The vehicle utilizes other technology that prevents the load from blowing, dropping, shifting, leaking, or otherwise escaping from the vehicle;

(III) The load is required to be secured under and complies with 49 CFR parts 392 and 393; or

(IV) The vehicle is loaded in such a manner or the load itself has physical characteristics such that the contents will not escape from the vehicle. Such a load may include, but is not limited to, heavy scrap metal or hydraulically compressed scrap recyclables.

(b) Paragraph (a) of this subsection (2.4) shall not apply to a motor vehicle in the process of collecting trash or recyclables within a one mile radius of the motor vehicle’s last collection point.

(2.5)(a) No vehicle shall be driven or moved on any highway for a distance of more than two miles if the vehicle is transporting aggregate material with a diameter of one inch or less unless:

(I) The load is covered by a tarp or other cover in a manner that prevents the aggregate material from blowing, dropping, sifting, leaking, or otherwise escaping from the vehicle; or

(II) The vehicle utilizes other technology that prevents the aggregate material from blowing, dropping, sifting, leaking, or otherwise escaping from the vehicle.

(b) Nothing in this subsection (2.5) shall apply to a vehicle:

(I) Operating entirely within a marked construction zone;

(II) Involved in maintenance of public roads during snow or ice removal operations; or

(III) Involved in emergency operations when requested by a law enforcement agency or an emergency response authority designated in or pursuant to section 29-22-102.

(2.7) For the purposes of this section:

(a) “Aggregate material” means any rock, clay, silts, gravel, limestone, dimension stone, marble, and shale; except that “aggregate material” does not include hot asphalt, including asphalt patching material, wet concrete, or other materials not susceptible to blowing.

(b) “Recyclables” means material or objects that can be reused, reprocessed, remanufactured, reclaimed, or recycled.

(c) “Trash” means material or objects that have been or are in the process of being discarded or transported.

(3)(a) Except as otherwise provided in paragraph (b) or (c) of this subsection (3), any person who violates any provision of this section commits a class B traffic infraction.

(b) Any person who violates any provision of this section while driving or moving a car or pickup truck without causing bodily injury to another person commits a class A traffic infraction.

(c) Any person who violates any provision of this section while driving or moving a car or pickup truck and thereby proximately causes bodily injury to another person commits a class 2 misdemeanor traffic offense.

1407.5. Splash guards - when required.

(1) As used in this section, unless the context otherwise requires:

(a) “Splash guards” means mud flaps, rubber, plastic or fabric aprons, or other devices directly behind the rear-most wheels, designed to minimize the spray of water and other substances to the rear.

(b) “Splash guards” must, at a minimum, be wide enough to cover the full tread of the tire or tires being protected, hang perpendicular from the vehicle not more than ten inches above the surface of the street or highway when the vehicle is empty, and generally maintain their perpendicular relationship under normal driving conditions.

(2) Except as otherwise permitted in this section, no vehicle or motor vehicle shall be driven or moved on any street or highway unless the vehicle or motor vehicle is equipped with splash guards. However, vehicles and motor vehicles with splash guards that violate this section shall be allowed to remain in service for the time necessary to continue to a place where the deficient splash guards will be replaced. Such replacement shall occur at the first reasonable opportunity.

(3) This section does not apply to:

(a) Passenger-carrying motor vehicles registered pursuant to section 42-3-306(2);

(b) Trucks and truck tractors registered pursuant to section 42-3-306(4) or (5), having an empty weight of ten thousand pounds or less;

(c) Trailers equipped with fenders or utility pole trailers;

(d) Vehicles while involved in chip and seal or paving operations or road widening equipment;

(e) Truck tractors or converter dollies when used in combination with other vehicles;

(f) Vehicles drawn by animals; or

(g) Bicycles, electrical assisted bicycles, or electric scooters.

(4) Any person who violates any provision of this section commits a class B traffic infraction.

1408. Operation of motor vehicles on property under control of or owned by parks and recreation districts.

(1) Any metropolitan recreation district, any park and recreation district organized pursuant to Code 1 of title 32, or any recreation district organized pursuant to the provisions of part 7 of Code 20 of title 30, referred to in this section as a "district", shall have the authority to designate areas on property owned or controlled by the district in which the operation of motor vehicles shall be prohibited. Areas in which it shall be prohibited to operate motor vehicles shall be clearly posted by a district.

(2) It is unlawful for any person to operate a motor vehicle in an area owned or under the control of a district if the district has declared the operation of motor vehicles to be prohibited in such area, as provided in subsection (1) of this section.

(3) Any person who violates any provision of this section commits a class B traffic infraction.

1409. Compulsory insurance - penalty - legislative intent.

(1) No owner of a motor vehicle or low-power scooter required to be registered in this state shall operate the vehicle or permit it to be operated on the public highways of this state when the owner has failed to have a complying policy or certificate of self-insurance in full force and effect as required by law.

(2) No person shall operate a motor vehicle or low-power scooter on the public highways of this state without a complying policy or certificate of self-insurance in full force and effect as required by law.

(3)(a) When an accident occurs, or when requested to do so following any lawful traffic contact or during any traffic investigation by a peace officer, an owner or operator of a motor vehicle or low-power scooter shall present to the requesting officer immediate evidence of a complying policy or certificate of self-insurance in full force and effect as required by law.

(b) As used in this section, "evidence of a complying policy or certificate of self-insurance in full force and effect" includes the presentation of such a policy or certificate upon a cell phone or other electronic device.

(4)(a) Any person who violates the provisions of subsection (1), (2), or (3) of this section commits a class 1 misdemeanor traffic offense. The minimum fine imposed by section 42-4-1701(3)(a)(II)(A), shall be mandatory, and the defendant shall be punished by a minimum mandatory fine of not less than five hundred dollars. The court may suspend up to one half of the fine upon a showing that appropriate insurance as required pursuant to section 10-4-619 or 10-4-624, has been obtained. Nothing in this paragraph (a) shall be construed to prevent the court from imposing a fine greater than the minimum mandatory fine.

(b) Upon a second or subsequent conviction under this section within a period of five years following a prior conviction under this section, in addition to any imprisonment imposed pursuant to section 42-4-1701(3)(a)(II)(A), the defendant shall be punished by a minimum mandatory fine of not less than one thousand dollars, and the court shall not suspend such minimum fine. The court or the court collections' investigator may establish a payment schedule for a person convicted of the provisions of subsection (1), (2), or (3) of this section, and the provisions of section 16-11-101.6, shall apply. The court may suspend up to one half of the fine upon a showing that appropriate insurance as required pursuant to section 10-4-619 or 10-4-624, has been obtained.

(c) In addition to the penalties prescribed in paragraphs (a) and (b) of this subsection (4), any person convicted pursuant to this section may, at the discretion of the court, be sentenced to perform not less than forty hours of community service, subject to the provisions of section 18-1.3-507.

(5) Testimony of the failure of any owner or operator of a motor vehicle or low-power scooter to present immediate evidence of a complying policy or certificate of self-insurance in full force and effect as required by law, when requested to do so by a peace officer, shall constitute prima facie evidence, at a trial concerning a violation charged under subsection (1) or (2) of this section, that such owner or operator of a motor vehicle violated subsection (1) or (2) of this section.

(6) A person charged with violating subsection (1), (2), or (3) of this section shall not be convicted if the person produces in court a bona fide complying policy or certificate of self-insurance that was in full force and effect as required by law at the time of the alleged violation. The court clerk's office may dismiss the charge if it verifies that the person had a valid policy in effect at the time of the alleged violation using the uninsured motorist identification database created in section 42-7-602.

(7) Repealed.

(8) (Deleted by amendment, L. 2003, p. 2648, § 7, effective July 1, 2003.)

(8.5) If an operator of a motor vehicle or low-power scooter uses a cell phone or other electronic device to present evidence of a complying policy or certificate of self-insurance in full force and effect, as described in paragraph (b) of subsection (3) of this section:

(a) The law enforcement officer to whom the operator presents the device shall not explore the contents of the cell phone or other electronic device other than to examine the operator's policy or certificate of self-insurance; and

(b) The law enforcement officer to whom the operator presents the device and any law enforcement agency that employs the officer are immune from any civil damages resulting from the officer dropping or otherwise unintentionally damaging the cell phone or other electronic device.

(9) It is the intent of the general assembly that the money collected as fines imposed pursuant subsections (4)(a) and (4)(b) of this section are to be used for the supervision of the public highways. The general assembly determines that law enforcement agencies that patrol and maintain the public safety on public highways are supervising the public highways. The general assembly further determines that an authorized agent is supervising the public highways through his or her enforcement of the requirements for demonstration of proof of motor vehicle insurance pursuant to section 42-3-105(1)(d). Therefore, of the money collected from fines pursuant to subsections (4)(a) and (4)(b) of this section, fifty percent shall be transferred to the law enforcement agency that issued the ticket for a violation of this section. The remaining fifty percent of the money collected from fines for violations subsection (4)(a) or (4)(b) of this section shall be transmitted to the authorized agent for the county in which the violation occurred.

1410.5 Providing false evidence of proof of motor vehicle insurance – penalty.

(1) It is unlawful for any person to offer, use, or attempt to offer or use any means, manner, type of paper, document, card, digital image, or any other proof of motor vehicle liability insurance required by state law to a law enforcement officer, judge, magistrate, prosecutor, or employee of a court clerk's office with the intent to mislead that official regarding the status or any motor vehicle liability insurance policy in the course of an official investigation, or for purposes of dismissing any charge under section 1409 or reducing any penalty imposed under section 1409, where such means, manner, type, or kind of proof of insurance offered or used, or that is attempted to be offered or used, is known or should be known by the person to be false, fraudulent, or incorrect in any material manner or way, or which is known or should be known by the person to be altered, forged, defaced, or changed in any material respect, unless such changes are required or authorized by law.

(2) Violation of this section is a class B traffic infraction, punishable by a fine of up to five hundred dollars.

(3) A person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of this section shall be deemed, but only for purposes of section 18-1-408. to have been convicted of a criminal offense.

1411. Use of earphones while driving.

(1)(a) No person shall operate a motor vehicle while wearing earphones.

(b) For purposes of this subsection (1), "earphones" includes any headset, radio, tape player, or other similar device which provides the listener with radio programs, music, or other recorded information through a device attached to the head and which covers all of or a portion of the ears. "Earphones" does not include speakers or other listening devices that are built into protective headgear or a device or portion of a device that only covers all or a portion of one ear and that is connected to a wireless, handheld telephone.

(2) Any person who violates this section commits a class B traffic infraction.

(3) Nothing in this section authorizes the holder of a commercial driver's license issued pursuant to part 4 of article 2 of this title to act in violation of any federal law or regulation relating to driving a commercial vehicle.

1412. Operation of bicycles and other human-powered vehicles.

(1) A person riding a bicycle, or electrical assisted bicycle, or electric scooter has all of the rights and duties applicable to the driver of any other vehicle under this article 4, except as to special regulations in this article 4, except as provided in section 1412.5, and except as to those provisions that by their nature can have no application. Said bicycle, electrical assisted bicycle, or electric scooter riders shall comply with the rules set forth in this section and section 221, and, when using streets and highways within incorporated cities and towns, are subject to local ordinances regulating the operation of bicycles, electrical assisted bicycles, and electric scooters as provided in section 111. Notwithstanding any contrary provision in this article 4, when a county or municipality has adopted an ordinance or resolution that regulates the operation of bicycles, electrical assisted bicycles, and electric scooters at controlled intersections, as defined in section 1412.5(4)(a), and that does not conflict with section 1412.5, riders are subject to the local ordinance or resolution.

(2) It is the intent of the general assembly that nothing contained in House Bill No. 1246, enacted at the second regular session of the fifty-sixth general assembly, shall in any way be construed to modify or increase the duty of the department of transportation or any political subdivision to sign or maintain highways or sidewalks or to affect or increase the liability of the state of Colorado or any political subdivision under the “Colorado Governmental Immunity Act”, Code 10 of title 24.

(3) A bicycle, electrical assisted bicycle, or electric scooter shall not be used to carry more persons at one time than the number for which it is designed or equipped.

(4) A person riding upon a bicycle, electrical assisted bicycle, or electric scooter shall not attach the vehicle or the rider to any motor vehicle upon a roadway.

(5)(a) Any person operating a bicycle or an electrical assisted bicycle upon a roadway at less than the normal speed of traffic shall ride in the right-hand lane, subject to the following conditions:

(I) If the right-hand lane then available for traffic is wide enough to be safely shared with overtaking vehicles, a bicyclist shall ride far enough to the right as judged safe by the bicyclist to facilitate the movement of such overtaking vehicles unless other conditions make it unsafe to do so.

(II) A bicyclist may use a lane other than the right-hand lane when:

(A) Preparing for a left turn at an intersection or into a private roadway or driveway;

(B) Overtaking a slower vehicle; or

(C) Taking reasonably necessary precautions to avoid hazards or road conditions.

(III) Upon approaching an intersection where right turns are permitted and there is a dedicated right-turn lane, a bicyclist may ride on the left-hand portion of the dedicated right-turn lane even if the bicyclist does not intend to turn right.

(b) A bicyclist shall not be expected or required to:

(I) Ride over or through hazards at the edge of a roadway, including but not limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes; or

(II) Ride without a reasonable safety margin on the right-hand side of the roadway.

(c) A person operating a bicycle, electrical assisted bicycle, or electric scooter upon a one-way roadway with two or more marked traffic lanes may ride as near to the left-hand curb or edge of the roadway as judged safe by the bicyclist, subject to the following conditions:

(I) If the left-hand lane then available for traffic is wide enough to be safely shared with overtaking vehicles, a bicyclist shall ride far enough to the left as judged safe by the bicyclist to facilitate the movement of such overtaking vehicles unless other conditions make it unsafe to do so.

(II) A bicyclist shall not be expected or required to:

(A) Ride over or through hazards at the edge of a roadway, including but not limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes; or

(B) Ride without a reasonable safety margin on the left-hand side of the roadway.

(6)(a) Persons riding bicycles, electrical assisted bicycles, or electric scooter upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(b) Persons riding bicycles, electrical assisted bicycles, or electric scooters two abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.

(7) A person operating a bicycle, electrical assisted bicycle, or electric scooter shall keep at least one hand on the handlebars at all times.

(8)(a) A person riding a bicycle, electrical assisted bicycle, or electric scooter intending to turn left shall follow a course described in sections 901(1), 903, and 1007 or may make a left turn in the manner prescribed in paragraph (b) of this subsection (8).

(b) A person riding a bicycle, electrical assisted bicycle, or electric scooter intending to turn left shall approach the turn as closely as practicable to the right-hand curb or edge of the roadway. After proceeding across the intersecting roadway to the far corner of the curb or intersection of the roadway edges, the rider shall stop, as much as practicable, out of the way of traffic. After stopping, the rider shall yield to any traffic proceeding in either direction along the roadway that the rider had been using. After yielding and complying with any

official traffic control device or police officer regulating traffic on the highway along which the rider intends to proceed, the bicyclist may proceed in the new direction.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this subsection (8), the transportation commission and local authorities in their respective jurisdictions may cause official traffic control devices to be placed on roadways and thereby require and direct that a specific course be traveled.

(9)(a) Except as otherwise provided in this subsection (9), every person riding a bicycle, electrical assisted bicycle, or electric scooter shall signal the intention to turn or stop in accordance with section 903; except that a person riding a bicycle, electrical assisted bicycle, or electric scooter may signal a right turn with the right arm extended horizontally.

(b) A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred feet traveled by the bicycle, electrical assisted bicycle, or electric scooter before turning and shall be given while the bicycle, electrical assisted bicycle, or electric scooter is stopped waiting to turn. A signal by hand and arm need not be given continuously if the hand is needed in the control or operation of the bicycle. electrical assisted bicycle, or electric scooter.

(10)(a) A person riding a bicycle, electrical assisted bicycle, or electric scooter upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing the pedestrian. A person riding a bicycle, electrical assisted bicycle, or electric scooter in a crosswalk shall do so in a manner that is safe for pedestrians.

(b) A person shall not ride a bicycle, electrical assisted bicycle, or electric scooter upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk where the use of bicycles, electrical assisted bicycles, electric scooters is prohibited by official traffic control devices or local ordinances. A person riding a bicycle, electrical assisted bicycle, or electric scooter shall dismount before entering any crosswalk where required by official traffic control devices or local ordinances.

(c) A person riding or walking a bicycle, electrical assisted bicycle, or electric scooter upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk has all the rights and duties applicable to a pedestrian under the same circumstances, including the rights and duties granted and required by section 802.

(d) (Deleted by amendment, L. 2005, p. 1353, § 1, effective July 1, 2005.)

(11)(a) A person may park a bicycle, electrical assisted bicycle, or electric scooter on a sidewalk unless prohibited or restricted by an official traffic control device or local ordinance.

(b) A bicycle, electrical assisted bicycle, or electric scooter parked on a sidewalk must not impede the normal and reasonable movement of pedestrian or other traffic.

(c) A bicycle, electrical assisted bicycle, or electric scooter may be parked on the road at any angle to the curb or edge of the road at any location where parking is allowed.

(d) A bicycle, electrical assisted bicycle, or electric scooter may be parked on the road abreast of one or more bicycles or electric scooters near the side of the road or any location where parking is allowed in such a manner as does not impede the normal and reasonable movement of traffic.

(e) In all other respects, bicycles, electrical assisted bicycles, or electrical scooters parked anywhere on a highway must conform to the provisions of part 12 of this article 4 regulating the parking of vehicles.

(12)(a) Any person who violates any provision of this section commits a class 2 misdemeanor traffic offense; except that 42-2-127, shall not apply.

(b) Any person riding a bicycle, electrical assisted bicycle, or electric scooter who violates any provision of this Code other than this section that is applicable to such a vehicle and for which a penalty is specified, the person is subject to the same specified penalty as any other vehicle; except that 42-2-127, does not apply.

(13) Upon request, the law enforcement agency having jurisdiction shall complete a report concerning an injury or death incident that involves a bicycle, electrical assisted bicycle, or electric scooter on the roadways of the state, even if the accident does not involve a motor vehicle.

(14)(a)(I) A person may ride a class 1 or class 2 electrical assisted bicycle on a bike or pedestrian path where bicycles are authorized to travel.

(II) A local authority may prohibit the operation of a class 1 or class 2 electrical assisted bicycle on a bike or a pedestrian path under its jurisdiction.

(b) A person shall not ride a class 3 electrical assisted bicycle on a bike or pedestrian path unless:

(I) The path is within a street or highway; or

(II) The local authority permits the operation of a class 3 electrical assisted bicycle on a path under its jurisdiction.

(15)(a) A person under sixteen years of age shall not ride a class 3 electrical assisted bicycle upon any street, highway, or bike or pedestrian path; except that a person under sixteen years of age may ride as a passenger on a class 3 electrical assisted bicycle that is designed to accommodate passengers.

(b) A person shall not operate or ride as a passenger on a class 3 electrical assisted bicycle unless:

(I) Each person under eighteen years of age is wearing a protective helmet of a type and design manufactured for use by operators of bicycles;

(II) The protective helmet conforms to the design and specifications set forth by the United States consumer product safety commission or the American Society for Testing and Materials; and

(III) The protective helmet is secured properly on the person's head with a chin strap while the class 3 electrical assisted bicycle is in motion.

(c) A violation of subsection (15)(b) of this section does not constitute negligence or negligence per se in the context of any civil personal injury claim or lawsuit seeking damages.

1412.5. Statewide regulation of certain persons approaching intersections who are not operating motor vehicles – status of existing local ordinance or resolution – legislative declaration - definitions.

(1) The general assembly hereby finds and declares that:

(a) The regulation of persons approaching controlled intersections is a matter of mixed state and local concern; and

(b) It is necessary, appropriate, and in the best interest of the state to reduce injuries, fatalities, and property damage resulting from collisions at controlled intersections between motor vehicles and persons who are not operating motor vehicles by allowing most persons approaching controlled intersections who are fifteen years of age or older or who are under fifteen years of age and accompanied by an adult and who are not operating motor vehicles to approach controlled intersections in the manner set forth in this section.

(2)(a)(I) A pedestrian or a person who is fifteen years of age or older or who is under fifteen years of age and accompanied by an adult and who is operating a low-speed conveyance and approaching a controlled intersection with a stop sign shall slow down and, if required for safety, stop before entering the intersection. If a stop is not required for safety, the pedestrian or person operating a low-speed conveyance shall slow to a reasonable speed and yield the right-of-way to any traffic or pedestrian in or approaching the intersection. After the pedestrian or person operating a low-speed conveyance has slowed to a reasonable speed and yielded the right-of-way if required, the pedestrian or person operating a low-speed conveyance may cautiously make a turn or proceed through the intersection without stopping.

(II) For purposes of this subsection (2)(a), a reasonable speed is ten miles per hour or less. A municipality, by ordinance, or a county, by resolution, may raise the maximum reasonable speed to twenty miles per hour if the municipality or county also posts signs at the intersection stating that higher speed limitation.

(b) A person who is fifteen years of age or older or who is under fifteen years of age and is accompanied by an adult and who is operating a low-speed conveyance and approaching a controlled intersection with an illuminated red traffic control signal shall stop before entering the intersection and shall yield to all other traffic and pedestrians. Once the person operating a lowspeed conveyance has yielded, the person operating a low-speed conveyance may cautiously proceed in the same direction through the intersection or make a right-hand turn. When a red traffic control signal is illuminated, a person operating a lowspeed conveyance shall not proceed through the intersection or turn right if an oncoming vehicle is turning or preparing to turn left in front of the person operating a low-speed conveyance.

(c) A person who is fifteen years of age or older or who is under fifteen years of age and is accompanied by an adult and who is operating a low-speed conveyance approaching an

intersection of a roadway with an illuminated red traffic control signal may make a left-hand turn only if turning onto a one-way street and only after stopping and yielding to other traffic and pedestrians. However, a person operating a low-speed conveyance shall not turn left if an oncoming vehicle is turning or preparing to turn right.

(d) Notwithstanding any other provision of this subsection (2), if a county or municipality has placed a traffic sign or a traffic control signal at a controlled intersection and the traffic sign or traffic control signal provides instructions only to one or more specified types of low-speed conveyances, the operator of a low-speed conveyance to which the traffic sign or traffic control signal is directed shall obey the instructions provided by the sign or traffic control signal.

(e) If a county or municipality adopted a valid ordinance or resolution that regulates bicycles or electrical assisted bicycles substantially as described in subsections (2)(a.5), (2)(b.5), and (2)(c.5) of this section prior to May 3, 2018, that ordinance or resolution remains valid to the extent that it applies to the operation of bicycles or electrical assisted bicycles by persons who are under fifteen years of age and who are not accompanied by an adult.

(2.5) This section supersedes any conflicting ordinance that a municipality, county, or city and county adopts, but nothing in this section affects the validity of any ordinance or resolution adopted by a municipality, county, or city and county that regulates the conduct of persons approaching controlled intersections and does not conflict with this section.

(3) This section does not diminish or alter the authority of the department of transportation or the state transportation commission, as those entities are defined in section 43-1-102, regarding the department's or commission's authority to regulate motor vehicle traffic on any portion of the state highway system as defined in section 43-2-101(1).

(3.5) This section does not create any right for a pedestrian or the operator of a low-speed conveyance to travel on any portion of a roadway where travel is otherwise prohibited by state law or by an ordinance or resolution adopted by a municipality, county, or city and county.

(4) As used in this section:

(a) “Controlled intersection” means an intersection of a roadway that is controlled by either a stop sign or a traffic control signal.

(b) “Low-speed conveyance” means:

(I) A vehicle, as defined in section 42-1-102(112), that is not a motor vehicle, as defined in section 42-1-102(58), a low-power scooter as defined in section 42-1-102(48.5), or a low-speed electric vehicle, as defined in section 42-1-102(48.6);

(II) A toy vehicle, as defined in section 42-1-102(103.5), that is exclusively human-powered; or

(III) An electric personal assistance mobility device or EPAMD, as defined in section 42-1-102(28.7), or a device that would be an electric personal assistance mobility device or EPAMD but for the fact that it has fewer or more than two wheels or has tandem wheels.

1413. Eluding or attempting to elude a police officer.

Any operator of a motor vehicle who the officer has reasonable grounds to believe has violated a state law or municipal ordinance, who has received a visual or audible signal such as a red light or a siren from a police officer driving a marked vehicle showing the same to be an official police, sheriff, or Colorado state patrol car directing the operator to bring the operator's vehicle to a stop, and who willfully increases his or her speed or extinguishes his or her lights in an attempt to elude such police officer, or willfully attempts in any other manner to elude the police officer, or does elude such police officer commits a class 2 misdemeanor traffic offense.

1414. Use of dyed fuel on highways prohibited.

(1) No person shall operate a motor vehicle upon any highway of the state using diesel fuel dyed to show that no taxes have been collected on the fuel.

(2)(a) Any person who violates subsection (1) of this section commits a class B traffic infraction.

(b) Any person who commits a second violation of subsection (1) of this section within a twelve-month period shall be subject to an increased penalty pursuant to section 42-4-1701(4)(a)(I)(N).

(c) Any person who commits a third or subsequent violation of subsection (1) of this section within a twelve-month period shall be subject to an increased penalty pursuant to section 42-4- 1701(4)(a)(I)(N).

(3) Any person violating any provision of this section shall be subject to audit by the department regarding payment of motor fuel tax.

1415. Radar jamming devices prohibited - penalty.

(1)(a) No person shall use, possess, or sell a radar jamming device.

(b) No person shall operate a motor vehicle with a radar jamming device in the motor vehicle.

(2)(a) For purposes of this section, “radar jamming device” means any active or passive device, instrument, mechanism, or equipment that is designed or intended to interfere with, disrupt, or scramble the radar or laser that is used by law enforcement agencies and peace officers to measure the speed of motor vehicles. “Radar jamming device” includes but is not limited to devices commonly referred to as “jammers” or “scramblers”.

(b) For purposes of this section, “radar jamming device” shall not include equipment that is legal under FCC regulations, such as a citizens’ band radio, ham radio, or any other similar electronic equipment.

(3) Radar jamming devices are subject to seizure by any peace officer and may be confiscated and destroyed by order of the court in which a violation of this section is charged.

(4) A violation of subsection (1) of this section is a class 2 misdemeanor traffic offense, punishable as provided in section 42-4-1701(3)(a)(II)(A).

(5) The provisions of subsection (1) of this section shall not apply to peace officers acting in their official capacity.

1416. Failure to present a valid transit pass or coupon - fare inspector authorization – definitions.

(1) A person commits failure to present a valid transit pass or coupon if the person occupies, rides in, or uses a public transportation vehicle without paying the applicable fare or providing a valid transit pass or coupon.

(2) A person shall not occupy, ride in, or use a public transportation vehicle without possession of proof of prior fare payment. A person shall present proof of prior fare payment upon demand of a fare inspector appointed or employed pursuant to subsection (4) of this section, a peace officer, or any other employee or agent of a public transportation entity.

(3) A violation of this section is a class B traffic infraction and is punishable by a fine of seventy-five dollars. Notwithstanding any other provision of law, fines for a violation of subsection (1) of this section shall be retained by the clerk of the court in the city and county of Denver upon receipt by the clerk for a violation occurring within that jurisdiction, or transmitted to the state judicial department if the fine is receipted by the clerk of the court of any other county.

(4)(a) Public transportation entities may appoint or employ, with the power of removal, fare inspectors as necessary to enforce the provisions of this section. The employing public transportation entity shall determine the requirements for employment as a fare inspector.

(b) A fare inspector appointed or employed pursuant to this section is authorized to enforce the provisions of this section while acting within the scope of his or her authority and in the performance of his or her duties. A fare inspector is authorized to issue a citation to a person who commits failure to provide a valid transit pass or coupon in violation of this section. The fare inspector shall issue a citation on behalf of the county in which the person occupying, riding in, or using a public transportation vehicle without paying the applicable fare is located at the time the violation is discovered. The public transportation entity whose fare inspector issued the citation shall timely deliver the citation to the clerk of the county court for the jurisdiction in which the accused person is located at the time the violation is discovered.

(5) As used in this section, unless the context otherwise requires:

(a) "Proof of prior fare payment" means:

(I) A transit pass valid for the day and time of use;

(II) A receipt showing payment of the applicable fare for use of a public transportation vehicle during the day and time specified in the receipt; or

(III) A prepaid ticket or series of tickets showing cancellation by a public transportation entity used within the day and time specified in the ticket.

(b) "Public transportation entity" means a mass transit district, a mass transit authority, or any other public entity authorized under the laws of this state to provide mass transportation services to the general public.

(c) "Public transportation vehicle" means a bus, a train, a light rail vehicle, or any other mode of transportation used by a public transportation entity to provide transportation services to the general public.

(d) "Transit pass" means any pass, coupon, transfer, card, identification, token, ticket, or other document, whether issued by a public transportation entity or issued by an employer to employees pursuant to an agreement with a public transportation entity, used to obtain public transit.

Part 15
Motorcycles

1501. Traffic laws apply to persons operating motorcycles - special permits.

(1) Every person operating a motorcycle or autocycle shall be granted all of the rights and is subject to all of the duties applicable to the driver of any other vehicle under this article 4, except as to special regulations in this article 4 and except as to those provisions of this article 4 that by their nature are not applicable.

(2) For the purposes of a prearranged, organized special event and upon a showing that safety will be reasonably maintained, the department of transportation may grant a special permit exempting the operation of a motorcycle or autocycle from any requirement of this part 15.

1502. Motorcycles and autocycles – protective helmet.

(1) A person driving a motorcycle or autocycle shall ride only upon the permanent and regular seat attached to the motorcycle or autocycle. The driver or a motorcycle or an autocycle shall not carry any other person and another person shall not ride on a motorcycle or autocycle unless the motorcycle or autocycle is designed to carry more than one person. If a motorcycle or autocycle is designed to carry more than one person, a passenger may ride upon the permanent seat if the permanent seat is designed for two persons or upon another seat firmly attached to the motorcycle or autocycle at the rear or side of the operator.

(2) A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on either side of the motorcycle.

(3) No person shall operate a motorcycle while carrying packages, bundles, or other articles which prevent the person from keeping both hands on the handlebars.

(4) A driver shall not carry any person, and another person shall not ride, in a position that will interfere with the operation or control of the motorcycle or autocycle or the view of the operator.

(4.5)(a) Except as provided in subsection (4.5)(c) of this section, a person shall not operate or ride as a passenger on a motorcycle, autocycle, or low-power scooter on a roadway unless:

(I) Each person under eighteen years of age is wearing a protective helmet of a type and design manufactured for use by operators of motorcycles;

(II) The protective helmet conforms to the design and specifications set forth in paragraph (b) of this subsection (4.5); and

(III) The protective helmet is secured properly on the person’s head with a chin strap while the motorcycle, autocycle, or low-power scooter is in motion.

(b) A protective helmet required to be worn by this subsection (4.5) shall:

(I) Be designed to reduce injuries to the user resulting from head impacts and to protect the user by remaining on the user's head, deflecting blows, resisting penetration, and spreading the force of impact;

(II) Consist of lining, padding, and chin strap; and

(III) Meet or exceed the standards established in the United States department of transportation federal motor vehicle safety standard no. 218, 49 CFR 571.218, for motorcycle helmets.

(c) A person driving or riding an autocycle need not wear a helmet if the autocycle has:

(I) Three wheels;

(II) A maximum design speed of twenty-five miles per hour or less;

(III) A windshield; and

(IV) Seat belts.

(5) Any person who violates any provision of this section commits a class A traffic infraction.

1503. Operating motorcycles and autocycles on roadways laned for traffic.

(1) All motorcycles are entitled to full use of a traffic lane, and no motor vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of a traffic lane. This subsection (1) shall not apply to motorcycles operated two abreast in a single lane.

(2) The operator of a motorcycle or autocycle shall not overtake or pass in the same lane occupied by the vehicle being overtaken.

(3) A person shall not operate a motorcycle or autocycle between lanes of traffic or between adjacent lines or rows of vehicles.

(4) Motorcycles shall not be operated more than two abreast in a single lane.

(5) Subsections (2) and (3) of this section shall not apply to police officers in the performance of their official duties.

(6) Any person who violates any provision of this section commits a class A traffic infraction.

1504. Clinging to other vehicles.

A person riding upon a motorcycle or autocycle shall not attach himself, herself, or the motorcycle or autocycle to any other vehicle on a roadway. Any person who violates this section commits a class A traffic infraction.

Part 16
Accidents And Accident Reports
(Omitted)

Part 17
Penalties And Procedure

Preface.

(1) Municipalities that have adopted the Code need to be aware of: sections 13-10-101, et. seq., section 42-4-110(2), and the Colorado Municipal Court Rules (C.M.C.R.).

(2) Counties that have adopted the Code need to be aware of: part 5 of Code 6 of title 13, section 16-2-201, sections 30-15-401(1)(h), 30-15-402, 30-15-407, section 42-4-1701, Colorado Rules for Magistrates - Rule 7, and Colorado Rules of Criminal Procedure - Rule 4.1.

(3) Counties additionally need to be aware of section 30-15-401(1)(h), which reads in part, emphasis added:

"To control and regulate the movement and parking of vehicles and motor vehicles on public property; except that misdemeanor traffic offenses and the posted speed limit on any state highway located within the county shall be deemed a matter of statewide interest.".

Pursuant to section 30-15-402, which reads in part, emphasis added:

(1) "Any person who violates any county ordinance adopted pursuant to this part 4 ... in the case of traffic offenses, commits a traffic infraction, and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars for each separate violation. If authorized by the county ordinance, the penalty assessment procedure provided in section 16-2-201, may be followed by any arresting law enforcement officer for any such violation. As part of said county ordinance authorizing the penalty assessment procedure, the board of county commissioners may adopt a graduated fine schedule for such violations. Such graduated fine schedule may provide for increased penalty assessments for repeat offenses by the same individual. In the case of county traffic ordinance violations, the provisions of sections 42-4-1701 and 42-4-1703, and sections 42-4-1708 to 42-4-1718, shall apply; except that the fine or penalty for a violation charged and the surcharge thereon if authorized by county ordinance shall be paid to the county.

(2) In addition to the penalties prescribed in subsection (1) of this section, persons convicted of a violation of any ordinance adopted pursuant to this part 4 are subject to:

(a) A surcharge of ten dollars that shall be paid to the clerk of the court by the defendant. Each clerk shall transmit the moneys to the court administrator of the judicial district in which the offense occurred for credit to the victims and witnesses assistance and law enforcement fund established in that judicial district pursuant to section 24-4.2-103".

1701. Traffic offenses and infractions classified - penalties - penalty and surcharge schedule - repeal.

(1) It is a traffic infraction for any person to violate any of the provisions of articles 1 to 3 of this title 42 and parts 1 to 3 and 5 to 19 of this article 4 unless such violation is, by articles 1 to 3 of this title 42 and parts 1 to 3 and 5 to 19 of this article 4 or by any other law of this state, declared to be a felony, misdemeanor, petty offense, civil infraction, or misdemeanor traffic offense. Such a traffic infraction constitutes a civil matter.

(2)(a) For the purposes of this part 17, “judge” shall include any county court magistrate who hears traffic infraction matters, but no person charged with a traffic violation other than a traffic infraction or class 2 misdemeanor traffic offense shall be taken before a county court magistrate.

(b) For the purposes of this part 17, "magistrate" shall include any county court judge who is acting as a county court magistrate in traffic infraction and class 2 misdemeanor traffic offense matters.

(3)(a)(I) Except as provided in subsections (4) and (5) of this section or the section creating the infraction, traffic infractions are divided into two classes which shall be subject to the following penalties which are authorized upon entry of judgment against the defendant:

Class	Minimum Penalty	Maximum Penalty
A	$15.00 Penalty	$100.00 Penalty
B	$15.00 Penalty	$100.00 Penalty

(II)(A) Except as otherwise provided in sub-subparagraph (B) of this subparagraph (II), subsections (4) and (5) of this section, and sections 42-4-1301.3, 42-4-1301.4 and 42-4-1307, or the section creating the offense, misdemeanor traffic offenses are vided into two classes that are distinguished from one another by the following penalties that are authorized upon conviction:

Class	Minimum Sentence	Maximum Sentence
1	Ten days imprisonment, or $300 fine, or both	One year imprisonment, or $1,000 fine, or both
2	Ten days imprisonment, or $150 fine, or both	Ninety days imprisonment, or $300 fine, or both

(B) Any person convicted of a class 1 or class 2 misdemeanor traffic offense shall be required to pay restitution as required by article 18.5 of title 16, and may be sentenced to perform a certain number of hours of community or useful public service in addition to any other sentence provided by sub-subparagraph (A) of this subparagraph (II), subject to the conditions and restrictions of section 18-1.3-507.

(b) Any traffic infraction or misdemeanor traffic offense defined by law outside of articles 1 to 4 of this title shall be punishable as provided in the statute defining it or as otherwise provided by law.

(c) The department has no authority to assess any points under section 42-2-127, upon entry of judgment for any class B traffic infractions.

(4)(a)(I) Except as provided in subsection (5)(c) of this section, every person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of any provision of this title 42 to which subsection (5)(a) or (5)(b) of this section applies shall be fined or penalized,

and have a surcharge levied thereon pursuant to sections 24-4.1-119(1)(f) and 24-4.2-104(1)(b)(I), in accordance with the penalty and surcharge schedule set forth in subsections (4)(a)(I)(A) to (4)(a)(I)(S) of this section; or, if no penalty or surcharge is specified in the schedule, the penalty for class A and class B traffic infractions shall be fifteen dollars, and the surcharge shall be four dollars. These penalties and surcharges shall apply whether the defendant acknowledges the defendant's guilt or liability in accordance with the procedure set forth by subsection (5)(a) this section, is found guilty by a court of competent jurisdiction, or has judgment entered against the defendant by a county court magistrate. Penalties and surcharges for violating specific sections shall be as follows:

(A) Drivers' license violations:

Section Violated	Penalty	Surcharge
42-2-101	$35.00	$10.00
42-2-101(2), (3), or (5)	$15.00	$6.00
42-2-103	$15.00	$6.00
42-2-105	$70.00	$10.00
42-2-105.5(4)	$65.00	$10.00
42-2-106	$70.00	$ 10.00
42-2-115	$35.00	$10.00
42-2-116(6)(a)	$30.00	$6.00
42-2-119	$15.00	$6.00
42-2-134	$35.00	$10.00
42-2-136	$35.00	$10.00
42-2-138	$100.00	$15.00
42-2-139	$35.00	$10.00
42-2-140	$35.00	$10.00
42-2-141	$35.00	$10.00
42-2-204	$70.00	$10.00
42-2-404	$100.00	$15.00

(B) Registration and taxation violations:

Section Violated	Penalty	Surcharge
42-3-103	$50.00	$16.00
42-3-113	$15.00	$6.00
42-3-202	$15.00	$6.00
42-3-116	$50.00	$16.00
42-3-121(1)(a)	$75.00	$24.00
42-3-121(1)(c)	$35.00	$10.00
42-3-121(1)(f), (1)(g), and (1)(h)	$75.00	$24.00
42-3-304 to 306	$50.00	$16.00
42-3-308	$50.00	$16.00

(C) Traffic regulation generally:

Section Violated	Penalty	Surcharge
Sec.[1] 1412	$15.00	$6.00
Sec. 109(13)(a)	$15.00	$6.00
Sec. 109(13)(b)	$100.00	$15.00
Sec. 1211	$30.00	$6.00
Sec. 1405	$15.00	$6.00

1[1] NOTE: "Sec." refers to the corresponding section of this Model Traffic Code.

(D) Equipment violations:

Section Violated	Penalty	Surcharge
Sec. 201	$35.00	$10.00
Sec. 202	$35.00	$10.00
Sec. 204	$15.00	$6.00
Sec. 205	$15.00	$6.00
Sec. 206	$15.00	$6.00
Sec. 207	$15.00	$6.00
Sec. 208	$15.00	$6.00
Sec. 209	$15.00	$6.00
Sec. 210	$15.00	$6.00
Sec. 211	$15.00	$6.00
Sec. 212	$15.00	$6.00
Sec. 213	$15.00	$6.00
Sec. 214	$15.00	$6.00
Sec. 215	$15.00	$6.00
Sec. 216	$15.00	$6.00
Sec. 217	$15.00	$6.00
Sec. 218	$15.00	$6.00
Sec. 219	$15.00	$6.00
Sec. 220	$15.00	$6.00
Sec. 221	$15.00	$6.00
Sec. 222(1)	$15.00	$6.00
Sec. 223	$15.00	$6.00
Sec. 224	$15.00	$6.00
Sec. 225(1)	$15.00	$6.00

1. NOTE: "Sec." refers to the corresponding section of this Model Traffic Code.

Sec. 226	$15.00	$6.00
Sec. 227(1)	$50.00	$16.00
Sec. 228(1), (2), (3), (5), or (6)	$15.00	$6.00
Sec. 229	$15.00	$6.00
Sec. 230	$15.00	$6.00
Sec. 231	$15.00	$6.00
Sec. 232	$15.00	$6.00
Sec. 233	$75.00	$24.00
Sec. 234	$15.00	$6.00
Sec. 235	$50.00	$16.00
Sec. 236	$65.00	$16.00
Sec. 237	$65.00	$6.00
Sec. 1411	$15.00	$6.00
Sec. 1412	$15.00	$6.00
Sec. 1901	$35.00	$ 10.00

(E) Emissions inspections:

Section Violated	Penalty	Surcharge
Sec. 313(3)(c)	$100.00	$15.00
Sec. 313(3)(d)	$15.00	$6.00
(E.5) Dispel Inspections:		
Sec. 412	$50.00	$16.00

(F) Size, weight, and load violations:

Section Violated	Penalty	Surcharge
Sec. 106(1), (3), (4), (6), or (7)	$35.00	$10.00
Sec. 106(5)(a)(I)	$100.00	$32.00
Sec. 106(5)(a)(II)	$500.00	$156.00
Sec. 106(5)(a)(III)	$500.00	$78.00
Sec. 106(5)(a)(IV)	$1,000.00	$156.00
Sec. 105(1) to (5)	$50.00	$16.00
Sec. 106	$50.00	$16.00
Sec. 502	$75.00	$24.00
Sec. 503	$15.00	$6.00
Sec. 504	$75.00	$24.00
Sec. 505	$75.00	$24.00
Sec. 506	$15.00	$6.00
Sec. 509	$50.00	$16.00
Sec. 510(12)(a)	$35.00	$10.00
Sec. 512	$75.00	$24.00

(G) Signals, signs, and markings violations:

Section Violated	Penalty	Surcharge
Sec. 603	$100.00	$10.00
Sec. 604	$100.00	$10.00
Sec. 605	$70.00	$10.00
Sec. 606	$15.00	$6.00
Sec. 607(1)	$50.00	$16.00
Sec. 607(2)(a)	$100.00	$32.00
Sec. 608(1)	$70.00	$6.00
Sec. 608(2)	$15.00	$6.00
Sec. 609	$15.00	$6.00
Sec. 610	$15.00	$6.00
Sec. 611	$100.00	$15.00
Sec. 612	$70.00	$10.00
Sec. 613	$35.00	$10.00

(H) Rights-of-way violations:

Section Violated	Penalty	Surcharge
Sec. 701	$70.00	$10.00
Sec. 702	$70.00	$10.00
Sec. 703	$70.00	$10.00
Sec. 704	$70.00	$10.00
Sec. 705	$70.00	$16.00
Sec. 706	$70.00	$10.00
Sec. 707	$70.00	$10.00
Sec. 708	$35.00	$10.00
Sec. 709	$70.00	$10.00
Sec. 710	$70.00	$10.00
Sec. 711	$100.00	$10.00
Sec. 712	$70.00	$10.00
Sec. 714	$70.00	$10.00
Sec. 715	$70.00	$11.00

(I) Pedestrian violations:

Section Violated	Penalty	Surcharge
Sec. 801	$15.00	$6.00
Sec. 802(1)	$30.00	$6.00
Sec. 802(3)	$15.00	$6.00
Sec. 802(4)	$30.00	$6.00
Sec. 802(5)	$30.00	$6.00
Sec. 803	$15.00	$6.00

Sec. 805	$15.00	$6.00
Sec. 806	$70.00	$10.00
Sec. 807	$70.00	$10.00
Sec. 808	$70.00	$10.00

(J) Turning and stopping violations:

Section Violated	Penalty	Surcharge
Sec. 901	$70.00	$10.00
Sec. 902	$70.00	$10.00
Sec. 903	$70.00	$10.00

(K) Driving, overtaking, and passing violations:

Section Violated	Penalty	Surcharge
Sec. 1001	$70.00	$10.00
Sec. 1002	$100.00	$10.00
Sec. 1003	$100.00	$10.00
Sec. 1004	$100.00	$10.00
Sec. 1005	$100.00	$10.00
Sec. 1006	$70.00	$10.00
Sec. 1007	$100.00	$10.00
Sec. 1008	$100.00	$10.00
Sec. 1009	$70.00	$10.00
Sec. 1010	$70.00	$10.00
Sec. 1011	$200.00	$32.00
Sec. 1012(3)(a)	$65.00	(NONE)
Sec. 1012(3)(b)	$125.00	(NONE)
Sec. 1013	$100.00	(NONE)

(L) Speeding violations:

Sec. 1101(1) or (8)(b) (1 to 4 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)

Penalty	Surcharge
$30.00	$6.00

Sec. 1101(1) or (8)(b) (5 to 9 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)

Penalty	Surcharge
$70.00	$10.00

Sec. 1101(1) or (8)(b) (10 to 19 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)

Penalty	Surcharge
$135.00	$16.00

Sec. 1101(1) or (8)(b) (20 to 24 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)

Penalty	Surcharge
$200.00	$32.00

Sec. 1101(8)(g) (1 to 4 miles per hour over the maximum lawful speed limit of 40 miles per hour driving a low-power scooter)

Penalty	Surcharge
$50.00	$6.00

Sec. 1101(8)(g) (5 to 9 miles per hour over the maximum lawful speed limit of 40 miles per hour driving a low-power scooter)

Penalty	Surcharge
$75.00	$10.00

Sec. 1101(8)(g) (greater than 9 miles per hour over the maximum lawful speed limit of 40 miles per hour driving a low-power scooter)

Penalty	Surcharge
$100.00	$16.00

Section Violated	Penalty	Surcharge
Sec. 1101(3)	$100.00	$10.00
Sec. 1103	$50.00	$6.00
Sec. 1104	$30.00	$6.00

(M) Parking violations:

Section Violated	Penalty	Surcharge
Sec. 1201	$30.00	$6.00
Sec. 1202	$30.00	$6.00
Sec. 1204	$15.00	$6.00
Sec. 1205	$15.00	$6.00
Sec. 1206	$15.00	$6.00
Sec. 1207	$15.00	$6.00
Sec. 1208	$150.00	$32.00
Sec. 1210	$50.00	$10.00
Sec. 1213	$150.00	$32.00

(N) Other offenses:

Section Violated	Penalty	Surcharge
Sec. 1301(2)(d)	$100.00	$16.00
Sec. 1305	$50.00	$16.00
Sec. 1305.5(2)	$50.00	$7.80
Sec. 1402	$150.00	$16.00
Sec. 1403	$30.00	$6.00
Sec. 1404	$15.00	$6.00
Sec. 1406	$35.00	$10.00
Sec. 1407(3)(a)	$35.00	$10.00
Sec. 1407(3)(b)	$100.00	$30.00
Sec. 1407(3)(c)	$500.00	$200.00
Sec. 314(1) and (2)	$35.00	$10.00
Sec. 314(6)(a)	$100.00	$10.00
Sec. 1408	$15.00	$6.00
Sec. 1414(2)(a)	$500.00	$156.00
Sec. 1414(2)(b)	$1,000.00	$312.00
Sec. 1414(2)(c)	$5,000.00	$1,560.00
Sec. 1416(3)	$75.00	$4.00
42-20-109(2)	$250.00	$66.00

(O) Motorcycle violations:

Section Violated	Penalty	Surcharge
Sec. 1502(1), (2), (3), or (4)	$30.00	$6.00
Sec. 1502(4.5)	$100.00	$15.00
Sec. 1503	$30.00	$6.00
Sec. 1504	$30.00	$6.00

(P) Offenses by persons controlling vehicles:

Section Violated	Penalty	Surcharge
Sec. 239(5)(a)	$50.00	$6.00
Sec. 239(5)(b)	$100.00	$6.00
Sec. 239(5.5)	$300.00	$6.00
Sec. 1704	$15.00	$6.00

(Q) Certificates of title:

Section Violated	Penalty	Surcharge
42-6-110	$100.00	$15.00
42-6-112	$100.00	$15.00

(R) Proof of financial responsibility:

Section Violated	Penalty	Surcharge
42-7-422	$100.00	$15.00
42-7-506	$50.00	$15.00
42-7-507	$100.00	$15.00
42-7-510	$100.00	$15.00

(S) Uninsured motorist identification database protection:

Section Violated	Penalty	Surcharge
42-7-606	$100.00	$15.00

(II)(A) A person convicted of violating section 507 or 508 shall be fined pursuant to this sub-subparagraph (A), whether the defendant acknowledges the defendant's guilt pursuant to the procedure set forth in paragraph (a) of subsection (5) of this section or is found guilty by a court of competent jurisdiction. A person who violates section 507 or 508 shall be punished by the following fine plus a surcharge of sixteen percent of the fine as follows:

Excess Weight - Pounds	Penalty
1 - 1,000	$20.00
1,001 - 3,000	$25.00
3,001 - 5,000	0.03 per pound overweight
5,001 - 7,000	0.05 per pound overweight rounded to the nearest dollar
7,001 - 10,000	0.07 per pound overweight rounded to the nearest dollar
10,001 - 15,000	0.10 per pound overweight rounded to the nearest dollar
15,001 - 19,750	0.15 per pound rounded to the nearest dollar
Over 19,750	0.25 per pound overweight rounded to the nearest dollar

(B) The state, county, city, or city and county issuing a citation that results in the assessment of the penalties in sub-subparagraph (A) of this subparagraph (II) may retain and distribute the following amount of the penalty according to the law of the jurisdiction that assesses the penalty, but the remainder of the penalty shall be transmitted to the state treasurer, who shall credit the moneys to the commercial vehicle enterprise tax fund created in section 42-1-225:

Excess Weight - Pounds	Penalty Retained
1 - 3,000	$15.00
3,001 - 4,250	$25.00
4,251 - 4,500	$50.00
4,501 - 4,750	$55.00
4,751 - 5,000	$60.00
5,001 - 5,250	$65.00
5,251 - 5,500	$75.00

5,501 - 5,750	$85.00
5,751 - 6,000	$95.00
6,001 - 6,250	$105.00
6,251 - 6,500	$125.00
6,501 - 6,750	$145.00
6,751 - 7,000	$165.00
7,001 - 7,250	$185.00
7,251 - 7,500	$215.00
7,501 - 7,750	$245.00
7,751 - 8,000	$275.00
8,001 - 8,250	$305.00
8,251 - 8,500	$345.00
8,501 - 8,750	$385.00
8,751 - 9,000	$425.00
9,001 - 9,250	$465.00
9,251 - 9,500	$515.00
9,501 - 9,750	$565.00
9,751 - 10,000	$615.00
10,001 - 10,250	$665.00
Over 10,250	$30.00 for each 250 pounds additional overweight, plus $665.00

(III) Any person convicted of violating any of the rules promulgated pursuant to section 510, except section 510(2)(b)(IV), shall be fined as follows, whether the violator acknowledges the violator's guilt pursuant to the procedure set forth in paragraph (a) of subsection (5) of this section or is found guilty by a court of competent jurisdiction:

(A) Except as provided in sub-subparagraph (D) of this subparagraph (III), any person who violates the maximum permitted weight on an axle or on gross weight shall be punished by the following fine plus a surcharge of sixteen percent of the fine:

Excess Weight Above Maximum

Excess Weight - Pounds	Penalty Retained
1 - 2,500	$50.00
2,501 - 5,000	$100.00
5,001 - 7,500	$200.00
7,501 - 10,000	$400.00
Over 10,000	$150.00 for each 1,000 pounds additional overweight, plus $400.00

(B) Any person who violates any of the requirements of the rules and regulations pertaining to transport permits for the movement of overweight or oversize vehicles or

loads, other than those violations specified in sub-subparagraph (A) or (C) of this subparagraph (III), shall be punished by a fine of fifty dollars.

(C) Any person who fails to have an escort vehicle when such vehicle is required by the rules and regulations pertaining to transport permits for the movement of overweight or oversize vehicles or loads or who fails to reduce speed when such speed reduction is required by said rules and regulations shall be punished by a fine of two hundred fifty dollars.

(D) The fines for a person who violates the maximum permitted weight on an axle or on gross weight under a permit issued pursuant to section 510(1)(b)(II) shall be doubled.

(IV)(A) Any person convicted of violating section 42-3-114 who has not been convicted of a violation of section 42-3-114 in the twelve months preceding such conviction shall be fined as follows, whether the defendant acknowledges the defendant's guilt pursuant to the procedure set forth in paragraph (a) of subsection (5) of this section or is found guilty by a court of competent jurisdiction:

Number of days beyond renewal period that registration has been expired	Penalty	Surcharge
1-29	$35.00	$8.00
30 - 59	$50.00	$12.00
60 and over	$75.00	$18.00

(B) Any person convicted of violating section 42-3-114 who has been convicted of violating said section within the twelve months preceding such conviction shall be fined pursuant to subparagraph (I) of paragraph (a) of subsection (3) of this section.

(V) Any person convicted of violating section 42-20-204(2) shall be fined twenty-five dollars, whether the violator acknowledges guilt pursuant to the procedure set forth in paragraph (a) of subsection (5) of this section or is found guilty by a court of competent jurisdiction.

(VI)(A) Except as provided in paragraph (c) of subsection (5) of this section, every person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of any provision of this title to which the provisions of paragraph (a) or (b) of subsection (5) of this section apply, shall, in addition to any other fine or penalty or surcharge, be assessed a surcharge of one dollar, which amount shall be transmitted to the state treasurer for deposit in the family-friendly court program cash fund created in section 13-3-113(6). This surcharge shall apply whether the defendant acknowledges the defendant's guilt or liability in accordance with the procedure set forth by paragraph (a) of subsection (5) of this section or is found guilty by a court of competent jurisdiction or has judgment entered against the defendant by a county court magistrate.

(B) Repealed.

(VII) The penalties and surcharges for a second or subsequent violation of section 42-20-109(2), within twelve months shall be doubled.

(VIII) A person who violates section 42-3-204(7)(f)(II), or section 1208(3)(a) or (4) commits a class A traffic infraction and, upon conviction, shall be punished by a surcharge of thirty-two dollars under sections 24-4.1-119(1)(f) and 24-4.2-104(1)(b)(I), and:

(A) A fine of not less than three hundred fifty dollars but not more than one thousand dollars for the first offense;

(B) A fine of not less than six hundred dollars but not more than one thousand dollars for a second offense; and

(C) A fine of not less than one thousand dollars but not more than five thousand dollars, in addition to not more than ten hours of community service, for a third or subsequent offense.

(IX) A person who violates section 1208(3) by parking a vehicle owned by a commercial carrier commits a class A traffic infraction.

(X)(A) A person who violates section 1208(5) of this section commits a class A traffic infraction.

(B) A person who willfully receives remuneration for violating section 1208(5) commits a class A traffic infraction.

(b)(I) The schedule in subparagraph (I) of paragraph (a) of this subsection (4) shall not apply when the provisions of paragraph (c) of subsection (5) of this section prohibit the issuance of a penalty assessment notice for a violation of the aforesaid traffic violation.

(II) The schedules in subparagraphs (II) and (III) of paragraph (a) of this subsection (4) shall apply whether the violator is issued a penalty assessment notice or a summons and complaint.

(c)(I) The penalties and surcharges imposed for speeding violations under subsection (4)(a)(I)(L) of this section shall be doubled if a speeding violation occurs within a maintenance, repair, or construction zone that is designated by the department of transportation pursuant to section 614(1)(a); except that the penalty for violating section 1101(1) or (8)(b) by twenty to twenty-four miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of seventy-five miles per hour shall be five hundred forty dollars.

(II)(A) The penalties and surcharges imposed for violations under sub-subparagraphs (C), (G), (H), (I), (J), (K), (N), and (O) of subparagraph (I) of paragraph (a) of this subsection (4) shall be doubled if a violation occurs within a maintenance, repair, or construction zone that is designated by the department of transportation pursuant to section 614(1)(a); except that the fines for violating sections 314, 610, 613, 706, 707, 708, 709, 710, 1011, 1012, 1404, 1408, and 1414 shall not be doubled under this subparagraph (II).

(B) There is hereby created, within the highway users tax fund, the highway construction workers' safety account.

(C) If a fine is doubled under subparagraph (I) or (II) of this paragraph (c), one-half of the fine allocated to the state by sections 42-1-217 and section 205, shall be transferred to

the state treasurer, who shall deposit it in the highway construction workers' safety account within the highway users tax fund to be continuously appropriated to the department of transportation for work zone safety equipment, signs, and law enforcement.

(D) This subparagraph (II) is effective July 1, 2006.

(III) The penalties and surcharges imposed for speeding violations under sub-subparagraph (L) of subparagraph (I) of paragraph (a) of this subsection (4) shall be doubled if a speeding violation occurs within a maintenance, repair, or construction zone that is designated by a public entity pursuant to section 614(1)(b).

(IV) The penalties and surcharges imposed for violations under sub-subparagraphs (C), (G), (H), (I), (J), (K), (N), and (O) of subparagraph (I) of paragraph (a) of this subsection (4) shall be doubled if a violation occurs within a maintenance, repair, or construction zone that is designated by a public entity pursuant to section 614(1)(b); except that the fines for violating sections 314, 610, 613, 706, 707, 708, 709, 710, 1011, 1012, 1404, 1408, and 1414 shall not be doubled under this subparagraph (IV).

(d) The penalty and surcharge imposed for any moving traffic violation under subparagraph (I) of paragraph (a) of this subsection (4) are doubled if the violation occurs within a school zone pursuant to section 615.

(d.5)(I) The penalty and surcharge imposed for any moving traffic violation under subparagraph (I) of paragraph (a) of this subsection (4) are doubled if the violation occurs within a wildlife crossing zone pursuant to section 616.

(II)(A) There is hereby created, within the highway users tax fund, the wildlife crossing zones safety account.

(B) If a penalty and surcharge are doubled pursuant to subparagraph (I) of this paragraph (d.5), one-half of the penalty and surcharge allocated to the state by sections 42-1-217 and section 205, shall be transferred to the state treasurer, who shall deposit the moneys in the wildlife crossing zones safety account within the highway users tax fund to be continuously appropriated to the department of transportation for wildlife crossing zones signs and law enforcement.

(e)(I) An additional twenty dollars shall be assessed for speeding violations pursuant to subsection (4)(a)(I)(L) of this section in addition to the penalties and surcharge stated in subsection (4)(a)(I)(L) of this section. Money collected pursuant to this subsection (4)(e) must be transmitted to the state treasurer, who shall deposit such money in the Colorado brain injury trust fund created pursuant to section 26-1-309 within fourteen days after the end of each quarter, to be used for the purposes set forth in part 3 of article 1 of title 26.

(II) If the surcharge is collected by a county, the surcharge shall be twenty-two dollars of which two dollars shall be retained by the county and the remaining twenty dollars must be transmitted to the state treasurer and credited to the Colorado brain injury trust fund created pursuant to section 26-1-309 within fourteen days after the end of each quarter, to be used for the purposes set forth in part 3 of article 1 of title 26.

(III) An additional twenty dollars is assessed for a violation of a traffic regulation pursuant to subsection (4)(a)(I)(C) of this section for a violation of section 42-4-109(13)(b), in addition to the penalties stated in subsection (4)(a)(I)(C) of this section. An additional twenty dollars must be assessed for a motorcycle or autocycle violation pursuant to subsection (4)(a)(I)(O) of this section for a violation of section 42-4-1502(4.5), in addition to the penalties stated in subsection (4)(a)(I)(O) of this section. Money collected pursuant to this subsection (4)(e)(III) must be transmitted to the state treasurer, who shall deposit the money in the Colorado brain injury trust fund created pursuant to section 26-1-309, to be used for the purposes set forth in part 3 of article 1 of title 26.

(d.7)(I) the penalty and surcharge imposed for a violation under subsection (4)(a)(I)(L) of this section is doubled is the violation is committed by a driver of a commercial motor vehicle within an area of a state highway that the department of transportation has designated as a steep downhill grade zone pursuant to section 42-4-617.

(II)(A) there is created, within the highway users tax fund, the mountain highways commercial motor vehicle safety account, referred to within this subsection (4)(d.7) as the "account".

(B) notwithstanding any provision of law to the contrary, for each fine collected pursuant to section 424-617(4) and subsection (4)(d.7)(I) of this section, the state treasurer shall credit one-half of the amount of the fine to the account. All money credited to the account is continuously appropriated to the department of transportation and to the freight mobility and safety branch created within the transportation development division of the department of transportation pursuant to section 43-1-117 to pay costs associated with the provision of educational outreach and public information about runaway truck events, the purchase and implementation of equipment for the purpose of reducing the frequency of runaway truck events, and the completion of studies of means by which the state may reduce the frequency of runaway truck events and improve overall commercial motor vehicle safety on state highways that pass through the mountains of the state.

(f)(I) In addition to the surcharge specified in sub-subparagraph (N) of subparagraph (I) of paragraph (a) of this subsection (4), the court shall assess a surcharge of five dollars for a violation of section 42-4-1301(2)(d). Moneys collected pursuant to this paragraph (f) must be transmitted to the state treasurer who shall deposit such moneys in the rural alcohol and substance abuse cash fund created in section 27-80-117(3), within fourteen days after the end of each quarter, to be used for the purposes set forth in section 27-80-117.

(II) If the additional surcharge is collected by a county court, the additional surcharge shall be six dollars of which one dollar shall be retained by the county and the remaining five dollars shall be transmitted to the state treasurer and credited to the rural alcohol and substance abuse cash fund created in section 27-80-117 (3), within fourteen days after the end of each quarter, to be used for the purposes set forth in section 27-80-117.

(III) This paragraph (f) is repealed, effective September 1, 2025, unless the general assembly extends the repeal of the rural alcohol and substance abuse prevention and treatment program created in section 27-80-117.

(5)(a)(I) At the time that any person is arrested for the commission of any misdemeanors, petty offenses, or misdemeanor traffic offenses set forth in subsection (4) of this section, the arresting officer may, except when the provisions of paragraph (c) of this subsection (5) prohibit it, offer to give a penalty assessment notice to the defendant. At any time that a person is charged with the commission of any traffic infraction, the peace officer shall, except when the provisions of paragraph (c) of this subsection (5) prohibit it, give a penalty assessment notice to the defendant. Such penalty assessment notice shall contain all the information required by section 1707(3) or by section 1709, whichever is applicable. The fine or penalty specified in subsection (4) of this section for the violation charged and the surcharge thereon may be paid at the office of the department of revenue, either in person or by postmarking such payment within twenty days from the date the penalty assessment notice is served upon the defendant; except that the fine or penalty charged and the surcharge thereon shall be paid to the county if it relates to a traffic offense authorized by county ordinance. The department of revenue shall accept late payment of any penalty assessment up to twenty days after such payment becomes due. Except as otherwise provided in subparagraph (II) of this paragraph (a), in the case of an offense other than a traffic infraction, a defendant who otherwise would be eligible to be issued a penalty assessment notice but who does not furnish satisfactory evidence of identity or who the officer has reasonable and probable grounds to believe will disregard the summons portion of such notice may be issued a penalty assessment notice if the defendant consents to be taken by the officer to the nearest mailbox and to mail the amount of the fine or penalty and surcharge thereon to the department. The peace officer shall advise the person arrested or cited of the points to be assessed in accordance with section 42-2-127. Except as otherwise provided in section 1710(1)(b), acceptance of a penalty assessment notice and payment of the prescribed fine or penalty and surcharge thereon to the department shall be deemed a complete satisfaction for the violation, and the defendant shall be given a receipt which so states when such fine or penalty and surcharge thereon is paid in currency or other form of legal tender. Checks tendered by the defendant to and accepted by the department and on which payment is received by the department shall be deemed sufficient receipt.

(II) In the case of an offense other than a traffic infraction that involves a minor under the age of eighteen years, the officer shall proceed in accordance with the provisions of section 1706(2) or 1707(1)(b) or (3)(a.5). In no case may an officer issue a penalty assessment notice to a minor under the age of eighteen years and require or offer that the minor consent to be taken by the officer to the nearest mailbox to mail the amount of the fine or penalty and surcharge thereon to the department.

(b) In the case of an offense other than a traffic infraction, should the defendant refuse to accept service of the penalty assessment notice when such notice is tendered, the peace officer shall proceed in accordance with section 42-4-1705, or 1707 of this Code. Should the defendant charged with an offense other than a traffic infraction accept service of the penalty assessment notice but fail to post the prescribed penalty and surcharge thereon within twenty days thereafter, the notice shall be construed to be a summons and complaint unless payment for such penalty assessment has been accepted by the department of revenue as evidenced by receipt. Should the defendant charged with a traffic infraction accept the notice but fail to post the prescribed penalty and surcharge thereon within twenty days thereafter, and should the department of revenue not accept payment for such penalty and surcharge as evidenced by receipt, the defendant shall be allowed to pay such penalty and surcharge thereon and the

docket fee in the amount set forth in section 1710(4) to the clerk of the court referred to in the summons portion of the penalty assessment notice during the two business days prior to the time for appearance as specified in the notice. If the penalty for a misdemeanor, misdemeanor traffic offense, or a petty offense and surcharge thereon is not timely paid, the case shall thereafter be heard in the court of competent jurisdiction prescribed on the penalty assessment notice in the same manner as is provided by law for prosecutions of the misdemeanors not specified in subsection (4) of this section. If the penalty for a traffic infraction and surcharge thereon is not timely paid, the case shall thereafter be heard in the court of competent jurisdiction prescribed on the penalty assessment notice in the manner provided for in this article for the prosecution of traffic infractions. In either case, the maximum penalty that may be imposed shall not exceed the penalty set forth in the applicable penalty and surcharge schedule in subsection (4) of this section.

(b.5) The provisions of section 1710(1)(b) shall govern any case described in paragraph (b) of this subsection (5) in which a minor under the age of eighteen years submits timely payment for an infraction or offense in a penalty assessment notice but such payment is not accompanied by the penalty assessment notice signed and notarized in the manner required by section 1707(3)(a.5) or 1709(1.5).

(c)(I) The penalty and surcharge schedules of subsection (4) of this section and the penalty assessment notice provisions of paragraphs (a) and (b) of this subsection (5) shall not apply to violations constituting misdemeanors, petty offenses, or misdemeanor traffic offenses not specified in said subsection (4) of this section, nor shall they apply to the violations constituting misdemeanors, petty offenses, misdemeanor traffic offenses, or traffic infractions specified in said subsection (4) of this section when it appears that:

(A) (Deleted by amendment, L. 96, p. 580, § 4, effective May 25, 1996.)

(B) In a violation of section 1101(1) or (8)(b), the defendant exceeded the reasonable and prudent speed or the maximum lawful speed of seventy-five miles per hour by more than twenty-four miles per hour;

(C) The alleged violation has caused, or contributed to the cause of, an accident resulting in appreciable damage to property of another or in injury or death to any person;

(D) The defendant has, in the course of the same transaction, violated one of the provisions of this title specified in the penalty and surcharge schedules in subsection (4) of this section and has also violated one or more provisions of this title not so specified, and the peace officer charges such defendant with two or more violations, any one of which is not specified in the penalty and surcharge schedules in subsection (4) of this section.

(II) In all cases where this paragraph (c) prohibits the issuance of a penalty assessment notice, the penalty and surcharge schedule contained in subparagraph (I) of paragraph (a) of subsection (4) of this section shall be inapplicable; except that the penalty and surcharge provided in the schedule contained in sub-subparagraph (B) of subparagraph (I) of paragraph (a) of subsection (4) of this section for any violation of section 121 shall always apply to such a violation. In all cases where the penalty and surcharge schedule contained in

subparagraph (I) of paragraph (a) of subsection (4) of this section is inapplicable, the provisions of subsection (3) of this section shall apply.

(d) In addition to any other cases governed by this section, the penalty and surcharge schedule contained in subparagraph (I) of paragraph (a) of subsection (4) of this section shall apply in the following cases:

(I) In all cases in which a peace officer was authorized by the provisions of this subsection (5) to offer a penalty assessment notice for the commission of a misdemeanor, petty offense, or misdemeanor traffic offense but such peace officer chose not to offer such penalty assessment notice;

(II) In all cases involving the commission of a misdemeanor, petty offense, or misdemeanor traffic offense in which a penalty assessment notice was offered by a peace officer but such penalty assessment notice was refused by the defendant.

(6) An officer coming upon an unattended vehicle that is in apparent violation of any provision of the state motor vehicle law may place upon the vehicle a penalty assessment notice indicating the offense or infraction and directing the owner or operator of the vehicle to remit the penalty assessment provided for by subsection (4) of this section and the surcharges thereon pursuant to sections 119(1)(f) and 104 to the Colorado department of revenue within ten days. If the penalty assessment and surcharge thereon is not paid within ten days of the issuance of the notice, the department shall mail a notice to the registered owner of the vehicle, setting forth the offense or infraction and the time and place where it occurred and directing the payment of the penalty assessment and surcharge thereon within twenty days from the issuance of the notice. If the penalty assessment and surcharge thereon is not paid within the twenty days from the date of mailing of such notice, the department shall request the police officer who issued the original penalty assessment notice to file a complaint with a court having jurisdiction and issue and serve upon the registered owner of the vehicle a summons to appear in court at a time and place specified therein as in the case of other offenses or infractions.

(7) Notwithstanding the provisions of paragraph (b) of subsection (5) of this section, receipt of payment by mail by the department or postmarking such payment on or prior to the twentieth day after the receipt of the penalty assessment notice by the defendant shall be deemed to constitute receipt on or before the date the payment was due.

(8) The surcharges described in subsections (4) to (6) of this section are separate and distinct from a surcharge levied pursuant to section 24-33.5-415.6.

1702. Counties - traffic offenses classified - schedule of fines.

(1) Pursuant to sections 30-15-402(1), and 42-4-1701, it is a traffic infraction for any person to violate parts 1 and 2, and 5 to 19 of this Code except as otherwise provided in subsections (2), (3),(4), and (5) of this section.

(2) Violation of sections 238, 239, 607(2)(a), 1402(2), and 1409, of this Code are class 1 traffic misdemeanors

(3) Violations of sections 107, 228(8), 233, 507, 508, 509, 510, 1105, 1401, 1402(1), 1407, 1412, 1413, 1704, 1716(2) and 1903(1)(a) of this Code are class 2 traffic misdemeanors.

(4) In section 1101 of this Code a violation of driving one to twenty-four miles per hour in excess of the reasonable and prudent speed or in excess of the maximum lawful speed limit of seventy-five miles per hour is a traffic infraction; a violation of driving twenty-five or more miles per hour in excess of the reasonable and prudent speed or in excess of the maximum lawful speed limit of seventy-five miles per hour is a class 2 misdemeanor traffic offense.

(5) Violation of subsection (1.5) of section 225 shall, upon conviction, be punished by a fine of five hundred dollars.

(6) The County Commissioners may adopt a fine and surcharge schedule for penalty assessment violations.

1703. Parties to a crime.

Every person who commits, conspires to commit, or aids or abets in the commission of any act declared in this Code to be a traffic offense, whether individually or in connection with one or more other persons or as principal, agent, or accessory, is guilty of such offense or liable for such offense, and every person who falsely, fraudulently, forcibly, or willfully induces, causes, coerces, requires, permits, or directs another to violate any provision of this Code is likewise guilty of such offense or liable for such offense.

1704. Offenses by persons controlling vehicles.

It is unlawful for the owner or any other person employing or otherwise directing the driver of any vehicle to require or knowingly to permit the operation of such vehicle upon a highway in any manner contrary to law or this Code.

1705. Person arrested to be taken before the proper court

(1) Whenever a person is arrested for any violation of this article 4 punishable as a misdemeanor, the arrested person must be taken without unnecessary delay before a county judge who has jurisdiction of such offense as provided by law, in any of the following cases:

(a) When a person arrested demands an appearance without unnecessary delay before a judge;

(b) When the person is arrested and charged with an offense under this article causing or contributing to an accident resulting in injury or death to any person;

(c) When the person is arrested and charged with DUI, DUI per se, or UDD;

(d) When the person is arrested upon a charge of failure to stop in the event of an accident causing death, personal injuries, or damage to property;

(e) In any other event when the provisions of section 42-4-1701 (5)(b) and (5)(c) apply.

(2) Whenever any person is arrested by a police officer for any violation of this article 4 punishable as a misdemeanor and is not required to be taken before a county judge as provided in

subsection (1) of this section, the arrested person must, in the discretion of the officer, either be given a written notice or summons to appear in court as provided in section 42-4-1707 or be taken without unnecessary delay before a county judge who has jurisdiction of such offense when the arrested person does not furnish satisfactory evidence of identity or when the officer has reasonable and probable grounds to believe the person will not appear in court. The court shall provide a bail bond schedule and available personnel to accept adequate security for such bail bonds.

(2.5) In any case in which the arrested person who is taken before a county judge pursuant to subsection (1) or (2) of this section is a child, as defined in section 19-1-103, of section 42-4-1706(2) applies.

(3) Any other provision of law to the contrary notwithstanding, a police officer may place a person who has been arrested and charged with DUI, DUI per se, or UDD and who has been given a written notice or summons to appear in court as provided in section 42-4-1707 in a state-approved treatment facility for alcohol use disorders even though entry or other record of such arrest and charge has been made. Placement is governed by article 81 of title 27, except where in conflict with this section.

1706. Juveniles - convicted - arrested and incarcerated - provisions for confinement.

(1) Notwithstanding any other provision of law, a child, as defined in section 19-1-103, convicted of a misdemeanor traffic offense pursuant to this article 4, violating the conditions of probation imposed pursuant to this article 4, or found in contempt of court in connection with a violation or alleged violation pursuant to this article 4 must not be confined in a jail, lockup, or other place used for the confinement of adult offenders if the court with jurisdiction is located in a county in which there is a juvenile detention facility operated by or under contract with the department of human services that receives and provides care for children or if the jail is located within forty miles of such facility. The court imposing penalties pursuant to this section may confine a child for a determinate period of time in a juvenile detention facility operated by or under contract with the department of human services. If a juvenile detention facility operated by or under contract with the department of human services is not located within the county or within forty miles of the jail, a child may be confined for up to forty-eight hours in a jail pursuant to section 19-2.5-305(4).

(2)(a) Notwithstanding any other provision of law, a child, as defined in section 19-1-103, arrested and incarcerated for an alleged misdemeanor traffic offense pursuant to this article 4, and not released on bond, must be taken before a county judge who has jurisdiction of such offense within forty-eight hours for fixing of bail and conditions of bond pursuant to section 19-2.5-305(4)(e). The child must not be confined in a jail, lockup, or other place used for the confinement of adult offenders for longer than seventy-two hours, after which the child may be further detained only in a juvenile detention facility operated by or under contract with the department of human services. In calculating time pursuant to this subsection (2), Saturdays, Sundays, and court holidays are included.

(b) In any case in which a child is taken before a county judge pursuant to paragraph (a) of this subsection (2), the child's parent or legal guardian shall immediately be notified by the

court in which the county judge sits. Any person so notified by the court under this paragraph (b) shall comply with the provisions of section 42-4-1716(4).

1707. Summons and complaint or penalty assessment notice for misdemeanors, petty offenses, and misdemeanor traffic offenses--release—registration.

(1)(a) Whenever a person commits a violation of this title punishable as a misdemeanor, petty offense, or misdemeanor traffic offense, other than a violation for which a penalty assessment notice may be issued in accordance with the provisions of section 1701(5)(a), and such person is not required by the provisions of section 42-4-1705, to be arrested and taken without unnecessary delay before a county judge, the peace officer may issue and serve upon the defendant a summons and complaint which must contain the name and address of the defendant, the license number of the vehicle involved, if any, the number of the defendant's driver's license, if any, a citation of the statute alleged to have been violated, a brief description of the offense, the date and approximate location thereof, and the date the summons and complaint is served on the defendant; direct the defendant to appear in a specified county court at a specified time and place; and be signed by the peace officer. The summons and complaint submitted to the department of revenue and the county court before which appearance is required, either by paper or electronic submission, must contain the name and address of the defendant, the license of the vehicle involved, if any, and the number of the defendant's driver's license, if any.

(b) A summons and complaint issued and served pursuant to paragraph (a) of this subsection (1) on a minor under the age of eighteen years shall also contain or be accompanied by a document containing an advisement to the minor that the minor's parent or legal guardian, if known, shall be notified by the court from which the summons is issued and be required to appear with the minor at the minor's court hearing or hearings.

(2) If a peace officer issues and serves a summons and complaint to appear in any court upon the defendant as described in subsection (1) of this section, any defect in form in such summons and complaint regarding the name and address of the defendant, the license number of the vehicle involved, if any, the number of the defendant's driver's license, if any, the date and approximate location thereof, and the date the summons and complaint is served on the defendant may be cured by amendment at any time prior to trial or any time before verdict or findings upon an oral motion by the prosecuting attorney after notice to the defendant and an opportunity for a hearing. No such amendment shall be permitted if substantial rights of the defendant are prejudiced. No summons and complaint shall be considered defective so as to be cause for dismissal solely because of a defect in form in such summons and complaint as described in this subsection (2).

(3)(a) Whenever a penalty assessment notice for a misdemeanor, petty offense, or misdemeanor traffic offense is issued pursuant to section 42-4-1701(5)(a), the penalty assessment notice that the peace officer serves upon the defendant must contain the name and address of the defendant, the license number of the vehicle involved, if any, the number of the defendant's driver's license, if any, a citation of the statute alleged to have been violated, a brief description of the offense, the date and approximate location of the offense, the amount of the penalty prescribed for the offense, the amount of the surcharges pursuant to sections 24-4.1-119(1)(f), 24-4.2-104(1), and 24-33.5-415.6, the number of points, if any, prescribed for the offense pursuant to section 42-2-

127, and the date the penalty assessment notice is served on the defendant; must direct the defendant to appear in a specified county court at a specified time and place in the event the penalty and surcharges are not paid; must be signed by the peace officer; and must contain other information as may be required by law to constitute the penalty assessment notice to be a summons and complaint if the prescribed penalty and surcharges are not paid within the time allowed in section 42-4-1701.

(a.5) A penalty assessment notice issued and served pursuant to paragraph (a) of this subsection (3) on a minor under the age of eighteen years shall also contain or be accompanied by a document containing:

(I) A preprinted declaration stating that the minor's parent or legal guardian has reviewed the contents of the penalty assessment notice with the minor;

(II) Preprinted signature lines following the declaration on which the reviewing person described in subparagraph (I) of this paragraph (a.5) shall affix his or her signature and for a notary public to duly acknowledge the reviewing person's signature; and

(III) An advisement to the minor that:

(A) The minor shall, within seventy-two hours after service of the penalty assessment notice, inform his or her parent or legal guardian that the minor has received a penalty assessment notice;

(B) The parent or legal guardian of the minor is required by law to review and sign the penalty assessment notice and to have his or her signature duly acknowledged by a notary public; and

(C) Noncompliance with the requirement set forth in sub-subparagraph (B) of this subparagraph (III) shall result in the minor and the parent or legal guardian of the minor being required to appear in court pursuant to sections 42-4-1710(1) (b), 42-4-1710(1.5), and 42-4-1716(4).

(b) One copy of said penalty assessment notice shall be served upon the defendant by the peace officer and one copy sent to the supervisor within the department and such other copies sent as may be required by rule of the department to govern the internal administration of this article between the department and the Colorado state patrol.

(4)(a) The time specified in the summons portion of said summons and complaint must be at least twenty days after the date such summons and complaint is served, unless the defendant shall demand an earlier court appearance date.

(b) The time specified in the summons portion of said penalty assessment notice shall be at least thirty days but not more than ninety days after the date such penalty assessment notice is served, unless the defendant shall demand an earlier court appearance date.

(5) The place specified in the summons portion of said summons and complaint or of the penalty assessment notice must be a county court within the county in which the offense is alleged to have been committed.

(6) If the defendant is otherwise eligible to be issued a summons and complaint or a penalty assessment notice for a violation of this title 42 punishable as a misdemeanor, petty offense, or misdemeanor traffic offense and if the defendant does not possess a valid Colorado driver's license, the defendant, in order to secure release, must receive information on the penalty assessment notice or summons and complaint that directs the defendant to appear at a specified county court at a specified time and place in the event the penalty and surcharges are not paid, and other information that may be required by law to constitute the penalty assessment to be a summons and complaint if the prescribed penalty and surcharges are not paid within the time allowed in section 42-4-1701. If the defendant does possess a valid Colorado driver's license, the defendant must not be required to execute a promise to appear on the penalty assessment notice or on the summons and complaint. The peace officer shall not require any person who is eligible to be issued a summons and complaint or a penalty assessment notice for a violation of this title 42 to produce or divulge such person's social security number.

(7) Any officer violating any of the provisions of this section is guilty of misconduct in office and shall be subject to removal from office.

1708. Traffic Infractions – proper court for hearing, burden of proof - appeal – collateral attack.

(1) Every hearing in county court for the adjudication of a traffic infraction, as provided by this article, shall be held before a county court magistrate appointed pursuant to part 5 of article 6 of title 13, or before a county judge acting as a magistrate; except that, whenever a crime and a class A or class B traffic infraction or a crime and both such class A and class B traffic infractions are charged in the same summons and complaint, all charges shall be made returnable before a judge or magistrate having jurisdiction over the crime and the rules of criminal procedure shall apply. Nothing in this part 17 or in part 5 of article 6 of title 13, shall be construed to prevent a court having jurisdiction over a criminal charge relating to traffic law violations from lawfully entering a judgment on a case dealing with a class A or class B traffic infraction.

(2) When a court of competent jurisdiction determines that a person charged with a class 1 or class 2 misdemeanor traffic offense is guilty of a lesser-included offense which is a class A or class B traffic infraction, the court may enter a judgment as to such lesser charge.

(3) The burden of proof shall be upon the people, and the traffic magistrate shall enter judgment in favor of the defendant unless the people prove the liability of the defendant beyond a reasonable doubt. The district attorney or the district attorney's deputy may, in the district attorney's discretion, enter traffic infraction cases for the purpose of attempting a negotiated plea or a stipulation to deferred prosecution or deferred judgment and sentence but shall not be required to so enter by any person, court, or law, nor shall the district attorney represent the state at hearings conducted by a magistrate or a county judge acting as a magistrate on class A or class B traffic infraction matters. The magistrate or county judge acting as a magistrate shall be permitted to call and question any witness and shall also act as the fact finder at hearings on traffic infraction matters.

(4) Appeal from final judgment on a traffic infraction matter shall be taken to the district court for the county in which the magistrate or judge acting as magistrate is located.

(5)(a) Except as otherwise provided in paragraph (b) of this subsection (5), no person against whom a judgment has been entered for a traffic infraction as defined in section 42-4-1701(3)(a) shall collaterally attack the validity of that judgment unless such attack is commenced within six months after the date of entry of the judgment.

(b) In recognition of the difficulties attending the litigation of stale claims and the potential for frustrating various statutory provisions directed at repeat offenders, former offenders, and habitual offenders, the only exceptions to the time limitations specified in subsection (5)(a) of this section are:

(I) A case in which the court entering judgment did not have jurisdiction over the subject matter of the alleged infraction;

(II) A case in which the court entering judgment did not have jurisdiction over the person of the violator;

(III) Where the court hearing the collateral attack finds by a preponderance of the evidence that the failure to seek relief within the applicable time period was caused by an adjudication of incompetence or by commitment or certification of the violator to an institution for treatment as a person with a mental health disorder; or

(IV) Where the court hearing the collateral attack finds that the failure to seek relief within the applicable time period was the result of circumstances amounting to justifiable excuse or excusable neglect.

1709. Penalty assessment notice for traffic offenses - violations of provisions by officer - driver's license.

(1) Whenever a penalty assessment notice for a traffic infraction is issued pursuant to section 42-4-1701(5)(a), the penalty assessment notice that the peace officer serves upon the defendant must contain the name and address of the defendant, the license number of the vehicle involved, if any, the number of the defendant's driver's license, if any, a citation of the statute alleged to have been violated, a brief description of the traffic infraction, the date and approximate location of the offense, the amount of the penalty prescribed for the traffic infraction, the amount of the surcharges pursuant to sections 24-4.1-119(1)(f), 24-4.2-104(1), and 24-33.5-415.6, the number of points, if any, prescribed for the traffic infraction pursuant to section 42-2-127, and the date the penalty assessment notice is served on the defendant; must direct the defendant to appear in a specified county court at a specified time and place in the event the penalty and surcharges are not paid; must be signed by the peace officer; and must contain other information as may be required by law to constitute the penalty assessment notice to be a summons and complaint if the prescribed penalty and surcharges are not paid within the time allowed in section 42-4-1701.

(1.5) A penalty assessment notice issued and served pursuant to subsection (1) of this section on a minor under the age of eighteen years shall also contain or be accompanied by a document containing:

(a) A preprinted declaration stating that the minor's parent or legal guardian has reviewed the contents of the penalty assessment notice with the minor;

(b) Preprinted signature lines following the declaration on which the reviewing person described in paragraph (a) of this subsection (1.5) shall affix his or her signature and for a notary public to duly acknowledge the reviewing person's signature; and

(c) An advisement to the minor that:

(I) The minor shall, within seventy-two hours after service of the penalty assessment notice, inform his or her parent or legal guardian that the minor has received a penalty assessment notice;

(II) The parent or legal guardian of the minor is required by this Code to review and sign the penalty assessment notice and to have his or her signature duly acknowledged by a notary public; and

(III) Noncompliance with the requirement set forth in subparagraph (II) of this paragraph (c) shall result in the minor and the parent or legal guardian of the minor being required to appear in court pursuant to sections 1710 (1)(b), 1710 (1.5), and 1716 (4).

(2) One copy of said penalty assessment notice shall be served upon the defendant by the peace officer and one copy sent to the clerk of the court and such other copies sent as may be required by ordinance or the court.

(3) The time specified in the summons portion of said penalty assessment notice must be at least thirty days but not more than ninety days after the date such penalty assessment notice is served, unless the defendant shall demand an earlier hearing.

(4) The place specified in the summons portion of said penalty assessment notice must be a court within the county in which the traffic infraction is alleged to have been committed.

(5) Whenever the defendant refuses to accept service of the penalty assessment notice, tender of such notice by the peace officer to the defendant shall constitute service thereof upon the defendant.

(6) Any officer violating any of the provisions of this section is guilty of misconduct in office and shall be subject to removal from office.

(7)(a) A person is not allowed or permitted to obtain or renew a permanent driver's, minor driver's, or probationary license if such person has, at the time of making application for obtaining or renewing such driver's license:

(VI) Issued a check or order to the department to pay a penalty assessment, a driver’s license fee, a license reinstatement fee, or a motor vehicle record fee an such check or order is returned for insufficient funds or a closed account and remains unpaid. For the purposes of this subsection (7), the term “insufficient funds” means having an insufficient balance on account with a bank or other drawee for the payment of a check or order when the check or order is presented for payment within thirty days after issue.

1710. Failure to pay penalty for traffic offenses - failure of parent or guardian to sign penalty assessment notice - procedures.

(1)(a) Unless a person who has been cited for a traffic infraction pays the penalty assessment as provided in this Code and surcharge thereon pursuant to section 24-4.2-104 (1), the person shall appear at a hearing on the date and time specified in the citation and answer the complaint against such person.

(b) Notwithstanding the provisions of paragraph (a) of this subsection (1), a minor under the age of eighteen years shall be required to appear at a hearing on the date and time specified in the citation and answer the complaint if the penalty assessment was timely paid but not signed and notarized in the manner required by section 1709(1.5).

(1.5) If a minor under the age of eighteen years is required to appear at a hearing pursuant to subsection (1) of this section, the minor shall so inform his or her parent or legal guardian, and the parent or legal guardian shall also be required to appear at the hearing.

(2) If the violator answers that he or she is guilty or if the violator fails to appear for the hearing, judgment shall be entered against the violator.

(3) If the violator denies the allegations in the complaint, a final hearing on the complaint shall be held subject to the provisions regarding a speedy trial which are contained in section 18-1-405. If the violator is found guilty or liable at such final hearing or if the violator fails to appear for a final hearing, judgment shall be entered against the violator.

(4) If judgment is entered against a violator, the violator shall be assessed an appropriate penalty and surcharge thereon, a docket fee, and other applicable costs authorized by ordinance or the court. If the violator had been cited by a penalty assessment notice, the penalty shall be assessed pursuant to this Code.

1711. Compliance with promise to appear.

A defendant may comply with a requirement to appear in court through an appearance by counsel.

1712. Procedure prescribed not exclusive.

The foregoing provisions of this Code shall govern all police officers in making arrests without a warrant or issuing citations for violations of this Code, for offenses or infractions committed in their presence, but the procedure prescribed in this Code shall not otherwise be exclusive of any other method prescribed by law or ordinance for the arrest and prosecution of a person for an offense or infraction of like grade.

1713. Conviction record inadmissible in civil action.

Except as provided in sections 42-2-201 to 42-2-208, no record of the conviction of any person for any violation of this Code shall be admissible as evidence in any court in any civil action.

1714. Traffic violation not to affect credibility of witness.

The conviction of a person upon a charge of violating any provision of this Code or other traffic regulation less than a felony shall not affect or impair the credibility of such person as a witness in any civil or criminal proceeding.

1715. Convictions, judgments, and charges recorded - public inspection.

(1) Every judge of a court not of record and every clerk of a court of record shall keep a full record of every case in which a person is charged with any violation of this Code or any other law regulating the operation of vehicles on highways.

(2) Within ten days after the entry of a judgment, conviction, or forfeiture of bail of a person upon a charge of violating any provision of this Code or other law regulating the operation of vehicles on highways, the judge or clerk of the court in which the entry of a judgment was made or the conviction was had or bail was forfeited shall prepare and immediately forward to the motor vehicle division of the department of revenue an abstract of the record of said court covering every case in which said person had a judgment entered against him or her, was so convicted, or forfeited bail, which abstract must be certified by the person so required to prepare the same to be true and correct.

(3) Said abstract must be made upon a form furnished by the department of revenue and shall include the name, address, and driver's license number of the party charged, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment or whether bail forfeited, and the amount of the fine or forfeiture as the case may be.

1716. Notice to appear or pay fine - failure to appear - penalty.

(1) For the purposes of this part 17, tender by an arresting officer of the summons or penalty assessment notice shall constitute notice to the violator to appear in court at the time specified on such summons or to pay the required fine and surcharge thereon.

(2) A person commits a traffic offense if the person fails to appear to answer any offense other than a traffic infraction charged under this part 17.

(3) Deleted.

(4)(a)(I) Except as otherwise provided in subparagraph (II) of this paragraph (a), a person who is a parent or legal guardian of a minor under the age of eighteen years and who is required to appear in court with the minor pursuant to the provisions of this part 17 including but not limited to section 1706(2)(b) or 1710(1.5), shall appear in court at the location and on the date stated in the penalty assessment notice or in the summons and complaint or as instructed by the court.

(II) The provisions of subparagraph (I) of this paragraph (a) concerning the appearance of a parent or legal guardian shall not apply in a case where the minor under the age of eighteen years or the parent of the minor demonstrates to the court by clear and convincing evidence that the minor is an emancipated minor.

(III) For purposes of this subsection (4), "emancipated minor" means a minor under the age of eighteen years who has no legal guardian and whose parents have entirely surrendered the right to the care, custody, and earnings of the minor, no longer are under any duty to support or maintain the minor, and have made no provision for the support of the minor.

1717. Conviction - attendance at driver improvement school.

(1) Except as otherwise provided in subsection (2) of this section, whenever a person has been convicted of violating any provision of this Code or other law regulating the operation of vehicles on streets or highways, the court, in addition to the penalty provided for the violation or as a condition of either the probation or the suspension of all or any portion of any fine or sentence of imprisonment for a violation other than a traffic infraction, may require the defendant, at the defendant's own expense, if any, to attend and satisfactorily complete a course of instruction at any designated driver improvement school located and operating in the county of the defendant's residence and providing instruction in the traffic laws of this state, instruction in recognition of hazardous traffic situations, and instruction in traffic accident prevention. Such school shall be approved by the court.

(2) Whenever a minor under eighteen years of age has been convicted of violating any provision of this Code or other law regulating the operation of vehicles on streets or highways, the court may require the minor to attend and satisfactorily complete a course of instruction at any designated driver improvement school providing instruction in the traffic laws of this state, instruction in recognition of hazardous traffic situations, and instruction in traffic accident prevention. The court may impose the driver improvement school requirement in addition to the penalty provided for the violation or as a condition of either the probation or the suspension of all or any portion of any fine or sentence of imprisonment for the violation. The minor, or the minor's parent or parents who appear in court with the minor in accordance with section 1716 (4), of this Code, shall pay the cost of attending the designated driver improvement school. The court shall make available information on scholarships and other financial assistance available to help minors or their parents offset the costs of driver improvement school. Such school shall be approved by the court.

1718. Electronic transmission of data—standards.

A municipal court, county court, district court, or any court with jurisdiction over violations of traffic rules and laws shall not dismiss any charges or refuse to enforce any traffic law or rule solely because a penalty assessment notice or summons and complaint issued pursuant to the standards established in this section is in electronic form or contains an electronic signature.

1719. Violations--commercial driver's license--compliance with federal regulation.

As to a holder of a commercial driver's license as defined in section 42-2-402 or the operator of a commercial motor vehicle as defined in section 42-2-402, a court shall not defer imposition of judgment or allow a person to enter into a diversion program that would prevent a driver's conviction for any violation, in any type of motor vehicle, of a traffic control law from appearing on the driver's record.

Part 18
Vehicles Abandoned On Public Property

1801. Legislative declaration.

This jurisdiction hereby declares that the purpose of this part 18 is to provide procedures for the removal, storage, and disposal of motor vehicles that are abandoned on public property.

1802. Definitions. As used in this part 18, unless the context otherwise requires:

(1) “Abandoned motor vehicle” means:

(a) Any motor vehicle left unattended on public property, including any portion of a highway right-of-way, outside the limits of any incorporated town or city for a period of forty-eight hours or longer;

(b) Any motor vehicle left unattended on public property, including any portion of a highway right-of-way, within the limits of any incorporated town or city for a period longer than any limit prescribed by any local ordinance concerning the abandonment of motor vehicles or, if there is no such ordinance, for a period of forty-eight hours or longer;

(c) Any motor vehicle stored in an impound lot at the request of a law enforcement agency and not removed from the impound lot within seventy-two hours after the time the law enforcement agency notifies the owner or agent that the vehicle is available for release upon payment of any applicable charges or fees;

(d) A motor vehicle fitted with an immobilization device that is on public property and deemed to be abandoned pursuant to section 1105(7)(c); or

(e) Any motor vehicle left unattended at a regional transportation district parking facility, as defined in section 32-9-119.9(6), that is deemed to be abandoned pursuant to section 32-9-119.9(4)(b).

(2) “Agency employee” means any employee of the department of transportation or other municipal, county, or city and county agency responsible for highway safety and maintenance.

(3) (Deleted by amendment, L. 2009, (HB09- 1279), ch. 170, p. 763, § 1, effective August 5, 2009.)

(4) “Appraisal” means a bona fide estimate of reasonable market value made by any motor vehicle dealer licensed in this state or by any employee of the Colorado state patrol or of any sheriff’s or police department whose appointment for such purpose has been reported by the head of the appointing agency to the executive director of the department.

(5) “Disabled motor vehicle” means any motor vehicle that is stopped or parked, either attended or unattended, upon a public right-of-way and that is, due to any mechanical failure or any inoperability because of a collision, a fire, or any other such injury, temporarily inoperable under its own power.

(6) “Impound lot” means a parcel of real property that is owned or leased by a government or operator at which motor vehicles are stored under appropriate protection.

(7) “Operator” means a person or a firm licensed by the public utilities commission as a towing carrier.

(8) “Public property” means any real property having its title, ownership, use, or possession held by the federal government; this state; or any county, municipality, as defined in section 31-1-101(6), or other governmental entity of this state.

(9) “Responsible law enforcement agency” means the law enforcement agency authorizing the original tow of an abandoned motor vehicle, whether or not the vehicle is towed to another law enforcement agency’s jurisdiction.

1803. Abandonment of motor vehicles - public property.

(1)(a) No person shall abandon any motor vehicle upon public property. Any sheriff, undersheriff, deputy sheriff, police officer, marshal, Colorado state patrol officer, or agent of the Colorado bureau of investigation who finds a motor vehicle that such officer has reasonable grounds to believe has been abandoned shall require such motor vehicle to be removed or cause the same to be removed and placed in storage in any impound lot designated or maintained by the law enforcement agency employing such officer.

(b) If an operator is used by the responsible law enforcement agency to tow or impound the motor vehicle pursuant to paragraph (a) of this subsection (1), the operator shall be provided with written authorization to possess the motor vehicle on a document that includes, without limitation, the year, make, model, vehicle identification number, and storage location.

(2) Whenever any sheriff, undersheriff, deputy sheriff, police officer, marshal, Colorado state patrol officer, agent of the Colorado bureau of investigation, or agency employee finds a motor vehicle, vehicle, cargo, or debris, attended or unattended, standing upon any portion of a highway right-of-way in such a manner as to constitute an obstruction to traffic or proper highway maintenance, such officer or agency employee is authorized to cause the motor vehicle, vehicle, cargo, or debris to be moved to eliminate any such obstruction; and neither the officer, the agency employee, nor anyone acting under the direction of such officer or employee shall be liable for any damage to such motor vehicle, vehicle, cargo, or debris occasioned by such removal. The removal process is intended to clear the obstruction, but such activity should create as little damage as possible to the vehicle, or cargo, or both. No agency employee shall cause any motor vehicle to be moved unless such employee has obtained approval from a local law enforcement agency of a municipality, county, or city and county, the Colorado bureau of investigation, or the Colorado state patrol.

(3) The operator shall be responsible for removing the motor vehicle and the motor vehicle debris from the site pursuant to this section, but shall not be required to remove or clean up any hazardous or commercial cargo the motor vehicle carried. The commercial carrier shall be responsible for removal or clean-up of the hazardous or commercial cargo.

1804. Report of abandoned motor vehicles - owner’s opportunity to request hearing.

(1)(a) Upon having an abandoned motor vehicle towed, the responsible law enforcement agency shall ascertain, if possible, whether or not the motor vehicle has been reported stolen, and, if so reported, such agency shall recover and secure the motor vehicle and notify its rightful owner and terminate the abandonment proceedings under this part 18. The responsible law enforcement agency and the towing carrier shall have the right to recover from the owner their reasonable costs and fees for recovering and securing the motor vehicle. Nothing in this section shall be construed to authorize fees for services that were not provided or that were provided by another person or entity.

(b) As soon as possible, but in no event later than ten working days after having an abandoned motor vehicle towed, the responsible law enforcement agency shall report the same to the department by first-class or certified mail, by personal delivery, or by internet communication. The report shall be on a form prescribed and supplied by the department.

(c) The report shall contain the following information:

(I) The fact of possession, including the date possession was taken, the location of storage of the abandoned motor vehicle and the location from which it was towed, the identity of the responsible law enforcement agency, and the business address, telephone number, and name and signature of a representative from the responsible law enforcement agency;

(II) If applicable, the identity of the operator possessing the abandoned motor vehicle, together with the operator’s business address and telephone number and the carrier number assigned by the public utilities commission; and

(III) A description of the abandoned motor vehicle, including the make, model, color, and year, the number, issuing state, and expiration date of the license plate, and the vehicle identification number.

(2) Upon its receipt of a report made under subsection (1) or (6) of this section, the department shall search its records to ascertain the last-known owner of record for the abandoned motor vehicle and any lienholder as those persons are represented in department records. In the event the vehicle is determined by the department not to be registered in the state of Colorado, the report required by this section shall state that no Colorado title record exists regarding the vehicle. Within ten working days after such receipt, the department shall complete its search and shall transmit such report, together with all relevant information, to the responsible law enforcement agency.

(3) The responsible law enforcement agency, upon its receipt of the report required under subsection (2) of this section, shall determine, from all available information and after reasonable inquiry, whether the abandoned motor vehicle has been reported stolen, and, if so reported, such agency shall recover and secure the motor vehicle and notify its rightful owner and terminate the abandonment proceedings under this part 18. The responsible law enforcement agency and the operator shall have the right to recover from the owner their reasonable costs to recover and secure the motor vehicle.

(4)(a) If the responsible law enforcement agency, does not use an operator to store the motor vehicle, the responsible law enforcement agency, within ten working days after the receipt of the report from the department within ten working days after the receipt of the report from the department required in subsection (2) of this section, shall notify by certified mail the owner of record, if ascertained, and any lienholder, if ascertained, of the fact of such report and the claim of any lien under section 1806 and shall send a copy of such notice to the operator. The notice shall contain information that the identified motor vehicle has been reported abandoned to the department, the location of the motor vehicle and the location from which it was towed, and that, unless claimed within thirty calendar days after the date the notice was sent as determined from the postmark on the notice, the motor vehicle is subject to sale.

(b) If the responsible law enforcement agency uses an operator to store the motor vehicle, the responsible law enforcement agency within ten working days after the receipt of the report from the department required in subsection (2) of this section, shall notify by first class mail the owner of record, if ascertained, and any lienholder, if ascertained, of the fact of the report and the claim of any lien under section 1806. The notice shall contain information that the identified motor vehicle has been reported abandoned to the department, the location of the motor vehicle and the location from where it was towed, and that from the postmark on the notice, the motor vehicle is subject to sale.

(c) The responsible law enforcement agency shall include in the notices sent pursuant to either paragraph (a) or (b) of this subsection (4), a statement informing the owner of record of the opportunity to request a hearing concerning the legality of the towing of the abandoned motor vehicle, and the responsible law enforcement agency to contact for that purpose.

(d) If an owner or lienholder requests a hearing, the owner or lienholder shall make the request in writing to the responsible law enforcement agency within ten days after the notice was sent, as determined by the postmark. Such hearing, if requested, shall be conducted pursuant to the provisions of section 24-4-105, if the responsible law enforcement agency is the Colorado state patrol. If a local political subdivision is the responsible law enforcement agency, such hearing shall be conducted pursuant to local hearing procedures. If it is determined at the hearing that the motor vehicle was illegally towed upon request from a law enforcement agency, all towing charges and storage fees assessed against the vehicle shall be paid by such law enforcement agency.

(5) The department shall maintain department-approved notice forms satisfying the requirements of subsection (4) of this section and shall make them available for use by local law enforcement agencies.

(6)(a)(I) Except as provided in subparagraph (II) of this paragraph (a), an operator or its agent shall, no less than two days, but no more than ten days after a motor vehicle has been towed, determine who the owner is and if there is a lienholder and send a notice by certified mail, return receipt requested, to the last address of the owner, and any lienholder, as determined from the records of the department or from a national search performed by the department

(II) If the department conducts a national title search in accordance with paragraph (b) of subsection (2) of this section, each day elapsing between the department being notified and the department returning information on the motor vehicle as a result of the search does

not count against the tow operator's ten-day deadline to contact the motor vehicle's owner or any lienholder. This subparagraph (II) does not affect daily storage fees.

(III) The cost of complying with this paragraph (a) is a cost of towing; except that the total of all costs of complying with this section shall not exceed one hundred fifty dollars. To comply with this subsection (6), the notice to the owner and lienholder must be sent within five days after the operator receives the information from the department and must contain the following information:

(A) The fact of possession, including the date possession was taken, the location of storage of the motor vehicle, and the location from which it was towed;

(B) The identity of the operator possessing the abandoned motor vehicle, together with the operator's business address and telephone number and the carrier number assigned by the public utilities commission; and

(C) A description of the motor vehicle, including the make, model, color, and year and the number, issuing state, and expiration date of the license plate, or any other indicia of the motor vehicle's state of origin.

(b) The operator shall not be entitled to recover any daily storage fees from the day the vehicle is towed until the day the owner and lienholder are notified, unless the operator reasonably attempts to notify the owner and lienholder by the date specified in paragraph (a) of this subsection (6). Sending a notice by certified mail, return receipt requested, to the owner and the lienholder as represented in department records shall be deemed a reasonable attempt to notify the owner and the lienholder. Failure to notify the owner and the lienholder due to the receipt of erroneous information from the department or a failure of the law enforcement agency to comply with this section shall not cause the loss of such storage fees accrued from the date the vehicle is towed until the owner and the lienholder receive such notice.

1805. Appraisal of abandoned motor vehicles - sale.

(1)(a) Abandoned motor vehicles or motor vehicles abandoned in an impound lot subsequent to a tow from public property shall be appraised by a law enforcement officer or an independent motor vehicle dealer and sold by the responsible law enforcement agency at a public or private sale held not less than thirty days nor more than sixty days after the date the notice required by section 42-4-1804(4), was mailed.

(b) Subject to section 1804, the operator may continue to charge for daily storage fees until the responsible law enforcement agency complies with this section.

(2) If the appraised value of an abandoned motor vehicle sold pursuant to this section is three hundred fifty dollars or less, the sale shall be made only for the purpose of junking, scrapping, or dismantling such motor vehicle, and the purchaser thereof shall not, under any circumstances, be entitled to a Colorado certificate of title. The responsible law enforcement agency making the sale shall cause to be executed and delivered a bill of sale, together with a copy of the report described in section 1804(2), to the person purchasing such motor vehicle. The bill of sale shall state that the purchaser acquires no right to a certificate of title for such vehicle. The responsible

law enforcement agency making the sale shall promptly submit a report of sale, with a copy of the bill of sale, to the department and shall deliver a copy of such report of sale to the purchaser of the motor vehicle. Upon receipt of any report of sale with supporting documents on any sale made pursuant to this subsection (2), the department shall purge the records for such vehicle as provided in section 42-4-1810(1)(b), and shall not issue a new certificate of title for such vehicle. Any certificate of title issued in violation of this subsection (2) shall be void.

(3) If the appraised value of an abandoned motor vehicle sold pursuant to this section is more than three hundred fifty dollars, the sale may be made for any intended use by the purchaser. The responsible law enforcement agency making the sale shall cause to be executed and delivered a bill of sale, together with a copy of the report described in section 1804 (2), and an application for a Colorado certificate of title signed by a legally authorized representative of the responsible law enforcement agency conducting the sale, to the person purchasing such motor vehicle. The purchaser of the abandoned motor vehicle shall be entitled to a Colorado certificate of title upon application and proof of compliance with the applicable provisions of the "Certificate of Title Act", part 1 of Code 6 of this title, within fourteen days after the sale; except that, if such vehicle is less than five years old, including the current year model, and if the department does not provide the name of an owner of record to the law enforcement agency, the purchaser shall apply for a bonded title and the department shall issue such bonded title upon the applicant meeting the qualifications for such title pursuant to rules promulgated by the department.

(4)(a) Transferring the title of a motor vehicle to an operator to satisfy a debt created pursuant to this part 18 shall not be deemed to be the sale of a motor vehicle.

(b) Nothing in this section requires an operator to be licensed pursuant to Part 1 of article 6 of title 12, for purposes of conducting activities under this part 18.

1806. Liens upon towed motor vehicles.

(1) Whenever an operator who is registered with the department in accordance with subsection (2) of this section recovers, removes, or stores a motor vehicle upon instructions from any duly authorized law enforcement agency or peace officer who has determined that such motor vehicle is an abandoned motor vehicle, such operator shall have a possessory lien, subject to the provisions of section 1804 (6), upon such motor vehicle and its attached accessories or equipment for all fees for recovering, towing, and storage as authorized in section 1809 (2) (a). Such lien shall be a first and prior lien on the motor vehicle, and such lien shall be satisfied before all other charges against such motor vehicle.

(2)(a) No operator shall have a possessory lien upon a motor vehicle described in subsection (1) of this section unless said operator is registered with the department. Such registration shall include the following information:

(I) The location of the operator's tow business;

(II) The hours of operation of the operator's tow business;

(III) The location of the impound lot where vehicles may be claimed by the owner of record; and

(IV) Any information relating to a violation of any provision contained in this part 18 or of any other state law or rule relating to the operation, theft, or transfer of motor vehicles.

(b) The executive director of the department may cancel the registration of any operator if an administrative law judge finds, after affording the operator due notice and an opportunity to be heard, that the operator has violated any of the provisions set forth in this part 18.

1807. Perfection of lien.

The lien provided for in section 1806 shall be perfected by taking physical possession of the motor vehicle and its attached accessories or equipment and by sending to the department within ten working days after the time possession was taken a notice containing the information required in the report to be made under the provisions of section 1804. In addition, such report shall contain a declaration by the operator that a possessory lien is claimed for all past, present, and future charges, up to the date of redemption, and that the lien is enforceable and may be foreclosed pursuant to the provisions of this part 18.

1808. Foreclosure of lien.

Any motor vehicle and its attached accessories and equipment or personal property within or attached to such vehicle that are not redeemed by the last known owner of record or lienholder after such owner or lienholder has been sent notice of such lien by the operator or responsible law enforcement agency shall be sold in accordance with the provisions of section 1805.

1809. Proceeds of sale.

(1) If the sale of any motor vehicle, personal property, and its attached accessories or equipment under the provisions of section 42-4-1805, produces an amount less than or equal to the sum of all charges of the operator who has perfected his or her lien, then the operator shall have a valid claim against the owner for the full amount of such charges, less the amount received upon the sale of such motor vehicle. Failure to register such vehicle in accordance with this title shall constitute a waiver of such owner's right to be notified pursuant to this part 18 for the purposes of foreclosure of the lien pursuant to section 1808. Such charges shall be assessed in the manner provided for in paragraph (a) of subsection (2) of this section.

(2) If the sale of any motor vehicle and its attached accessories or equipment under the provisions of section 1805 produces an amount greater than the sum of all charges of the operator who has perfected his or her lien:

(a) The entity receiving the proceeds shall first satisfy the operator's reasonable fee arising from the sale of the motor vehicle and the cost and fees of towing and storing the abandoned motor vehicle, subject to a maximum charge specified in rules promulgated by the public utilities commission that govern nonconsensual tows by towing carriers.

(b) Any balance remaining after payment pursuant to paragraph (a) of this subsection (2) shall be paid to the responsible law enforcement agency to satisfy the cost of mailing notices, having an appraisal made, advertising and selling the motor vehicle, and any other costs of the responsible law enforcement agency including administrative costs, taxes, fines, and penalties due.

(b.5) In the case of the sale of an abandoned motor vehicle described in section 42-4-1802(1)(d), any balance remaining after payment pursuant to paragraph (b) of this subsection (2) shall be paid to the law enforcement agency that is owed a fee for the court-ordered placement of an immobilization device on the motor vehicle pursuant to section 1105.

(c) Any balance remaining after payment pursuant to paragraphs (b) and (b.5) of this subsection (2) shall be forwarded to the department, and the department may recover from such balance any taxes, fees, and penalties due and payable to it with respect to such motor vehicle.

(d) Any balance remaining after payment pursuant to paragraph (c) of this subsection (2) shall be paid by the department: First, to any lienholder of record as the lienholder's interest may appear upon the records of the department; second, to any owner of record as the owner's interest may so appear; and then to any person submitting proof of such person's interest in such motor vehicle upon the application of such lienholder, owner, or person. If such payments are not requested and made within one hundred twenty days after the sale of the abandoned motor vehicle, the balance shall be transmitted to the state treasurer, who shall credit the same to the highway users tax fund for allocation and expenditure as specified in section 43-4-205(5.5)(e).

(3) The provisions of paragraphs (a) and (b) of subsection (2) of this section shall not apply to a responsible law enforcement agency operating under a towing contract.

1810. Transfer and purge of certificates of title.

(1) Whenever any motor vehicle is abandoned and removed and sold in accordance with the procedures set forth in this part 18, the department shall transfer the certificate of title or issue a new certificate of title or shall purge such certificate of title in either of the following cases:

(a) Upon a person's submission to the department of the necessary documents indicating the abandonment, removal, and subsequent sale or transfer of a motor vehicle, the department shall transfer the certificate of title or issue a new certificate of title for such abandoned motor vehicle.

(b) Upon a person's submission of documents indicating the abandonment, removal, and subsequent wrecking or dismantling of a motor vehicle, including all sales of abandoned motor vehicles with an appraised value under three hundred fifty dollars that are conducted pursuant to section 1805(2), the department shall keep the records for one year and then purge the records for such abandoned motor vehicle; except that the department shall not be required to wait before purging the records if the purchaser is a licensed motor vehicle dealer.

1811. Penalty.

Unless otherwise specified in this part 18, any person who knowingly violates any of the provisions of this part 18 commits a petty offense and shall be punished as provided in section 18-1.3-503.

1812. Exemptions.

(1) Nothing in this part 18 shall be construed to include or apply to the driver of any disabled motor vehicle who temporarily leaves such vehicle on the paved or improved and main-traveled portion of a highway, subject, when applicable, to the emergency lighting requirements set forth in section 230.

(2) Nothing in this part 18 shall be construed to include or apply to authorized emergency motor vehicles while such vehicles are actually and directly engaged in, coming from, or going to an emergency.

1813. Local regulations.

(1) The state or any county, municipality as defined in section 31-1-101(6), or other governmental entity of the state may execute a contract or contracts for the removal, storage, or disposal of abandoned motor vehicles within the area of its authority to effectuate the provisions of this part 18.

(2) The provisions of this part 18 may be superseded by ordinance or resolution of a municipality, as defined in section 31-1-101, or any county that sets forth procedures for the removal, storage, and disposal of abandoned or illegally parked motor vehicles on public property; except that such ordinance or resolution shall not deprive an operator of a lien attached and perfected under this part 18.

1814. Violation of motor vehicle registration or inspection laws - separate statutory provision.

Owners of motor vehicles impounded by the Colorado state patrol for violation of motor vehicle registration or inspection laws shall receive notice and the opportunity for a hearing pursuant to the provisions of section 42-13-106. If such a motor vehicle is found to be abandoned in accordance with the provisions of said section 42-13-106, the notice and hearing provisions to owners of motor vehicles under other sections of this part 18 shall be deemed to have been met for purposes of proper disposition of the motor vehicle under the terms of this part 18. Nevertheless, the notice and hearing provisions of the other sections of this part 18 as to lienholders are applicable and shall not be deemed to have been met by the provisions of section 42-13-106, or this section.

Part 19
School Bus Requirements

1901. School buses - equipped with supplementary brake retarders.

(1)(a) On and after July 1, 1991, except as provided in paragraph (a) of subsection (2) of this section, passengers of any school bus being used on mountainous terrain by any school district of the state shall not occupy the front row of seats and any seats located next to the emergency doors of such school bus during the period of such use.

(b) For purposes of this section, mountainous terrain shall include, but shall not be limited to, any road or street which the department of transportation has designated as being located on mountainous terrain.

(2)(a) The provisions of paragraph (a) of subsection (1) of this section shall not apply to:

(I) Passengers of any school bus which is equipped with retarders of appropriate capacity for purposes of supplementing any service brake systems of such school bus; or

(II) Any passenger who is adequately restrained in a fixed position pursuant to federal and state standards.

(b) The general assembly encourages school districts to consider installing only electromagnetic retarders or state-of-the-art retarders for purposes of supplementing service brake systems of school buses when such retarders are acquired on or after April 17, 1991. The general assembly also encourages school districts to consider purchasing only those new school buses which are equipped with external public address systems and retarders of appropriate capacity for purposes of supplementing any service brake systems of such school buses.

(3) For purposes of this section and section 1902:

(a) “Mountainous terrain” means that condition where longitudinal and transverse changes in the elevation of the ground with respect to a road or street are abrupt and where benching and sidehill excavation are frequently required to obtain acceptable horizontal and vertical alignment.

(b) Repealed

1902. School vehicle drivers - special training required.

On and after July 1, 1992, the driver of any school vehicle as defined in section 42-1-102(88.5), owned or operated by or for any school district in this state shall have successfully completed training, approved by the department of education, concerning driving on mountainous terrain, as defined in section 1901(3)(a), and driving in adverse weather conditions.

1903. School buses - stops - signs - passing.

(1)(a) The driver of a motor vehicle upon any highway, road, or street, upon meeting or overtaking from either direction any school bus that has stopped, shall stop the vehicle at least twenty feet

before reaching the school bus if visual signal lights as specified in subsection (2) of this section have been actuated on the school bus. The driver shall not proceed until the visual signal lights are no longer being actuated. The driver of a motor vehicle shall stop when a school bus that is not required to be equipped with visual signal lights by subsection (2) of this section stops to receive or discharge schoolchildren.

(b)(I) A driver of any school bus who observes a violation of paragraph (a) of this subsection (1) shall notify the driver's school district transportation dispatcher. The school bus driver shall provide the school district transportation dispatcher with the color, basic description, and license plate number of the vehicle involved in the violation, information pertaining to the identity of the alleged violator, and the time and the approximate location at which the violation occurred. Any school district transportation dispatcher who has received information by a school bus driver concerning a violation of paragraph (a) of this subsection (1) shall provide such information to the appropriate law enforcement agency or agencies.

(II) A law enforcement agency may issue a citation on the basis of the information supplied to it pursuant to subparagraph (I) of this paragraph (b) to the driver of the vehicle involved in the violation.

(2)(a) Every school bus as defined in section 42-1-102(88), other than a small passenger-type vehicle having a seating capacity of not more than fifteen, used for the transportation of schoolchildren shall:

(I) Bear upon the front and rear of such school bus plainly visible and legible signs containing the words "SCHOOL BUS" in letters not less than eight inches in height; and

(II) Display eight visual signal lights meeting the requirements of 49 CFR 571.108 or its successor regulation.

(b)(I) The red visual signal lights shall be actuated by the driver of the school bus whenever the school bus is stopped for the purpose of receiving or discharging schoolchildren, is stopped because it is behind another school bus that is receiving or discharging passengers, or, except as provided in subsection (4) of this section, is stopped because it has met a school bus traveling in a different direction that is receiving or discharging passengers and at no other time; but such lights need not be actuated when a school bus is stopped at locations where the local traffic regulatory authority has by prior written designation declared such actuation unnecessary.

(II) A school bus shall be exempt from the provisions of subparagraph (I) of this paragraph (b) when stopped for the purpose of discharging or loading passengers who require the assistance of a lift device only when no passenger is required to cross the roadway. Such buses shall stop as far to the right off the roadway as possible to reduce obstruction to traffic.

(c) The alternating flashing yellow lights shall be actuated at least two hundred feet prior to the point where the bus is to be stopped for the purpose of receiving or discharging schoolchildren, and the red lights shall be actuated only at the time the bus is actually stopped.

(3) Every school bus used for the transportation of schoolchildren, except those small passenger-type vehicles described in subsection (1) of this section, shall be equipped with school bus pedestrian safety devices that comply with 49 CFR 571.131 or its successor regulation.

(4) The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway. For the purposes of this section, "highway with separate roadways" means a highway that is divided into two or more roadways by a depressed, raised, or painted median or other intervening space serving as a clearly indicated dividing section or island.

(5) Every school bus shall stop as far to the right of the roadway as possible before discharging or loading passengers; except that the school bus may block the lane of traffic when a passenger being received or discharged is required to cross the roadway. When possible, a school bus shall not stop where the visibility is obscured for a distance of two hundred feet either way from the bus. The driver of a school bus that has stopped shall allow time for any vehicles that have stopped behind the school bus to pass the school bus, if such passing is legally permissible where the school bus is stopped, after the visual signal lights, if any, are no longer being displayed or actuated and after all children who have embarked or disembarked from the bus are safe from traffic.

(6)(a) Except as provided in paragraph (b) of this subsection (6), any person who violates any provision of paragraph (a) of subsection (1) of this section commits a class 2 misdemeanor traffic offense.

(b) Any person who violates the provisions of paragraph (a) of subsection (1) of this section commits a class 1 misdemeanor traffic offense if such person has been convicted within the previous five years of a violation of paragraph (a) of subsection (1) of this section.

(7) The provisions of this section shall not apply in the case of public transportation programs for pupil transportation under section 22-51-104(1)(c).

1904. Regulations for school buses - regulations on discharge of passengers - penalty - exception.

(1) The state board of education, by and with the advice of the executive director of the department, shall adopt and enforce regulations not inconsistent with this Code to govern the operation of all school buses used for the transportation of schoolchildren and to govern the discharge of passengers from such school buses. Such regulations shall prohibit the driver of any school bus used for the transportation of schoolchildren from discharging any passenger from the school bus which will result in the passenger's immediately crossing a major thoroughfare, except for two-lane highways when such crossing can be done in a safe manner, as determined by the local school board in consultation with the local traffic regulatory authority, and shall prohibit the discharging or loading of passengers from the school bus onto the side of any major thoroughfare whenever access to the destination of the passenger is possible by the use of a road or street which is adjacent to the major thoroughfare. For the purposes of this section, a "major thoroughfare" means a freeway, any U.S. highway outside any incorporated limit, interstate highway, or highway with four or more lanes, or a highway or road with a median separating

multiple lanes of traffic. Every person operating a school bus or responsible for or in control of the operation of school buses shall be subject to said regulations.

(2) Any person operating a school bus under contract with a school district who fails to comply with any of said regulations is guilty of breach of contract, and such contract shall be cancelled after notice and hearing by the responsible officers of such district.

(3) Any person who violates any provision of this commits a petty offense.

(4) The provisions of this section shall not apply in the case of public transportation programs for pupil transportation under section 22-51-104(1)(c).

Appendices

Definitions:

As used in this Code, unless the context otherwise requires:

(1) "**Acceleration lane**" means a speed-change lane, including tapered areas, for the purpose of enabling a vehicle entering a roadway to increase its speed to a rate at which it can more safely merge with through traffic.

(2) "**Administrator**" means the property tax administrator.

(3) "**Alley**" means a street or highway intended to provide access to the rear or side of lots or buildings in urban areas and not intended for the purpose of through vehicular traffic.

(4) "**Apportioned registration**" means registration of a vehicle pursuant to a reciprocal agreement under which the fees paid for registration of such vehicle are ultimately divided among the several jurisdictions in which the vehicle travels, based upon the number of miles traveled by the vehicle in each jurisdiction or upon some other agreed criterion.

(4.5) "**Appurtenance**" means a piece of equipment that is affixed or attached to a motor vehicle or trailer and is used for a specific purpose or task, including awnings, support hardware, and extractable equipment. "Appurtenance" does not include any item or equipment that is temporarily affixed or attached to the exterior of a motor vehicle for the purpose of transporting such vehicle.

(5) "**Authorized agent**" means the county clerk and recorder in each county in the state of Colorado, the clerk and recorder in the city and county of Broomfield, and the manager of revenue or such other official of the city and county of Denver as may be appointed by the mayor to perform the functions related to the registration of, titling of, or filing of liens on motor vehicles, wheeled trailers, semitrailers, trailer coaches, special mobile machinery, off-highway vehicles, and manufactured homes.

(6) "**Authorized emergency vehicle**" means such vehicles of the fire department, police vehicles, ambulances, and other special-purpose vehicles as are publicly owned and operated by or for a governmental agency to protect and preserve life and property in accordance with state laws regulating emergency vehicles; said term also means the following if equipped and operated as emergency vehicles in the manner prescribed by state law:

(a) Privately owned vehicles as are designated by the state motor vehicle licensing agency necessary to the preservation of life and property; or

(b) Privately owned tow trucks approved by the public utilities commission to respond to vehicle emergencies

(7) "**Authorized service vehicle**" means such highway or traffic maintenance vehicles as are publicly owned and operated on a highway by or for a governmental agency the function of which requires the use of service vehicle warning lights as prescribed by state law and such other vehicles having a public service function, including, but not limited to, public utility vehicles and

tow trucks, as determined by the department of transportation under section 42-4-214(5) Some vehicles may be designated as both an authorized emergency vehicle and an authorized service vehicle.

(7.5) "**Autocycle**" means a three-wheeled motorcycle that does not use handlebars or any other device that is directly connected to a single front wheel to steer and in which the driver and each passenger ride in a fully or partly enclosed seating area that is equipped with safety belts for all occupants that constitute a safety belt system, as defined in section 42-4-237(1)(b). For purposes of this subsection (7.5), "partly enclosed seating area" means a seating area that is entirely or partly surrounded on the sides by the frame or body of a vehicle but is not fully enclosed.

(7.7) **"Automated driving system"** means hardware and software that are collectively capable, without any intervention or supervision by a human operator, of performing all aspects of the dynamic driving task for a vehicle on a part-time or full-time basis, described as levels 4 and 5 automation in SAE International's standard J3016, as it existed in September 2016.

(8) "**Automobile**" means any motor vehicle.

(8.5) "**BAC**" means either:

(a) A person's blood alcohol content, expressed in grams of alcohol per one hundred milliliters of blood as shown by analysis of the person's blood; or

(b) A person's breath alcohol content, expressed in grams of alcohol per two hundred ten liters of breath as shown by analysis of the person's breath.

(9) "**Base jurisdiction**" means the state, province, or other jurisdiction which receives, apportions, and remits to other jurisdictions moneys paid for registration of a vehicle pursuant to a reciprocal agreement governing registration of vehicles.

(10) "**Bicycle**" means a vehicle propelled by human power applied to pedals upon which a person may ride having two tandem wheels or two parallel wheels and one forward wheel, all of which are more than fourteen inches in diameter.

(10.5) "**Bulk electronic transfer**" means the mass electronic transfer of files, updated files, or portions thereof, in the same form as those files exist within the department.

(11) "**Business district**" means the territory contiguous to and including a highway when within any six hundred feet along such highway there are buildings in use for business or industrial purposes, including but not limited to motels, banks, office buildings, railroad stations, and public buildings which occupy at least three hundred feet of frontage on one side or three hundred feet collectively on both sides of the highway.

(12) "**Calendar year**" means the twelve calendar months beginning January 1 and ending December 31 of any year.

(13) "**Camper coach**" means an item of mounted equipment, weighing more than five hundred pounds, which when temporarily or permanently mounted on a motor vehicle adapts such vehicle for use as temporary living or sleeping accommodations.

(14) "**Camper trailer**" means a wheeled vehicle having an overall length of less than twenty-six feet, without motive power, which is designed to be drawn by a motor vehicle over the public highways and which is generally and commonly used for temporary living or sleeping accommodations.

(15) "**Chauffeur**" means every person who is employed for the principal purpose of operating a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property.

(16) "**Classified personal property**" means any personal property which has been classified for the purpose of imposing thereon a graduated annual specific ownership tax.

(16.5) **"Colorado DRIVES"** is an acronym that stands for "Colorado driver's license, record, identification, and vehicle enterprise solution" and means the driver and vehicle services information technology system that the department uses to provide driver, identification, and vehicle title registration services to Colorado residents.

(17) "**Commercial carrier**" means any owner of a motor vehicle, truck, laden or unladen truck tractor, trailer, or semitrailer used in the business of transporting persons or property over the public highways for profit, hire, or otherwise in any business or commercial enterprise.

(17.5) "**Commercial vehicle**" means a vehicle used to transport cargo or passengers for profit, hire, or otherwise to further the purposes of a business or commercial enterprise. This subsection (17.5) shall not apply for purposes of sections 42-4-235 and 42-4-707(1).

(18) "**Controlled-access highway**" means every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway.

(19) "**Convicted**" or "**conviction**" means:

(a) A plea of guilty or nolo contendere;

(b) A verdict of guilty;

(c) An adjudication of delinquency under title 19;

(d) The payment of a penalty assessment under section 42-4-1701, or this Code, if the summons states clearly the points to be assessed for the offense; and

(e) As to a holder of a commercial driver's license as defined in section 42-2-402, or the operator of a commercial motor vehicle as defined in section 42-2-402;

(I) An unvacated adjudication of guilt or a determination by an authorized administrative hearing that a person has violated or failed to comply with the law;

(II) An unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court;

(III) The payment of a fine or court cost or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated; or

(IV) A deferred sentence.

(20) "**Court**" means any municipal court, county court, district court, or any court having jurisdiction over offenses against traffic regulations and laws.

(21) "**Crosswalk**" means that portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections or any portion of a roadway distinctly indicated for pedestrian crossing by lines or other marking on the surface.

(22) "**Dealer**" means every person engaged in the business of buying, selling, or exchanging vehicles of a type required to be registered under articles 1 to 4 of title 42, and who has an established place of business for such purpose in this state.

(23) "**Deceleration lane**" means a speed-change lane, including tapered areas, for the purpose of enabling a vehicle that is to make an exit to turn from a roadway to slow to the safe speed on the ramp ahead after it has left the mainstream of faster-moving traffic.

(23.5) "**Declared gross vehicle weight**" means the combined weight of the vehicle or combination vehicle and its cargo when operated on the public highways of this state. Such weight shall be declared by the vehicle owner at the time the vehicle is registered. Accurate records shall be kept of all miles operated by each vehicle over the public highways of this state by the owner of each vehicle.

(24) "**Department**" means the Department of Revenue of this state acting directly or through its duly authorized officers and agents.

(24.5) "**Distinctive special license plate**" means a special license plate that is issued to a person because such person has an immutable characteristic or special achievement honor. Such special achievement honor shall not include a common achievement such as graduating from an institution of higher education. Such special achievement shall include honorable service in the armed forces of the United States. "Distinctive special license plate" shall include a license plate that is issued to a person or the person's family to honor such person's service in the armed forces.

(25) "**Divided highway**" means a highway with separated roadways usually for traffic moving in opposite directions, such separation being indicated by depressed dividing strips, raised curbings, traffic islands, or other physical barriers so constructed as to impede vehicular traffic or otherwise indicated by standard pavement markings or other official traffic control devices as prescribed in the state traffic control manual.

(26) "**Drive-away transporter**" or "**tow-away transporter**" means every person engaged in the transporting of vehicles which are sold or to be sold and not owned by such transporter, by the drive-away or tow-away methods, where such vehicles are driven, towed, or transported singly, or by saddlemount, towbar, or fullmount methods, or by any lawful combination thereof.

(27) "**Driver**" means every person, including a minor driver under the age of twenty-one years, who drives or is in actual physical control of a vehicle.

(27.3) "**DUI**" means driving under the influence, as defined in section 42-4-1301(1)(f), and use of the term shall incorporate by reference the offense described in section 42-4-1301(1)(a).

(27.5) "**DUI per se**" means driving with a BAC of 0.08 or more, and use of the term shall incorporate by reference the offense described in section 42-4-1301(2)(a).

(27.7) "**DWAI**" means driving while ability impaired, as defined in section 42-4-1301(1)(g), and use of the term shall incorporate by reference the offense described in section 42-4-1301(1)(b).

(27.8) (a) **"Dynamic driving task"** means all of the following aspects of driving:

(I) Operational aspects, including steering, braking, accelerating, and monitoring the vehicle and the roadway; and

(II) Tactical aspects, including responding to events, determining when to change lanes, turning, using signals, and other related actions.

(b) **"Dynamic driving task"** does not include strategic aspects, including determining destinations or way points, of driving.

(28) "**Effective date of registration period certificate**" means the month in which a fleet owner must register all fleet vehicles.

(28.5) "**Electrical assisted bicycle**" means a vehicle having two or three wheels and fully operable pedals, and an electric motor not exceeding seven hundred fifty watts of power. Electrical assisted bicycles are further required to conform to one of three classes as follows:

(a) **"Class 1 electrical assisted bicycle"** means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

(b) **"Class 2 electrical assisted bicycle"** means an electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

(c) **"Class 3 electrical assisted bicycle"** means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour.

(28.7) "**Electric personal assistive mobility device**" or "**EPAMD**" means a self-balancing, nontandem two-wheeled device, designed to transport only one person, that is powered solely by an electric propulsion system producing an average power output of no more than seven hundred fifty watts.

(28.8)(a) **"Electric Scooter"** means a device:

(I) Weighing less than one hundred pounds;

(II) With handlebars and an electric motor;

(III) That is powered by an electric motor; and

(IV) That has a maximum speed of twenty miles per hour on a paved level surface when powered solely by the electric motor.

(b) **"Electric Scooter"** does not include an electrical assisted bicycle, EPAMD, motorcycle, or low-power scooter.

(29) "**Empty weight**" means the weight of any motor vehicle or trailer or any combination thereof, including the operating body and accessories, as determined by weighing on a scale approved by the department.

(30) "**Essential parts**" means all integral parts and body parts, the removal, alteration, or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle.

(31) "**Established place of business**" means the place actually occupied either continuously or at regular periods by a dealer or manufacturer where such dealer's or manufacturer's books and records are kept and a large share of his or her business transacted.

(31.5) **"Exceptions processing"** means the procedures the department uses to assist persons who are unable for reasons beyond their control to present all the necessary documents required by the department and must rely on alternative documents to establish identity, date of birth, or United States citizenship in lieu of lawful presence in the United States.

(32) "**Explosives and hazardous materials**" means any substance so defined by the code of federal regulations, title 49, chapter 1, parts 173.50 through 173.389.

(33) "**Farm tractor**" means every implement of husbandry designed and used primarily as a farm implement for drawing plows and mowing machines and other implements of husbandry.

(34) "**Flammable liquid**" means any liquid which has a flash point of seventy degrees Fahrenheit or less, as determined by a Tagliabue or equivalent closed-cup test device.

(35) "**Fleet operator**" means any resident who owns or leases ten or more motor vehicles, trailers, or pole trailers and who receives from the department a registration period certificate in accordance with article 3 of title 42.

(36) "**Fleet vehicle**" means any motor vehicle, trailer, or pole trailer owned or leased by a fleet operator and registered pursuant to section 42-3-125.

(37) "**Foreign vehicle**" means every motor vehicle, trailer, or semitrailer which is brought into this state otherwise than in the ordinary course of business by or through a manufacturer or dealer and which has not been registered in this state.

(38) "**Fullmount**" means a vehicle which is mounted completely on the frame of the first vehicle or last vehicle in a saddlemount combination.

(39) "**Garage**" means any public building or place of business for the storage or repair of automobiles.

(39.5) "**Golf car**" means a self-propelled vehicle not designed primarily for operation on roadways and that has:

(a) A design speed of less than twenty miles per hour;

(b) At least three wheels in contact with the ground;

(c) An empty weight of not more than one thousand three hundred pounds; and

(d) A carrying capacity of not more than four persons.

(40) "**Graduated annual specific ownership tax**" means an annual tax imposed in lieu of an ad valorem tax upon the personal property required to be classified by the general assembly pursuant to the provisions of section 6 of article X of the state constitution.

(41) "**Gross dollar volume**" means the total contracted cost of work performed or put in place in a given county by the owner or operator of special mobile machinery.

(41.5) "**Group special license plate**" means a special license plate that is not a distinctive plate and is issued to a group of people because such people have a common interest or affinity.

(42) "**High occupancy vehicle lane**" means a lane designated pursuant to the provisions of section 42-4-1012(1), or this Code.

(43) "**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 highway by any law of this state.

(43.3) **"Human operator"** means a natural person in the vehicle with immediate access to controls for steering, braking, and acceleration.

(43.5) "**Immediate family**" means a person who is related by blood, marriage, or adoption.

(44)(a) On and after July 1, 2000, "**Implement of husbandry**" means every vehicle that is designed, adapted, or used for agricultural purposes. It also includes equipment used solely for the application of liquid, gaseous, and dry fertilizers. Transportation of fertilizer, in or on the equipment used for its application, shall be deemed a part of application if it is incidental to such application. It also includes hay balers, hay stacking equipment, combines, tillage and harvesting equipment, agricultural commodity handling equipment, and other heavy movable farm equipment primarily used on farms or in a livestock production facility and not on the highways. Trailers specially designed to move such equipment on highways shall, for the purposes of part 5 of article 4 of this title, be considered as component parts of such implements of husbandry.

(b) Effective July 1, 2013, for purposes of this section, "implements of husbandry" includes personal property valued by the county assessor as silvicultural.

(45) "**Intersection**" means the area embraced within the prolongation of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. Where a highway includes two roadways

thirty feet or more apart, every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways thirty feet or more apart, every crossing of two roadways of such highways shall be regarded as a separate intersection. The junction of an alley with a street or highway does not constitute an intersection.

(45.5) "**Kit vehicle**" means a passenger-type motor vehicle assembled, by other than a licensed manufacturer, from a manufactured kit that includes a prefabricated body and chassis and is accompanied by a manufacturer's statement of origin.

(46) "**Lane**" means the portion of a roadway for the movement of a single line of vehicles.

(47) "**Laned highway**" means a highway the roadway of which is divided into two or more clearly marked lanes for vehicular traffic.

(47.3) **"Last-known address"** means:

(a) For notifications regarding motor vehicles, the most recent mailing address provided on a vehicle registration or vehicle registration mailing address change notification provided in accordance with section 42-3-113, or the corrected address as reported by an address correction service licensed by the United States postal service;

(b) For notifications regarding driving privileges, driver's licenses, or identification cards when there is a driver's license or identification card on file with the department, the most recent of either:

(I) The mailing address provided by an applicant for a driver's license or identification card;

(II) The mailing address stated on an address change notification provided to the department pursuant to subsection (47.3)(a) of this section; or

(III) The corrected address as reported by an address correction service licensed by the United States postal service;

(c) For notifications regarding driving privileges or identification cards when there is no driver's license or identification card on file with the department, the most recent address shown on any other record on file with the department pursuant to this article 1 and as may be corrected by an address correction service licensed by the United States postal service.

(47.5) "**Lien**" means a security interest in a motor or off-highway vehicle under article 9 of title 4, and this article.

(48) "**Local authorities**" means every county, municipal, and other local board or body having authority to adopt local police regulations under the constitution and laws of this state.

(48.5)(a) "**Low-power scooter**" means a self-propelled vehicle designed primarily for use on the roadways with not more than three wheels in contact with the ground, no manual clutch, and either of the following:

(I) A cylinder capacity not exceeding fifty cubic centimeters if powered by internal combustion; or

(II) A wattage not exceeding four thousand four hundred seventy-six if powered by electricity.

(b) "**Low-power scooter**" shall not include a toy vehicle, bicycle, electrical assisted bicycle, wheelchair, or any device designed to assist mobility-impaired people who use pedestrian rights-of-way.

(48.6) "**Low-speed electric vehicle**" means a vehicle that:

(a) Is self-propelled utilizing electricity as its primary propulsion method;

(b) Has at least three wheels in contact with the ground;

(c) Does not use handlebars to steer; and

(d) Exhibits the manufacturer's compliance with 49 CFR 565 or displays a seventeen-character vehicle identification number as provided in 49 CFR 565.

(49) "**Manufacturer**" means any person, firm, association, corporation, or trust, whether resident or nonresident, who manufactures or assembles new and unused motor vehicles of a type required to be registered under articles 1 to 4 of this title.

(50) "**Manufacturer's suggested retail price**" means the retail price of such motor vehicle suggested by the manufacturer plus the retail price suggested by the manufacturer for each accessory or item of optional equipment physically attached to such vehicle prior to the sale to the retail purchaser.

(51) "**Markings**" means all lines, patterns, words, colors, or other devices, except signs, set into the surface of, applied upon, or attached to the pavement or curbing or to objects within or adjacent to the roadway, conforming to the state traffic control manual and officially placed for the purpose of regulating, warning, or guiding traffic.

(52) "**Metal tires**" means all tires the surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material.

(52.5) "**Military vehicle**" means a vehicle of any size or weight that is valued for historical purposes, that was manufactured for use by any nation's armed forces, and that is maintained in a condition that represents its military design and markings.

(53) "**Minor driver's license**" means the license issued to a person who is at least sixteen years of age but who has not yet attained the age of twenty-one years.

(54) (Deleted by amendment, L. 2010, (HB 10-1172), ch. 320, p. 1486, § 1, effective October 1, 2010.)

(55) "**Motorcycle**" means an autocycle or a motor vehicle that uses handlebars or any other device connected to the front wheel to steer and that is designed to travel on not more than three

wheels in contact with the ground, except that the term does not include a farm tractor, low-speed electric vehicle, or low-power scooter.

(56) (Deleted by amendment, L. 2009, (HB 09-1026), ch.281, p. 1260, § 22, effective October 1, 2009).

(57) "**Motor home**" means a vehicle designed to provide temporary living quarters and which is built into, as an integral part of or a permanent attachment to, a motor vehicle chassis or van.

(58) "**Motor vehicle**" means any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low-speed electric vehicle; except that the term does not include electrical assisted bicycles, low-power scooters, wheelchairs, or vehicles moved solely by human power. For the purposes of the offenses described in sections 42-2-128, 42-4-1301, 42-4-1301.1, and 42-4-1401, for farm tractors and off-highway vehicles, as defined in section 33-14.5-101(3), operated on streets and highways, "motor vehicle" includes a farm tractor or an off-highway vehicle that is not otherwise classified as a motor vehicle. For the purposes of sections 42-2-127, 42-2-127.7, 42-2-128, 42-2-138, 42-2-206, 42-4-1301, and 42-4-1301.1, "motor vehicle" includes a low-power scooter..

(59) (Deleted by amendment, L. 2009, (HB 09-1026), ch. 281, p. 1260, § 22, effective October 1, 2009.)

(60) "**Mounted equipment**" means any item weighing more than five hundred pounds that is permanently mounted on a vehicle, including mounting by means such as welding or bolting the equipment to a vehicle.

(60.3) "**Multipurpose trailer**" means a wheeled vehicle, without motive power, that is designed to be drawn by a motor vehicle over the public highways. A "multipurpose trailer" is generally and commonly used for temporary living or sleeping accommodation and transporting property wholly upon its own structure and is registered as a vehicle.

(60.5) (Deleted by amendment, L. 2009, (SB 09-075), ch. 418, p. 2320, § 4, effective August 5, 2009.)

(61) "**Noncommercial or recreational vehicle**" means a truck, or unladen truck tractor, operated singly or in combination with a trailer or utility trailer or a motor home, which truck, or unladen truck tractor, or motor home is used exclusively for personal pleasure, enjoyment, other recreational purposes, or personal or family transportation of the owner, lessee, or occupant and is not used to transport cargo or passengers for profit, hire, or otherwise to further the purposes of a business or commercial enterprise.

(62) "**Nonresident**" means every person who is not a resident of this state.

(63) "**Off-highway vehicle**" shall have the same meaning as set forth in section 33-14.5-101(3).

(64) "**Official traffic control devices**" means all signs, signals, markings, and devices, not inconsistent with this title, placed or displayed by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

(65) "**Official traffic control signal**" means any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.

(66) "**Owner**" means a person who holds the legal title of a vehicle; or, if a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or if a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of articles 1 to 4 of title 42. The term also includes parties otherwise having lawful use or control or the right to use or control a vehicle for a period of thirty days or more.

(67) "**Park**" or "**parking**" means the standing of a vehicle, whether occupied or not, other than very briefly for the purpose of and while actually engaged in loading or unloading property or passengers.

(68) "Pedestrian" means any person afoot or any person using a wheelchair.

(68.5)(a) "**Persistent drunk driver**" means any person who:

(I) Has been convicted of or had his or her driver's license revoked for two or more alcohol-related driving violations;

(II) Continues to drive after a driver's license or driving privilege restraint has been imposed for one or more alcohol-related driving offenses;

(III) Drives a motor vehicle while the amount of alcohol in such person's blood, as shown by analysis of the person's blood or breath, was 0.15 or more grams of alcohol per one hundred milliliters of blood or 0.15 or more grams of alcohol per two hundred ten liters of breath at the time of driving or within two hours after driving; or

(IV) Refuses to take or complete, or to cooperate in the completing of, a test of his or her blood, breath, saliva, or urine as required by section 18-3-106(4) or 18-3-205(4), or section 42-4-1301.1(2).

(b) Nothing in this subsection (68.5) shall be interpreted to affect the penalties imposed under this title for multiple alcohol- or drug-related driving offenses, including, but not limited to, penalties imposed for violations under sections 42-2-125(1)(g) and (1)(i) and 42-2-202(2).

(69) "**Person**" means a natural person, estate, trust, firm, copartnership, association, corporation, or business entity.

(69.5) **"Plug-in electric motor vehicle"** means:

(a) a motor vehicle that has received an acknowledgement of certification from the federal internal revenue service that the vehicle qualifies for the plug-in electric drive vehicle credit set forth in 26 U.S.C. sec. 30D as amended, or successor statute; or

(b) any motor vehicle that can recharged from an external source of electricity and that uses electricity stored in a rechargeable battery pack to propel or contribute to the propulsion of the vehicle's drive wheels.

(70) "**Pneumatic tires**" means all tires inflated with compressed air.

(71) "**Pole**," "**pipe trailer**," or "**dolly**" means every vehicle of the trailer type having one or more axles not more than forty-eight inches apart and two or more wheels used in connection with a motor vehicle solely for the purpose of transporting poles or pipes and connected with the towing vehicle both by chain, rope, or cable and by the load without any part of the weight of said dolly resting upon the towing vehicle. All the registration provisions of articles 1 to 4 of title 42, shall apply to every pole, pipe trailer, or dolly.

(72) "**Police officer**" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

(72.2) "**Power takeoff equipment**" means equipment that is attached to a motor vehicle and is powered by the motor that powers the locomotion of the motor vehicle.

(72.5) "**Primary user**" means an organization that collects bulk data for the purpose of in-house business use.

(72.7) "**Principal office**" means the office in this state designated by a fleet owner as its principal place of business.

(73) "**Private road**" or "**driveway**" means every road or driveway not open to the use of the public for purposes of vehicular travel.

(74) Repealed.

(75) "**Railroad sign or signal**" means any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

(76) "**Reciprocal agreement**" or "**reciprocity**" means an agreement among two or more states, provinces, or other jurisdictions for coordinated, shared, or mutual enforcement or administration of laws relating to the registration, operation, or taxation of vehicles and other personal property in interstate commerce. The term includes without limitation the "international registration plan" and any successor agreement providing for the apportionment, among participating jurisdictions, of vehicle registration fees or taxes.

(77) "**Reconstructed vehicle**" means any vehicle which has been assembled or constructed largely by means of essential parts, new or used, derived from other vehicles or makes of vehicles of various names, models, and types or which, if originally otherwise constructed, has been materially altered by the removal of essential parts or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles.

(78) "**Registration period**" or "**registration year**" means any consecutive twelve-month period.

(79) "**Registration period certificate**" means the document issued by the department to a fleet owner, upon application of a fleet owner, which states the month in which registration is required for all motor vehicles owned by the fleet owner.

(80) "**Residence district**" means the territory contiguous to and including a highway not comprising a business district when the frontage on such highway for a distance of three hundred feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business.

(81) "**Resident**" means any person who owns or operates any business in this state or any person who has resided within this state continuously for a period of ninety days or has obtained gainful employment within this state, whichever shall occur first.

(82) "**Right-of-way**" means the right of one vehicle operator or pedestrian to proceed in a lawful manner in preference to another vehicle operator or pedestrian approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision unless one grants precedence to the other.

(83) "**Road**" means any highway.

(84) "**Road tractor**" means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon independently or any part of the weight of a vehicle or load so drawn.

(85) "**Roadway**" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the sidewalk, berm, or shoulder even though such sidewalk, berm, or shoulder is used by persons riding bicycles or other human-powered vehicles and exclusive of that portion of a highway designated for exclusive use as a bicycle path or reserved for the exclusive use of bicycles, human-powered vehicles, or pedestrians. In the event that a highway includes two or more separate roadways, "roadway" refers to any such roadway separately but not to all such roadways collectively.

(86) "**Saddlemount combination**" means a combination of vehicles in which a truck or laden or unladen truck tractor tows one or more additional trucks or laden or unladen truck tractors and in which each such towed truck or laden or unladen truck tractor is connected by a saddle to the frame or fifth wheel of the vehicle immediately in front of such truck or laden or unladen truck tractor. For the purposes of this subsection (86), "saddle" means a mechanism which connects the front axle of a towed vehicle to the frame or fifth wheel of a vehicle immediately in front of such towed vehicle and which functions like a fifth wheel kingpin connection. A saddlemount combination may include one fullmount.

(87) "**Safety zone**" means the area or space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.

(88) "**School bus**" means a motor vehicle that is designed and used specifically for the transportation of school children to or from a public or private school or a school-related activity, whether the activity occurs within or without the territorial limits of any district and whether or not the activity occurs during school hours. “School bus” does not include informal or intermittent arrangements, such as sharing of actual gasoline expense or participation in a car pool, for the transportation of school children to or from a public or private school or a school-related activity.

(88.5)(a) "**School vehicle**" means a motor vehicle, including but not limited to a school bus, that is owned by or under contract to a public or private school and operated for the transportation of school children to or from school or a school-related activity.

(b) "**School vehicle**" does not include:

(I) Informal or intermittent arrangements, such as sharing of actual gasoline expense or participation in a car pool, for the transportation of school children to or from a public or private school or a school-related activity; or

(II) A motor vehicle that is owned by or under contract to a child care center, as defined in section 26-6-102 (5), and that is used for the transportation of children who are served by the child care center.

(89) "**Semitrailer**" means any wheeled vehicle, without motor power, designed to be used in conjunction with a laden or unladen truck tractor so that some part of its own weight and that of its cargo load rests upon or is carried by such laden or unladen truck tractor and that is generally and commonly used to carry and transport property over the public highways.

(90) "**Sidewalk**" means that portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.

(91) "**Snowplow**" means any vehicle originally designed for highway snow and ice removal or control or subsequently adapted for such purposes which is operated by or for the state of Colorado or any political subdivision thereof.

(92) "**Solid rubber tires**" means every tire made of rubber other than a pneumatic tire.

(93) "**Specially constructed vehicle**" means any vehicle which has not been originally constructed under a distinctive name, make, model, or type by a generally recognized manufacturer of vehicles.

(93.5)(a) "**Special mobile machinery**" means machinery that is pulled, hauled, or driven over a highway and is either:

(I) A vehicle or equipment that is not designed primarily for the transportation of persons or cargo over the public highways; or

(II) A motor vehicle that may have been originally designed for the transportation of persons or cargo over the public highways, and has been redesigned or modified by the addition of mounted equipment or machinery, and is only incidentally operated or moved over the public highways.

(b) "**Special mobile machinery**" includes vehicles commonly used in the construction, maintenance, and repair of roadways, the drilling of wells, and the digging of ditches.

(94) "**Stand**" or "**standing**" means the halting of a vehicle, whether occupied or not, other than momentarily for the purpose of and while actually engaged in receiving or discharging passengers.

(95) "**State**" means a state, territory, organized or unorganized, or district of the United States.

(96) "**State motor vehicle licensing agency**" means the department of revenue.

(97) "**State traffic control manual**" means the most recent edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways", including any supplement thereto, as adopted by the transportation commission.

(98) "**Steam and electric trains**" includes:

(a) "**Railroad**", which means a carrier of persons or property upon cars, other than street cars, operated upon stationary rails;

(b) "**Railroad train**", which means a steam engine, electric, or other motor, with or without cars coupled thereto, operated upon rails, except streetcars;

(c) "**Streetcar**", which means a car other than a railroad train for transporting persons or property upon rails principally within a municipality.

(99) "**Stinger-steered**" means a semitrailer combination configuration wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit.

(100) "**Stop**" or "**stopping**" means, when prohibited, any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

(101) "**Stop line**" or "**limit line**" means a line which indicates where drivers shall stop when directed by an official traffic control device or a police officer.

(101.5) "**Street rod vehicle**" means a vehicle manufactured in 1948 or earlier with a body design that has been modified for safe road use.

(102) "**Supervisor**" means the executive director of the department of revenue or head of a group, division, or subordinate department appointed by the executive director in accordance with article 35 of title 24.

(102.5) "**Surge brakes**" means a system whereby the brakes of a trailer are actuated as a result of the forward pressure of the trailer against the tow vehicle during deceleration.

(102.7) "**Temporary special event license plate**" means a special license plate valid for a limited time period that is issued to a person or group of people in connection with a special event. "Temporary special event license plate" does not mean a special plate for the purposes of section 42-3-207.

(103) "**Through highway**" means every highway or portion thereof on which vehicular traffic is given preferential right-of-way and at the entrances to which other vehicular traffic from intersecting highways is required by law to yield the right-of-way to vehicles on such through highway in obedience to a stop sign, yield sign, or other official traffic control device when such signs or devices are erected as provided by law.

(103.5)(a) "**Toy vehicle**" means any vehicle, that has wheels and is not designed for use on public highways or for off-road use.

(b) "**Toy vehicle**" includes, but is not limited to, gas-powered or electric-powered vehicles commonly known as mini bikes, "pocket" bikes, kamikaze boards, go-peds, and stand-up scooters.

(c) **"Toy vehicle"** does not include off-highway vehicles or snowmobiles.

(104) "**Traffic**" means pedestrians, ridden or herded animals, and vehicles, streetcars, and other conveyances either singly or together while using any highway for the purposes of travel.

(104.5) **"Traffic Investigation or Survey"** means a documented, data driven, comprehensive analysis using methods consistent with an Engineering Study as defined in the latest edition of the Manual on Uniform Traffic Control Devices.

(105) "**Trailer**" means any wheeled vehicle, without motive power, which is designed to be drawn by a motor vehicle and to carry its cargo load wholly upon its own structure and that is generally and commonly used to carry and transport property over the public highways. The term includes, but is not limited to, multipurpose trailers as defined in subsection (60.3) of this section.

(106)(a) "**Trailer coach**" means a wheeled vehicle having an overall length, excluding towing gear and bumpers, of not less than twenty-six feet, without motive power, that is designed and generally and commonly used for occupancy by persons for residential purposes, in temporary locations, and that may occasionally be drawn over the public highways by a motor vehicle and is licensed as a vehicle.

(b) "**Manufactured home**" means any preconstructed building unit or combination of preconstructed building units, without motive power, where such unit or units are manufactured in a factory or at a location other than the residential site of the completed home, which is designed and commonly used for occupancy by persons for residential purposes, in either temporary or permanent locations, and which unit or units are not licensed as a vehicle.

(107) "**Transporter**" means every person engaged in the business of delivering vehicles of a type required to be registered under articles 1 to 4 of this title from a manufacturing, assembling, or distributing plant to dealers or sales agents of a manufacturer.

(108) "**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.

(109) "**Truck tractor - laden**" or "**laden truck tractor**" means any motor vehicle carrying cargo that is generally and commonly designed and used to draw, and is drawing a semitrailer or trailer and its cargo load over the public highways.

(109.5) "**Truck tractor - unladen**" or "**unladen truck tractor**" means any motor vehicle not carrying cargo that is generally used to draw a semitrailer or trailer and its cargo load over the public highways.

(109.7) **"UDD"** means underage drinking and driving, and use of the term shall incorporate by reference the offense described in section 42-4-1301(2)(d).

(110) "**Used vehicle**" means every motor vehicle which has been sold, bargained for, exchanged, or given away, or has had the title transferred from the person who first acquired it from the manufacturer or importer, and has been so used as to have become what is commonly known as "secondhand" within the ordinary meaning thereof.

(111) "**Utility trailer**" means any wheeled vehicle weighing two thousand pounds or less, without motive power, which is designed to be drawn by a motor vehicle and which is generally and commonly used to carry and transport personal effects, articles of household furniture, loads of trash and rubbish, or not to exceed two horses over the public highways.

(112) "**Vehicle**" means a device that is capable of moving itself, or of being moved, from place to place upon wheels or endless tracks. "Vehicle" includes, without limitation, a bicycle, electrical assisted bicycle, or EPAMD, but does not include a wheelchair, off-highway vehicle, snowmobile, farm tractor, or implement of husbandry designed primarily or exclusively for use and used in agricultural operations or any device moved exclusively over stationary rails or tracks or designed to move primarily through the air.

(112.5) "**Vendor**" means an organization that collects bulk data for the purpose of reselling the data.

(113) "**Wheelchair**" means a motorized or nonmotorized wheeled device designed for use by a person with a physical disability.

Appendix Part A.
Instructions For Adopting The Model Traffic Code By Reference

(Based on parts 1 and 2 of article 16 of title 31 and part 4 of article 15 of title 30; and on section 43-2-135(1)(g))

1. Adopting Ordinance (see specimen)

(a) Form and Content. The form and content of the adopting ordinance should be patterned as closely as possible after the specimen.

(b) Exceptions. Any and all sections of the Code that are inapplicable to the municipality or county and are thereby to be deleted must be enumerated in the adopting ordinance.

(c) Penalties. Any penalties shall be subject to sections 31-16-204 or 30-35-404.

2. Introduction:

The Board of Trustees, City Council or Board of County Commissioners shall meet and introduce the adopting ordinance.

3. Notice of Hearing: (see specimen)

After introduction of the adopting ordinance the Board of Trustees, City or Town Council, Board of County Commissioners must schedule a public hearing and give notice of such hearing. Notice of the hearing shall be published twice in a newspaper published or having a general circulation in the municipality, once at least eight days preceding the hearing, and once at least fifteen days preceding the hearing. If there is no such newspaper the notice shall be posted in the same manner as provided for the posting of a proposed ordinance.

4. Content of Notice:

The notice of public hearing shall state the time and place of the hearing and shall also state that copies of the Code, being considered for adoption, are on file at the office of the City (Town) Clerk or County Clerk and are open to public inspection during regular business hours. The notice shall also contain brief explanation of the purpose of the Code, the subject matter, the name and address of the agency by which it has been developed, and the date of publication of the Code. See sections 30-35-403 or 31-16-203.

5. Copies of Code:

A link to the current CDOT Model Traffic Code must be posted online along with a link to an accessible pdf of the Model Traffic Code adopted by the City (Town) Clerk or County Clerk. Not fewer than three copies of the Code, all certified to be true copies by the City (Town) Clerk or County Clerk, shall be filed in the Clerk's office fifteen days preceding the public hearing. The current CDOT Model Traffic Code, along with an electronic copy adopted by the City (Town) Clerk or County Clerk will be available online, without charge. The current CDOT Model Traffic Code is available here:
https://www.codot.gov/safety/traffic-safety/assets/documents

6. Deletions or Additions:

After the hearing, the governing body may amend, adopt or reject the adopting ordinance. If any deletions or additions are made in the Code by the Board of Trustees, City or Town Council, or Board of County Commissioners they must be duly noted in the adopting ordinance and will be available online, without charge on the City (Town) or Country website.

7. Colorado Department of Transportation Approval:

Approval by the Colorado Department of Transportation is required by law for all regulations pertaining to streets which are state highways. This approval will take the form of a written certification signed by the Chief Engineer or designee. Approval should be sought following the public hearing and before the actual publication of the adopting ordinance so that the Department will have time to certify its approval of the regulations and schedules prior to the date the ordinance is calendared to become effective.

8. Requirements for Department Approval:

For purposes of review and approval the Colorado Department of Transportation requires an authenticated copy of the adopting ordinance. A draft copy of the adopting ordinance may be submitted for review by CDOT prior to authentication.

9. Publication or Posting of Ordinance:

After passage by the City or Town Council, or Board of County Commissioners the adopting ordinance shall be published in full in some newspaper published within the corporate limits, or if there be none, then in some newspaper or online news publication of general circulation in the municipality or county. If there is no such newspaper or online news publication, the notice shall be posted in the same manner as provided for the posting of a proposed ordinance.

10. Effective Date:

The ordinance shall neither take effect nor be in force until the expiration of thirty days after it has been published or posted, except when the ordinance contains a special clause declaring that an emergency exists and that the ordinance is necessary for the immediate preservation of the public health and safety. The excepted ordinance shall take effect upon adoption and compliance with requirements for the mayor's approval as provided by section 31-16-104, provided it has been passed by an affirmative vote of two-thirds of the members of the governing body of the City or Town. However, in no case shall regulations pertaining to state highways become effective until approval has been obtained from the Colorado Department of Transportation.

11. Public Record:

After adoption of the Code by reference, the City, Town or County Clerk shall keep on file at least three copies for public inspection while the ordinance is in force, except that one of these copies may be placed in the office of the chief enforcement officer instead of in the office of the Clerk.

Appendix Part B:
Specimen Ordinance For Adopting
The Model Traffic Code By Reference

ORDINANCE NO. _____

TITLE: AN ORDINANCE FOR THE REGULATION OF TRAFFIC BY THE

(CITY TOWN COUNTY) OF _____ COLORADO; ADOPTING BY REFERENCE THE 2020 EDITION OF THE "MODEL TRAFFIC CODE" REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL, BOARD OF TRUSTEES, BOARD OF COUNTY COMMISSIONERS OF THE (CITY TOWN COUNTY) OF _____ COLORADO:

Section 1. Adoption.

Pursuant to parts 1 and 2 of article 16 of title 31 and part 4 of article 15 of title 30, there is hereby adopted by reference the 2020 edition of the "Model Traffic Code" promulgated and published as such by the Colorado Department of Transportation, Traffic Safety and Engineering Services, 2829 W Howard Place, Denver, CO 80204. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the City, Town, 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 Clerk of the (City Town County) of _____ Colorado, and may be inspected during regular business hours.

Section 2. Deletions.

The 2024 edition of the Model Traffic Code is adopted as if set out at length save and except the following articles and/or sections which are declared to be inapplicable to this municipality and are therefore expressly deleted:

(The adopting municipality or county should list and cross reference to affected sections any deletions. If none, in the above statement write "none". – Delete from Ordinance)

Section 3. Additions or Modifications.

The said adopted Code is subject to the following additions or modifications:

(The adopting municipality or county should set forth in full any additions to or modifications of the adopted Code. If none, so indicate by inserting the word "None." – Delete from Ordinance))

Section 4. Penalties.

The following penalties, herewith set forth in full, shall apply to this ordinance:

(a) It is unlawful for any person to violate any of the provisions adopted in this ordinance.

(b) Every person convicted of a violation of any provision adopted in this ordinance shall be punished by a surcharge in accordance with 42-4-1701(4)(e)(II).

(For use by Home Rule Towns and Cities– Delete from Ordinance))

(c) In addition to Section 4. Penalties.(b), every person convicted of a violation of any provision adopted in this ordinance shall be punished by a fine not exceeding _____ dollars ($_____), or by imprisonment not exceeding _____ (00) days, or by both such fine and imprisonment.

{For use by Counties}

(c) Every person convicted of a violation of any provision adopted in this ordinance shall be punished by a minimum fine in accordance with Section 1701, not exceeding _____ ($_____), or by both such fine and imprisonment not exceeding _____(00) days.

(d)

Section 5. 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, either within or outside the corporate limits of this municipality or county, the use of which this municipality or county has jurisdiction and authority to regulate.

Section 6. Validity.

If any part or parts of this ordinance are for any reason held to be invalid such decision shall not affect the validity of the remaining portions of this ordinance. The (City Town Council) (Board of County Commissioners) hereby declares that it would have passed this ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

Section 7. Repeal.

Existing or parts of ordinances (identifying ordinance number may be cited) covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

Section 8. Interpretation.

This ordinance shall be so interpreted and construed as to effectuate its general purpose to conform with the State's uniform system for the regulation of vehicles and traffic. Article and section headings of the ordinance and adopted Model Traffic Code 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.

Section 9. Certification.

The City, Town, County Clerk shall certify to the passage of this ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

PASSED BY THE (CITY COUNCIL - BOARD OF COUNTY COMMISSIONERS) AFTER A PUBLIC HEARING AND SIGNED THIS _____ DAY OF _____ , 20___ .

_____

Mayor or Chairman

(SEAL) (CITY TOWN COUNTY) OF _____

ATTEST:

_____

(City Town County) Clerk

Appendix Part C:
Specimen Notice Of Hearing

NOTICE is hereby given of a public hearing before the (City Town Council Board of County Commissioners) of _____ Colorado, at _____(time) of the _____ day of _____, 20____, at _____(location)for the purpose of considering the adoption by reference of the "Model Traffic Code" 2020 edition, as the traffic ordinance of the (City, Town, County) of _____, Colorado.

Copies of the Model Traffic Code are on file at the office or the website of the (City, Town, County) Clerk and may be inspected during regular business hours. If enacted as an ordinance of this City or County the Model Traffic Code will not be published in full, but in accordance with state law, copies will be kept on file and on the website of the (City, Town, County).

The "Model Traffic Code" 2024 edition is published by the Colorado Department of Transportation, Traffic Engineering and Safety Branch, 2829 West Howard Place, Denver, CO 80204. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the (City Town County). The purpose of the Ordinance and the Code adopted therein is to provide a system of traffic regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation.

At its next regular meeting following this hearing, the (City Town Council) (Board of County Commissioners) will consider passage of the adopting Ordinance.

This notice given and published by the order of the (City Town Council) (Board of County Commissioners).

Dated this _____ day of _____, 20___.

(City Town County) Of _____, Colorado

_____ (City Town County) Clerk

First notice of hearing _____ 20__

Second notice of hearing _____ 20__

Appendix Part D:
Specimen Certification - Posting Of Ordinance

State Of Colorado

County Of _____

Town Of _____

The undersigned Clerk of the Town of _____ Colorado, hereby certifies, upon resolution of the Board of Trustees, that there is no newspaper published within or which has a general circulation within the municipality; that upon the authorization and direction of the Board of Trustees the undersigned has caused to be posted in three (3) public places namely:

1. _____
2. _____
3. _____

An ordinance entitled: "ADOPTING BY REFERENCE THE 2020 EDITION OF THE 'MODEL TRAFFIC CODE FOR COLORADO LOCAL GOVERNMENTS'; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR PENALTIES THEREOF."

The same being Ordinance No. _____

Dated this ___ day of _____ 20___.

The undersigned further attests that each of the copies of said Ordinance remained posted continuously and uninterruptedly for the period required by law.

WITNESS the hand and seal of the undersigned on this _____ day of _____ 20___

_____ _____

Town Clerk (SEAL)

Appendix Part E:
Instructions For Amending Model Traffic Code
Previously Adopted By Reference

(Based on parts 1 and 2 of article 16 of title 31, as amended, and section 43-2-135 (1)(g))

1. Amending Ordinance:

Colorado law provides that whenever a Code is amended by the agency which originally promulgated or adopted it, any municipality which has previously adopted the Code by reference may also adopt the amendments by reference through the same procedure as required for the adoption of the original Code; or an ordinance may be enacted in regular manner, setting forth the entire text of the amendments. The instructions which follow apply to the latter method.

2. Form and Content:

The form and content of the amending ordinance should conform to the requirements set forth in part 1 of article 16 of title 31, Colorado Revised Statutes, as amended.

Amendments pertaining to sections of the Code which are inapplicable to the municipality should be deleted in the amending ordinance.

3. Public Hearing:

No hearing is required if an ordinance is enacted setting forth the entire text of the amendments.

4. Publication or Posting:

Publication or posting requirements for the amending ordinance are the same as for any other ordinance adopted by a City or Town. Publication or posting procedures are described in Part D of this Appendix.

5. Colorado Department of Transportation Approval:

Colorado Department of Transportation approval of the amended regulations is required before any regulations pertaining to streets which are state highways become effective. This approval will take the form of a written certification signed by the Chief Engineer or designee.

6. Effective Date:

The amending ordinance will take effect upon adoption and compliance with requirements for the mayor's approval or thirty days after publication as provided by law. The procedure in each case is described in item no. 10 Part A of this Appendix.

7. Public Record:

After passage of the amending ordinance the City or Town Clerk should continue to keep on file at least three copies of the adopted code, for public inspection in the manner shown in item no. 11 in Part A of this Appendix.

Appendix Part F:
Listing Of Amendments For Updating Previous Edition Of Model Traffic Code Adopted By Reference

Colorado statutes grant municipalities the option of enacting an ordinance in the regular manner for the purpose of amending a code previously adopted by reference. To accomplish this, however, the entire text of the amendments must be set forth in such an ordinance. Local Governments that desire to follow this procedure instead of adopting the current edition of the Code by reference may obtain a listing and description of all pertinent changes from the Colorado Department of Transportation. The procedure for amending a code directly rather than by reference is set forth in Part E of this Appendix.

Whenever possible, municipalities should to adopt the latest edition of the Code by reference instead of resorting to an amending ordinance. This procedure has several important advantages:

(1) It avoids the problem of relating the various revisions and additions in an amending ordinance to the adopted edition of the Code;

(2) It enables a city or town to have on record the latest references to applicable State statutes and national recommendations as well as informative and current editorial notes relating to the various traffic regulations; and

(3) It facilitates the task of drafting the municipal ordinance pertaining to the Code.

Appendix Part G:
Specimen Certification Of Model Traffic Code

*(Form to be affixed to inside front or back cover of each Code provided for public inspection.)

State Of Colorado

Certification

County Of _____

City (Town) Of _____

We, the undersigned, do hereby certify that this Model Traffic Code is a true and accurate copy of the Code adopted by reference by the (City Town County) of _____, Colorado under Ordinance No. _____ pursuant to and as provided by parts 1 and 2 of article 16 of title 31 or part 4 of article 15 title 30.

Dated this _____ day of _____, 20_____ .

By_____

Mayor or Chairman

Attest: (City Town County) Of _____

_____

Clerk

(SEAL)

Appendix Part H:
Why A Model Traffic Code For Colorado?

1. Uniformity of basic road rules.
2. Uniformity of local traffic regulations.
3. Standardization of traffic regulation and control on streets that are state highways.
4. Compatibility of traffic ordinances with State and national vehicle codes.

All Contributing To
Greater Traffic Safety
And Operational Efficiency
In Moving People And Goods
Through And Within
Our Local Governments!

(See Forward to Code for details)

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: Clayton Buchner

PROJECT:	Ordinance 1028, Second Reading, Adopting a fine, surcharge and point schedule for violation of the model traffic code
ACTION:	Discussion and Action

PURPOSE/BACKGROUND:
Ordinance 1028 piggybacks Ordinance 1027 by updating the Fine, Fee, and Surcharge schedule in support of the adoption of the 2024 Model Traffic Code. The Fine, Fee, and Surcharge Schedule delineates the statutory fines, fees, and surcharges associated with violation of their respective traffic control regulations for the Town. The purpose of this Ordinance and the Code adopted herein is to provide fines, fees, and surcharges for traffic regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation. This version of the Fine, Fee, and Surcharge Schedule proposed for adoption was reviewed and edited with input from the Chief of Police, Town Clerk, and Town Prosecutor.

ATTACHMENTS:
1. Ordinance 1028
2. Exhibit A_Fine, Fee, and Surcharge Schedule

FISCAL IMPACT: No budget impact adopting this ordinance.

GOALS & OBJECTIVES: Update Fine, Fee, and Surcharge Schedule to align with updated Model Traffic Code.

RECOMMENDATIONS:
1) Move to approve the Second Reading of Ordinance 1028 adopting the updated Fine, Fee, and Surcharge Schedule.

TOWN OF PAGOSA SPRINGS, COLORADO

Ordinance No. 1028
(Series 2026)

AN ORDINANCE OF THE TOWN OF PAGOSA SPRINGS REPEALING AND READOPTING A FINE, SURCHARGE, AND POINT SCHEDULE FOR VIOLATIONS OF THE MODEL TRAFFIC CODE

WHEREAS, the Town of Pagosa Springs ("Town") is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Pagosa Springs Home Rule Charter of 2003; and

WHEREAS, by Ordinance No. 643 (Series 2005), the Town previously adopted an amended version of the 2003 edition of the Model Traffic Code for Colorado ("MTC") and simultaneously adopted a modified penalty schedule for traffic violations, codified in the Pagosa Springs Municipal Code at Chapter 18, Article I; and

WHEREAS, by Ordinance No. 1027 (Series 2026), the Town Council has adopted an updated and amended version of the 2024 edition of the MTC; and

WHEREAS, the Town desires to simultaneously adopt a modified fine, surcharge, and point schedule for violations of the 2024 MTC consistent with Title 42 of the Colorado Revised Statutes on these subjects; and

WHEREAS, in its provision of public safety services throughout the Town, the Town of Pagosa Springs Police Department uses vehicles and incurs costs associated with fueling the vehicles with gasoline and vehicle maintenance and desires to apply collected surcharges to recover these costs for the efficient delivery of public safety services to residents, visitors, and travelers; and

WHEREAS, the Town Council finds it in the interest of public health, safety and welfare that the Council update the fine, surcharge, and point schedule to reflect the newly adopted and updated 2024 MTC.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, as follows:

Section 1. The repeal and readoption of the Municipal Traffic Fine, Surcharge, and Point Schedule, in substantially the same form and format as attached in Exhibit A.

Section 2. Public Inspection. The full text of this Ordinance, with any amendments, is available for public inspection at the office of the Town Clerk.

Section 3. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

Section 4. Public Hearing. A public hearing on the first reading of this Ordinance shall be held on the 5th day of May, 2026 at 5:00 p.m., at the Pagosa Springs Town Hall, 551 Hot Springs Boulevard, Pagosa Springs, Colorado.

Section 5. Effective Date. Pursuant to Section 3.9 of the Town Charter, this Ordinance shall become effective and be in force immediately upon final passage at second reading, which shall be held on the 19th day of May, 2026 at 5:00 p.m., at the Pagosa Springs Town Hall, 551 Hot Springs Boulevard, Pagosa Springs, Colorado.

INTRODUCED, READ, AND ORDERED PUBLISHED BY TITLE ONLY PURSUANT TO SECTION 3.9, B) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE _____ DAY OF _____, 2026.

TOWN OF PAGOSA SPRINGS,COLORADO

By:_____
Shari Pierce, Mayor

Attest:

_____
April Hessman, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED BY TITLE ONLY PURSUANT TO SECTION 3.9, D) OF THE PAGOSA SPRINGS HOMERULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE _____ DAY OF _____, 2026.

TOWN OF PAGOSA SPRINGS,COLORADO

By:_____
Shari Pierce, Mayor

Attest:

_____
April Hessman, Town Clerk

CERTIFICATE OF PUBLICATION

I, the duly appointed, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 1028 (Series 2026) was approved by the Town Council of the Town of Pagosa Springs on first reading at its regular meeting held on the _____day of _____, 2026, and was published by title only, along with a statement indicating that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website on _____, 2026, which date was at least ten (10) days prior to the date of Town Council consideration on second reading.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this _____ day of_____, 2026.

_____
April Hessman, Town Clerk (SEAL)

I, the duly appointed, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 1028 (Series 2026) was approved by the Town Council of the Town of Pagosa Springs on second reading, at its regular meeting held on the _____ day of_____, 2026, and was published by title only, along with a statement indicating the effective date of the Ordinance and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on _____, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this _____ day of_____, 2026.

_____
April Hessman, Town Clerk (SEAL)

Pagosa Springs Municipal
Traffic Fine, Surcharge, and Point Schedule

Model Traffic Code Section	Description of Violation	Common Code	Fine and Surcharge	School or Construction Zone	Point(s)	Class
General Traffic Regulations						
MTC 107	Failed or refused to comply with the lawful order or direction of any peace officer with authority to direct, control, or regulate traffic	900	SUM		3	MT2
MTC 109 (1)	Motorized bicycle rider violated provisions of Model Traffic Code (State specific violation)	924	$15.00 + $12.00	$30.00 + $13.00	0	TIB
MTC 109 (2)	Failed to ride motorized bicycle upon or astride a permanent and regular seat attached thereto	925	$15.00 + $12.00	$30.00 + $13.00	0	TIB
MTC 109 (3)	Motorized bicycle carried more persons than the number for which it was designed and equipped	925	$15.00 + $12.00	$30.00 + $13.00	0	TIB
MTC 109 (4)	Person on motorized bicycle, coaster, roller skates, sled, or toy vehicle attached themselves to a vehicle upon a roadway	925	$15.00 + $12.00	$30.00 + $13.00	0	TIB
MTC 109 (5)	Failed to ride motorized bicycle as close to the right side of roadway as practicable	925	$15.00 + $12.00	$30.00 + $13.00	0	TIB
MTC 109 (6)	Rode motorized bicycles more than two abreast	925	$15.00 + $12.00	$30.00 + $13.00	0	TIB
MTC 109 (8)	Failed to ride or lead animal on side of roadway facing approaching traffic	408	$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 109 (9)	Used skis, toboggan, coasting sled, skates, coaster, toy vehicle, or similar device on highway	901	$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 109 (11)	Failed to use bicycle path when directed by official signs	926	$15.00 + $7.00	$30.00 + $13.00	0	TIB

MTC 109 (12)	Parent or guardian authorized or permitted child to violate any provision of Section 109	901	$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 109.5 (1)	Person operated neighborhood electric vehicle on a highway	961	SUM		0	TIB
MTC 109.5 (2)	Person operated neighborhood electric vehicle on a limited access highway	961	SUM		0	TIB
MTC 116 (1)(a)	Minor driver with DL less than 6 months operated a vehicle with a passenger under 21 years of age and not immediate family member	169	1st: $50 8-24 hrs UPS 2nd: $100 16-40 hrs UPS Sub: $150 16-40 hrs UPS		2	TIA
MTC 116 (1)(b)	Minor driver with DL less than 1 year operated a vehicle with more than one passenger under 21 years of age and not immediate family member	169	1st: $50 8-24 hrs UPS 2nd: $100 16-40 hrs UPS Sub: $150 16-40 hrs UPS		2	TIA
MTC 116 (2)(a)	Minor driver operated a vehicle between 12 a.m. and 5 a.m.	168	1st: $50 8-24 hrs UPS 2nd: $100 16-40 hrs UPS Sub: $150 16-40 hrs UPS		2	TIA
MTC 117 (3)	Person operated EPAMD on limited-access highway, bike or pedestrian path, or at a speed greater than 12.5 mph		$15.00 + $7.00	$30.00 + $13.00	0	TIB
Vehicle Equipment						
MTC 201 (1)	Number of persons in front seat of vehicle obstructed driver's vision	450	$35.00 + $11.00		0	TIA
MTC 201 (1)	Number of persons in front seat of vehicle interfered with driver's control of vehicle	451	$35.00 + $11.00		0	TIA
MTC 201 (2)	Drove vehicle when passenger is riding in a manner which endangers such passenger or others	457	$35.00 + $11.00		0	TIA
MTC 201 (3)	Drove vehicle when television viewer or screen visible to driver	465	$35.00 + $11.00		0	TIA
MTC 201 (4)	Driver's vision obstructed through required glass	452	$35.00 + $11.00		0	TIA

MTC 201 (5)	Passenger interfered with/obstructed driver's view	453	$35.00 + $11.00		0	TIA
MTC 201 (5)	Driver permitted passenger to interfere with driver's view or control of vehicle	454	$35.00 + $11.00		0	TIA
MTC 201 (6)	Person attached themselves to outside, top, hood, or fenders of vehicle	456	$35.00 + $11.00		0	TIA
MTC 201 (6)	Driver permitted person to attach themselves to outside, top, hood, or fenders of vehicle	457	$35.00 + $11.00		0	TIA
MTC 202 (1)	Operated vehicle with defective headlamps	542	$35.00 + $11.00		2	TIA
MTC 203 (1)	Drove a defective or unsafe vehicle (Notice must accompany citation)	576	SUM		2	MT2
MTC 204 (1)	Operated vehicle without required use of vehicle lighting equipment	611	$15.00 + $7.00		2	TIA
MTC 205 (1)	Operated vehicle without required head lamps	613	$15.00 + $7.00		0	TIB
MTC 205 (2)	Operated motorcycle without head lamp or with more than two head lamps	614	$15.00 + $7.00		0	TIB
MTC 205 (3)	Height of headlamp failed to meet requirements (measured more than fifty-four inches or less than twenty-four inches in height)	612	$15.00 + $7.00		0	TIB
MTC 206 (1)	Operated vehicle without required tail lamps	615	$15.00 + $7.00		0	TIB
MTC 206 (2)	Height of tail lamp failed to meet requirements (measured more than seventy-two inches or less than twenty inches in height)	618	$15.00 + $7.00		0	TIB
MTC 206 (3)	Operated vehicle with no or defective rear registration/license plate light	619	$15.00 + $7.00		0	TIB

MTC 206 (4)	Operated vehicle without required reflector	617	$15.00 + $7.00		0	TIB
MTC 206 (5)	1958 or newer vehicle failed to have two reflectors as required	617	$15.00 + $7.00		0	TIB
MTC 206 (6)	Height of reflector failed to meet requirements (measured more than sixty inches or less than twenty inches in height)	616	$15.00 + $7.00		0	TIB
MTC 207	Operated vehicle without required vehicle clearance lamps	620	$15.00 + $7.00		0	TIB
MTC 208 (1)	Operated vehicle with no or defective stop lamps	623	$15.00 + $7.00		0	TIB
MTC 208 (1)	Operated vehicle with no or defective turn signals	624	$15.00 + $7.00		0	TIB
MTC 208 (2)	Sold, offered for sale, or operated any vehicle manufactured after January 1, 1958, without required stop lamp (s)	623	$15.00 + $7.00		0	TIB
MTC 208 (3)	Sold, offered for sale, or operated any vehicle without required electrical turn signals	624	$15.00 + $7.00		0	TIB
MTC 209	Operated vehicle with no or improper lamp or flag on a projecting load	543	$15.00 + $7.00		0	TIA
MTC 210 (2)	Failed to operate lamps on parked vehicles when required	350	$15.00 + $7.00		0	TIB
MTC 210 (3)	Failed to depress or dim head lamps on parked vehicle when required	350	$15.00 + $7.00		0	TIB
MTC 211 (1)	(Farm equipment, farm tractor, implement of husbandry, animal drawn vehicle) not equipped with (lamps, reflectors) as required ****SPECIFY VIOLATION**	627	$15.00 + $7.00		0	TIB
MTC 212 (1)	Vehicle equipped with more than two spot lamps	544	$15.00 + $7.00		0	TIB
MTC 212 (1)	Improper use of spot lamp	628	$15.00 + $7.00		0	TIB
MTC 212 (2)	Vehicle equipped with more than two fog lamps or lamps were less than twelve inches or more than thirty inches in height	544	$15.00 + $7.00		0	TIB

MTC 212 (3)	Vehicle equipped with more than two auxiliary passing lamps or position of passing lamps failed to meet requirements (less than twenty inches or more than forty-two inches in height)	544	$15.00 + $7.00		0	TIB
MTC 212 (4)	Vehicle equipped with more than two auxiliary driving lamps or position of driving lamps did not meet requirements (less than sixteen inches or more than forty-two inches in height)	544	$15.00 + $7.00		0	TIB
MTC 213 (1)	Insufficient or defective audible signal on emergency vehicle	545	$15.00 + $7.00		0	TIA
MTC 213 (2)	Insufficient or defective visual signal on emergency vehicle	546	$15.00 + $7.00		0	TIA
MTC 213 (4)	Unauthorized or improper use of green light on motor or emergency vehicle	539	$15.00 + $7.00		0	TIA
MTC 214 (1)	Failed to equip service vehicle with required visual signals	645	$15.00 + $7.00		0	TIB
MTC 214 (2)	Failed to activate visual signals on a service vehicle when required	645	$15.00 + $7.00		0	TIB
MTC 214(6)(a)	Unauthorized passing of snowplows in echelon formation		$15.00 + $7.00		0	TIA
MTC 215(1)	Stop lamps or devices failed to meet requirements	N/A	$15.00 + $7.00		0	TIB
MTC 215(1)	Vehicle not equipped with stop lamps as required	N/A	$15.00 + $7.00		0	TIB
MTC 215 (2)	Signal lamps or devices failed to meet requirements	629	$15.00 + $7.00		0	TIB
MTC 215 (2)	Vehicle did not have turn signals as required	630	$15.00 + $7.00		0	TIB
MTC 215 (3)	Stop lamp or signal lamp projected a glaring or dazzling light	N/A	$15.00 + $7.00		0	TIB
MTC 215 (4)	Improper number of cowl or fender lamps	N/A	$15.00 + $7.00		0	TIB

MTC 215 (4)	Cowl or fender lamp emitted improper color or glaring light	N/A	$15.00 + $7.00		0	TIB
MTC 215 (5)	Improper number of running board courtesy lamps	N/A	$15.00 + $7.00		0	TIB
MTC 215 (5)	Running board courtesy lamps emitted improper color or glaring light	N/A	$15.00 + $7.00		0	TIB
MTC 215 (6)	Backup lamps or devices failed to meet requirements	N/A	$15.00 + $7.00		0	TIB
MTC 215 (7)	Warning lamps or devices failed to meet requirements	N/A	$15.00 + $7.00		0	TIB
MTC 215 (8)	Vehicle over eighty inches in width failed to display identification lamps as required	N/A	$15.00 + $7.00		0	TIB
MTC 216 (1)	Motor vehicle had high intensity light improperly directed		$15.00 + $7.00		0	TIB
MTC 216 (2)	Vehicle not equipped with multiple-beam indicator	631	$15.00 + $7.00		0	TIB
MTC 217 (1)	Improper headlight distribution	633	$15.00 + $7.00		0	TIA
MTC 217 (1) (a)	Failed to dim lights when approaching an oncoming vehicle	632	$15.00 + $7.00		2	TIA
MTC 217 (1) (b)	Failed to dim lights when following another vehicle	632	$15.00 + $7.00		2	TIA
MTC 218	Single beam head lamps failed to meet requirements	634	$15.00 + $7.00		0	TIB
MTC 219	Operated vehicle with an excess number of lamps	635	$15.00 + $7.00		0	TIB
MTC 220 (1) (a)	Failed to display required lighting/reflector on motorized bicycle when required	931	$15.00 + $7.00		0	TIB
MTC 220 (1) (b)	Operated motorized bicycle without required audible signal device or with unauthorized siren or whistle	931	$15.00 + $7.00		0	TIB
MTC 220 (1)(c)	Motorized bicycle not equipped with required brake	931	$15.00 + $7.00		0	TIB

MTC 220 (2)	Motor-driven cycle not equipped with required head lamp	931	$15.00 + $7.00		0	TIB
MTC 221 (2)	Bicycle not equipped with front lamp (visible 500 feet to front)	931	$15.00 + $7.00		0	TIB
MTC 221 (3)	Bicycle not equipped with rear red reflector (visible 600 feet to rear)	931	$15.00 + $7.00		0	TIB
MTC 221 (4)	Bicycle not equipped with required side reflective material or lamps	931	$15.00 + $7.00		0	TIB
MTC 221 (6)	Bicycle equipped with unauthorized siren or whistle	551	$15.00 + $7.00		0	TIB
MTC 221 (7)	Bicycle not equipped with required brake	931	$15.00 + $7.00		0	TIB
MTC 221 (9)(b)	Unlawful modification of electrical assistance bicycle	0ME	$15.00 + $7.00		0	TIB
MTC 221 (10)(c)	Speedometer on electric assistance bicycle not in miles per hour	0EM	$15.00 + $7.00		0	TIB
MTC 221 (8)	Sold bicycle without a permanent identification number attached	N/A	$15.00 + $7.00		0	TIB
MTC 222 (1)	Improper emergency equipment on volunteer firefighter/ambulance vehicles	638	$15.00 + $7.00		0	TIB
MTC 222 (1)	Misuse of emergency equipment by volunteer firefighter/ambulance attendants	644	$15.00 + $7.00		0	TIB
MTC 223 (1) (a)	Operated vehicle without required or adequate brakes	548	$15.00 + $7.00		2	TIA
MTC 223 (1) (b)	Operated motorcycle or motorized bicycle without required brake(s)	548	$15.00 + $7.00		2	TIA
MTC 223 (1)(c)	Operated trailer or semi trailer with gross weight of three thousand pounds or more without required brakes	549	$15.00 + $7.00		2	TIA
MTC 223 (1) (d)	Constructed, sold, or operated motor vehicle, trailer, or semi trailer without required service brakes on all wheels	548	$15.00 + $7.00		2	TIA
MTC 223 (2)	Performance of service or hand brake did not meet requirements	548	$15.00 + $7.00		2	TIA

MTC 224 (1)	Operated motor vehicle without required horn or warning device	550	$15.00 + $7.00		0	TIB
MTC 224 (2)	Operated motor vehicle with unauthorized audible device	551	$15.00 + $7.00		0	TIB
MTC 224 (3)	Operated bicycle or motorized bicycle with unauthorized audible device	551	$15.00 + $7.00		0	TIB
MTC 224 (5)(a)	Failed to exercise more than ordinary care and caution approaching, overtaking, or passing snowplow	997	$15.00 + $7.00		0	TIB
MTC 224 (6)(a)	Passed an authroized service vehicle snow plow displaying lights and performing its function in echelon formation with one or more snow plows	995	$100.00 + $11.00		0	TIA
MTC 225 (1)	Operated vehicle without a muffler, an inadequate muffler or a modified muffler system that failed to reduce noise	552	$15.00 + $7.00		0	TIB
MTC 225 (1.5)	Operated vehicle equipped with an engine compression brake without a muffler, an inadequate muffler or a modified muffler system that failed to reduce noise	581	$500.00 + $186.00		0	TIB
MTC 226 (1)	Vehicle did not have rearview mirror(s)	553	$15.00 + $7.00		0	TIB
MTC 226 (1)	Rearview mirror did not permit minimum 200 foot vision	554	$15.00 + $7.00		0	TIB
MTC 227 (1)	Operated vehicle with illegal window tinting or obstructed windshield	466	$50.00 + $17.00		0	TIB
MTC 227 (2)	Operated motor vehicle with no or defective device for cleaning rain, snow, or other moisture from windshield	555	$15.00 + $7.00		0	TIB
MTC 227 (3)(b)	Person installed, covered, treated windows/windshield with unauthorized material	466	$50.00 + $17.00		0	TIA
MTC 228 (1)	Solid rubber tire failed to be at least one inch thick	556	$15.00 + $7.00		0	TIA
MTC 228 (2)	Operate motor vehicle, trailer, or semitrailer with metal tires or eqipped with solid rubber tires.	556	$15.00 + $7.00		0	TIA
MTC 228 (3)	Tire had (block/flange/cleat/spike) protruding from rubber	556	$15.00 + $7.00		0	TIA

MTC 228 (5)	Operated a vehicle with improper or unsafe tires	556	$15.00 + $7.00		0	TIA
MTC 228 (6)	Operated vehicle on highway with tires designed for non-highway use	556	$15.00 + $7.00		0	TIA
MTC 228 (7)	Sold a vehicle with improper or unsafe tires	556	SUM		0	MT2
MTC 229 (4)	Operated motor vehicle without approved front windshield	572	$15.00 + $7.00		0	TIB
MTC 230 (1)	Truck/Bus operator failed to carry emergency reflective triangles as required	640	$15.00 + $7.00		0	TIB
MTC 230 (2)	Truck/Bus operator failed to activate hazard signals	641	$15.00 + $7.00		0	TIB
MTC 230 (3)	Truck/Bus operator failed to use required emergency reflective triangles as required	641	$15.00 + $7.00		0	TIB
MTC 231	Operated vehicle with parking lights when headlights required	642	$15.00 + $7.00		0	TIB
MTC 232 (1)	Operated motorcycle or motor-driven cycle without driver/passenger eye protection	161	$15.00 + $7.00		0	TIA
MTC 232 (3)	Operated motorcycle or motor-driven cycle without passenger footrests	161	$15.00 + $7.00		0	TIA
MTC 233(1)	Unauthorized alteration of suspension system	564	$75.00 + $25.00		0	MT2
MTC 234 (1)	Failed to display slow-moving vehicle emblem	565	$15.00 + $7.00		0	TIB
MTC 234 (3)	Misused slow-moving vehicle emblem	565	$15.00 + $7.00		0	TIB
MTC 235 (2)	Commercial vehicle failed to comply with D.P.S. rules and regulations governing safety standards and specifications	713	$50.00 + $17.00		0	MT2
MTC 236 (2)(a)(II)	Failed to provide or properly use a rear-facing child restraint system for child less than one year old and less than twenty pounds	574	$65.00 + $17.00		0	TIB

MTC 236 (2)(a)(III)	Failed to properly place child under four years of age and weighing under forty pounds in an approved child restraint system	574	$65.00 + $17.00		0	TIB
MTC 236 (2) (b) (I)	Failed to properly place child over four years of age but less than six years of age who is less than fifty-five inches tall in an approved child booster seat or approved child safety-belt positioning device	574	$65.00 + $17.00		0	TIB
MTC 236 (2)(b)(II)	Failed to properly place child over six years of age but less than sixteen years of age who is more than fifty-five inches tall in the motor vehicle's safety belt restraint.	574	$65.00 + $17.00		0	TIB
MTC 237 (2)	Drove vehicle when safety belt not in use	575	$65.00 + $7.00		0	TIB
MTC 237 (2)	Drove vehicle when front seat passenger not secured by safety belt	960	$65.00 + $7.00		0	TIB
MTC 238 (1)	Equipped vehicle with red or blue lights when unauthorized	M9A	SUM		0	MT2
MTC 239 (2)	Driver 17 years or younger operating motor vehicle while using wireless telephone - 1st offense	592	$75.00 + $11.00	$150.00 + $21.00	2	TIA
MTC 239 (2)	Driver 17 years or younger operating motor vehicle while using wireless telephone - 2nd/subsequent offense w/in 24 months	593	$150.00 + $11.00	$300.00 + $21.00	3	TIA
MTC 239 (2)	Driver 17 years or younger operating motor vehicle while using wireless telephone - 3rd/subsequent offense w/in 24 months	594	$250.00 + $11.00	$500.00 + $21.00	4	TIA
MTC 239 (3)	Operated motor vehicle while texting or manual entry		$300.00 + $12.00		0	MT2
MTC 239 (3)	Operated motor vehicle while texting or manual entry causing bodily injury or death	590	SUM		4	MT1
MTC 240	Operated non-conforming low-speed electric vehicle		$15.00 + $7.00		0	TIB
MTC 241(1)(a)	Unlawful removal of tow-truck signage	MTS	$65.00 + $17.00		0	TIA
MTC 241(1)(b)	Unlawful usage of tow-truck signage	MTS	$65.00 + $17.00		0	TIA

MTC 242(3)	Operate motor vehicle with non-compliant automated driving system	0AP	15.00 + $7.00		0	TIB
Overweight – Oversized Vehicles						
MTC 502 (1)	Width of vehicle exceeded eight feet six inches	510	$75.00 + $25.00		0	TIB
MTC 502 (2)(a)	Load of loose hay exceeded twelve feet in width	513	$75.00 + $25.00		0	TIB
MTC 502(2)(b)	Load of small rectangular hay bales on a vehicle and trailer exceeded ten feet six inches in width	513	$75.00 + $25.00		0	TIB
MTC 502 (3)	Operated vehicle with chain, rope, wire, or other equipment dragging, swinging, or projecting	561	$75.00 + $25.00		0	TIB
MTC 502 (4)	Width of passenger bus exceeded eight feet six inches	511	$75.00 + $25.00		0	TIB
MTC 502 (5)(b)	Width of recreational vehicle exceeded nine feet six inches	N/A	$75.00 + $25.00		0	TIB
MTC 503	Load projected beyond fender of left side of passenger vehicle	515	$15.00 + $7.00		0	TIB
MTC 503	Load projected more than six inches beyond right side of passenger vehicle	516	$15.00 + $7.00		0	TIB
MTC 504 (1)	Height of vehicle exceeded fourteen feet six inches on designated highway	519	$75.00 + $25.00		0	TIB
MTC 504 (2)	Length of single vehicle exceeded forty-five feet	520	$75.00 + $25.00		0	TIB
MTC 504 (2)	Length of bus exceeded sixty feet	520	$75.00 + $25.00		0	TIB
MTC 504 (2)	Length of school bus exceeded forty feet	N/A	$75.00 + $25.00		0	TIB
MTC 504 (3)	Passenger bus exceeded height of thirteen feet six inches	N/A	$75.00 + $25.00		0	TIB
MTC 504 (3)	Operated passenger bus with height exceeding fourteen feet six inches on improper roadway	519	$75.00 + $25.00		0	MT2
MTC 504 (4)	Combination of vehicles exceeded four units	521	$75.00 + $25.00		0	TIB
MTC 504 (4.5)(a)	Saddlemount combination exceeded 4 units or ninety-seven feet in length		$75.00 + $25.00		0	TIB
MTC 504 (4.5)(b)	Laden truck tractor-semi trailer combination exceeded seventy-five feet.		$75.00 + $25.00		0	TIB
MTC 504 (4.5)(c)	Stinger-steered vehicle combination transporter for auto/boat exceeded eighty feet (not including exclusions)		$75.00 + $25.00		0	TIB
MTC 504 (4.5)(d)	Towaway trailer transporter exceeded eighty-two feet, carried property, exceeded overall weight of twenty-six thousand pounds, consisted of more than single towing unit and two trailers or semitrailers, or did not constitute inventory property of manufacturer/distributor/dealer of trailer or semitrailer.		$75.00 + $25.00		0	TIB

MTC 504 (4)	Combination of vehicles exceeded seventy feet in length	521	$75.00 + $25.00		0	TIB
MTC 504 (4.5)	Saddle mount, laden truck tractor semi trailer, or auto/boat transporter exceeded four units	521	$75.00 + $25.00		0	TIB
MTC 504 (4.5)	Saddle mount, laden truck tractor semi trailer, or auto/boat transporter exceeded seventy-five feet in length	521	$75.00 + $25.00		0	TIB
MTC 504 (5)	Load projected beyond grill assembly or front wheels of a vehicle	517	$75.00 + $26.00		0	TIB
MTC 504 (5)	Projecting load on vehicle obstructed driver's vision	462	$75.00 + $26.00		0	TIB
MTC 504 (6)	Load projected more than ten feet to the rear of a vehicle	529	$75.00 + $25.00		0	TIB
MTC 505	Operated longer vehicle combination where prohibited	521	$75.00 + $25.00		0	TIB
MTC 506 (1)	Drawbar or other tow connection not of sufficient strength	473	$15.00 + $7.00		0	TIB
MTC 506 (1)	Drawbar or other tow connection exceeded fifteen feet in length	473	$15.00 + $7.00		0	TIB
MTC 506 (2)	Failed to display white flag or cloth when towing vehicle	471	$15.00 + $7.00		0	TIB
MTC 506 (3)	Failed to use safety chain or cable on towed vehicle	472	$15.00 + $7.00		0	TIB
MTC 507 (1)(a)	Gross weight on solid rubber or cushion tire exceeded eight thousand pounds	522	Reference Weight List for Fine		0	MT2
MTC 507 (1)(b)	Gross weight on pneumatic tire exceeded nine thousand pounds	522	Reference Weight List for Fine		0	MT2
MTC 507 (2)(a)	Gross weight upon axle equipped with solid rubber or cushion tires exceeded sixteen thousand pounds	522	Reference Weight List for Fine		0	MT2
MTC 507 (2)(b)	Gross weight upon axle equipped with pneumatic tires exceeded twenty thousand pounds	522	Reference Weight List for Fine		0	MT2
MTC 507 (2)(b.5)	Gross weight upon axle of digger derrick or bucket boom truck equipped with pneumatic tires exceeded twenty-one thousand pounds	522	Reference Weight List for Fine		0	MT2
MTC 507 (2)(c)	Gross weight upon tandem axle equipped with pneumatic tires exceeded thirty-six thousand pounds on an interstate highway	522	Reference Weight List for Fine		0	MT2
MTC 507 (2)(c)	Gross weight upon tandem axle equipped with pneumatic tires exceeded forty thousand pounds	522	Reference Weight List for Fine		0	MT2
MTC 507 (5)	Gross weight on steel tire exceeded five hundred pounds	522	Reference Weight List for Fine		0	MT2
MTC 508 (1)(b)	Gross weight of vehicle or combination of vehicles exceeded eighty-five thousand pounds	523	Reference Weight List for Fine		0	MT2

MTC 508 (1)(c)	Gross weight of vehicle or combination of vehicles exceeded gros weight formula or maximum of eighty thousand pounds	523	Reference Weight List for Fine		0	MT2
MTC 509 (3)	Failed or refused to stop for weighing load or vehicle	525	$50.00 + $17.00		0	MT2
MTC 510	Exceeded maximum permitted weight on axle, or gross weight authorized by transport permit	527	Reference Weight List for Fine		0	MT2
MTC 510	Failed to have escort vehicle when required by oversize/overweight permit	527	$250.00 + $93.50		0	MT2
MTC 510	Failed to reduce speed when required by oversize/overweight permit	527	$250.00 + $93.50		0	MT2
MTC 512(1)	Operated vehicle/object/contrivance that caused damage to a highway/highway structure	495	$75.00 + $25.00		0	TIA
Signals – Signs – Markings						
MTC 603(1)	Disobeyed official traffic device: sign/signal/marking	300	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 604	Pedestrian disregarded or failed to obey traffic control signal	400	$100.00 + $11.00	$220.00 + $21.00	0	TIA
MTC 604	Made right or left turn on red light when prohibited by sign	271	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 604	Failed to obey traffic control signal	304	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 604	Failed to stop for traffic control signal at place required	305	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 604	Failed to yield on right turn after stop at red light	370	$100.00 + $11.00	$200.00 + $21.00	3	TIA
MTC 604	Failed to obey lane use control signal	220	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 605 (1)(a)	Disobeyed requirements at a flashing red signal	310	$70.00 + $11.00	$140.00 + $21.00	4	TIA
MTC 605 (1)(b)	Disobeyed requirements at a flashing yellow signal	310	$70.00 + $11.00	$140.00 + $21.00	4	TIA
MTC 606 (1)	Displayed an unauthorized sign/signal/marking or traffic control device	311	$15.00 + $7.00	$30.00 + $13.00	0	TIA
MTC 607 (1)(a)	Removed/altered/defaced/knocked down/injured traffic control sign or device or attempted to do so	314	$50.00 + $17.00	$100.00 + $33.00	0	TIB
MTC 607 (1)(b)	Possessed and/or sold an electronic device that is designed to cause a traffic light to change without lawful authority		$50.00 + $17.00	$100.00 + $33.00	0	TIB
MTC 607 (2)(a)	Interfered with traffic control device by using electronic device	312	$100.00 + $33.00	$200.00 + $65.00	3	TIA
MTC 607 (2)(b)	Interfered with traffic control device by using electronic device causing bodily injury.	323	SUM - Min + $1000		3	MT1
MTC 608 (1)	Failed to display turn signals (hand or lamp) when required	433	$70.00 + $7.00	$140.00 + $13.00	2	TIA
MTC 608 (2)	Vehicle not equipped with turn signals as required	540	$15.00 + $7.00	$30.00 + $13.00	0	TIA
MTC 609	Failed to display proper hand signal	433	$15.00 + $7.00	$30.00 + $13.00	2	TIA
MTC 610	Displayed an unauthorized insignia	541	$15.00 + $7.00		0	TIB

MTC 611 (2)	Unauthorized use of distress flag	970	$100 + $16		0	TIA
MTC 612 (1)	Driver disregarded procedures for inoperative/malfunctioning traffic signals	320	$70.00 + $11.00	$140.00 + $21.00	4	TIA
MTC 612 (2)	Pedestrian interfered with vehicle traffic at inoperative or malfunctioning signal	320	$70.00 + $11.00	$140.00 + $21.00	4	TIA
MTC 613	Failure to pay required fee, rate, or charge	966	$35.00 + $11.00		3	TIA
Rights of Way						
MTC 701	Driver on left failed to yield to driver on right at intersection	371	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 702	Failed to yield to oncoming traffic when making a left turn	278	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 703 (3)	Failed to stop at stop sign	319	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 703 (3)	Failed to yield when proceeding from a stop sign	373	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 703 (4)	Failed to yield when proceeding from a yield sign	372	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 704	Failed to yield when entering roadway from any place other than another roadway	374	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 705(1)	Failure to yield right of way to an emergency vehicle	375	$70.00 + $17.00	$140.00 + $33.00	4	TIA
MTC 705(2)(b)	Failed to proceed with due care and caution and yield the right-of-way by moving into a lane at least one moving lane apart from stationary vehicle	131	$150.00 + $17.00	$300.00 + $33.00	3	MT2 - Careless Driving Per Se
MTC 705(2)(b)	Failed to proceed with due care and caution and yield the right-of-way by moving into a lane at least one moving lane apart from stationary vehicle and caused bodily injury	131	SUM		6	MT1 - Careless Driving Per Se
MTC 705(2)(c)	Failed to proceed with due care and caution and maintain a safe speed with regard to the location of a stationary vehicle or proceed as directed by a peace officer or other authorized emergency personnel	131	$150.00 + $17.00	$300.00 + $33.00	3	MT2 - Careless Driving Per Se
MTC 705(2)(c)	Failed to proceed with due care and caution and maintain a safe speed with regard to the location of a stationary vehicle or proceed as directed by a peace officer or other authorized emergency personnel and caused bodily injury	131	SUM		6	MT1 - Careless Driving Per Se

MTC 705(2.5)(b)	Failed to proceed with due care and caution and yield the right-of-way by moving into a lane at least one moving lane apart from a stationary or slow-moving maintenance, repair, or construction vehicle	131	$150.00 + $17.00	$300.00 + $33.00	3	MT2 - Careless Driving Per Se
MTC 705(2.5)(c)	Failed to proceed with due care and caution and maintain a safe speed with regard to the location of a stationary or slow-moving maintenance, repair, or construction vehicle, or proceed as directed by a peace officer or other authorized emergency personnel	131	$150.00 + $17.00	$300.00 + $33.00	3	MT2 - Careless Driving Per Se
MTC 705(2.6)	Failed to proceed with due care and caution and yield the right-of-way or maintain a safe speed with regard to the location of a vehicle being equipped with chains on highway	131	$150.00 + $17.00	$300.00 + $33.00	3	MT2 - Careless Driving Per Se
MTC 706	Disregarded railroad signal, crossing gate, barricade, or flagman	315	$70.00 + $11.00		4	TIA
MTC 706 (1)	Disregarded stop sign at railroad crossing	316	$70.00 + $11.00		4	TIA
MTC 707	School bus or commercial vehicle failed to stop at railroad grade crossing when required	317	$70.00 + $11.00		4	TIA
MTC 708	Violated restrictions regarding heavy equipment movement at railroad grade crossing	318	$35.00 + $11.00		0	TIB
MTC 709	Driver obstructed other vehicles at an intersection/crosswalk/railroad grade crossing	952	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 710 (1)	Failed to yield to pedestrian on sidewalk or sidewalk area when proceeding from alley, driveway, building, parking lot, or other place	378	$70.00 + $11.00	$140.00 + $21.00	4	TIA
MTC 710 (2)	Failed to yield to pedestrian when entering alley, driveway, or entranceway	378	$70.00 + $11.00	$140.00 + $21.00	4	TIA
MTC 710 (3)	Drove vehicle on sidewalk or sidewalk area	166	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 711 (1)	Failure to obey requirements for mountain/defile/canyon driving	146	$100.00 + $11.00	$200.00 + $21.00	3	TIA
MTC 711 (2)	Failed to yield to ascending vehicle on narrow mountain highway	146	$100.00 + $11.00	$220.00 + $21.00	3	TIA
MTC 712 (1)	Failed to yield to vehicle or pedestrian engaged in highway work	382	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 712 (2)	Failed to yield to authorized service vehicle displaying flashing yellow light	382	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 713(2)(a)	Failed to yield the right-of-way to transit bus entering traffic lane		$70.00 + $11.00	$140.00 + $21.00	3	TIA

MTC 713(2)(b)	Failed to yield the right-of-way to transit bus displaying illuminated yield sign		$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 714(1)	Failed to yield right-of-way to bicyclist or other authorized user in a bicycle lane	383	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 714(2)(b)	Failed to yield right-of-way to bicyclist or other authorized user in a bicycle lane and caused a crash	383	$150.00 + $17.00	$300.00 + $33.00	4	MT2 - Careless Driving Per Se
MTC 714(2)(c)	Failed to yield right-of-way to bicyclist or other authorized user in a bicycle lane and caused bodily injury or death	383	SUM		4	MT1 - Careless Driving Per Se
MTC 715(2)	Failed to yield right-of-way to large vehicle entering, exiting, or driving in a roundabout	383	$70.00 + $12.00	$140.00 + $21.00	4	TIA
MTC 715(3)	Driver of large vehicle on right failed to yield right-of-way to large vehicle on left while in roundabout	383	$70.00 + $12.00	$140.00 + $21.00	4	TIA
Pedestrians						
MTC 801 (1)	Pedestrian failed to obey traffic control device or signal	401	$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 802 (1)	Failed to yield to pedestrian in crosswalk	376	$30.00 + $7.00	$60.00 + $13.00	4	TIA
MTC 802 (3)	Pedestrian suddenly left curb/place of safety and entered into the path of a moving vehicle	411	$15.00 + $7.00	$30.00 + $13.00	0	TIA
MTC 802 (4)	Driver overtook and passed vehicle stopped for pedestrian	203	$30.00 + $7.00	$60.00 + $13.00	3	TIA
MTC 802 (5)	Failed to yield to pedestrian at steady walk signal	377	$30.00 + $7.00	$60.00 + $13.00	4	TIA
MTC 803 (1)	Pedestrian failed to yield to vehicles when crossing at a point other than a crosswalk	402	$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 803 (2)	Pedestrian failed to yield to vehicles where a pedestrian tunnel or overhead pedestrian crossing was provided	402	$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 803 (3)	Pedestrian failed to use crosswalk	407	$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 803 (4)	Pedestrian crossed diagonally when unauthorized	407	$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 805 (1)	Pedestrian (walking or in wheelchair) or animal rider failed to travel on left side of road or in the required manner	408	$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 805 (2)	Solicited ride when standing in roadway	404	$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 805 (3)	Pedestrian on highway under the influence of alcohol/controlled substance	803	$15.00 + $7.00	$30.00 + $13.00	0	TIB

MTC 805 (4)	Animal rider on highway under the influence of alcohol/controlled substance	802	$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 805 (7)	Driver picked up pedestrian in area which endangered or impeded traffic	160	$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 805 (8)	Pedestrian failed to yield to emergency vehicle	410	$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 806	Drove vehicle through or within a pedestrian safety zone	145	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 807	Failed to exercise due care when approaching a pedestrian	381	$70.00 + $11.00	$140.00 + $21.00	4	TIA
MTC 808	Driver failed to yield to disabled person	380	$70.00 + $11.00	$140.00 + $21.00	6	TIA
MTC 808	Pedestrian failed to yield to a disabled person	999	$70.00 + $11.00	$140.00 + $21.00	0	TIA
Turning – Stopping						
MTC 901 (1)(a)	Driver executed right turn from wrong position or lane	274	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 901 (1)(b)	Driver executed left turn from wrong position or lane	273	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 901 (1)(c)	Made improper left turn at multi-turn intersection	280	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 901 (1)(c)	Failed to turn as required by traffic control device	276	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 901 (1)(c)	Failed to turn from turn only lane	276	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 902 (1)	Made U-turn on a curve or a hill	270	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 902 (2)	Made unsafe U-turn at an intersection	270	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 902 (3)	Made U-turn where prohibited by sign	270	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 903 (1)	Failed to signal or gave improper signal for turn or lane change	433	$70.00 + $11.00	$140.00 + $21.00	2	TIA
MTC 903 (2)	Failed to signal or gave improper signal proper distance before turn	433	$70.00 + $11.00	$140.00 + $21.00	2	TIA
MTC 903 (3)	Failed to signal or gave improper signal before stop	433	$70.00 + $11.00	$140.00 + $21.00	2	TIA
MTC 903 (4)	Improper use of flashing turn signal	433	$70.00 + $11.00	$140.00 + $21.00	2	TIA
Driving – Overtaking – Passing						
MTC 1001 (1)	Failed to drive on the right side of road or in right-hand lane when required	250	$70.00 + $11.00	$140.00 + $21.00	4	TIA
MTC 1001 (1)(b)	Failed to yield when forced to drive on left side of road	251	$70.00 + $11.00	$140.00 + $21.00	4	TIA
MTC 1001 (2)	Slower vehicle failed to drive in right hand lane	250	$70.00 + $11.00	$140.00 + $21.00	0	TIA
MTC 1001 (3)	Drove vehicle to the left of the center line	250	$70.00 + $11.00	$140.00 + $21.00	4	TIA
MTC 1002(1)	Failure to yield one-half of roadway to oncoming traffic	190	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1002(2)	Failed to yield one-half of roadway to oncoming traffic and allow three-foot separation between vehicle and cyclist when passing cyclist moving in same direction and in the same lane		$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1003 (1)(a)	Unsafe passing of a vehicle	192	$100.00 + $11.00	$200.00 + $21.00	4	TIA

MTC 1003 (1)(b)	Unsafe passing of a bicyclist	192	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1003 (1)(c)	Driver failed to give way when overtaken	193	$100.00 + $11.00	$200.00 + $21.00	3	TIA
MTC 1004	Passed vehicle or bicyclist on right when unauthorized or unsafe	194	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1005 (1)	Passed on left when not clear to traffic	195	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1005 (1)	Passed without giving oncoming traffic sufficient clearance	201	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1005 (2)(a)	Passed on hill or curve when view obstructed	197	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1005 (2)(b)	Passed when crossing within 100 feet of intersection or railroad crossing	196	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1005 (2)(c)	Passed within 100 feet of bridge, tunnel, viaduct when view obstructed	200	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1005 (3)	Passed on left when prohibited by signs or markings	199	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1006 (1)	Drove the wrong way on a one-way roadway	254	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 1006 (2)	Drove on wrong side of rotary traffic island	256	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 1007 (1)(a)	Changed lanes when unsafe	221	$100.00 + $11.00	$200.00 + $21.00	3	TIA
MTC 1007 (1)(a)	Failed to drive in single lane (weaving)	223	$100.00 + $11.00	$200.00 + $21.00	3	TIA
MTC 1007 (1)(b)	Improper use of passing lane	224	$100.00 + $11.00	$200.00 + $21.00	3	TIA
MTC 1007 (1)(b)	Attempted to pass or passed on shoulder of right hand traffic lane	222	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1007 (1)(c)	Specified traffic failed to use proper lane	225	$100.00 + $11.00	$200.00 + $21.00	3	TIA
MTC 1007 (1)(d)	Changed lanes when prohibited by traffic control device	300	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1007 (2)	Drove in designated commercial vehicle lane when unauthorized		$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1008 (1)	Following too closely	142	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1008 (2)	Unlawful following by vehicle drawing another vehicle	165	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1008 (3)	Following too closely in motorcade	143	$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1008.5	Crowded or threatened bicyclist		$100.00 + $11.00	$200.00 + $21.00	4	TIA
MTC 1009	Coasted vehicle when prohibited	147	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 1010 (1)	Improper turn or turned where prohibited across median of divided highway	279	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 1010 (1)	Drove vehicle on wrong side of divided highway	253	$70.00 + $11.00	$140.00 + $21.00	4	TIA
MTC 1010 (1)	Vehicle crossed roadway dividing space, median, or barrier in an unlawful manner	227	$70.00 + $11.00	$140.00 + $21.00	3	TIA
MTC 1010 (2)(a)	Failed to drive as required on a controlled access highway	152	$70.00 + $11.00		3	TIA
MTC 1010 (2)(b)	Improper use of acceleration lane	152	$70.00 + $11.00		3	TIA
MTC 1010 (2)(b)	Improper freeway entry	228	$70.00 + $11.00		4	TIA

MTC 1010 (2)(c)	Improper use of deceleration lane	152	$70.00 + $11.00		3	TIA
MTC 1010 (2)(c)	Improper use of exit lane	152	$70.00 + $11.00		3	TIA
MTC 1011 (1)	Improper use of a runaway vehicle ramp	231	$200.00 + $33.00	$400.00 + $65.00	3	TIA
MTC 1011 (2)	Obstructed a runaway vehicle ramp	231	$200.00 + $33.00	$400.00 + $65.00	3	TIA
MTC 1013	Improper use of passing lane		$100.00 + $11.00	$200.00 + $21.00	3	TIA
Speed Regulations						
MTC 1101 (1)	Speeding 1-4 miles per hour over prima facie limit	020	$30.00 + $27.00	$60.00 + $33.00	0	TIA
MTC 1101 (1)	Speeding 5-9 miles per hour over prima facie limit	004	$70.00 + $31.00	$140.00 + $41.00	1	TIA
MTC 1101 (1)	Speeding 10-19 miles per hour over prima facie limit	005	$135.00 + $37.00	$270.00 + $53.00	4	TIA
MTC 1101 (1)	Speeding 20-24 miles per hour over prima facie limit	006	$200.00 + $53.00	$540.00 + $85.00 c $400.00 + $85.00 s	6	TIA
MTC 1101 (1)	Speeding 25-39 miles per hour over prima facie limit	006	SUM	SUM	6	MT2
MTC 1101 (1)	Speeding 25-39 miles per hour over prima facie limit in school or construction zone	006	SUM	SUM	6	MT1
MTC 1101 (1)	Speeding 40 miles per hour or more over prima facie limit	006	SUM	SUM	12	MT2
MTC 1101 (1)	Speeding 40 miles per hour or more over prima facie limit in school or construction zone	006	SUM	SUM	12	MT1
MTC 1101 (3)	Exceeded safe speed for conditions	007	$100.00 + $26.00	$220.00 + $46.00	3	TIA
MTC 1101 (8)(g)	Low Power Motor Scooter Exceeded 40 mph (1-4)	021	$50.00 + $27.00	$100.00 + $49.00	0	TIA
MTC 1101 (8)(g)	Low Power Motor Scooter Exceeded 40 mph (5-9)	022	$75.00 + $31.00	$150.00 + $57.00	2	TIA
MTC 1101 (8)(g)	Low Power Motor Scooter Exceeded 40 mph (10-19)	023	$100.00 + $37.00	$200.00 + $69.00	4	TIA
MTC 1103 (1)	Impeded normal flow of traffic on highway	008	$50.00 + $27.00	$100.00 + $38.00	3	TIA
MTC 1103 (2)	Drove slower than minimum posted speed	008	$50.00 + $17.00		3	TIA
MTC 1103 (3)	Impeded normal flow of traffic on controlled access highway	008	$50.00 + $17.00		3	TIA
MTC 1103 (4)	Failed to use special uphill traffic lane or roadside turnout as required	008	$50.00 + $17.00		3	TIA
MTC 1104 (1)	Exceeded posted safe speed on elevated structure	009	$30.00 + $27.00	$100.00 + $38.00	3	TIA
MTC 1105 (1)	Engaged in Speed Contest	001	SUM		12	MT1
MTC 1105 (2)	Engaged in Speed Exhibition	017	SUM		5	MT2
MTC 1105 (3)	Obstructed highway incident to a speed contest	010	SUM		12	MT2
MTC 1105 (3)	Obstructed highway incident to a speed exhibition	010	SUM		12	MT2
Parking Regulations						
MTC 1201	Improper starting of a parked or stopped vehicle	144	$30.00 + $7.00		3	TIA

MTC 1202	(Stopped/parked/abandoned) vehicle on paved portion of highway	350	$30.00 + $7.00		0	TIB
MTC 1204 (1)(a)	Stopped, stood, or parked on sidewalk	350			0	TIB
MTC 1204 (1) (b)	Stopped, stood, or parked within an intersection	350	$15.00 + $7.00		0	TIB
MTC 1204 (1)(c)	Stopped, stood, or parked on a crosswalk	350	$15.00 + $7.00		0	TIB
MTC 1204 (1)(d)	Stopped, stood, or parked between safety zone and curb	350	$15.00 + $7.00		0	TIB
MTC 1204 (1)(e)	Obstructed traffic by stopping, standing, or parking adjacent to street excavation or obstruction	350	$15.00 + $7.00		0	TIB
MTC 1204 (1)(f)	Stopped, stood, or parked on roadway side of another parked vehicle (double parking)	350	$15.00 + $7.00		0	TIB
MTC 1204 (1)(g)	Stopped, stood, or parked on bridge or elevated structure or in a tunnel	350	$15.00 + $7.00		0	TIB
MTC 1204 (1)(h)	Stopped, stood, or parked on railroad tracks	350	$15.00 + $7.00		0	TIB
MTC 1204 (1)(i)	Stopped, stood, or parked on controlled-access highway	350	$15.00 + $7.00		0	TIB
MTC 1204 (1)(j)	Stopped, stood, or parked between roadways of a divided highway	350	$15.00 + $7.00		0	TIB
MTC 1204 (1)(k)	Stopped, stood, or parked where prohibited by signs	350	$15.00 + $7.00		0	TIB
MTC 1204(2)(a)	Stood or parked within five feet of a public or private driveway	350	$15.00 + $7.00		0	TIB
MTC 1204 (2)(b)	Stood or parked within fifteen feet of a fire hydrant	350	$15.00 + $7.00		0	TIB
MTC 1204 (2)(c)	Stood or parked within twenty feet of a crosswalk at an intersection	350	$15.00 + $7.00		0	TIB
MTC 1204 (2)(d)	Stood or parked within thirty feet of a traffic control device	350	$15.00 + $7.00		0	TIB
MTC 1204 (2)(e)	Stood or parked within twenty feet of the driveway to a fire station	350	$15.00 + $7.00		0	TIB
MTC 1204 (2)(f)	Stood where prohibited by signs	350	$15.00 + $7.00		0	TIB
MTC 1204 (3)(a)	Parked within fifty feet of railroad crossing	350	$15.00 + $7.00		0	TIB
MTC 1204 (3)(b)	Parked where prohibited by signs	350	$15.00 + $7.00		0	TIB
MTC 1204 (5)	Person moved vehicle not lawfully under his control into a prohibited parking area or away from a curb	354	$15.00 + $7.00		0	TIB
MTC 1204 (6)	Stop, stood, or parked in violation of official traffic control device		$15.00 + $7.00		0	TIB
MTC 1205 (1)	Parked on wrong side of roadway (two-way street)	355	$15.00 + $7.00		0	TIB
MTC 1205 (1)	Parked more than twelve inches from curb (two-way street)	356	$15.00 + $7.00		0	TIB
MTC 1205 (2)	Parked facing wrong direction (one-way street)	350	$15.00 + $7.00		0	TIB

MTC 1205 (2)	Parked more than twelve inches from curb (one-way street)	356	$15.00 + $7.00		0	TIB
MTC 1205 (3)	Illegal angle parking on state highway	350	$15.00 + $7.00		0	TIB
MTC 1206	Failed to lock ignition of parked vehicle	357	$15.00 + $7.00		0	TIB
MTC 1206	Failed to remove key from parked vehicle	357	$15.00 + $7.00		0	TIB
MTC 1206	Parked vehicle without setting brake	358	$15.00 + $7.00		0	TIB
MTC 1206	Parked vehicle on grade without turning wheels to side of curb	359	$15.00 + $7.00		0	TIB
MTC 1207	Opened door or left dorr open into lane of traffice when not safe and interfered with traffic	916	$15.00 + $7.00		0	TIB
MTC 1208 (3)(a)	Parked in identified reserved parking or loading zone when not disabled	362	1st: $350 - $1000 2nd: $600 - $1000 3rd: $1000 - $5000 + $32.00 Surcharge + 10 hrs UPS		0	TIA
MTC 1208 (3)(a.5)	Improper display or use of remuneration-exempt identifying placard.	362	1st: $350 - $1000 2nd: $600 - $1000 3rd: $1000 - $5000 + $32.00 Surcharge + 10 hrs UPS		0	TIA
MTC 1208 (3)(c)	Improper use of reserved parking for commercial purpose	369	$150.00 + $33.00		0	TIA
MTC 1208 (3)(d)	Improper use by employee of reserved placard issued to entity	366	$150.00 + $33.00		0	TIA
MTC 1208 (4)	Parked a vehicle which blocked access to curb ramps, passenger loading zones, or accessible routes	365	1st: $350 - $1000 2nd: $600 - $1000 3rd: $1000 - $5000 + $32.00 Surcharge + 10 hrs UPS		0	TIA
MTC 1208 (5)(a)	Knowingly and fraudulently obtains, possesses, uses, or transfers an identifying placard issued to a person with a disability	367	$150.00 + $33.00		0	TIA
MTC 1208 (5)(b)	Knowingly makes, possesses, uses, alters, or transfers what purports to be, but is not, an identifying placard	367	$150.00 + $33.00		0	TIA
MTC 1208 (5)(c)	Knowingly creates or uses a device intended to give the impression that it is an identifying placard when viewed from outside the vehicle	367	$150.00 + $33.00		0	TIA
MTC 1211 (1)	Unsafe backing	153	$30.00 + $7.00	$60.00 + $13.00	2	TIA

MTC 1211 (2)	Backed vehicle on shoulder of roadway or controlled-access highway	154	$30.00 + $7.00	$60.00 + $13.00	2	TIA
MTC 1213 (2)(a)	Parked non-electric motor vehicle in a designated parking for plug-in electric vehicle charging	980	$150.00 + $33.00		0	TIB
MTC 1213 (2)(b)	Parked electric vehicle in a designated parking for plug-in electric vehicle charging when not charging	980	$150.00 + $33.00		0	TIB
Other Offenses						
MTC 1401 (1)	Reckless Driving	140	SUM	SUM	8	MT2
MTC 1402 (1)	Careless Driving	141	$150.00 + $17.00	$300.00 + $33.00	4	MT2
MTC 1402 (2)(b)	Careless Driving caused bodily injury	139	SUM	SUM	4	MT1
MTC 1402 (2)(c)	Careless driving caused death	138	SUM	SUM	4	MT1
MTC 1402.5	Careless driving caused serious bodily injury or death to vulnerable road user	137	SUM	SUM	12	MT1
MTC 1403	Followed fire apparatus when prohibited	149	$30.00 + $7.00	$60.00 + $13.00	3	TIA
MTC 1404	Drove over unprotected fire hose	150	$15.00 + $7.00		0	TIB
MTC 1405	Person rode in trailer	156	$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 1406 (1)(a)	Threw or deposited injurious matter on highway	490	$35.00 + $11.00	$70.00 + $21.00	0	TIB
MTC 1406 (1)(b)	Threw or deposited burning material on highway	491	SUM	SUM	0	PO
MTC 1406 (2)	Failed to immediately remove injurious matter from highway	491	$35.00 + $11.00	$70.00 + $21.00	0	TIB
MTC 1406 (3)	Person removing wrecked or damaged vehicle failed to remove glass or other injurious substance from highway	999	$35.00 + $11.00	$70.00 + $21.00	0	TIB
MTC 1406 (4)	Excavated on highway without authorization	492	$35.00 + $11.00	$70.00 + $21.00	0	TIB
MTC 1406 (4)	Constructed on highway without authorization	493	$35.00 + $11.00	$70.00 + $21.00	0	TIB
MTC 1406 (5)(a)(II)	Threw or deposited human waste on highway	488	SUM - $500.00 Mandatory		0	M2
MTC 1407 (1)	Spilled load or debris on highway	494	$35.00 + $11.00	$70.00 + $21.00	0	TIB
MTC 1407 (1)	Failed to cover load as required	494	$35.00 + $11.00	$70.00 + $21.00	0	TIB
MTC 1407 (1)	Drove or moved vehicle on highway with unsecure/uncovered load	494	$35.00 + $11.00	$70.00 + $21.00	0	TIB
MTC 1407 (2.5)	Unlawfully drove or moved vehicle transporting aggregate material with a diameter of one inch or less	494	$35.00 + $11.00	$70.00 + $21.00	0	TIB
MTC 1407 (3)(b)	Drove or moved car or pickup truck in violation of 1407(1) or 1407(2.5)	498	$100.00 + $31.00	$200.00 + $61.00	0	TIA

MTC 1407 (3)(c)	Drove or moved car or pickup truck in violation of 1407(1) or 1407(2.5) and caused bodily injury	499	SUM	SUM	0	MT2
MTC 1407.5	Vehicle not equipped with splash guards when required	579	$35.00 + $11.00		0	TIB
MTC 1408	Operated vehicle in park or recreation area in violation of restrictions	159	$15.00 + $7.00		0	TIB
MTC 1409 (1)	Owner operated vehicle or permitted vehicle to be operated without insurance	954	$500 Mandatory - $1000 + 40 hrs UPS		4	MT1
MTC 1409 (2)	Driver operated vehicle without insurance	956	$500 Mandatory - $1000 + 40 hrs UPS		4	MT1
MTC 1409 (3)	Owner or operator failed to present evidence of insurance upon request	957	$500 Mandatory - $1000 + 40 hrs UPS		4	MT1
MTC 1410.5	Offered, used, or attempted to offer or use altered, forged, defaced, or changed proof of insurance		$500.00 + $0.00		4	TIB
MTC 1411	Operated vehicle while wearing earphones	467	$15.00 + $7.00		0	TIB
MC SEC 18.2.1	Rode/operated skateboard, bicycle, or skates where prohibited by signs	N/A	SUM		0	N/A
MTC 1412 (3)	Bicycle, electrical assisted bike, or electric scooter carried more persons than number for which it was designed	925	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (4)	Bicycle, electrical assisted bike, or electric scootere rider attached himself to vehicle	925	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (5)	Bicycle or electric assisted bike rider failed to use right hand lane when required	925	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (5)	Bicycle or electric assisted bike rider failed to ride as close to right-hand side as practicable when being overtaken	925	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (6)(a)	Bicycle, electrical assisted bike, or electric scooter riders rode more than two abreast	925	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (6)(b)	Bicycle, electrical assisted bike, or electric scooter riders rode impeded traffic or failed to ride in single lane when riding two abreast	925	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (7)	Bicycle, electrical assisted bike, or electric scooter rider failed to keep at least one hand on the handlebars	925	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (8)(a)	Bicycle, electrical assisted bike, or electric scooter rider made an improper left turn	925	$15.00 + $7.00	$30.00 + $13.00	0	MT2

MTC 1412 (8)(b)	Bicycle, electrical assisted bike, or electric scooter rider intending to turn left disregarded official traffic control device	924	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (9)(a)	Bicycle, electrical assisted bike, or electric scooter rider failed to signal for stop or turn	925	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (9)(b)	Bicycle, electrical assisted bike, or electric scooter rider made improper signal for stop or turn	925	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (10)(a)	Bicycle, electrical assisted bike, or electric scooter rider failed to yield for pedestrian and/or give audible warning	925	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (10)(b)	Rode bicycle, electrical assisted bike, or electric scooter or where prohibited or failed to dismount where required by traffic control device	924	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (11)(a)	Parked Bicycle, electrical assisted bike, or electric scooter where prohibited by traffic control device	924	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (11)(b)	Parked Bicycle, electrical assisted bike, or electric scooter impeded pedestrian or other traffic	924	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (11)(e)	Parked Bicycle, electrical assisted bike, or electric scooter illegally	924	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (14)(a)	Rode a class 1 or 2 electrical assisted bicycle where prohibited	0RE	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (14)(b)	Rode a class 3 electrical assisted bicycle on a bike or pedestrian path.	0RE	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (15)(a)	Person under 16 rode class 3 electrical assisted bicycle on street, highway, or bike or pedestrian path	0C3	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412 (15)(b)	Person operated or rode as passenger on class 3 electrical assisted bicycle without helmet when required	0U8	$15.00 + $7.00	$30.00 + $13.00	0	MT2
MTC 1412.5 (2)(a)	Operator of low-speed conveyance failed to yield right-of-way to pedestrians or traffic when approaching a stop sign		$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 1412.5 (2)(b)	Operator of low-speed conveyance failed to yield right-of-way to pedestrians or traffic when approaching a red traffic control signal		$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 1412.5 (2)(c)	Operator of low-speed conveyance made improper left turn		$15.00 + $7.00	$30.00 + $13.00	0	TIB
MTC 1413	Eluded or attempted to elude a police officer	011	SUM		12	MT2
MTC 1414	Operated a motor vehicle on highway with dyed diesel fuel		1st: $500 + $156 2nd: $1000 + $312 3rd: $5000 + $1560			TIB

MTC 1415 (1)(a)	Used, possessed, or sold radar jamming device		SUM		0	MT2
MTC 1415 (1)(b)	Operated a motor vehicle with a radar jamming device		SUM		0	MT2
MTC 1416	Failed to present valid transit pass or coupon		$75.00 + $5.00		0	TIB
Motorcycles						
MTC 1502 (1)	Rode motorcycle or Autocycle or carried passenger in a prohibited manner	157	$35.00 + $7.00	$70.00 + $13.00	3	TIA
MTC 1502 (2)	Rode motorcycle while positioned improperly	157	$35.00 + $7.00	$70.00 + $13.00	3	TIA
MTC 1502 (3)	Operated motorcycle with package, bundle, or article preventing both-hand access to handlebars	157	$35.00 + $7.00	$70.00 + $13.00	3	TIA
MTC 1502 (4)	Operated motorcycle or autocycle while carrying person which interfered with driver's control of motorcycle	157	$35.00 + $7.00	$70.00 + $13.00	3	TIA
MTC 1502 (4)	Passenger rode motorcycle or autocycle in position which interfered with driver's control of motorcycle	157	$35.00 + $7.00	$70.00 + $13.00	3	TIA
MTC 1502 (4.5)	Operated or rode as a passenger of motorcycle, autocycle, or low-power scooter on roadway without helmet when required	170	$100.00 + $36.00	$200.00 + $41.00	3	TIA
MTC 1503 (1)	Operator of motor vehicle deprived motorcycle full use of traffic lane	226	$35.00 + $7.00	$70.00 + $13.00	3	TIA
MTC 1503 (2)	Operator of motorcycle or autocycle overtook or passed improperly	226	$35.00 + $7.00	$70.00 + $13.00	3	TIA
MTC 1503 (3)	Operated motorcycle or autocycle between lanes of traffic or between adjacent lines or rows of vehicles	226	$35.00 + $7.00	$70.00 + $13.00	3	TIA
MTC 1503 (4)	Operated motorcycles more than two abreast	226	$35.00 + $7.00	$70.00 + $13.00	3	TIA
MTC 1504	Person riding on a motorcycle attached him/herself to another vehicle	158	$35.00 + $7.00	$70.00 + $13.00	3	TIA
Accidents and Accident Reports						
MTC 1601 (1)	Failed to remain at the scene/give information and/or aid after accident involving injury	120	SUM		RA	MT1
MTC 1602 (1)	Failed to give information and/or aid after damaging another vehicle	121	SUM		12	MT2
MTC 1602 (2)	Failed to move vehicle involved in accident when practicable	N/A	SUM		0	MT2
MTC 1603 (1)	Driver failed to provide information after accident involving injury	122	SUM		12	MT2

MTC 1604 (1)	Left scene without providing required information after striking unattended vehicle or property	123	SUM		12	MT2
MTC 1606 (1)	Failed to notify police of accident	125	SUM		12	MT2
MTC 1606 (1)	Failed to remain at or return to accident scene as directed by police	126	SUM		12	MT2
MTC 1607 (1)	Passenger failed to provide information after accident involving injury	M9B	SUM		0	MT2
Abandoned Vehicles						
MTC 1803	Abandoned a motor vehicle on public property		SUM			MT2
School Buses						
MTC 1901	Operated school bus on mountainous terrain with passengers in front row seats or seats next to emergency exits when bus not equipped with brake retarders	999	$35.00 + $11.00		0	TI
MTC 1903 (1)	Failed to stop for stopped school bus displaying flashing red lights	420	SUM		6	MT2
MTC 1903 (2)	School bus driver failed to actuate visual signals as required	422	SUM		2	TI
MTC 1903 (5)	School bus driver failed to stop as required	421	SUM		3	TI
Snow Route						
MC SEC 18.2.2	Stopped, Stood, or parked on designated snow route	N/A	$50; $100 for		0	TIB
			subsequent fines within			
			same enforcement			
			period			

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: David Harris

PROJECT:	Ordinance 1029, Second Reading, Amending the Municipal Code to Align with Certain Provisions of State Law
ACTION:	Discussion and Action

PURPOSE/BACKGROUND:
If approved, this proposed ordinance provides a stop-gap measure and a starting point for aligning penalty authority with state law. This is in response to the Colorado Supreme Court's decision in *People v. Camp* and *People v. Simons*. It also reflects the recent Town Charter updates authorized by voters on April 7. Additional changes to the municipal code will be presented to Council in the future related to these two Supreme Court cases.

ATTACHMENTS:
Ordinance 1029

FISCAL IMPACT:
N/A

RECOMMENDATIONS:
1. Move to approve Ordinance 1029, Second Reading, Amending the Municipal Code to Align with Certain Provisions of State Law
2. Move to approve Ordinance 1029, Second Reading, Amending the Municipal Code to Align with Certain Provisions of State Law with the following changes...
3. Provide direction to staff

TOWN OF PAGOSA SPRINGS, COLORADO

ORDINANCE NO. 1029
(SERIES 2026)

AN ORDINANCE OF THE TOWN OF PAGOSA SPRINGS AMENDING THE MUNICIPAL CODE TO ALIGN WITH CERTAIN PROVISIONS OF STATE LAW

WHEREAS, the Town of Pagosa Springs ("Town") is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Pagosa Springs Home Rule Charter of 2003, as amended (the "Charter"); and

WHEREAS, pursuant to Section 1.4 (A) of the Charter, the Town has all power of local self-government and home rule and all power possible for a municipality to have under the Constitution and laws of the State of Colorado; and

WHEREAS, pursuant to Section 6.6 of the Charter, the Town Council of Pagosa Springs ("Council") shall prescribe by ordinance, limitations on the fines, jail sentences and other penalties for violation of Town ordinances and regulations; and

WHEREAS, on April 7, 2026, the voters in the Town passed Ballot Question A, approving Ordinance No. 1024 (Series 2026), amending Section 6.6 of the Town Charter to limit fines and jail sentences to the maximum fines and sentences permitted by State or federal law; and

WHEREAS, in the exercise of its power and authority the Town Council has previously adopted Section 1.3.3. of the Town of Pagosa Springs Municipal Code ("Code"), providing for the general penalty authority of the Municipal Court for violations of any provision of the Code or any Ordinance of the Town; and

WHEREAS, on December 22, 2025, the Colorado Supreme Court issued a decision in *People v. Camp*, 581 P.3d 763 (Colo. 2025), holding that municipal penalties may not exceed statutory sentencing maximums for criminal offenses where defendant is alleged to have violated a provision of a code or ordinance of a municipality that corresponds to a state offense prohibiting identical conduct; and

WHEREAS, the Council hereby finds and determines that amending Section 1.3.3 of the Code is appropriate and necessary for the function and operation of the Town to provide for municipal court penalties that are consistent with the maximum fines and jail sentences permitted by state law.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, as follows:

I. Amendment to Chapter 1, Article 1, Section 1.3.3. of the Municipal Code. Chapter 1, Article 1, Section 1.3.3. of the Municipal Code is amended by lettering the existing language thereof as subparagraph (1), adding the Capitalized language, and deleting the stricken language in the same paragraph, and by adding and adopting the Capitalized language as subparagraph (2), such that Section 1.3.3. reads as follows:

Sec. 1.3.3. - Fines and Incarceration.

(1) Unless otherwise specifically provided, a violation of any provision of this Code or any ordinance of the Town may be punished by a fine not exceeding ~~one thousand dollars ($1,000.00)~~ TWO THOUSAND SIX HUNDRED FIFTY DOLLARS ($2,650) AS SUCH AMOUNT MAY BE ADJUSTED PURSUANT TO SECTION 13-10-113 C.R.S., or incarceration for a term not exceeding ~~one (1) year~~ THREE HUNDRED SIXTY FOR (364) DAYS, or both. The TOWN COUNCIL ~~Presiding Municipal Judge~~ may adopt and publish a schedule of fines and incarceration for specific violations, within the amounts prescribed by this Section AND STATE PENALTIES FOR IDENTICAL OFFENSES.

(2) NOTWITHSTANDING SUBSECTION (1), THE MUNICIPAL COURT IS LIMITED TO THE PENALTY LIMITS SET FORTH IN SECTIONS 18-1.3-501(1)(a.5) AND 18-1.3-503(1.5) C.R.S. FOR OFFENSES UNDER THIS CODE WHEN SUCH OFFENSES ARE FOR CONDUCT IDENTICAL TO A STATE OFFENSE. THE MAXIMUM PENALTY IN SUCH CASES SHALL BE AS FOLLOWS:

(a) MISDEMEANORS CLASS I: 364 DAYS IMPRISONMENT, NOT MORE THAN A ONE THOUSAND DOLLAR FINE, OR BOTH

(b) MISDEMEANORS CLASS II: 120 DAYS IMPRISONMENT, NOT MORE THAN A SEVEN HUNDRED FIFTY DOLLAR FINE, OR BOTH

(c) PETTY OFFENSES: A FINE OF NOT MORE THAN THREE HUNDRED DOLLARS, IMPRISONMENT FOR NOT MORE THAN TEN DAYS IN A COUNTY JAIL, OR BOTH

(d) CIVIL INFRACTIONS: UP TO $100 FINE

(e) MAXIMUM CONSECUTIVE JAIL SENTENCE IN A SINGLE CASE IS 24 MONTHS

II. **Public Inspection**. The full text of this Ordinance, with any amendments, is available for public inspection at the office of the Town Clerk.

III. **Severability, Conflicting Ordinances Repealed**. If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

IV. **Effective Date**. Pursuant to Section 3.9 of the Town Charter, this Ordinance shall become effective and be in force immediately upon final passage at second reading.

INTRODUCED, READ, AND APPROVED, AND ORDERED POSTED AND PUBLISHED PURSUANT TO THE TOWN HOME RULE CHARTER BY THE INTRODUCED, READ, AND ORDERED PUBLISHED BY TITLE ONLY PURSUANT TO SECTION 3.9, B) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE FIFTH DAY OF MAY, 2026.

TOWN OF PAGOSA SPRINGS,
COLORADO

By:_____
Shari Pierce, Mayor

Attest:

_____
April Hessman, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED BY TITLE ONLY PURSUANT TO SECTION 3.9, D) OF THE PAGOSA SPRINGS HOMERULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE NINETEENTH DAY OF MAY, 2026.

TOWN OF PAGOSA SPRINGS,
COLORADO

By:_____
Shari Pierce, Mayor

Attest:

_____
April Hessman, Town Clerk

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: Amanda Gadomski

PROJECT: Art Call Proposal
ACTION: Discussion and Action

PURPOSE/BACKGROUND:
The Art Committee Board recommends artist Mark Rane for the geothermal sculpture 2026 art call, noting that his submission was the most professional and comprehensive of all the artists reviewed. While the board provided feedback during the second round that inadvertently caused the artwork to lose its original likeness, we wish to move forward with this contract with Mr. Rane to create a final rendition that blends the best elements of his initial two proposals. We are recommending Rane for council's approval to enter into a contract so we may move forward with this project.

ATTACHMENTS:
1. Mark Rane Submission
2. Mark Rane Proposal 1

RECOMMENDATIONS:
The Art Committee recommends approval of Mark Rane for the geothermal panel installation at Centennial Park. We are seeking Town Council approval to move forward with the project, with completion anticipated by the end of this year.

MARK RANE

mark.rane@gmail.com
926 Escalante Dr. St. George, UT 84790
503-508-5551
markrane.com

PUBLIC ART COMMISSIONS & SITE-RESPONSIVE PROJECTS

Frames and Forks, Park City Municipal Corporation, Park City, UT - 2025

- Designed and built a permanent, site-specific public art shade structure for Creekside Bike Park, responding to the adjacent bike path, rider movement, and park use
- Combined bicycle frame design experience with sculptural metal fabrication to develop a dynamic Corten steel form that is durable with no maintenance
- Led the project from concept through installation, including CAD modeling, fabrication, welding, transport, site prep, and concrete footings
- Managed a $60,000 budget and coordinated with the Public Arts Council, city officials, engineers, and inspectors to meet all safety and compliance requirements

Frameline, Golden City Arts Council, Golden, CO - 2025

- Designed and delivered a permanent public sculpture functioning as a high-capacity bicycle corral for the City of Golden, CO
- Collaborated with the Arts Council to refine the design and maximize visual impact while meeting city and streetscape goals
- Balanced functional requirements—bike capacity, safety, visibility, and asphalt anchors with a site-responsive sculptural aesthetic inspired by local colors and mountains

OUTDOOR PUBLIC ART INSTALLATIONS & PROGRAMS

Art Around the Corner, St. George, UT, 2022–2025

- Purchase award 2022, “Mary”

ArtTrails, Moab, UT, 2025, “Cash II” steel sculpture

Plaza+Art, Taylorsville, UT, 2025, “Timothy” steel sculpture

Live Daybreak, South Jordan, UT, 2024-2025, “Ronnie” steel sculpture

- Purchase Award 2025

SHOWS & COLLECTIONS

Exhibitions:

- *Color and Wire*, with Artist Matt Pectol - Ivins, UT, 2025

- *Merging Lines*, with Artist Margaret Abramshe - St. George Art Museum, UT, 2023–2024
    - Collaborative sculptural exhibit exploring line, color, and spatial rhythm

Juried Shows:

- *Spiritual & Religious Art of Utah*, Springville Art Museum, Springville, UT, 2025

- St. George Art Festival, UT, 2025
    - Council Choice Award; 3rd Place, Sculpture

- Beverly Hills Art Show, CA, 2020–2024
    - 2022 Honorable Mention

- Zion's Bank Southern Utah Art Show, UT, 2020–2024

Permanent Collections:

- Site-specific sculptures, figurative and abstract works, prints, and drawings represented in permanent corporate and private collections nationwide

---

RELEVANT PROFESSIONAL EXPERIENCE

Adjunct Instructor, Dixie Technical College - St. George, UT, 2019 – Present

- Teach 3D modeling in the Drafting & Design Department
- Mentor students in technical, design, and presentation skills

Industrial Designer & Developer, 2008 – 2024

- In-house designer for SRAM, Quality Bicycle Products, crankbrothers, and YETI
- Consultant for Black Diamond, Twilla, Savvy Outdoor, and Equadose
- Conceptualized, prototyped, and developed products from early concept through production - collaborating with factories and suppliers to ensure manufacturability across diverse processes including cast steel, forged aluminum, injection-molded plastics, hydroformed stainless steel, and carbon fiber
- Named inventor on multiple design and utility patents; designed products that have sold millions of units by aligning engineering, manufacturing, marketing, and user needs through design leadership

---

EDUCATION

B.F.A., Industrial Design, Brigham Young University, Provo, UT — 2008

TECHNICAL SKILLS & METHODS

Design & Visualization: Sketching, 3D modeling (SolidWorks), rendering
Fabrication: Welding (MIG 3G/4G certified), metal forming, prototyping, site work
Project: Budgeting, project management

GALLERY REPRESENTATION

Juniper Sky Gallery, Ivins, UT
Four Lemons, Salt Lake City, UT

REFERENCES

Heather Atkin, B.S., M. ED.
Art Around the Corner Board Chair
435-680-5613
heatheratkin15@gmail.com
Serve together on non-profit art board.

Jocelyn Scudder
Executive Director
Arts Council of Park City & Summit County
413.847.0975 (c)
jocelyn@pcscarts.org
Worked together on public art project for Park City, UT.

Matt Wempe
Principal City Planner for Golden, CO
mwempe@cityofgolden.net
303-550-6607 (c)
Worked together on public art project for City of Golden, CO.

MARK RANE

mark.rane@gmail.com
503-508-5551
www.markrane.com

OUTDOOR SCULPTURE MAINTENANCE PLAN

Project Location: Pagosa Springs, Colorado
Design Life Requirement: Minimum 10 Years

---

1. MATERIAL PERFORMANCE OVERVIEW

Corten Steel (Weathering Steel):

- Forms a stable, protective oxide
- Requires proper drainage and wet–dry cycling

Stainless Steel (316)

- Highly corrosion-resistant
- Requires periodic cleaning for appearance retention

---

2. DESIGN REQUIREMENTS

The following will be incorporated during fabrication and installation:

- Provide weep holes in all enclosed tubing
- Prevent standing water at all connections and bases
- Prevent direct contact between Corten steel and soil

---

3. MAINTENANCE SCHEDULE

Years 0–2 (Patina Development Phase). Frequency: 2–3 times per year

- Rinse Corten surfaces with clean water
- Remove dust, bird droppings, and debris
- Inspect for water pooling or drainage issues

Years 3–10 (Standard Maintenance Phase). Frequency: 1× per year

- Full visual inspection (structure and surfaces)
- Clean stainless steel with mild detergent and soft cloth (optional)

---

4. PROHIBITED PRACTICES

- No power washing
- No abrasive tools (steel wool, sanding pads)
- No acid or chloride-based cleaners
- No painting or coating
- No de-icing salts near sculpture

---

5. EXPECTED PERFORMANCE

With proper detailing and maintenance:

- Corten steel components: multi-decade lifespan
- Stainless steel components: long-term durability with minimal degradation

BUDGET

PHASE	TASK	SUBTOTAL	TOTAL
DESIGN	PROFESSIONAL ARTIST AND DESIGN FEES	$5,000	$5,000
ENGINEERING & PERMITTING	CONSTRUCTION DOCUMENTS - PREPARATION	$500	
	ENGINEERING CONSULTATION	$2,300	
	INSURANCE & PERMITTING	$500	$3,300
FABRICATION & CONSTRUCTION	MATERIALS - STEEL TUBING FRAME AND BASE PLATES	$4,000	
	FABRICATION: BENDING, CUTTING, AND WELDING	$1,000	
	HARDWARE - PANEL SCREWS AND GROUND ANCHORS	$1,000	$6,000
TRAVEL	SITE VISIT - 3 DAYS TOTAL $300 LODGING (3 x $100) $890 FUEL (1200 MILES x .72) $210 PER DIEM (3 X $70)	$1,400	
	INSTALLATION TRIP - 14 DAYS TOTAL $1,400 LODGING (14 x $100) $900 FUEL (1200 MILES x .72) $1000 PER DIEM (14 X $70)	$3,300	$4,700
INSTALLATION	SITE PREPARATION AND INSTALLATION	$1,000	$1,000
		PROJECT TOTAL	**$20,000**

MARK RANE

mark.rane@gmail.com
503-508-5551
www.markrane.com

SHARED CURRENT

I love the beauty found in highly engineered systems: radiator-like forms, branching networks, rhythmic repetition. This sculpture is inspired by the visual language of geothermal systems — pipes running everywhere, energy moving in and out, exchange happening constantly beneath the surface. I'm drawn to the purity of these systems. They are efficient, geometric, and completely functional, yet they create surprisingly beautiful structures and patterns.

I wanted this piece to reflect the ideas of flow, exchange, and connection. I translated these patterns into sculptural forms using the recycled stainless steel panels. The panels already carry an incredible amount of detail, texture, and history, and I wanted those qualities to remain visible rather than hidden. The result is a form that feels approachable but reveals more complexity and detail the longer you spend with it.

Scale is also an important part of the project. The piece is designed to fill and activate the proposed site, creating a shifting visual experience as people move around and through the space. The orientation of the panels creates changing patterns of light, shadow, and reflection throughout the day. Sunlight will hit the surfaces from different angles, constantly altering the appearance of the work and adding movement without any mechanical elements.

To complement the stainless steel panels, I chose Corten weathering steel for the primary structure. While more expensive, it is perfectly suited for the climate in Pagosa Springs. The warm, dark patina of weathered Corten creates a strong visual contrast with the stainless panels while also providing exceptional durability. Because the material naturally protects itself over time, no additional finish is required, virtually eliminating long-term maintenance while allowing the sculpture to age gracefully within the landscape.

The installation process is designed to be efficient and durable. I will fabricate the primary structural components at my studio before transporting them to the site. This approach minimizes field welding and reduces installation time. The sculpture will be anchored using industrial-grade ground screws specifically engineered and rated for structural applications, providing a strong foundation with minimal site disturbance. Once the base structure is in place, the stainless panels will be installed individually.

Thank you for your time and consideration in allowing me to create this exciting piece of art for your community.

-Mark Rane

DESIGN DETAILS

FULL CORTEN STEEL FRAME FOR ULTIMATE DURABILITY + NO MAINTENANCE

FULL-SIZE STAINLESS PANELS 2'x 7'

VERTICALLY MOUNTED PANELS TO REDUCE CLIMBING RISK

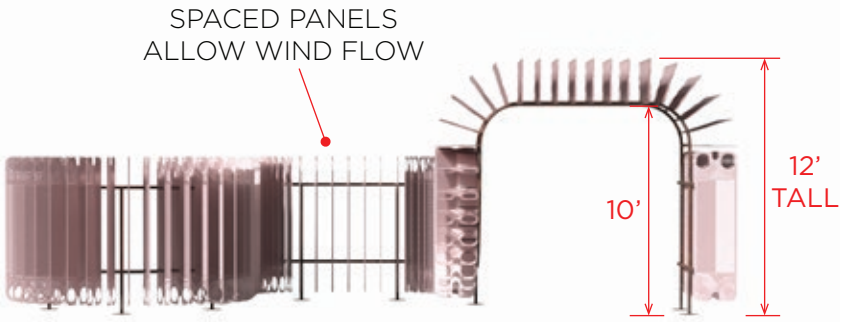
SHAPE INSPIRED BY INDUSTRIAL GEOTHERMAL PIPING

EACH PANEL SECURELY BOLTED TO STEEL BRACKET

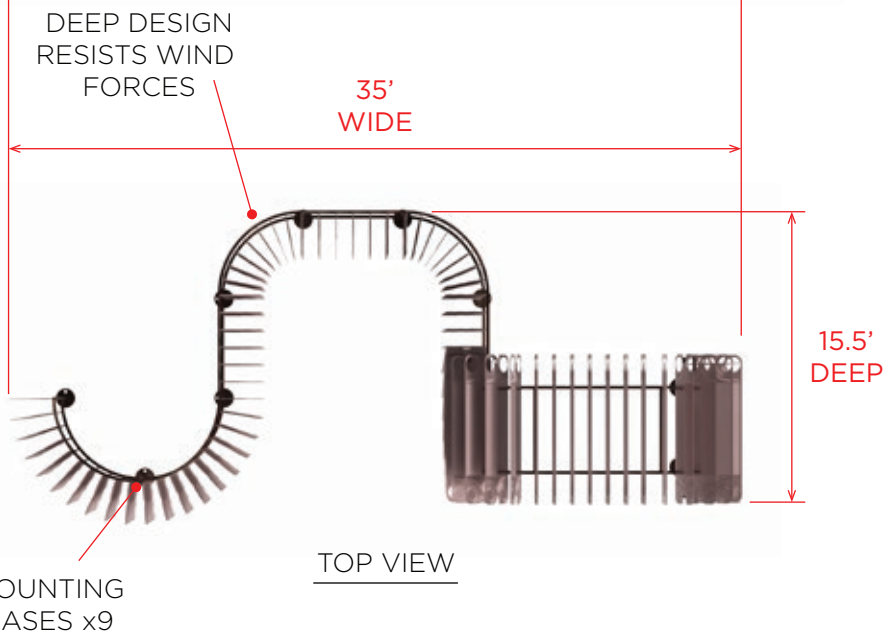
APPROACHABLE AND ENGAGING FROM ALL ANGLES



STRUCTURAL DESIGN

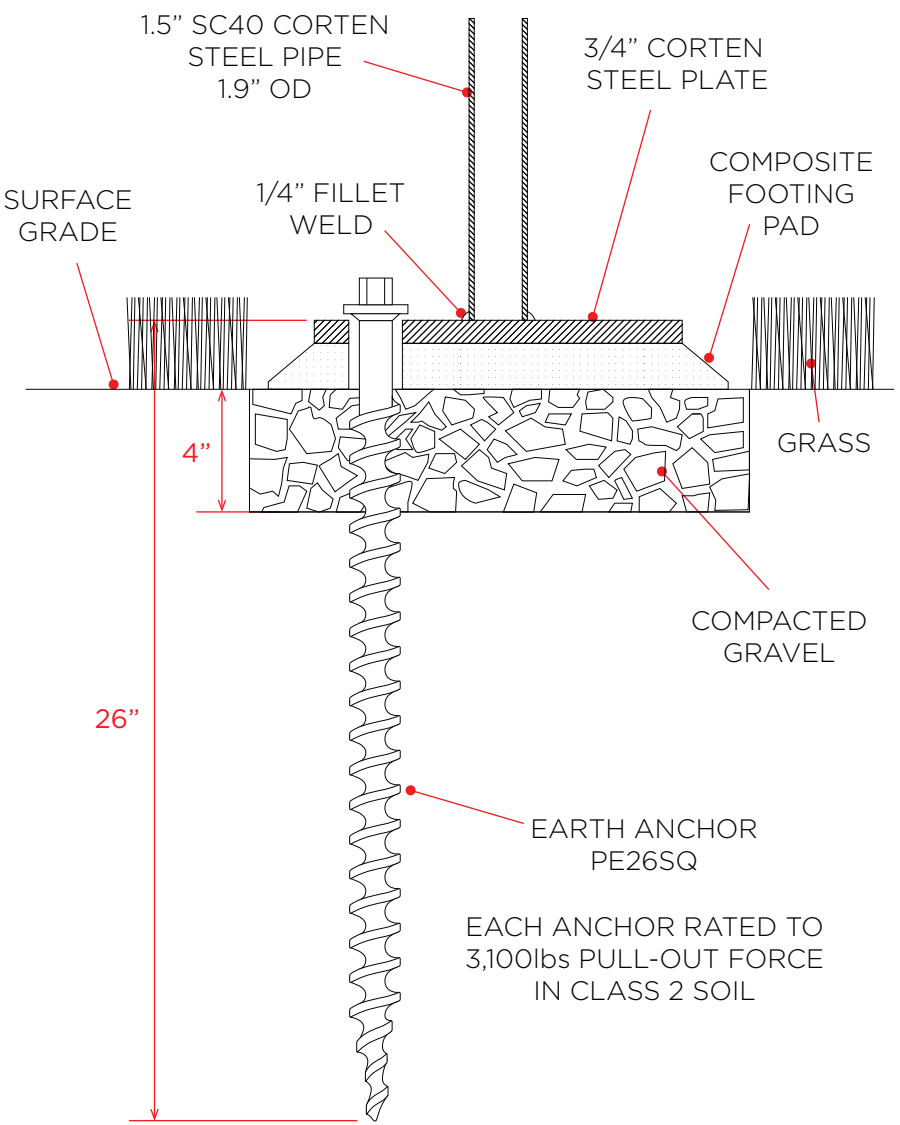


FRONT VIEW



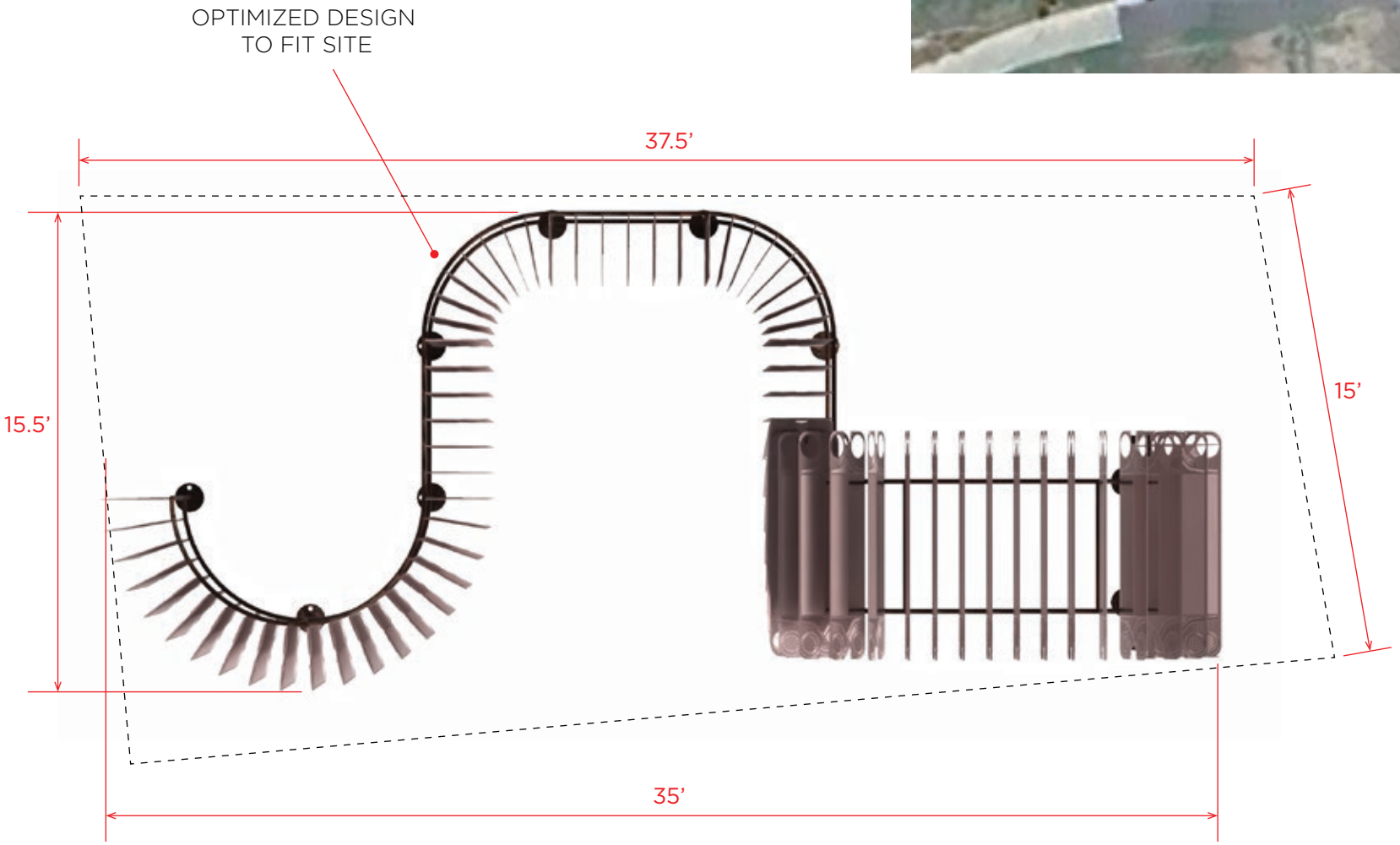
TOP VIEW

MOUNTING BASES DETAIL



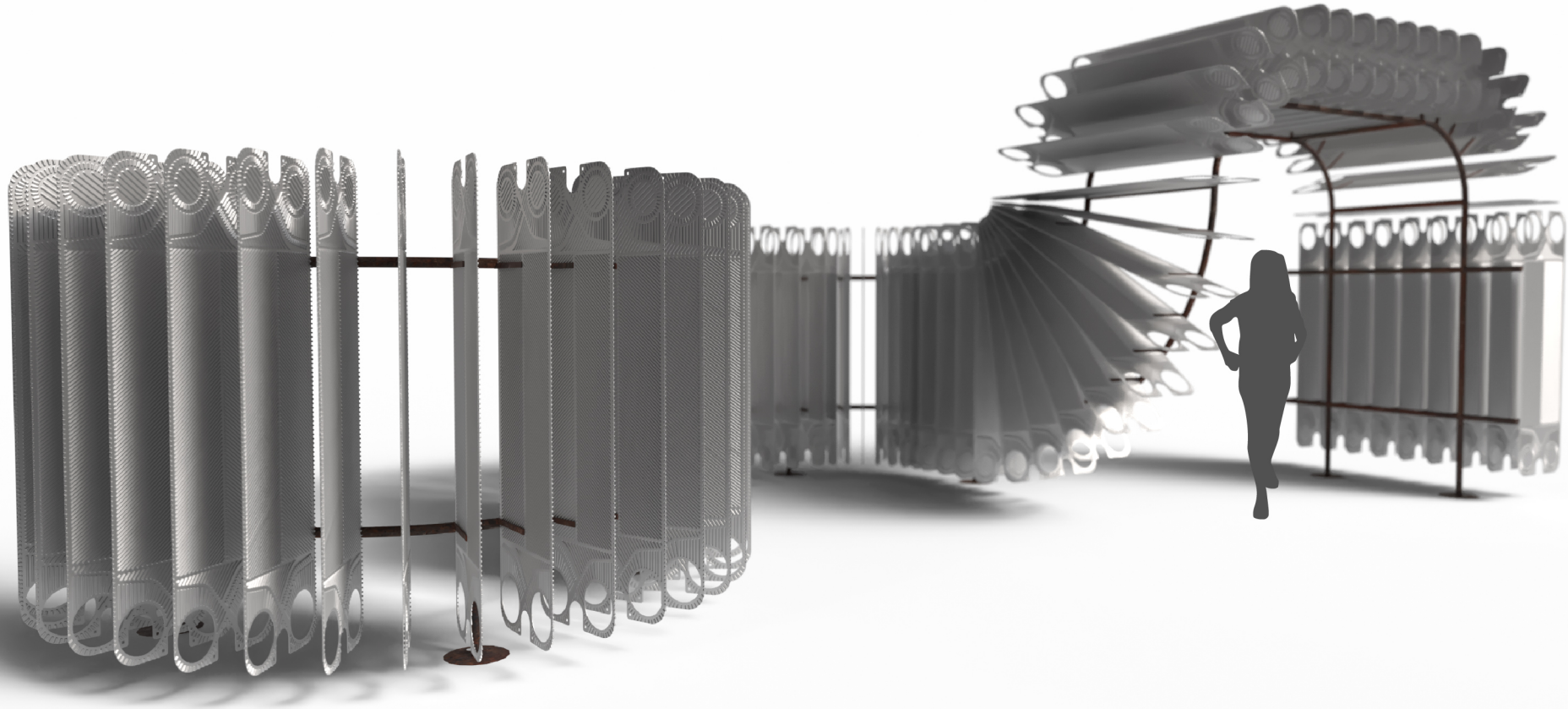
SITE PLAN

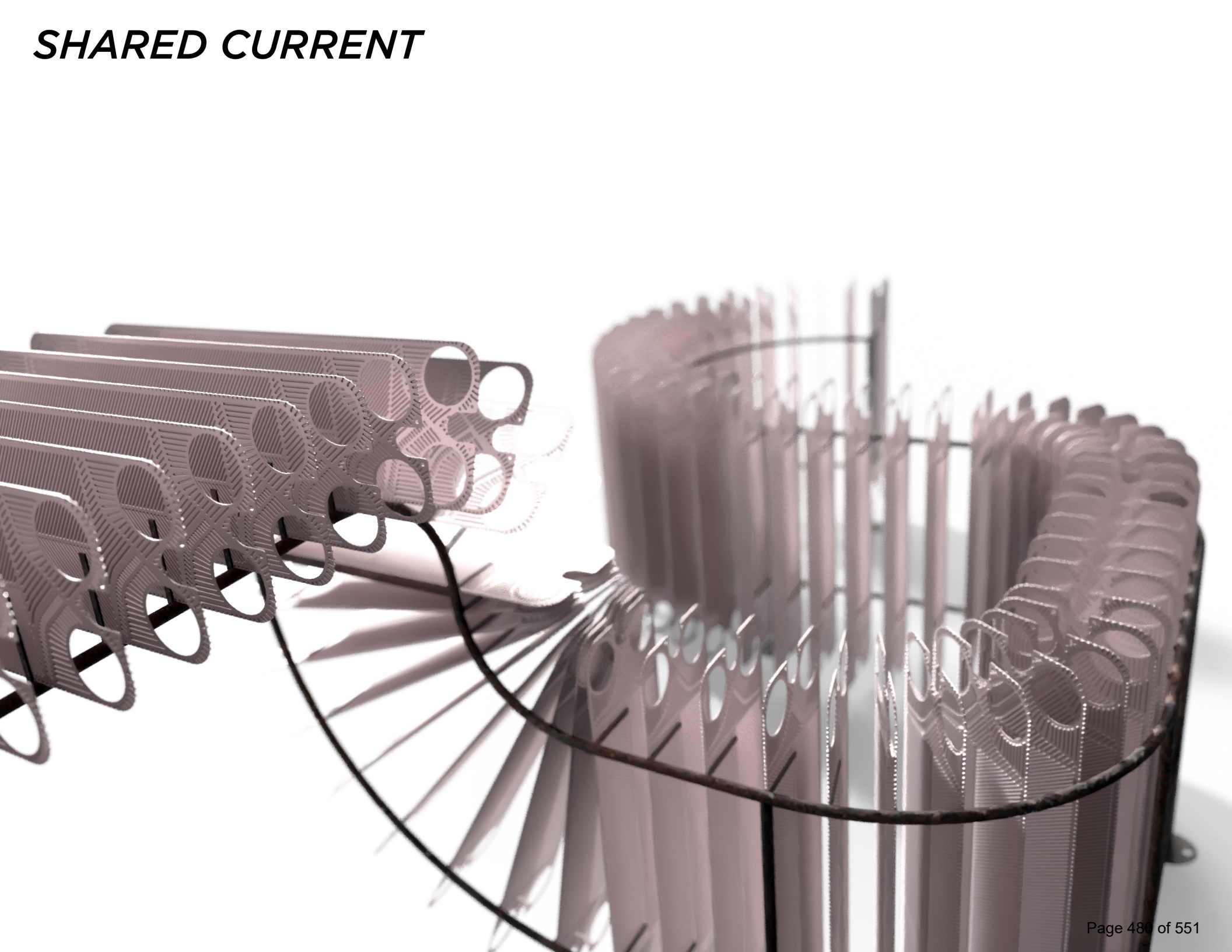




PAGOSA SPRINGS SCULPTURE	DESIGNER: **RANE**	DATE: **07 MAY 2026**

SHARED CURRENT





SHARED CURRENT



Mark Rane
926 Escalante Dr.
St. George, UT 84790
mark.rane@gmail.com
503-508-5551
www.markrane.com

Dear Selection Committee,

My name is Mark Rane, and I am submitting my letter of interest for the public art project in Pagosa Springs. I am a Utah-based artist working primarily in steel, focused on site-responsive work that is approachable, durable, and engaging.

I am inspired by the patterns inherent in engineered systems: radiator-like forms, branching networks, and rhythmic repetition. These elements reveal a compelling intersection between pure function and organic beauty. My intent is to translate these patterns into sculptural forms that feel both familiar and intriguing. It will be a simple, approachable form that offers more detail though the undulating shapes and detail of the recycled panels. It can be appreciated at a glance but also rewards a closer look.

Conceptually, I want this sculpture to reflect ideas of flow, exchange, and connection. Geothermal energy is a powerful example of how we interact with the earth - drawing from it, working with it, and returning energy back into the system. I see this as a metaphor for our communities: a cycle of giving and receiving, growing and supporting.

I design and fabricate all of my work in my studio in St. George, Utah. With a background in both art and design, I manage projects from concept through installation, including engineering coordination, fabrication, and logistics. This allows me to keep projects on schedule, within budget, and well executed.

Recent projects include a large-scale sculptural shade structure in Park City, Utah, and a custom bike corral in Golden, Colorado. Both were designed to serve a clear function while contributing to the identity of the space.

Thank you for your time and consideration.

Sincerely,

Mark Rane

MARK RANE

mark.rane@gmail.com
926 Escalante Dr. St. George, UT 84790
503-508-5551
markrane.com

PUBLIC ART COMMISSIONS & SITE-RESPONSIVE PROJECTS

Frames and Forks, Park City Municipal Corporation, Park City, UT - 2025

- Designed and built a permanent, site-specific public art shade structure for Creekside Bike Park, responding to the adjacent bike path, rider movement, and park use
- Combined bicycle frame design experience with sculptural metal fabrication to develop a dynamic Corten steel form that is durable with no maintenance
- Led the project from concept through installation, including CAD modeling, fabrication, welding, transport, site prep, and concrete footings
- Managed a $60,000 budget and coordinated with the Public Arts Council, city officials, engineers, and inspectors to meet all safety and compliance requirements

Frameline, Golden City Arts Council, Golden, CO - 2025

- Designed and delivered a permanent public sculpture functioning as a high-capacity bicycle corral for the City of Golden, CO
- Collaborated with the Arts Council to refine the design and maximize visual impact while meeting city and streetscape goals
- Balanced functional requirements—bike capacity, safety, visibility, and asphalt anchors with a site-responsive sculptural aesthetic inspired by local colors and mountains

OUTDOOR PUBLIC ART INSTALLATIONS & PROGRAMS

Art Around the Corner, St. George, UT, 2022–2025

- Purchase award 2022, “Mary”

ArtTrails, Moab, UT, 2025, “Cash II” steel sculpture

Plaza+Art, Taylorsville, UT, 2025, “Timothy” steel sculpture

Live Daybreak, South Jordan, UT, 2024-2025, “Ronnie” steel sculpture

- Purchase Award 2025

SHOWS & COLLECTIONS

Exhibitions:

- *Color and Wire*, with Artist Matt Pectol - Ivins, UT, 2025

- *Merging Lines*, with Artist Margaret Abramshe - St. George Art Museum, UT, 2023–2024
    - Collaborative sculptural exhibit exploring line, color, and spatial rhythm

Juried Shows:

- *Spiritual & Religious Art of Utah*, Springville Art Museum, Springville, UT, 2025

- St. George Art Festival, UT, 2025
    - Council Choice Award; 3rd Place, Sculpture

- Beverly Hills Art Show, CA, 2020–2024
    - 2022 Honorable Mention

- Zion's Bank Southern Utah Art Show, UT, 2020–2024

Permanent Collections:

- Site-specific sculptures, figurative and abstract works, prints, and drawings represented in permanent corporate and private collections nationwide

---

RELEVANT PROFESSIONAL EXPERIENCE

Adjunct Instructor, Dixie Technical College - St. George, UT, 2019 – Present

- Teach 3D modeling in the Drafting & Design Department
- Mentor students in technical, design, and presentation skills

Industrial Designer & Developer, 2008 – 2024

- In-house designer for SRAM, Quality Bicycle Products, crankbrothers, and YETI
- Consultant for Black Diamond, Twilla, Savvy Outdoor, and Equadose
- Conceptualized, prototyped, and developed products from early concept through production - collaborating with factories and suppliers to ensure manufacturability across diverse processes including cast steel, forged aluminum, injection-molded plastics, hydroformed stainless steel, and carbon fiber
- Named inventor on multiple design and utility patents; designed products that have sold millions of units by aligning engineering, manufacturing, marketing, and user needs through design leadership

---

EDUCATION

B.F.A., Industrial Design, Brigham Young University, Provo, UT — 2008

TECHNICAL SKILLS & METHODS

Design & Visualization: Sketching, 3D modeling (SolidWorks), rendering
Fabrication: Welding (MIG 3G/4G certified), metal forming, prototyping, site work
Project: Budgeting, project management

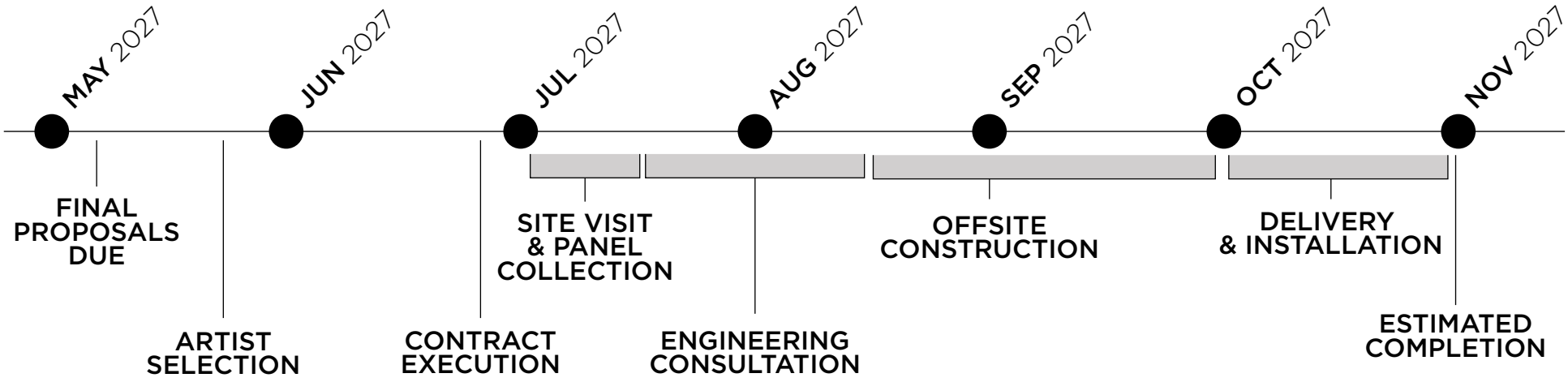
GALLERY REPRESENTATION

Juniper Sky Gallery, Ivins, UT
Four Lemons, Salt Lake City, UT

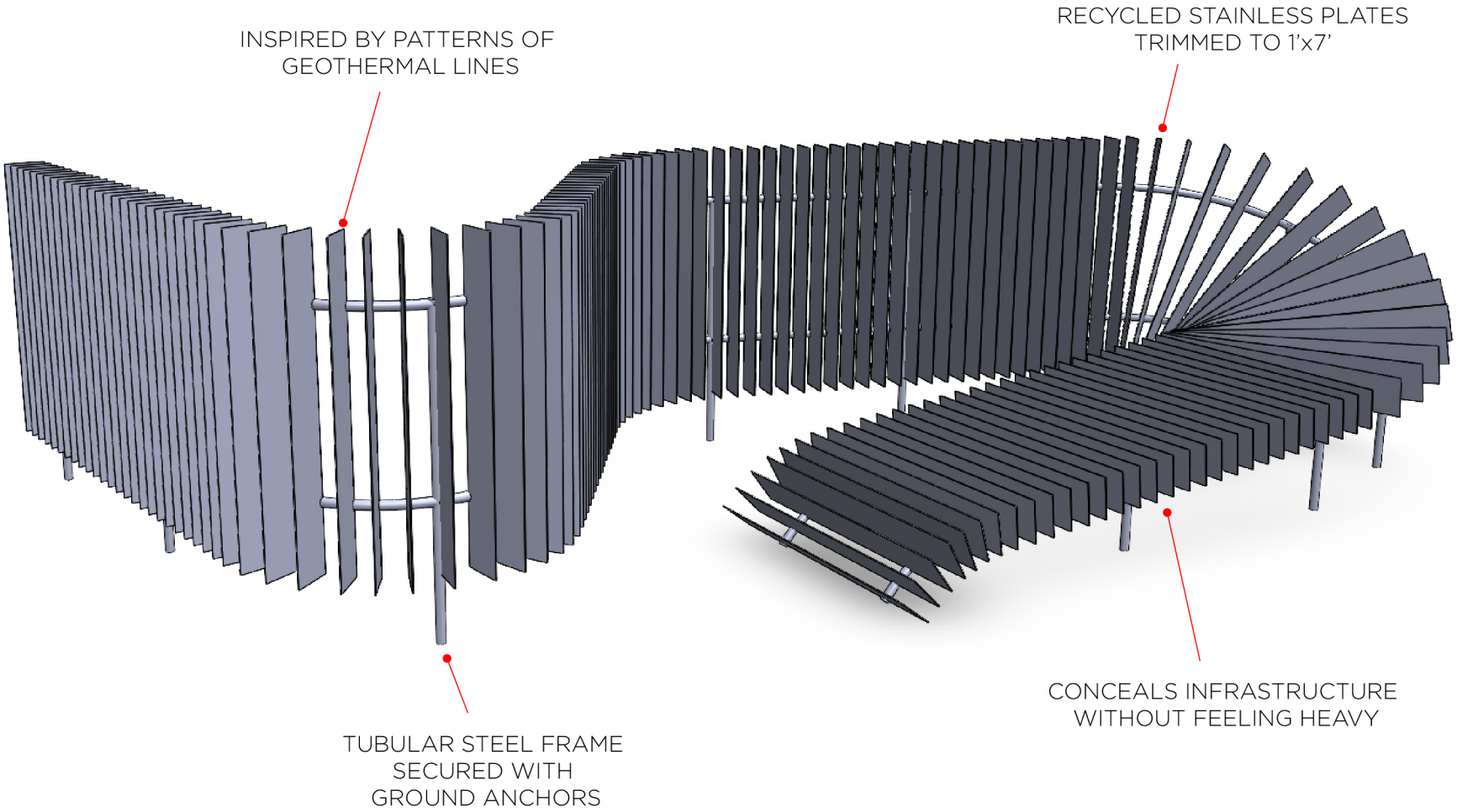
BUDGET

PHASE	TASK	SUBTOTAL	TOTAL
DESIGN	PROFESSIONAL ARTIST AND DESIGN FEES	$5,000	$5,000
ENGINEERING & PERMITTING	CONSTRUCTION DOCUMENTS - PREPARATION	$500	
	ENGINEERING CONSULTATION	$2,000	
	INSURANCE & PERMITTING	$500	$3,000
FABRICATION & CONSTRUCTION	MATERIALS - STEEL TUBING FRAME AND BASE PLATES	$3,000	
	BENDING, CUTTING, AND WELDING	$500	
	HARDWARE - PANEL SCREWS AND GROUND ANCHORS	$750	$4,250
TRAVEL	SITE VISIT - 5 DAYS TOTAL $500 LODGING (5 x $100) $900 FUEL (1200 MILES x .72) $350 PER DIEM (5 X $70)	$1,750	
	INSTALLATION TRIP - 21 DAYS TOTAL $2,100 LODGING (21 x $100) $900 FUEL (1200 MILES x .72) $1,500 PER DIEM (21 X $70)	$4,500	$6,250
INSTALLATION	SITE INSTALLATION LABOR - GENERAL LIFTING AND PLACEMENT	$750	
	SITE INSTALLATION EQUIPMENT - FORK LIFT, ETC.	$750	$1,500
		PROJECT TOTAL	**$20,000**

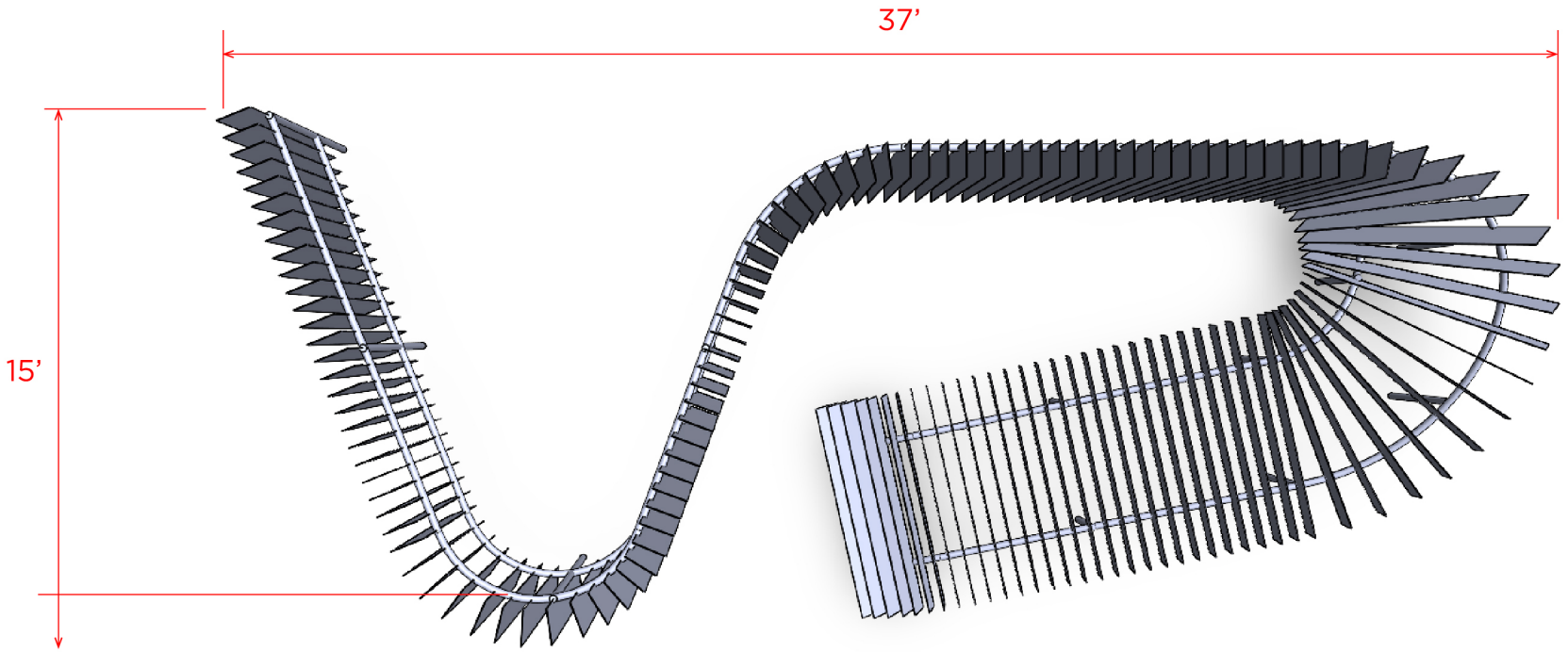
TIMELINE

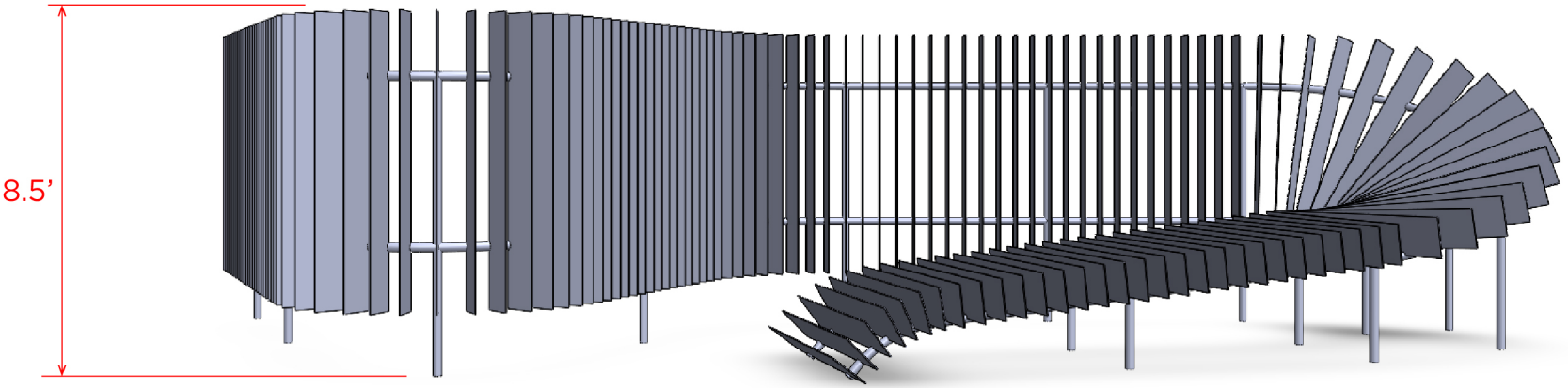

MAY 2027
JUN 2027
JUL 2027
AUG 2027
SEP 2027
OCT 2027
NOV 2027
FINAL PROPOSALS DUE
ARTIST SELECTION
CONTRACT EXECUTION
SITE VISIT & PANEL COLLECTION
ENGINEERING CONSULTATION
OFFSITE CONSTRUCTION
DELIVERY & INSTALLATION
ESTIMATED COMPLETION

SHARED CURRENT



SHARED CURRENT





PAGOSA SPRINGS SCULPTURE	DESIGNER: **RANE**	DATE: **01 APR 2026**

FRAMES & FORKS

Park City, UT
2025
$60,000



FRAMELINE

Golden, CO
2025
$13,500



RONNIE
South Jordan, UT
2024
$7,500



CASH
St. George, UT
2025
$22,000



MARY
St. George, UT
2022
$12,500



AGENDA BRIEF

MEETING: Town Council Meeting
FROM: Katelyn Tunnell

PROJECT:	Shine Gelato OCE Proposal - Scenic Overlook
ACTION:	Discussion and Action

PURPOSE/BACKGROUND:
The applicant is requesting approval of a seasonal Outdoor Commercial Establishment (OCE) permit for a mobile, solar-powered gelato cart at the Town of Pagosa Springs Scenic Overlook. The proposed operation would occur on Town-owned property within the Open Space and Parks (OS) zoning district and would operate from a fixed seasonal location within the existing overlook area. Per the Town of Pagosa Springs Land Use Development Code (LUDC), Outdoor Commercial Establishments proposed on Town-owned property require Town Council consideration.

ATTACHMENTS:
1. Shine Gelato Report

RECOMMENDATIONS:

Move to APPROVE the Outdoor Commercial Establishment permit for Shine Gelato at the Town of Pagosa Springs Scenic Overlook.

Move to DENY the Outdoor Commercial Establishment permit for Shine Gelato at the Town of Pagosa Springs Scenic Overlook.

Provide staff direction.

Town of Pagosa Springs
Development Services
551 Hot Springs Blvd / P. O. Box 1859
Pagosa Springs, Colorado 81147
970-264-4151

STAFF REPORT

TO: Town of Pagosa Springs Town Council

FROM: Katelyn Tunnell, Senior Planner

DATE: May 19, 2026

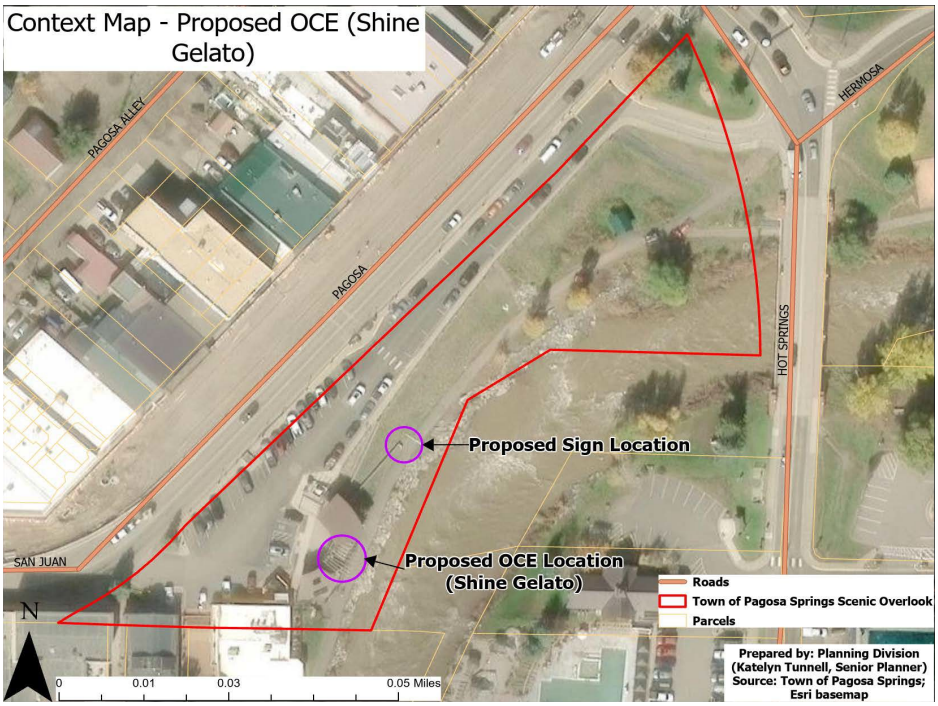
STAFF REPORT: Shine Gelato, Mobile Food Cart, Outdoor Commercial Establishment (OCE), Pagosa Street – Town of Pagosa Springs Scenic Overlook

---

EXECUTIVE SUMMARY

The applicant is proposing to operate a seasonal Outdoor Commercial Establishment (OCE) consisting of a mobile, solar-powered cart at the Town of Pagosa Springs Scenic Overlook. The subject property is Town-owned land and is zoned Open Space and Parks. Although the unit is mobile, the request is for a fixed seasonal location within an existing public gathering area at the Town of Pagosa Springs Scenic Overlook.

The proposal has been evaluated for compliance with applicable OCE requirements, including consistency with the Land Use and Development Code (LUDC) and potential impacts to the site and surrounding area.



REVIEW PROCEDURE

Outdoor Commercial Establishments (OCEs) are regulated under Article 2.4.11 of the Town of Pagosa Springs Land Use Development Code (LUDC) and require an approved OCE permit prior to operation.

In accordance with Section 2.4.11.B.1, the applicant submitted a complete application within the required timeframe prior to the proposed start of operations. Following submittal, staff routed to the applicable departments for review and comment.

Section 12.3 of the LUDC defines an Outdoor Commercial Establishment as " A commercial operation that conducts business from an outdoor location such as mobile food vendor, mobile vendor of merchandise, sale of merchandise and/or services, and including special events, seasonal farmer's markets and other similar fresh food sales, temporary art, craft fairs, carnivals and festivals, seasonal holiday sales, and community events; operating from a cart, trailer, vehicle, tent, temporary structure or other outdoor configuration."

Outdoor Commercial Establishment permits are typically reviewed administratively and do not require a public hearing. Per Article 4.4.4 C. 2, Outdoor commercial establishment uses are limited to those currently allowed in Table of Allowable Uses. 4.1-1 for the zoning district the proposed establishment is located, unless otherwise approved by Town Council for public spaces.

DISCUSSION

The applicant, Matthew Sherrill, is proposing to operate Shine Gelato as a seasonal outdoor commercial establishment on the deck of the Town of Pagosa Springs Scenic Overlook. The site is Town-owned and functions as a public space with access to the Riverwalk and nearby downtown area. The proposal consists of a mobile gelato cart operating from a fixed location within the overlook area. The cart is designed to be self-contained and temporary. The operation is intended to serve pedestrian traffic in the area, including those using the Riverwalk and Scenic Overlook. The site already includes seating and pedestrian access, and no additional permanent improvements are proposed as part of this request.

The applicant has indicated an intent to source ingredients locally where feasible and operate during the requested seasonal timeframe. The proposal is not expected to generate parking demand beyond existing conditions.

The application was routed to internal departments for review, including Public Works, Police, and Parks. No comments were received from Public Works or Police. Parks staff noted that the subject area is anticipated to be closed from Memorial Day through mid-June, which may affect use of the site during that timeframe, and raised concerns regarding existing downtown conditions during the ongoing reconstruction project, including potential impacts to current businesses. These considerations may be relevant when evaluating the timing and location of the proposed operation.

Additional operational considerations include trash service and signage. The applicant has not proposed dedicated trash receptacles, and use of existing Town facilities may result in increased demand. Daily trash removal and site maintenance may be necessary to ensure the area remains clean and functional.

The applicant has also proposed an offsite A-frame sign along the Riverwalk at the East ramp connecting the Riverwalk and the Scenic Overlook. Based on the information provided, this signage does not meet the requirements of the LUDC and would need to be modified or approved separately. These items may be considered as part of this request.

The following sections review the proposal as it relates to the Land Use Development Code (LUDC) and the Comprehensive Plan.

LUDC Article 3, Zoning:
The proposed project is located within the Open Space and Parks (OS) zoning district.
"The OS district is intended for open space and parks. The district is intended for public or quasi-public facilities and private facilities of a non-commercial character serving the general public."

The proposed use is commercial and does not align with the typical intent of the district. However, per Article 4.4.4 C. 2 and 4.4.4 E. 6, Town Council has the discretion to allow uses not listed as allowable in table 4.4-1 of the LUDC when the operation is requested on Town owned property.

LUDC Article 4, Allowable Uses:
Table 4.1-1 of the LUDC establishes the use permitted within each zoning district. The proposed Outdoor Commercial Establishment is commercial and is not specifically listed as an allowed use within the Open Space and Parks (OS) zoning district. The only conditional commercial use identified within the district is "General Outdoor Recreation, Commercial."

Outdoor Commercial Establishments are regulated under Section 4.4.4 of the LUDC. Because the proposed location is on Town-owned property, Town Council approval is required for the use to be established at this location. Additionally, Article 4.4.4 E. 6 requires that the applicant provide proof of liability insurance when proposing operation on Town owned property.

LUDC Article 5, Dimensional Requirements:
The proposed OCE has been reviewed for compliance with Article 5, including setbacks, building height, and overlay standards. No issues were identified.

LUDC Article 6, Design Standards
The proposed OCE was reviewed for compliance with applicable standards in Article 6 of the LUDC, including parking, access and circulation, lighting, and signage.

The proposed operation is pedestrian-oriented and is located within an existing public gathering area with established pedestrian access and seating. No major conflicts with access or circulation standards were identified.

The proposed location is within an area that is currently utilized for public parking, including during the ongoing CDOT reconstruction project. Use of this area for an Outdoor Commercial Establishment may affect parking availability and is a consideration for Town Council.

The applicant has proposed an A-frame sign along the Riverwalk. Based on the information provided, the proposed signage does not meet the requirements of Section 6.12 of the LUDC and will need to be modified or provided a variance or exception.

The applicant has not proposed dedicated trash receptacles as part of the operation. Use of existing Town-owned trash facilities may result in increased demand on public infrastructure and is a consideration for this request.

The applicant does not propose any lighting.

Comprehensive Plan
The Comprehensive Plan is intended to guide development in Pagosa Springs and is used by Town Council, Planning Commission, and staff when evaluating proposals that may impact the community.

The Planning Division identified the following goals and their respective action items that relate to this proposal:

• **Goal LU-4:** New development shall complement existing development and incorporate walkable and connected environments.
• **Goal E-1:** Support and promote local businesses and economic activity within the community.
• **Goal E-2:** Support new businesses that complement the distinct character and community values of Pagosa Springs and Archuleta County.
• **Goal E-3:** Support a diverse and sustainable local economy.
• **Goal AE-4:** Encourage and support alternative energy systems within the community.

The proposal generally aligns with the goals listed above. The location supports existing pedestrian activity along the Riverwalk and adds a small-scale commercial use within an established public gathering space. The applicant has indicated an intent to source products locally where possible, which supports Goal E-1, and the addition of a small-scale commercial use contributes to economic diversity consistent with Goal E-3. The proposed solar-powered unit is also consistent with Goal AE-4.

The Comprehensive Plan emphasizes maintaining the character and quality of public spaces. Elements such as trash, signage, and overall site impacts should be considered as part of this request.

Public Comment
As of the date of this report, no written public comment has been received regarding this petition.

RECOMMENDATION

Staff has reviewed the proposed Outdoor Commercial Establishment and finds that it generally aligns with the applicable provisions of the Land Use Development Code, with considerations noted throughout this report.
As the proposal is located on Town-owned property, Town Council review and direction is required.

PROPOSED MOTIONS

Move to APPROVE the Outdoor Commercial Establishment permit for Shine Gelato at the Town of Pagosa Springs Scenic Overlook.

Move to DENY the Outdoor Commercial Establishment permit for Shine Gelato at the Town of Pagosa Springs Scenic Overlook.

Provide staff direction

ATTACHMENTS

Attachment 1: Applicant OCE Proposal
Attachment 2: Context Map
Attachment 3: Parks and Recreation Comments

OCE Proposal | Shine Gelato | Pagosa Springs

Prepared by Matthew Sherrill, CEO Shine Gelato

Greetings! Thank you for your time and careful attention to this proposal. It is my sincere desire to kindly persuade you to approve of our solar electric mobile gelato bicycle cart at the San Juan Overlook picnic and resting area.

The pros for this endeavor are many. As residents of Pagosa for nearly 1 year now, we recognize there is room for a highest quality gelato cart in town. Our ingredients will be sourced with utmost concern, especially for the milk and eggs. I will personally provide many of the eggs as will those organic pasture egg-farmers that I know in town. We will source organic milk from local farmers as well as organic and fair-trade sources for chocolate and coffee.

I will be making the gelato myself. My culinary background includes travels in Italy, chef school, as well as a cookbook I co-authored in 2012. My ancestral heritage among is Italian —among other lineages— and since embarking upon this project, I've found a natural affinity for this Italian delicacy. It must be be seated somewhere deep in my soul. When we are open you will see that our product is highly competitive in *every* way.

The mobile unit is a solar electric bicycle produced in Albuquerque, NM. It is powered by rooftop solar panels and a silent electric power bank. It includes a freezer, hand washing station, a warming basin for the spoon, and is mobile, though I recognize my permit is for a permanent seasonal location. The fire department has requested a small fire extinguisher which I will include.

We will be selling gelato by the cup or cone at a fair price in 6 flavors including; vanilla bean, chocolate, chocolate/hazelnut, mint chocolate chip, coffee and a seasonal fruit such as strawberry or peach. Our strawberries will be local when possible and by and large, organic. Our peaches when in season will be from Palisade, Co. I will sell our local El Dorado Springs water bottles to keep folks hydrated. For those of us who have little children, we know a glass of water can be a real parent saver.

The desired dates for production are from Friday May 22nd through Monday September 7th (Labor Day) and our hours of operation are to be: Friday, Saturday and Sunday from 1 to sunset.

Seating is available under the pavilion. As you can see from the pictures, there are a number of picnic tables and benches in the area. The area is quite large, and there is absolutely ample waiting area for people to wait and enjoy the views of the San Juan River and Hot Springs Resort. Restrooms are not provided but are available down the riverwalk. Once guests have their gelato, they can sit and rest or walk the riverwalk. They can also take their gelato down pagosa street as they shop.

We intend to have a single A frame sign down on the riverwalk that is to be near the walkway. The cart will have a sign on the frill of the canopy.

As we are intending to market to foot traffic walking on the Riverwalk, we don't believe that our mobile gelato cart will affect the parking issues already present downtown. I understand how some of you may be concerned about that. It is already tight downtown in the summer, and uncontrollably so. I believe that people come en masse to the wild hot springs and the Riverwalk for the beauty and the nature already, regardless if we exist or not. Therefore, I do not believe that our Gelato cart will not bring any more traffic that is already there, but, it will enhance the experience of Pagosa Springs for those same locals and visitors that already will come for other reasons. In fact, the enjoyment of our gelato on the riverwalk and the majestic overlook will be just as Emily, director of Peak Pagosa Open School said succinctly, "Perfect." I also believe that our Gelato cart will also encourage people to spending more time and money at other establishments in the downtown area, which is good for other businesses.

As of the writing of this, I'm intending to talk with Chato of Tequila's, and Chris of Sherpa Realty to hear their thoughts on the project.

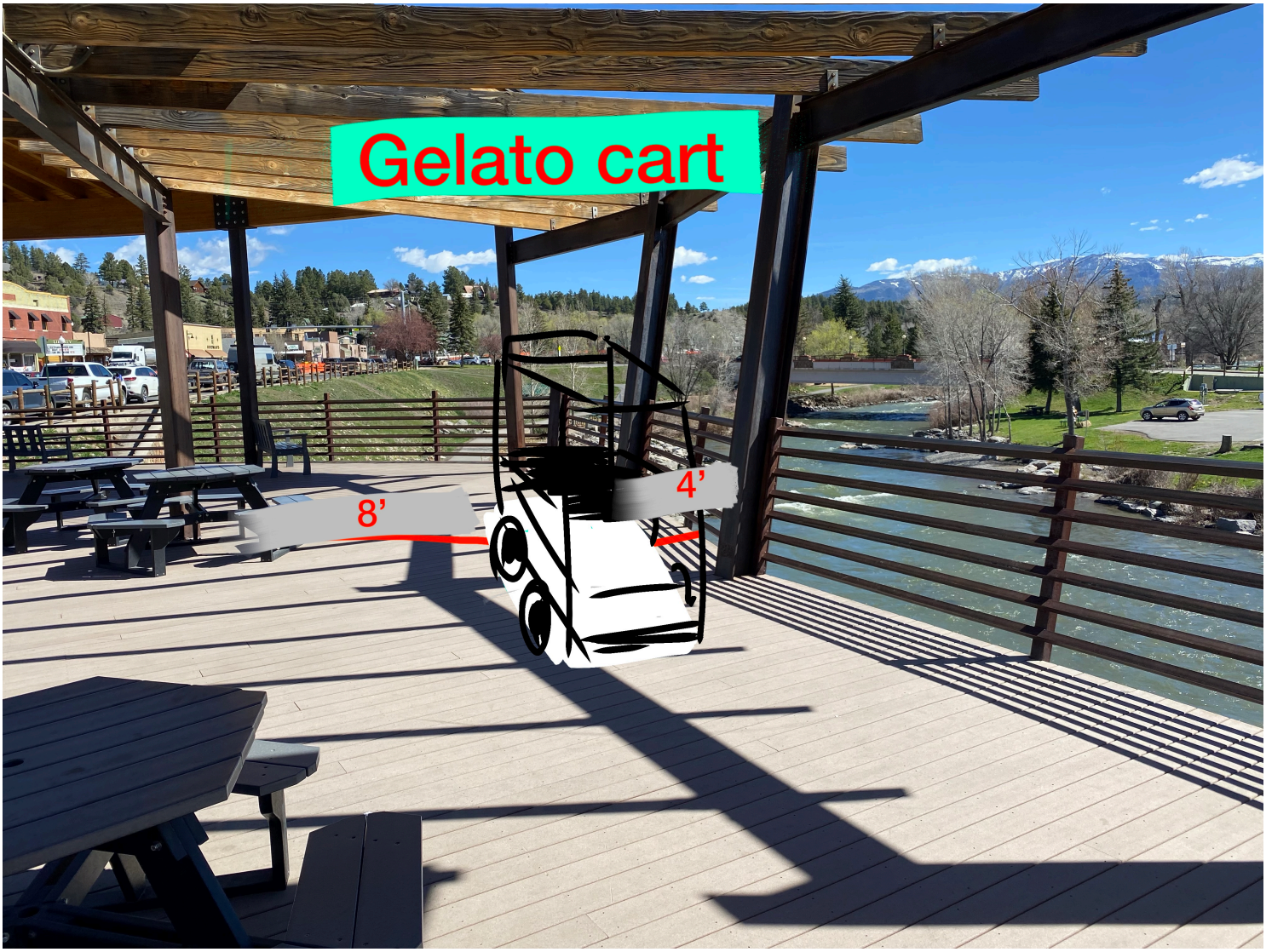
Thank you for your consideration.

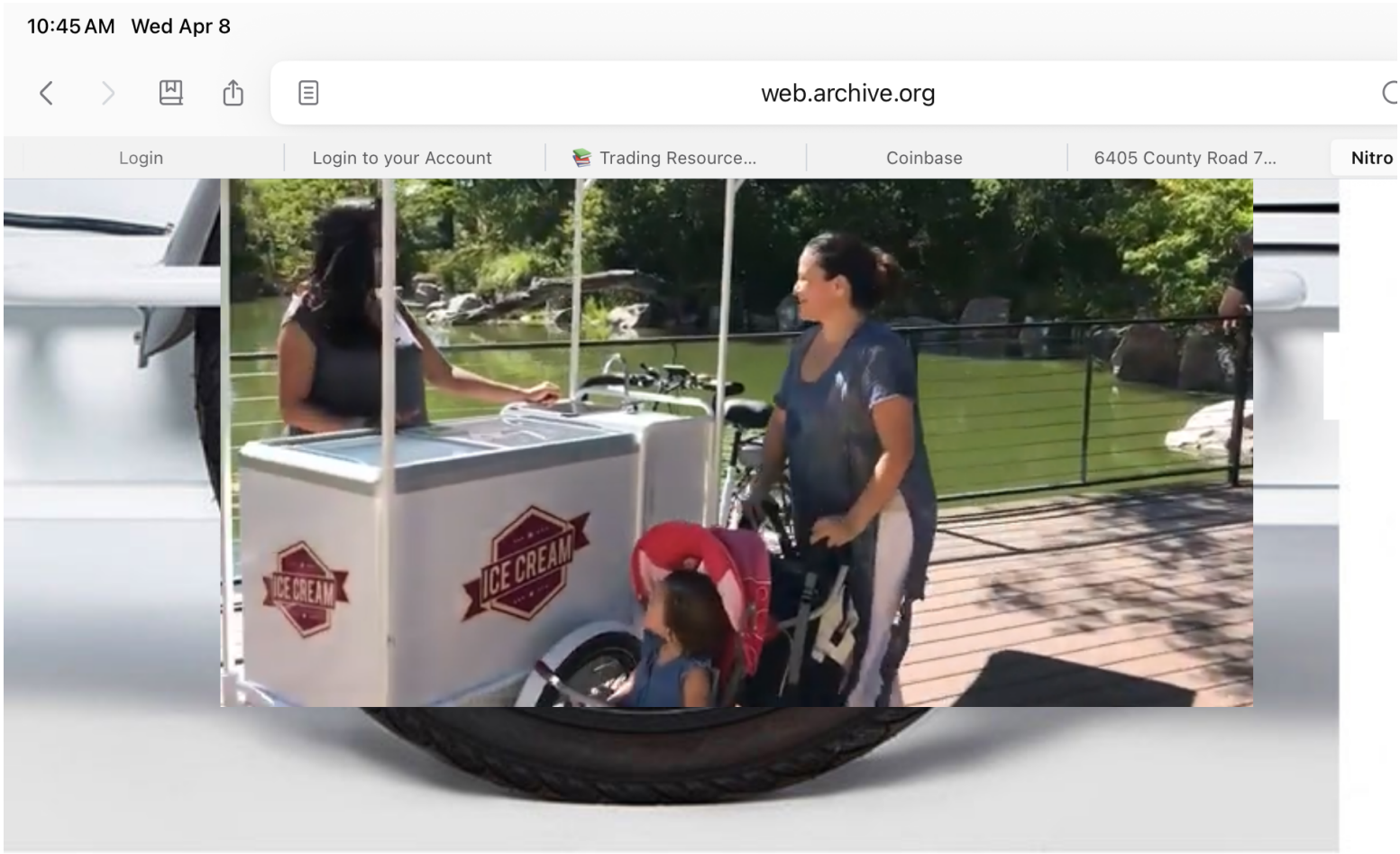
Sincerely,

Matthew Sherrill
Shine Gelato CEO


Menu
GELATO


Proposal OCE
Shine Gelato
1
SAN JUAN RIVER
SCENIC OVERLOOK
Picnic Tables
Fence

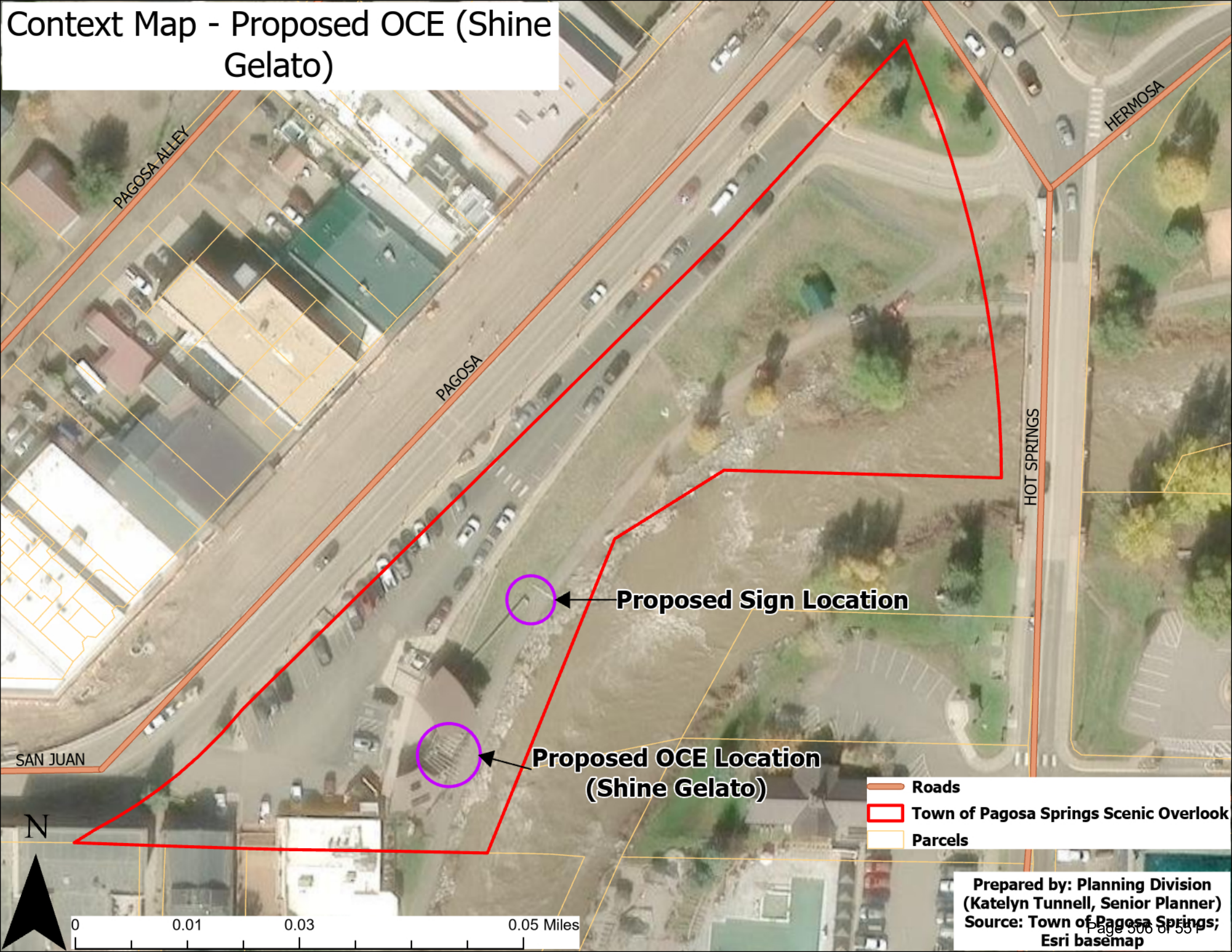

Gelato cart
8’
4’


10:45 AM Wed Apr 8
web.archive.org
Login
Login to your Account
Trading Resource...
Coinbase
6405 County Road 7...
Nitro
ICE CREAM
ICE CREAM



$5,500-$6,500

Model Ice Cream/Cold Drink Bike, Frozen or cold foods
Motive Power: 500 watt brushless rear motor Japan Dapu brand Motor
Battery: 36V 13ah Lithium battery in a removable pack with USB port
Display: LCD display indicates speed, trip distance, pedal assist level and battery charge
Pedal Assist: 6 levels with additional zero option that allows throttle control without pedaling
Speed: up to 20 mph using battery only
Estimated charge time: 6 hours
Estimated range: 25 to 50 miles
Frame: carbon steel
Folding mechanism: allows to load bike to 6' truck bed or trailer
Tires: 20" x 2.125" on front, 24" x 1.75" on rear
Rims: double wall aluminum alloy
Brakes: air-cooled disc brakes on front, v-brake on rear
Crank: 170mm Alloy
Gears: Shimano 6 gear
Pedals: Wellgo aluminum alloy
Rear rack: 50lb. capacity, aluminum
Bike dimensions: 104"L x 34"W x 40"H without canopy (82"H with canopy). Folded bike 69"L
Canopy: 98.5" L x 26" W


Context Map - Proposed OCE (Shine Gelato)
PAGOSA ALLEY
PAGOSA
HERMOSA
HOT SPRINGS
SAN JUAN
Proposed Sign Location
Proposed OCE Location (Shine Gelato)
N
0
0.01
0.03
0.05 Miles
Roads
Town of Pagosa Springs Scenic Overlook
Parcels
Prepared by: Planning Division (Katelyn Tunnell, Senior Planner)
Source: Town of Pagosa Springs; Esri basemap

Shine Gelato Application Comments

Darren Lewis <dlewis@pagosasprings.co.gov> Wed, Apr 29, 2026 at 10:55 AM
To: Katelyn Tunnell <ktunnell@pagosasprings.co.gov>
Cc: Bill Rockensock <brockensock@pagosasprings.co.gov>, Phil Bennett <pbennett@pagosasprings.co.gov>, Owen O'Dell <oodell@pagosasprings.co.gov>, Brooks Brown <bbrown@pagosasprings.co.gov>, Amanda Gadomski <agadomski@pagosasprings.co.gov>, Jamie Carothers <jcarothers@pagosasprings.co.gov>

That area will close right after Memorial Day until June 15th. I am not in favor of taking business away from our downtown businesses currently. It may be a consideration once the downtown is thriving again after construction is completed.

Darren Lewis

Parks and Recreation Director
Pagosa Springs, Co.
970-264-4151 ext.231
dlewis@pagosasprings.co.gov

[Quoted text hidden]

AGENDA BRIEF

MEETING: Town Council Meeting
FROM: James Dickhoff

PROJECT:	Appeal Hearing Regarding Neel Plat Amendment Application Approval
ACTION:	Discussion and Action

PURPOSE/BACKGROUND:
Mountian Vista Townhome Association Board of Director's (Appellant) has submitted a Notice of Appeal regarding the Director's approval of the Neel Plat Amendment Application, pursuant to Land Use Development Code section 2.4.14.

ATTACHMENTS:
Staff Brief
LUDC 2.4.14, Appeals
Appellant's Allegations and Director's Responses

RECOMMENDATIONS:
Potential Town Council determination options may include:

1- Move to affirm the Planning Commission’s determination, Affirming the Director's decision Approving the Neel Plat Amendment
application.

2- Move to, in whole or in part, reverse, or amend the Neel Plat Amendment Approval decision based on the Director failing to properly interpret and apply relevant provisions of the Town Code.

3- Move to remand the matter to the Director and/or Planning Commission for further proceedings consistent with the Land Use Code.

Staff Brief – Appeal Hearting 2026-01 – Neel Plat Amendment Application Approval
Town Council May 19, 2026

Background:

LUDC Section 2.4.14, attached, outlines the purpose and processes for Appeals.

The Mountain Vista Townhome Association Board of Director's (Appellant) believes that the Director incorrectly interpreted the Land Use Development Code for approving the Neel Plat Amendment as a minor subdivision and that the proposed minor subdivision is not consistent with the existing residential neighborhood.

The Appellant's 2nd level Appeal brief is attached, Appealing the Planning Commission's determination on April 14, 2026 and the Director's approval of the Neel Plat Amendment Application.

On April 1, 2026, the Mountain Vista Townhome Association Board of Director's (Appellant) submitted a Notice of Appeal regarding the Director's decision to approve the Neel Plat Amendment Application for properties addressed as 144 Wildwood Drive and 505B C.R. 600 (Piedra Road).

On April 14, 2026, the Planning Commission conducted an Appeals Hearing and heard testimony from the Appellant and Director, followed by questions to staff and the Appellant, resulting in the Planning Commission unanimously approving a motion to "Affirm Director Dickhoff's Decision" (for the Neel Minor Plat Amendment Application Approval).

The Appellant was notified that they have the right to Appeal the Planning Commission's determination and
the Director's Decision to the Town Council.

On April 23, 2026, the Appellant submitted a 2nd level Notice of Appeal to the Town Clerk, Appealing the Planning Commission's determination and the Director's Decision for the Town Council's consideration.

On May 3, 2026, public notices for the May 19, 2026 Town Council Appeal Hearing were mailed to property owners within 500 feet of the subject property.

Review of the Appeals Process:

The Appeals purpose and processes are outlined in LUDC Section 2.4.14, included as an attachment.

The Appeal Process is intended to provide "Parties of Interest" an opportunity to seek reversal of an approval or denial, based on the misinterpretation of Land Use Development Code provisions by a decision maker or failed to properly interpret and apply the relevant provisions of the Town Code or Charter.

In this instance, the Mountain Vista Townhome Association Board of Directors, the "Appellant", has submitted a Notice of Appeal regarding the Planning Commission's Affirmation of the Director's determination to approve the Plat Amendment Application for subdivision of property owned by Ms. Rebecca Neel.

This 2nd level Appeal is heard by the Town Council, who is considered the "Appellate".

Burden of proof:

Any final decisions of the original decision-maker shall be presumed to be correct. The Appellant has the burden of proof to show that a preponderance of the evidence introduced before the original decision-maker or appellate decision-maker, supports the conclusion that the decision should be overturned based on the Director Failing to properly interpret and apply relevant provisions of the Town Code or Charter.

Public Notification:

The Appeal Hearing notice was mailed notices to all property owners within 500 feet of the subject property pursuant to LUDC section 2.4.14.G.4.b.

LUDC 2.4.14.5 outlines the Appeal Hearing Procedures:

Order of proceedings at appeal hearing. The order of the proceedings at the appeal hearing shall be as follows:

a. Director overview. The Director shall have fifteen **(15) minutes** to provide an overview of the original application.

b. Appellant presentation. The appellant shall have a total of thirty **(30) minutes** to present information in support of the appeal, subject to the determination of the appellate decision-maker or Town Council as to relevance. Copies of all portions of the record that the appellant wishes the appellate decision-maker or Town Council to consider must be submitted to the Director no fewer than five (5) working days before the Appeal hearing.

c. Staff report presented. The Director then shall have a total of thirty **(30) minutes** in which to present a response to the appeal and appellant's presentation, as well as a staff report that includes a written recommendation. This recommendation shall address each standard required to be considered by this Land Use Code applicable to the original application.

d. Appellant response. The appellant shall have a total of fifteen **(15) minutes** to rebut any presentation by the Town.

e. Questions. Following the presentations and rebuttals, the arguments will be closed, and the Town Council may ask questions of the Town staff, the appellant, and any parties-in-interest.

Town Council's Decision. Following the appeal hearing, the Town Council may, in whole or in part: affirm, reverse, or amend the decision being appealed based on the Director Failing to properly interpret and apply relevant provisions of the Town Code or Charter.

The Town Council may remand the matter back to either the original decision-maker or appellate decision-maker, as deemed appropriate, for further proceedings consistent with the Land Use Code. The final decision shall be stated in writing in the hearing minutes as well as in a written order to be delivered to the appellant and shall include specific findings of fact with specific reference to relevant standards as set forth in this Land Use Code.

Potential Town Council determination options may include:

1- Move to affirm the Planning Commission's determination, Affirming the Director' decision for Approving the Neel Plat Amendment application.

2- Move to, in whole or in part, reverse, or amend the Neel Plat Amendment Approval decision based on the Director failing to properly interpret and apply relevant provisions of the Town Code.

3- Move to remand the matter to the Director and/or Planning Commission for further proceedings consistent with the Land Use Code.

e. A change in conditions attached to the approval of any site plan or conditional use permit;

f. A deviation from the flood damage prevention standards in Section 6.2;

g. A deviation from the sensitive area protection standards in Section 6.4;

h. A change to a development feature already modified through a variance or minor modification; or

i. A deviation from the roadway standards, as set forth in Section 6.6.3; or

j. Requirements for sanitary sewer, central water, and access to or construction of utilities.

C. **Procedure**

The Director may initiate or approve a minor modification allowed under this Section at any time prior to submittal of the Staff Report on an application to another decision-making body, or prior to final decision if the Director is the final decision-maker. Staff shall specify any approved minor modifications and the justifications for such modifications on the pending development application for which the modifications were sought.

D. **Approval Criteria**

The Director may approve the minor modification only if he or she finds that the modification meets all of the criteria below:

1. The requested modification is consistent with the Comprehensive Plan, other adopted plans, and the stated purpose of this Land Use Code; and

2. The requested modification meets all other applicable building and safety codes; and

3. The requested modification does not encroach into a recorded easement or right-of-way; and

4. The requested modification will not adversely affect the proposed development or use of adjacent property or neighborhood; and

5. The modification, if granted, will not change the character of the zone district in which the property is located; and

6. The requested modification is necessary to either: (a) compensate for some practical difficulty or some unusual aspect of the site of the proposed development not shared by landowners in general; or (b) accommodate an alternative or innovative design practice that achieves to the same or better degree the objective of the existing design standard to be modified. In determining if "practical difficulty" exists, the approval criteria for variances in Section 2.4.11.C. shall be considered.

2.4.14 APPEALS

A. **Purpose.** This Section sets forth the process for appealing final decisions made under this Land Use Code.

B. **Definitions.**

1. Appellant shall mean a party-in-interest who has taken an appeal from the original decision-maker to the appellate decision-maker, or from the appellate decision-maker to the Town Council by the timely filing of a notice of appeal.

2. Appellate decision-maker shall mean the board or commission to which a decision made under this Land Use Code has been appealed.
3. Applicant shall mean the person who or organization which submitted the original application to the original decision-maker.
4. Final decision shall mean the action of the Director, or a board, commission, Town Council or other decision-maker by a vote of a majority of its members when no further rehearing is available before such board, commission, or other decision-maker; provided, however, that a recommendation to the Town Council from a board, commission or other decision-maker shall not be considered as a final decision of that board, commission, or other decision-maker.
5. Original decision-maker shall mean the Director or other administrator, Board, or commission that made an initial decision on an application pursuant to this Land Use Code.
6. Party-in-interest shall mean a person who or organization which has standing to appeal the final decision of the original decision-maker or appellate decision-maker. Such standing to appeal shall be limited to the following:
    a. The applicant;
    b. Any party holding a proprietary or possessory interest in the real or personal property which was the subject of the decision being appealed;
    c. Any person to whom or organization to which the Town mailed notice of either the hearing of the original decision-maker or the appeal hearing before the appellate decision-maker; and
    d. Any person who appeared and submitted testimony or evidence before the original decision-maker's hearing or the appeal hearing before the appellate decision-maker.
7. Town Council shall mean the Town Council of the Town of Pagosa Springs serving in its role as decision-maker for an appeal of the appellate decision-maker's final decision.

C. **Appeals.** Appeals of land use decisions are available at each step of review and decision-making. Administrative decisions may be appealed to the appropriate board or the Planning Commission, and decisions of any board or the Planning Commission may be appealed to the Town Council, as further set forth in this Section 2.4.13.C.
1. First level of appeal—Appeals of administrative decisions.
    a. General. A denial by the Director of a permit or other approval sought pursuant to this Land Use Code may be appealed by the applicant to the Board of Adjustments, except that decisions regarding sign regulations and administrative design review may be appealed to the Design Review Board and decisions regarding minor subdivision final plat applications, conditional use permits, and floodplain development permits may be appealed to the Planning Commission.
    b. Appeals of floodplain administrator decisions. Decisions of the Floodplain Administrator may be appealed by the applicant to the Planning Commission.

2. Second level of appeal—Appeals to town council. Decisions made by the Board of Adjustments, the Design Review Board, the Planning Commission, or any other board or commission pursuant to this Land Use Code may be appealed to the Town Council by a party-in-interest.
3. Judicial appeals of Town Council Decisions. Any party-in-interest may appeal a final decision of the Town Council made pursuant to this Land Use Code to the court of jurisdiction.

D. **Grounds for appeal**. The permissible grounds for appeal shall be limited to allegations that the original or appellate decision-maker committed one (1) or more of the following errors:
1. Failed to properly interpret and apply relevant provisions of the Town Code or Charter.
2. Failed to conduct a fair hearing in that:
   a. The original or appellate decision-maker abused its discretion as contained in the Town Code or Charter;
   b. The original or appellate decision-maker substantially ignored its formally established rules of procedure resulting in a denial of procedural due process; or
   c. The original or appellate decision-maker based its decision on evidence which was substantially false or grossly misleading.

E. **Notice of appeal.**
1. Appeals shall be made within ten (10) days of the final decision which is the subject of the appeal. All appeals shall be filed in writing with the Town Clerk and shall include the following:
   a. If the appeal is filed by the applicant and the original application was filed by multiple individuals or entities, all of the original applicants must sign the appeal;
   b. The final decision of the original decision-maker; or if the appeal is to the Town Council, the final decision of both the original decision-maker and appellate decision-maker, and identifying which decision(s) is(are) the subject of the appeal;
   c. The date(s) of such final decision(s);
   d. The name, address, telephone number and relationship of each appellant to the subject of action of the original decision-maker; or if the appeal is to the Town Council, the name, address, telephone number and relationship of each appellant to the subject of action of the original decision-maker and appellate decision-maker;
   e. The grounds for the appeal, including specific allegations of error and a summary of the facts contained in the record on appeal which support those allegations;
   f. In the case of an appeal alleging under Section 2.4.13.D.2.c, that the original decision-maker or appellate decision-maker based its decision on evidence that was substantially false or grossly misleading, references to the record in support of this allegation;

g. In the case of an appeal filed by more than one (1) appellant, the name, address and telephone number of one (1) such appellant who shall be authorized to receive, on behalf of all appellants, any notice required to be sent by the Town; and

h. Any other information required by the Town Clerk.

2. Review of notice of appeal. The Town Clerk shall review the notice of appeal for any defects in form or substance. The Town Clerk shall notify the appellant in writing of any such defect in the notice of appeal, which notice shall be mailed no more than seven (7) days from the date of filing of the notice of appeal.

3. Amended notice of appeal. If the Town Clerk discovers any defects in the notice of appeal, the appellant may file an amended notice of appeal within five (5) days of the date of the notice of default. An amended notice of appeal shall correct those defects identified by the Town Clerk and shall include all information required under Section 2.4.13.E.1 of this Land Use Code.

F. **Cost of appeal**. The appellant shall pay a fee of one hundred dollars ($100.00) at the time the notice of appeal is submitted.

G. **Appeals process.**

1. Briefs. The appellant and the Town shall have an opportunity to file briefs for consideration by the appellate decision-maker, or Town Council, as applicable, as follows:

a. The appellant may file an opening brief no later than fourteen (14) days after filing the notice of appeal; or, within seven (7) days of filing an amended notice of appeal.

b. Town staff, on behalf of either the original decision-maker or appellate decision-maker, if the appeal is before the Town Council, may file a response brief no later than fourteen (14) days following the date that the appellant's opening brief is filed.

c. Appellant may file a reply brief within seven (7) days of the date the Town filed its response brief.

d. If the applicant is not the appellant, the applicant may request in writing permission from the appellate decision-maker or Town Council to file a brief. Such request shall be granted if the appellate decision-maker or town council believes the applicant's interest will be furthered. If such request is granted, the applicant shall file a response brief on the same schedule as the Town staff.

2. **Record on appeal**. Any appeal under this Section 2.4.13 shall be an appeal on the record of the hearing before the original decision-maker, or the appellate decision-maker if the appeal is before the Town Council. The record provided to the appellate decision-maker or Town Council, as applicable, shall include the following:

a. All exhibits, including without limitation, all writings, drawings, maps, charts, graphs, photographs, and other tangible items received or viewed by the original decision-maker and, if the appeal is before the Town Council, any items received or viewed by the appellate decision-maker; and

b. A recording or verbatim transcript of such proceedings before the original decision-maker, and if the appeal is before the Town Council, the appellate decision-maker.

3. **Burden of proof.** Any final decisions of the original decision-maker and appellate decision-maker shall be presumed to be correct. The appellant has the burden of proof to show that a preponderance of the evidence introduced before the original decision-maker or appellate decision-maker supports the conclusion that the decision should be overturned based on the criteria set forth in Section 2.4.13.H.

4. **Appeal hearing**.
   a. The Director shall schedule a public hearing on the appeal no later than sixty (60) days after the date the appeal was filed with the Town Clerk. The appeal hearing may be extended up to ninety (90) days after the filing of the appeal if agreed to by both the Director and the appellant.
   b. Notice of the public hearing shall be published on the Town's official website no fewer than fifteen (15) days prior to the scheduled hearing date. Written notice of the appeal hearing shall also be mailed to the appellant, the applicant, and all property owners and mineral estate owners and lessees required to receive notice pursuant to Sections 2.3.6.D and E. All such notices shall meet the requirements of Section 2.3.6.A. of this Land Use Code.

5. **Pre-hearing procedures.**
   a. Procedural issues. Prior to the date of the appeal hearing, the appellate decision-maker or Town Council, as applicable, may establish any procedural rules related to the appeal hearing, including but not limited to, the possible introduction or exclusion of certain evidence, the period of time to be allowed for presentation of arguments on the merits of the appeal and any concerns or objections related to the record on appeal. On its own initiative or for good cause shown by any party to an appeal, the appellate decision-maker or Town Council may order the modification of any procedural requirements of this Section 2.4.13 so long as such modification does not shorten a time period, or eliminate or reduce a party's ability to file a notice, brief, or appeal, or present or defend an appeal.
   b. Consolidation of multiple appeals. In the event of multiple appeals involving the same final decision, prior to the appeal hearing, the appellate decision-maker or Town Council, as applicable, may consolidate the appeal or otherwise modify the procedures contained in Section 2.4.13.G.6 as necessary.

6. **Order of proceedings at appeal hearing**. The order of the proceedings at the appeal hearing shall be as follows:
   a. Director overview. The Director shall have fifteen (15) minutes to provide an overview of the original application.
   b. Appellant presentation. The appellant shall have a total of thirty (30) minutes to present information in support of the appeal, subject to the

determination of the appellate decision-maker or Town Council as to relevance. Copies of all portions of the record that the appellant wishes the appellate decision-maker or Town Council to consider must be submitted to the Director no fewer than five (5) working days before the public hearing.

c. Staff report presented. The Director and Town staff shall have a total of thirty (30) minutes in which to present a response to the appeal and appellant's presentation, as well as a staff report that includes a written recommendation. This recommendation shall address each standard required to be considered by this Land Use Code applicable to the original application.

d. Appellant response. The appellant shall have a total of fifteen (15) minutes to rebut any presentation by the Town.

e. Questions. Following the presentations and rebuttals, the arguments will be closed and the appellate decision-maker or Town Council, as applicable, may ask questions of the Town staff, the appellant, and any parties-in-interest.

7. **Conduct of public hearing.**

a. Presentation time periods. The time periods set forth in Section 2.4.13.G.6 herein may be extended by the appellate decision-maker or Town Council, as applicable, based on the complexity of the issues raised in the notice of appeal, the length of the record on appeal, the potential impact that the determination of the appeal may have on the community at large and the number of parties-in-interest who wish to address the appellate decision-maker or Town Council with regard to the merits of the appeal.

b. Exclusion of new evidence. The appellate decision-maker may exclude arguments based on testimony or evidence that it finds to be irrelevant, immaterial, or unduly repetitious. The appellate decision-maker or Town Council shall not consider arguments not raised in the notice of appeal and new evidence shall not be considered on appeal except upon a showing that such evidence could not have reasonably been presented to the original decision-maker or, if the appeal is before the Town Council, the original or appellate decision-maker, and is not repetitive of evidence already within the record.

c. Continuance of public hearing. The appellate decision-maker or Town Council, as applicable, may, either on its own motion or at the request of any party-in-interest, continue the appeal hearing to a fixed date, time and place. All continuances shall be granted at the discretion of the appellate decision-maker or Town Council, as applicable.

8. **Decision.** Following the public hearing, the appellate decision-maker or Town Council may, in whole or in part, affirm, reverse, or amend the decision being appealed based on the appeal criteria set forth in Section 2.4.13.H herein, and to that end the appellate decision-maker or Town Council shall have all the powers of the original decision-maker. The appellate decision-maker may also

remand the matter back to the original decision-maker and the Town Council may remand the matter back to either the original decision-maker or appellate decision-maker, as deemed appropriate, for further proceedings consistent with the Land Use Code. The final decision shall be stated in writing in the body's minutes as well as in a written order to be delivered to the appellant and shall include specific findings of fact with specific reference to relevant standards as set forth in this Land Use Code.

9. **Notification to applicant.** Notification of the appellate decision-maker's or Town Council's final decision shall be provided by the Director to the parties in the appeal within ten (10) days of the decision and shall be published on the Town's official website for a period of not less than ten (10) days after the final decision.

10. **Record of appeal proceedings.**
    a. Record of appeal hearing. The appellate decision-maker or Town Council shall record the public hearing by any appropriate means. A copy of the record of the appeal may be acquired by any person upon application to the Director and payment of a fee to cover the cost of duplication of the record.
    b. The record. The record of the appeal shall consist of the following:
        (1) The record of the original decision-maker which was appealed;
        (2) Any supplemental evidence approved by the appellate decision-maker or Town Council, including any exhibits, writings, drawings, maps, charts, graphs, photographs, and other tangible items received or viewed at the proceedings by the appellate decision-maker, or the Town Council if the appeal is before the Town Council;
        (3) Any briefs submitted by the parties;
        (4) All minutes of the proceedings;
        (5) If appealed to the Town Council, the recording or a verbatim transcript of the proceedings before the appellate decision-maker. The cost of the transcript shall be borne by the party appealing the decision.

H. **Appeal criteria.** The appellate decision-maker or Town Council shall reverse, amend, or remand a decision upon a finding that the at least one (1) of the grounds for appeal set forth in Section 2.4.13.D occurred, and that the final decision being appealed was materially affected thereby.

Below is the Appellant's Appeal Conclusion and the Director's Appeal Response Summary,

Followed by the Appellant's submitted Appeal Allegations and Land Use Development Code (LUDC) References.

The Appellant's Appeal Allegations are in BLACK TEXT,

The Director Responses are in BLUE TEXT following each Appellant Allegation.

APPELLANT'S APPEAL CONCLUSION

As detailed in the following pages that contain Municipal Code quotes and subsequent appeal statements, the development of the two proposed minor subdivisions fails to meet the criteria necessary for development. This development should be treated as a Major Subdivision and therefore must be subject to the appropriate approvals, design standards and zoning requirements. As pointed out, discrepancies and failures with various provisions of the Municipal Code contain too many issues that appear to be difficult to rectify with the current development plan. Therefore, it is recommended that the approval of these subdivisions should be withdrawn.

Director's Appeal Response Conclusion

ACCESS

Though not ideal, Wildwood Drive is privately owned and maintained by the Mountain Vista Townhome Association, and the road was included on the Mountain Vista Phase-One Plat #284, recorded with the Archuleta County Clerk and Recorders Office on August 14, 1984, under reception #125129. This plat noted Wildwood Drive as a General Common Element for Mountain Vista Townhomes, and further states that *"Pagosa Vista Venture, Ralco Investments, Inc. and Shabil, Inc., as owners, have caused the above described parcel to be subdivided, and designated as "Mountain Vista", and have caused this plat to be made and filed, and further declare that the area designated hereon as General Common Element (GCE) is subject to an easement, granted to the public forever, for the purposes of ingress, egress, access, drainage, utility lines, and facilities and services and other such purposes as may be stated thereon together with the right to carry out construction, operation, maintenance, and activities necessary and appropriate to such purposes."*

MINOR VERSUS MAJOR SUBDIVISION

The proposed plat amendment includes two existing parcels of land, owned by Ms. Rebecca Neel, and includes:

1. A boundary line adjustment of Lot 2 of the Martinez Minor Subdivision (144 Wildwood Drive) as it is not eligible for additional subdivision under a minor subdivision process.
2. A Minor Subdivision of 505B C.R. 600, a remnant parcel of land which is eligible for a minor subdivision for creating two additional lots.

Thus, the Neel Plat Amendment does not require a Major Subdivision application process.

COMPATABILITY WITH EXISTING NEIGHBORHOOD

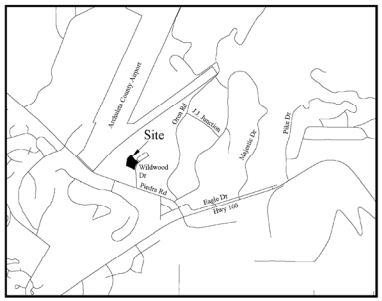
* The proposed Plat Amendment will achieve the intent of LUDC 3.2.1.E by adding additional single-family units, increasing the mixture of residential uses in the existing neighborhood.
* The majority of developable land having primary access to Wildwood Drive, 42 acres, is zoned low density residential, the same zoning as the proposed plat amendment, and allowing up to 6 dwelling units per acre, which could add up to 252 future residential dwelling units.
* The Mountain Vista Townhomes property is approx. 5.2 acres, or 11% of the total residential zoned acreage in the Wildwood Drive residential neighborhood.
* A portion of the Mountain Vista Townhome acreage includes a vacant parcel that could accommodate another approx. 12 townhomes in a future phase, which would bring their total dwelling unity count to 32 dwelling units, equaling 11% of the total allowed 284 additional dwelling units in the Wildwood Drive residential neighborhood.

Preliminary Plat Amendment follows, noting the Plat title and lot Descriptions still require revisions:

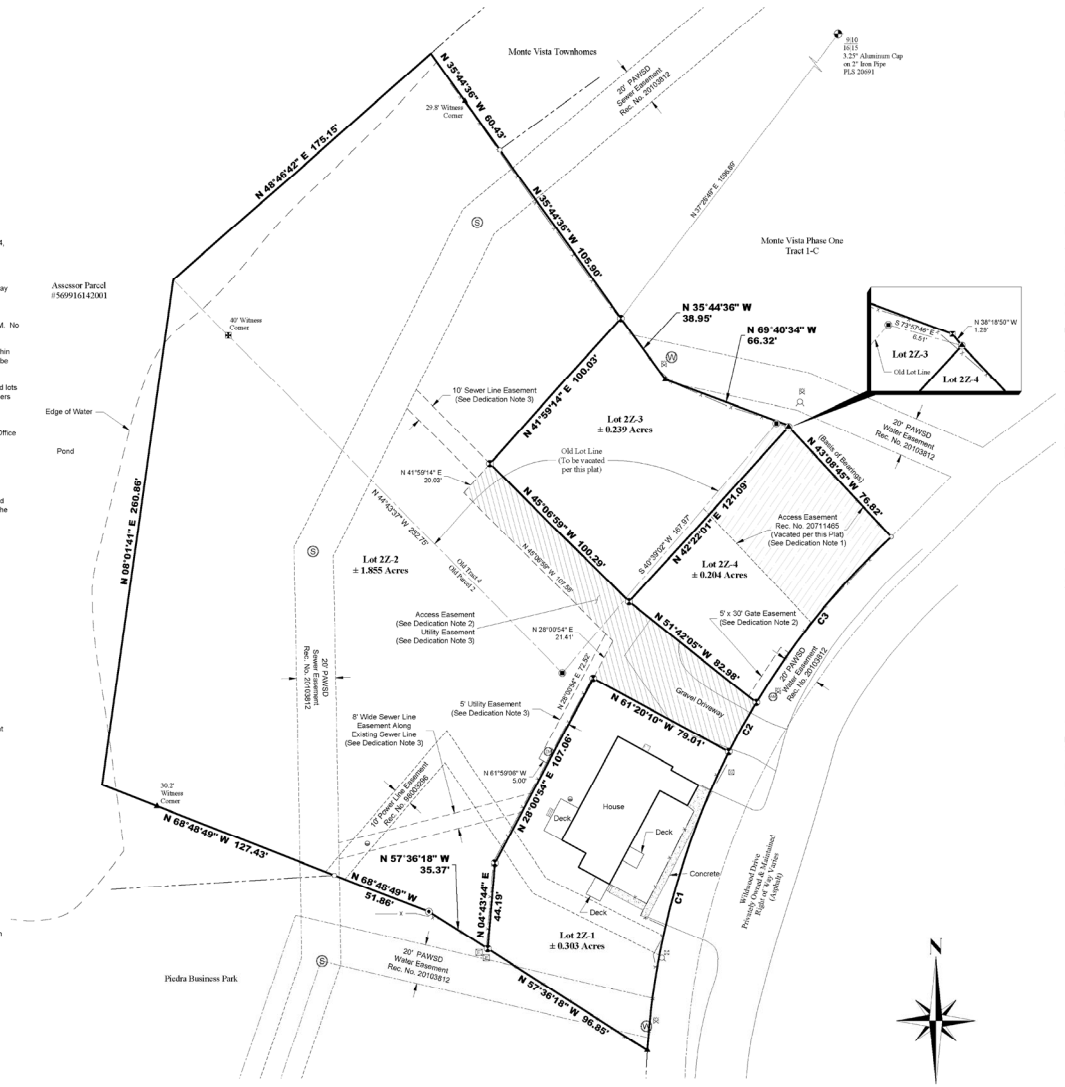
MARTINEZ MINOR SUBDIVISION AMENDMENT 2025-01

Being a Replat of Parcel 2, Martinez Minor Subdivision &
Tract 4, Martinez Annexation Plat
Creating Parcels 2Z-1, 2Z-2, 2Z-3, & 2Z-4
Within Section 16 T.35N R.2W, N.M.P.M.
Town of Pagosa Springs, Archuleta County, Colorado

Preliminary Plat still requires Plat Title and Lot Description Revisions- Director



VICINITY MAP
Scale: 1" = 2000'



CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	393.18'	159.09'	23°10'57"	N 15°19'14" E	158.00'
C2	393.18'	29.58'	4°18'56"	N 29°00'57" E	29.64'
C3	393.18'	106.73'	15°59'23"	N 39°07'24" E	106.37'

SCALE: 1" = 30'
-15 0 30 60
U.S. SURVEY FEET

NOTES:

1. Basis of Bearings: Bearings are geodetic bearings determined by GPS observations. The easterly line of Lot 2Z-4, monumented as shown hereon, bears N 43°08'45" W.
2. All distances on this plat are in US survey feet.
3. These premises are subject to any and all easements, rights of way, variances and or agreements as of record may appear.
4. For rights of way and easements shown on this plat, Murrey Land Surveying relied upon Commitment for Title Insurance issued by High Country Title, LLC, Order No. 23-HCT-1009, Effective date October 31, 2023 at 1:29 PM. No additional record title or easement research was done by Murrey Land Surveying.
5. Notice: According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.
6. A shared maintenance agreement for the shared private driveway defining the final obligations of all newly created lots was recorded _____, 20___ at reception number _____ in the Archuleta County Clerk and Recorders Office.
7. A shared maintenance agreement for Wildwood Drive defining the final obligations of all newly created lots was recorded _____, 20___ at reception number _____ in the Archuleta County Clerk and Recorders Office

TOWN APPROVAL TO RECORD CERTIFICATE:

The Town of Pagosa Springs approves this plat for recording by the Archuleta County Clerk. This approval does not extend to the design of utilities, sewage disposal, roads, or any other service facility. The Town's approval of this plat constitutes the acceptance, on the public's behalf of the offer of dedications of rights-of-way and/or easements, but does not constitute acceptance of roads, utilities, or services for the Town for maintenance or operation.

This _____ day of _____, 20___

By Mayor _____

This _____ day of _____, 20___

Attest by Town Clerk _____

SURVEYOR'S CERTIFICATE

I, David J. Murrey, a duly registered professional land surveyor in the State of Colorado, do hereby certify that this plat of "Martinez Minor Subdivision Amendment 2025-01" was prepared under my direction, meets the State of Colorado minimum standards for Land Survey Plats and truly and correctly represents a field survey of the same, and was monumented in accordance with sections 38-51-101, et seq., C.R.S.

This _____ day of _____, 20___.

PLAT REFERENCE:

1. Martinez Minor Subdivision Plat filed for record in the Archuleta County Clerk and Recorders Office at Reception Number 98003296 on May 5, 1998.
2. Martinez Annexation Plat filed for record in the Archuleta County Clerk and Recorders Office at Reception Number 98002088 on March 18, 1998.

LEGEND

- Set 2" Aluminum Cap PLS 37884 on 5/8" Rebar
- Found 1" Plastic Cap PLS 23894 on 1/2" Rebar
- Found 1.5" Aluminum Cap PLS 20691 on 1/2" Rebar
- Found 1" Plastic Cap PLS 18070 on 1/2" Rebar
- Found Illegible 1" Plastic Cap on 1/2" Rebar
- Found 1" Plastic Cap PLS 20691 on 1/2" Rebar
- Found 1.5" Aluminum Cap PLS 23894 on 1/2" Rebar
- Found 1/2" Rebar No Identification
- Found Section Corner (Described Hereon)
- 4" PVC Clean Out
- Electric Box
- Electric Meter
- Water Sewer Manhole
- Sanitary Sewer Manhole
- Telephone Pedestal
- Water Meter
- Water Valve
- Fire Hydrant
- x —— Fence

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS:

That Rebecca Neel whose address is 144 Wildwood Drive, Pagosa Springs, Colorado 81147, being owner or lien holder of the following described real property, to wit: Parcel 2, Martinez Minor Subdivision & Tract 4, Martinez Annexation Plat, Town of Pagosa Springs, Archuleta County, Colorado, containing 2.602 acres, has caused the same to be surveyed, laid out, subdivided, and designated as "Martinez Minor Subdivision Amendment 2025-01" and has caused this plat to be made and filed. In consideration of the approval of this plat, the above stated owner hereby waives any and all claims of damages against the Town of Pagosa Springs occasioned by the alteration of land surfaces to conform to this plat.

The total area of new of Lot 2Z-1 is ± 0.303 Acres, Lot 2Z-2 is ± 1.855 Acres, Lot 2Z-3 is ± 0.239 Acres, & Lot 2Z-4 is ± 0.204 Acres.

DEDICATION OF EASEMENTS

1. The existing access easement recorded as Rec. No. 20711465 is hereby vacated per this plat.
2. The access & gate easement as shown hereon is hereby granted for the exclusive use of Lots 2Z-1, 2Z-2, 2Z-3 & 2Z-4.
3. Utility Easement Dedication: The Public Utility Easements as shown hereon are hereby dedicated to all public and private utility companies, as recognized by the Town of Pagosa Springs, as Public Utility Easements, and also dedicated to the property owners within this development for the purposes of access to and connection with the public utilities. Customer owned lines shall exit the Public Utility Easement in the shortest route possible.

In witness thereof, this instrument is executed this _____ day of _____, 20___.

_____
Rebecca Neel

The foregoing instrument was acknowledged before me on this _____ day of _____, 20___.

State of Colorado

County of Archuleta

My commission expires: _____ Day of _____, 20___.

_____
[Signature and Seal of Notary Public]

COUNTY SURVEYOR'S CERTIFICATE:

This plat has been reviewed and approved for statutory compliance, legibility, form and content only and these items have been determined to meet the minimum standards for land surveying in the State of Colorado. This certificate does not represent a thorough review of the calculations, methodology or the correctness of the boundaries depicted hereon.

CLERK AND RECORDER CERTIFICATE:

I hereby certify that this instrument was filed in my office at _____ o'clock, this _____ day of _____, 20___.

Reception Number: _____

Plat File Number: _____

By Clerk and Recorder: _____

Preliminary

MARTINEZ MINOR SUBDIVISION
AMENDMENT 2025-01
Lying within Section 16 T.35N R.2W, N.M.P.M.
Archuleta County, Colorado

PROJECT NO: 25096	SCALE: 1" = 30'	
DRAWN BY: MTC	MURREY LAND SURVEYING	DATE: 12/15/2025
CHECKED BY: DJM	PO BOX 5532	SHT: 1 OF: 1
SURVEYED BY: DJM	PAGOSA SPRINGS, CO 81147	
	(970) 946-1043	

Formal Notice of Appeal

Of the Decision to Approve

the Subdivision and Development of

144 Wildwood Drive, Pagosa Springs, Colorado

Containing Lots 2Z-1, 2Z-2, 2Z-3 and 2Z-4

Of the Martinez Minor Subdivision Amendment 2026-01

This appeal is being submitted by the Board of Directors of the Mountain Vista Townhomes Association, Inc, 147 Wildwood Drive, #21, Pagosa Springs, Colorado whose signatures and Board titles are attached to this appeal. Addresses and phone numbers of each Board Member are detailed in the Appendix. The primary appellant for communication purposes is highlighted in the Board member list.

The subdivision approval decision was made by the Office of the Town Director on February 23, 2026 and was affirmed by the Planning Commission on April 14, 2026. The approval was based on the subdivision proposal submittal by the owner of 144 Wildwood Drive.

It is the contention of the Board of Directors that several provisions In the Municipal Code were incorrectly interpreted which resulted in the approval of proposed subdivisions that are minus certain requirements for development. The following appeal summary and the subsequent support documentation explain the extent of the Code discrepancies. To the best knowledge of the **Board** of Directors, there is no evidence of false or misleading information that affected the Town Director's or the Planning Commission's decision.

Comprehensive evaluation of this appeal is necessary for understanding the criteria for the approval objection. Your consideration in this matter is greatly appreciated.

Board of Directors
Mountain Vista Townhomes Association, Inc.

Summary

Appeal of the Approval of the Subdivision and Development of 144 Wildwood Drive, Pagosa Springs, Colorado Containing Lots 22-1, 22-2, 22-3 and 22-4 Of the Martinez Minor Subdivision Amendment 2026-01

The subdivision in question is in fact two proposed subdivisions that lie within the Town Residential District R-6 and currently contains a single-family residence. It must be understood that access to the proposed subdivision development is ONLY via a privately-owned street {Wildwood Drive) and through a private community, Mountain Vista Townhomes, that resides in Archuleta County and not in the Town limits. This proposed development will not just be one residence utilizing this ingress/egress but a subdivision of potentially four (4) residences [three (3) new and one (1) existing].

This appeal is based on the evaluation of quoted excerpts from the Town of Pagosa Springs Municipal Code. The quotes and the detailed appeal evaluations are Qfl the support documentation pages following this summary.

#1. Appellant's Allegation:

- **The proposed boundary line adjustment of the Martinez Minor Subdivision plus the expansion of a remnant parcel into three parcels creates the criteria for a Major Subdivision.** - Chapter 21. Article 2.3.8.la - Land Use and Development Code Administration states that Minor Subdivisions shall contain three (3) or fewer lots. The proposed development contains four parcels in two minor subdivisions that are adjacent to each other. Combining the two minor subdivisions into one subdivision creates a major subdivision with additional development criteria.

a. Ms. Neel owns two parcels of land, Lot 2 of the Martinez Minor Subdivision addressed as 144 Wildwood Drive, and 505B C.R. 600 which is not part of the Martinez Minor Subdivision.

b. On March 18, 1998, the Town of Pagosa Springs recorded the Martinez Annexation plat (not to be confused with the Martinez Minor Subdivision), with the Archuleta County Clerk and Recorders Office, under reception #125129. The Annexation plat included properties known today as; 144 Wildwood Drive and 505B C.R. 600, that were included into the Town's boundary.

c. On May 5, 1998, the Town approved the recordation of the Martinez Minor Subdivision, creating three parcels. Lot 2 of the Martinez Minor Subdivision, now known as 144 Wildwood Drive, was one of the three parcels. However, 505B C.R. 600 was and is a separate parcel that was not included as part of the minor subdivision and remains a remnant parcel of land not associated with the Martinez Minor Subdivision.

d. The Development Director has determined that Ms. Neel's proposed plat amendment application is eligible for:

1. **A Boundary Line Adjustment of Lot 2 of the Martinez Minor Subdivision (144 Wildwood Drive), however, this parcel is not eligible for additional subdivision under a minor subdivision process.**

2. **A Minor Subdivision of 505B C.R. 600, a remnant parcel of land which is eligible for a minor subdivision for creating two additional lots.**

The above two Plat Amendment procedures DO NOT create a Major Subdivision.

e. **Based on the Director's determination above, Ms. Neel's submitted a Plat Amendment Application to proceed as a combination Boundary Line adjustment and Minor Subdivision, pursuant to LUDC Section 2.4.3.B, Minor Subdivision/Plat Amendment.**

f. **Due to Mr. Barnum indicating the Mountain Vista Townhome Association Board of Director's would be submitting an Appeal, the Director has placed the final plat review comments for the surveyor's plat edits on hold until an Appeal determination is provided. The Director has also advised Ms. Neel not to proceed with final plat revisions or to submit the $10,000 deposit for sewer and water modeling to PAWSD until such time an Appeal Determination is provided, as these expenses are not reimbursable.**

g. **The Director agrees that the Preliminary Plat title submitted can be confusing as it is currently incorrectly titled as "Martinez Minor Subdivision Amendment". However, the Director is working with the County Surveyor and plat surveyor for a more appropriate plat title and/or plat description for the final plat, since the plat amendment is technically not an amendment to the Martinez Minor Subdivision. Thus, the Director's final Plat review comments and required edits are forth coming following an Appeal determination.**

#2. Appellant's Allegation:

- **Discrepancies of these Subdivisions within the Zoning District** - Chapter 21, Article 3.2.1-Zoning Districts explains the general purposes of all residential zone districts. The following conditions currently exist:
- No adjacent residential developments within Town Limits. (3.2.1.A)
- LUDC 3.2.1.A states: *"Provide appropriately located areas for residential development that are consistent with the Comprehensive Plan and with standards for public health, safety, and general welfare."*
- **Adjacent residential developments in Town Limits is not a code requirement. The Wildwood Drive area is an existing established residential neighborhood, a portion of which is in Archuleta County boundary and a portion in the Town's boundary. The Mountain Vista Townhomes are a portion**
- Forty (40) year old sanitary sewer system requires evaluation. (3.2.1.C)
- LUDC 3.2.1.C states: *"Minimize traffic congestion and overloading of public services and utilities;"*
- **The condition of the Sanitary Sewer collection system is a Pagosa Area Water and Sanitation District (PAWSD) determination and will be reviewed as part of the Water and Sewer Modeling. The up to $10,000 fee deposit payment for such modeling has been postponed until the result of the Appeal has been determined, as the cost is not refundable. Water and Sewer modeling is still required to be conducted and approved by PAWSD prior to the recordation of the final Plat amendment.**

- Smoke potential from developer utilizing a burn permit excessively. (3.2.1.D)
- LUDC 3.2.1.D states: *"Protect residential neighborhoods from incompatible uses that create excessive noise, illumination, unsightliness, odor, and smoke."*
- **Complaints regarding mis-use of a burn permit should be directed to the Pagosa Fire Protection District, who administers, issues and enforces such permits, for all residents throughout their district service area.**

- No identifiable transitions between neighboring districts. (3.2.1.D (E?))
- LUDC 3.2.1.E states: "*Create a mixture of residential uses and preserve edges and transitions between districts."*
- **The proposed Plat Amendment will achieve the intent of LUDC 3.2.1.E with the inclusion of additional single-family lots, adding to the mixture of residential uses in the existing neighborhood.**
- **The Wildwood Drive area has a variety of existing housing types including single family residences, high density Townhomes, four-plexes and a neighboring Lodging and RV Park.**
- **The proposed plat amendment proposes two additional single family residential lots. Single family dwellings are considered a less intensive use than the existing neighboring multi-family residential, and commercial lodging and RV PARK uses.**
- **All four lot configurations proposed as part of Ms. Neel's Plat Amendment are much larger than the Town's minimum R-6 zoning lot size of 7,500 sq.ft., thus naturally providing much less density than allowed by the LUDC, which would allow up to 19 lots/dwelling units on the 3.2 acres owned by Ms. Neel.**

- No pedestrian traffic accommodations. No accessibility to parks or schools. (3.2.4)
- LUDC section 3.2.4 states: *"The R-6 district is intended primarily for single-family residences and duplexes. The district should have pedestrian-oriented, connected local streets and sidewalks, as well as accessibility to parks, open space, schools, and other civic activities. The maximum density is six (6) units per acre."*
- **Low Density Residential Districts "should", refers to the entire R-6 zoning district. The term "should" is subjective and not a definitive "shall", thus, the Director's interpretation is that the subject Plat Amendment, boundary line adjustment and minor subdivision, do not trigger these "District" requirements as such.**
- **All existing developments along Wildwood Drive lack pedestrian infrastructure, with the exception of sidewalks to building entrances from parking lots. The Director has determined that sidewalks within the proposed minor subdivision/boundary line adjustment are not necessary, as there is no connectivity off-site, and that two additional lots does not trigger the inclusion of such.**
- **As with most of our community, access to schools and parks is achievable with differing modes of transportation.**

#3. Appellant's Allegation:

- **Conflicts with Development Standards-Chapter** 21. Article 6.1- Design and Development Standards cover the protection of sensitive areas including access design. The following conditions exist currently:
- Removal of native trees adversely affects the natural character of the Town. The design poses a threat to adjacent wildlife area (wetlands). (6.4.1)

- LUDC 6.4.1 states: "*The Town contains many natural amenities, including stream corridors, river corridors, natural drainages, wildlife habitat areas, waterways (lakes, rivers, and streams), wetlands, viewsheds, and hillsides, as well as significant amounts of native forest, tree cover, and open space, all of which contribute to the Town's character, quality of life, and property values. The regulations of this Section are intended to ensure that the natural character of the Town is reflected in patterns of development and redevelopment, and significant natural features are incorporated into open space areas.*"

TREES

- **There are a few mature trees on the subject properties, however, there are not "significant amounts of native forest" on the properties" as stated in LUDC Section 6.4.1.**
- **LUDC Section 6.4.3. states "Subdivisions and any development shall make every effort to preserve existing waterways (lakes, rivers, and streams), primary vegetation (trees), rock formations, and other natural vistas".**
- **The LUDC does not indicate that trees cannot be removed, and there has not been a proposal submitted to remove any trees.**
- **It is very likely that many trees had been previously removed to accommodate the existing neighboring developments along Wildwood Drive.**
- **The Colorado Wildfire Resiliency Code (CWRC) will begin enforcement July 1, 2026, which provides guidance on tree removal in close proximity to buildings to create a defensible space. CWRC will soon impact the entire state of Colorado.**
- **CWRC information is shared as every community in the state will be reviewing their development codes to ensure compliance with the new CWRC, and guidance for developers and home builders, including required removal of trees within certain distances from residential and commercial structures.**

WETLAND AREA:

- **There are no proposed modifications, dredging or fill occurring to the wetlands, which would trigger State Dredge and Fill or US Army Corps of Engineers Permits.**
- **LUDC Section 6.3.2.A.5 provides a provision for site drainage peak discharge control requirement waivers.**
- **LUDC Section 6.3.2.A.5.b. allows a waiver when the *"Subdivision will result in a gross residential density of two (2) dwelling units per acre or less. Supporting engineering documentation is not required."***
- **Lot 505B C.R. 600 will contain a total of 2.3 acres between the proposed total of 3 lots, with the total acreage including 144 Wildwood Drive being 3.234 acres. The proposed plat amendment does not create more than 2 dwellings per acre.**
- **Additionally, LUDC 6.3.2.B, Drainage Study, also provides an exception for providing a Drainage Study, *"The subdivision of a single, previously subdivided lot into no more than two (2) new lots shall be exempt from drainage studies."***

#4. Appellant's Allegation:

- Adjacent vacant grassland possesses a potential wildfire threat to the County Airport. Minimum access exists for fire apparatus. Fire hydrant access is limited. (6.4.6.A}

- LUDC 6.4.6.and subsection A states: "*The Town Clerk shall keep on file and available to the public, a set of maps clearly showing all known and identified wildfire hazard areas in the Town, as such become available. The Town shall not approve any subdivision plan or site plan if the proposed subdivision or development is in an area identified as a wildfire hazard area or is in an area suspected of being in a wildfire hazard area, unless the applicant can submit adequate evidence, prepared by a qualified professional forester, that the proposed subdivision or development meets the following conditions:*
  A. Any development in which residential activity is to take place shall be designed to minimize significant wildfire hazards to public health, safety, and property."
- **Future development of homes built on the proposed lots will adhere to the 2025 Colorado Wildfire Resiliency Code which will go into effect on July 1, 2026.**
- **There is sufficient access for EMS and Fire Trucks and water trucks.**
- **Two additional low density residential lots do not create an EMS access issue.**

#5. Appellant's Allegation:

- **Only one roadway exists for access to the proposed development with three parcels only accessible by a shared driveway from the roadway. (6.4.6.B)**
- LUDC section 6.4.6.B states: ***"****Any development shall have adequate roads for emergency service by fire trucks, firefighting personnel, and fire breaks or other means of alleviating conditions conducive to wildfire hazard."*
- **The proposed approximate 125' long, 20-foot-wide shared driveway easement accessed from Wildwood Drive is adequate for responding to an emergency for 3 dwelling units.**
- **LUDC 6.6.3.e allows up to 20-dwelling units on a dead-end access. The Fire Code allows up to 30-dwelling units.**

#6. Appellant's Allegation:

- **Failure to satisfy Regulations of Subdivision Improvement Standards** - Chapter 21, Article 7.2.1- Subdivision Design and Improvement Standards are designed "for the purpose of promoting the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the Town".
  - Development lacks compatibility with surrounding neighborhood. (7.2.1.B)
  - LUDC 7.2.1.B states: *"Promoting compact, well-defined, sustainable neighborhoods that enhance the Town's character and are compatible with adjoining lands."*
  - **The addition of single-family home lots is not incompatible with the existing multi-family residential development accessed by Wildwood Drive.**
  - **Additionaly, the majority of vacant land having dedicated right to use Wildwood Drive for access, is zoned low-density single family residential, and include a 17.3 acre parcel, a 14.56 acre parcel, and a 10.57 acre parcel, equaling 42.43 acres, which the LUDC would allow up to 255 dwelling units.**
  - The addition of more residences that utilize an existing private street will create traffic and pedestrian issues that will adversely affect property values for taxpayers in Mountain Vista. (7.2.1.C)

- LUDC 7.2.1.C states: *"Ensuring that any proposed subdivision does not create an excessive burden on the Town's taxpayers as a whole."*
- **The proposed addition of two low density residential lots likely will not impact property values or create an undue burden on Town's taxpayers.**
- Development does not have sidewalks. No recreation space except on privately-owned land. No sense of community except within the actual development. (7.2.1.D}
- LUDC 7.2.1.D states: *"Creating livable neighborhoods that foster a sense of community and reduce dependency on private vehicles."*
- **Most of article 7 applies to major subdivision developments.**
- **The entire Wildwood Drive neighborhood is outside of the Town's core area, thus reliance of vehicles will likely continue for many years until such time the community can provide a safe route for pedestrians and bicycles along Piedra Road.**
- Storm water management only exists as a drainage into a designated wetlands' pond endangering local wildlife with potential pollution from additional residences. (7.2.1.1}
- **Stormwater from the existing 12 townhomes north of the proposed plat amendment currently drains into the wetlands, and there is not a noticeable negative impact.**
- **The addition of two low density residential lots that will likely be no closer than 150 feet from the wetlands will provide amble percolation of storm waters generated by the proposed single family lots.**
- Sanitary sewer capacity is a major concern as explained under Article 3 Discrepancies (above}. (7.3.4.D)
- **Previously answered, this is a PAWSD determination.**

Below has been included into the Mountain Vista Townhome Association's Appeal Submittal, from Pagosa Landing, LLC., a neighboring 17.3 acre property owner, which contains many duplicated concerns previously expressed by Mountain Vista Townhome Association. The Director has responded in BLUE TEXT to those that do not appear to be duplicated comments.

Appeal of the Approval of Subdivision and Development of 144 Wildwood Drive, Pagosa Springs, Colorado Containing Lots 2Z-1, 22-2, 2Z-3 and 2Z-4 Of the Martinez Minor Subdivision Amendment 2026-01

The subdivision in question is in fact two proposed subdivisions that lie within the Town Residential District R-6 and currently contains a single-family residence. (The two subdivisions will be detailed in this appeal.) Access to the proposed development is ONLY via a privately-owned street (Wildwood Drive) and through a private community, Mountain Vista Townhomes, that resides in Archuleta County and not in Town limits. (see Exhibit B) This proposed development will not just be one existing residence utilizing this Ingress/egress but a subdivision of potentially three new residences. Access to these new residences **will be via** a single **driveway.** All four residences will have means of access through a private community via a private road.

This appeal is based on the evaluation of the following excerpts from the Town of Pagosa Springs Land Use and Development Code (LUDC) which appear in red in the document. The appeal evaluations are in black bold print. Several paragraphs within the LUDC raise questions as to the validity of criteria for these proposed Minor Subdivisions.

The Land Use and Development Codes and appeal evaluations are as follows:

Chapter 21 - LAND USE AND DEVELOPMENT CODE

ARTICLE 2 -ADMINISTRATION

2.4 - SPECIFIC PROCEDURES AND APPROVAL CRITERIA

2.4.3 - SUBDIVISION

A. General provisions.

1. Purpose. The purpose of the subdivision review procedures is to ensure compliance with the standards and requirements in Article 7, Subdivision Design and Improvements, and encourage quality development consistent with the goals, policies, and objectives in the Comprehensive Plan.

2. General applicability. The procedures of this Section, and the standards in Article 7, Subdivision Design and Improvements, shall apply to all subdivisions

or re-subdivisions that result in the portioning, dividing, combining, or altering of any lot, parcel, or tract of land, including subdivisions or re-subdivisions created by an exercise of the power of eminent domain by an agency of the State or Town, unless specifically excluded by state law.

B. **Minor subdivision/plat amendment.**

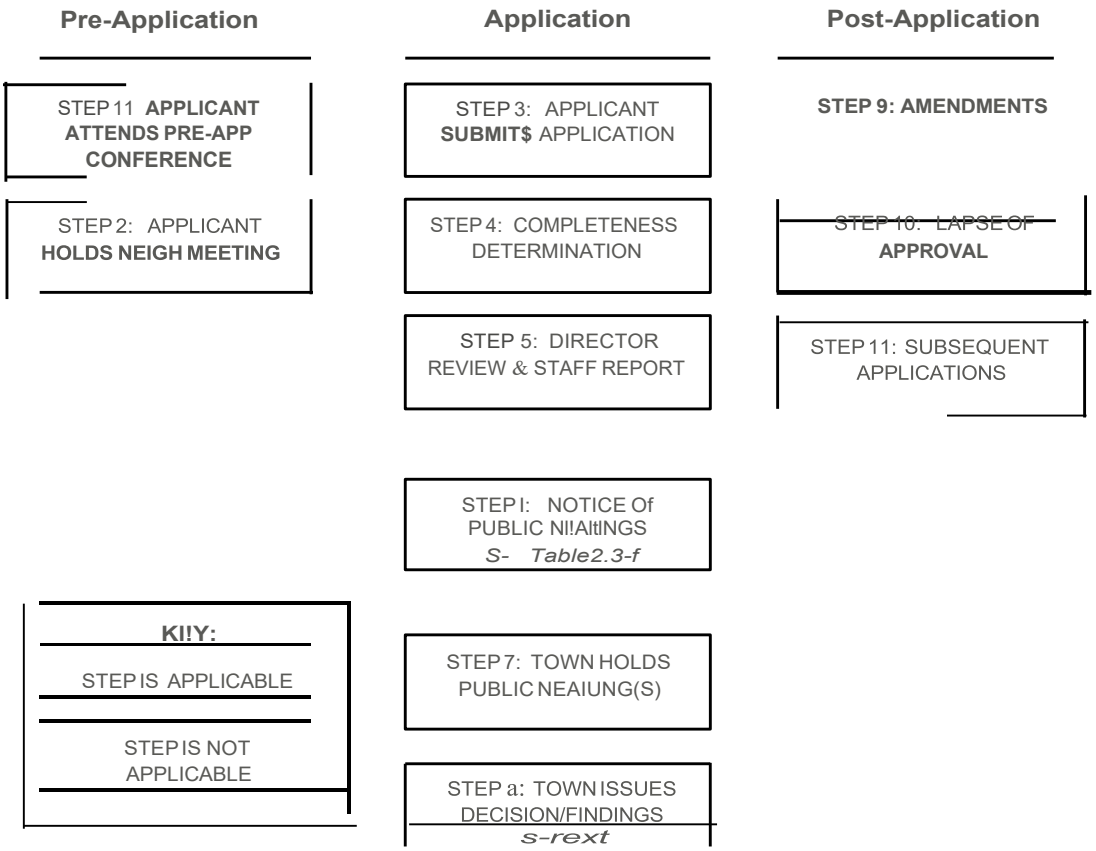
1. **Applicability.**

a. **Eligibility.** The minor subdivision procedure is allowed for the following:

(i) Subdivisions creating three (3) or fewer lots, provided that parcels are eligible for minor subdivision only once, and further subdivisions of the original or newly created parcels shall be processed as major subdivisions;

Figure 2.4-4: Procedure for Minor Subdivisions/Plat Amendments

(Following chart is from the Municipal Code)



The above stated criteria for minor subdivisions are explicit in the requirements relating to number of lots that can be proposed for a subdivision (paragraph 2.4.3.8.1.a). Currently, the Martinez Minor Subdivision Parcel 2, Tract 4 of the Martinez Annexation Plat dated March 18, 1998 consists of approximately 2.6 acres. An adjacent remnant parcel was excluded from the subdivision for unknown reasons. There is currently one residence in this subdivision. The proposed development and primary focus of this appeal is the division of the existing properties into four distinct parcels: 22-1, 22-2, 22-3 and 22-4. These parcels are shown on the attached preliminary survey dated August 7, 2025. (see Exhibit A) These parcels were created by adjusting the boundary lines of the existing Martinez Minor Subdivision, reducing it in size, and expanding the remnant parcel which was then subdivided into three "new" parcels. Thus, creating two minor subdivisions side-by-side. To re-quote Chapter 21, Article 2, Section 2.4.3.Bla{i):

> (i) Subdivisions creating three (3) or fewer lots, provided that parcels are eligible for minor subdivision only once, and further subdivisions of the original or newly created parcels shall be processed as major subdivisions;

Note the statement "newly created parcels". The original remnant parcel no longer exists and there are three "newly created parcels". This should be "processed" as a major subdivision since the above stated Code does not specify the necessary number of "newly created" parcels. At this point, It would simplify development if the "newly created parcels" and the reduced Martinez Minor Subdivision were combined into one Major Subdivision with the appropriate development criteria. The above supplied procedural chart (2.4-4) is for the development of a minor subdivision.

> b. Limitations.
>
> (i) There shall be no public right-of-way dedication or public improvements allowed with a minor subdivision; provided, however, that the Director may determine that such an application may still be processed as a minor subdivision if adequate security is provided to ensure that the dedication will be received and/or the public improvements installed.

The important statement in this paragraph is no "public improvements". The Director determines if an improvement can be processed. Public improvements are detailed in Article 7.5.1.D:

D. The following public improvements shall be constructed unless waived by the Town Council.

1. Road base, grading, and surfacing.
2. Curbs and gutters and driveway returns.

3. Street lights.
4. Sidewalks, multi-use paths/trails and open space development.
5. Sanitary sewer collection system.
6. Fire hydrants and Assembly.
7. Storm sewers, storm drainage system or manholes, as required.
8. Utility distribution system for public parks, open space, and medians.
9. Street signs at all street intersections and other traffic signs.
10. Permanent reference monuments and monument boxes.
11. Berm, fence, or buffer along major arterial and collector streets and surrounding development.
12. Required landscaping and street trees.
13. Erosion control.
14. Domestic water system.
15. Electricity.
16. Natural gas.
17. Telephone and cable.

Obviously, Improvements 14-17 will be processed for new subdivisions. But a Minor Subdivision may not have any of the first 13 Improvements on this list. A Major Subdivision potentially will have all of these improvements. Any new development in Pagosa Springs deserves to have these improvements where possible.

The proposed minor subdivision and boundary line adjustment does not trigger a Major Subdivision, thus does not require public improvements.

ARTICLE 2 - ADMINISTRATION

2.4 - SPECIFIC PROCEDURES AND APPROVAL CRITERIA
2.4.3 - SUBDIVISION

B. **Minor subdivision/plat amendment.**

2. **Procedure.**

(iii) **Approval criteria-Boundary/lot line adjustments or other plat amendments.** The Director shall approve the plat amendment application if it meets the following criteria:

(1) The adjustment does not increase the number of lots or parcels or create new lots or parcels;

The adjustment does create new parcels. A single remnant parcel has now been expanded into three parcels and has created a new subdivision. Because the boundary line adjustment allowed this to happen, the two subdivisions should be combined into a single Major Subdivision as explained above.

The proposed minor subdivision and boundary line adjustment does not create a Major Subdivision.

C. **Major subdivision.**

1. **Applicability.** The major subdivision procedure is required for a proposed division of land when any one (1) or more of the following conditions exist:

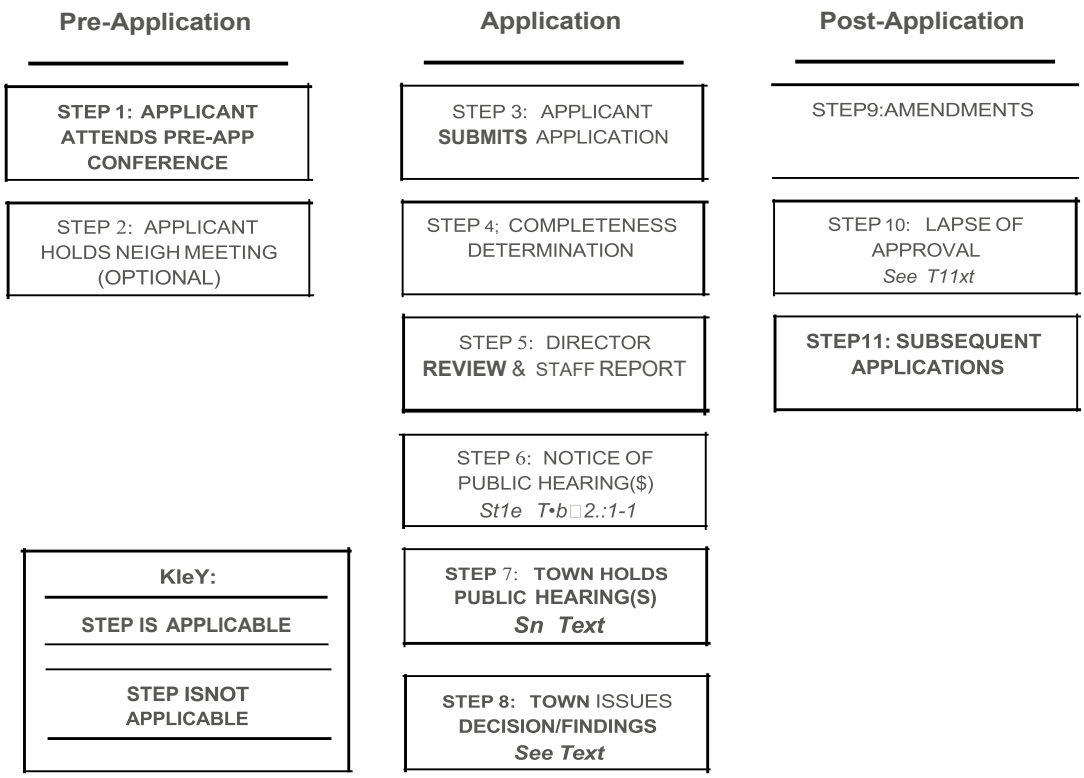
a. Dedication of public right-of-way, other public tracts, or public improvements (unless the Director determines it shall be processed as a minor subdivision in accordance with Section 2.4.3.B.1);

b. The resultant subdivision will produce four (4) or more lots; or

c. The subdivision is not otherwise eligible for the minor subdivision process

Figure 2.4-5: Procedure for Major Subdivisions-Sketch Plan

(Following chart is from the Municipal Code)



The above stated criteria specifically state that: "The major subdivision procedure is required for a proposed division of land when any one (1) or more of the following conditions exist:". Condition 2.4.3.C.1.b states that: "The resultant subdivision will produce

four (4) or more lots." Based on this applicability, the combining of the two minor subdivisions described above satisfies the condition of being a major subdivision and not two minor subdivisions. The accompanying chart above (2.4-5) contains substantially more steps that are necessary to follow when evaluating a major subdivision. These additional steps include Step 2 which requires neighborhood meetings and Step 7 which requires a public hearing. Neither of these steps are required for the approval of a minor subdivision but are extremely important in the development of any properties within the Town of Pagosa Springs. Neighborhood opinions and public input are sources of valuable information that contribute to the overall "Comprehensive Plan" of Pagosa Springs. (Quote is from 2.4.3.A1, Subdivision Purpose.)

The unequal comparison between minor and major subdivision requirements as detailed in the accompanying charts above should be further explained to developers, land owners and adjacent neighbors.

Minor subdivisions are scattered throughout the Town of Pagosa Springs in various sizes and shapes. Why do minor subdivisions have different approval processes than major subdivisions? Are they of lesser importance to the Town? Is it an attempt to reduce the associated costs of developing a major subdivision versus a minor subdivision? Both subdivisions have the same requirements of being "sustainable neighborhoods that enhance the Town's character and are compatible with adjoining lands". (Quote from 7.2.1.B)

Minor subdivisions should be required to have a Neighborhood Meeting prior to the application to the Town. The feedback from that meeting should be communicated to the Town Council.

Minor subdivisions should be required to participate in a Public Hearing just like major subdivisions. Why shouldn't the public have an opportunity to ask questions, provide insight, object or approve a development that is purported to relate "to the Town's historic development pattern"? (Quote from 7.2.1.A)

Currently, a single department decides if a minor subdivision plan is approved or denied. Does the Town Council have an opportunity to view the plans and understand what is being proposed? The review process and decision making should be no different for minor subdivisions than for major subdivisions. That would assure no surprises to neighboring properties and would eliminate the questions as to "why wasn't I told about this development?"

Minor subdivision developments are just as important to the developer and the neighboring property owners as major subdivision developments.

Many of the above statements are comments and suggestions, and not specific mis-interpreted code regulations. The proposed minor subdivision and boundary line adjustment does not create a Major Subdivision. The minor subdivision of 505B CR 600, could occur without the boundary line adjustment. Un-divided, this .98 acre parcel is allowed to have 6 dwelling units.

ARTICLE 3 - ZONING DISTRICTS

3.2 - RESIDENTIAL DISTRICTS

3.2.1- GENERAL PURPOSES OF ALL RESIDENTIAL ZONE DISTRICTS

The residential zoning districts are intended to:

A. Provide appropriately located areas for residential development that are consistent with the Comprehensive Plan and with standards for public health, safety, and general welfare;

The Comprehensive Plan for Pagosa Springs should be reviewed along with the proposal for this subdivision development. This development is removed from any adjacent developmental plans at this time.

B. Ensure adequate light, air, and privacy for all dwelling units with respect to density;

C. Minimize traffic congestion and overloading of public services and utilities;

This development includes a common driveway to three (3) planned residences which will exit onto a privately-owned street. The potential exists on the common driveway for congestion before traffic ever reaches the street.

Utility services need close evaluation, especially sanitary sewer capacity and adequate water supply. The sewer lines that would service the three (3) planned residences were installed over forty {40) years ago and were designed to accommodate the Mountain Vista development which today consists of 20 townhomes. These lines were extended to service various airport hangars, The Knolls neighborhood and a single-family residence located at 94 W Peregrine Circle. It is understood that PAWSD has yet to be asked for a modeling study that would verify if water and sewer will be adequate.

D. Protect residential neighborhoods from incompatible uses that create excessive noise, illumination, unsightliness, odor, and smoke; and

Excessive noise, illumination, unsightliness and odor are somewhat subjective. However, smoke is another matter. The current developer possesses a "burn permit" and exercises that "right to burn" on a regular basis...almost weekly throughout the summer months. It is understood that this is not a LUDC issue but rather a fire department matter. However, smoke from the use of a burn permit infiltrates the Mountain Vista townhomes, the neighboring Mountain Landing Suites and RV Park, the neighboring auto repair shop (Piedra Automotive) and Wings Early Childhood Center. (see Exhibit B) Numerous nuisance complaints have been filed. The police have been called several times from reports of un-attended fires. It is believed that this activity will continue with the developer planning to remain in the development as a resident. It is difficult to understand how a burn permit

can be issued in this location. Insurance coverage for the neighboring townhomes was cancelled due to the evaluation of the location as a wildfire risk. Insurance at the neighboring motel and RV park was also cancelled for the same reason. The current evaluation of this location by the Colorado Wildfire Resiliency Code (CWRC) is "moderate" which requires a certain high level of site improvements for wildfire prevention.

E. Create a mixture of residential uses and preserve edges and transitions between districts.

The vacant land to the south of this proposed development is in the Piedra Business Park Minor Commercial District and is zoned MU-C for Mixed-use. The vacant land to the west of the proposed development is contained within the Town of Pagosa Springs Mountain View Estates and has no current plans of development. The land to the north and east of the proposed development contains the private community of Mountain Vista Townhomes which reside in Archuleta County, not in the Town limits. Several townhome buildings are located less than twenty-five (25) yards from the proposed development and have no relationship with any of the surrounding properties. There would appear to be no mixture of residential uses within the Town districts that are adjacent to the proposed development. It is understood that the R-6 zoning district of this development allows low density residential development but it will still create a negative impact on the adjacent townhome community. There will not be a "preservation of edges" or any identifiable transition between districts or between the proposed development and the immediately adjacent townhome community. This development will just be dropped in the middle of vacant land and placed next to a private residential community (Mountain Vista Townhomes} and a "Mixed-use" district.

3.2.4 - TOWN RESIDENTIAL - LOW DENSITY (R-6)

The R-6 district is intended primarily for single-family residences and duplexes. The district should have pedestrian-oriented, connected local streets and sidewalks, as well as accessibility to parks, open space, schools, and other civic activities. The maximum density is six (6) units per acre.

As stated above, the subdivisions in question lie within the Town Residential District R-6. The subdivisions in question are not pedestrian-oriented. There are no sidewalks or planned sidewalks and all neighboring properties are private properties with no trespassing. There are no local streets. The only accessible street is a private street, Wildwood Drive. The closest park is Cloman Park on the opposite side of the county airport. Open space is relegated to private neighboring properties. The only single-family residence in the immediate area is a house at the north end of the Mountain Vista Townhome community and is on a 14.56-acre lot in the Town limits. The undeveloped property immediately south of the proposed subdivisions is in the Town of Pagosa Springs Piedra Business Park Minor Commercial District. Schools are only accessible by some form of transportation. Civic activities are non-existent

at this location. The Comprehensive Plan for Pagosa Springs should be reviewed to determine if this development complies with the strategy outlined in the Plan.

The existing 2018 Town Comprehensive Plan does not indicate a change of zoning on the subject property or any other neighboring low density zoned residential properties, or the mixed-use Corridor zoned properties to the south/west. Thus, the proposed development is administered under the current LUDC Plat Amendment and Minor Subdivision regulations.

ARTICLE 6 - DESIGN AND DEVELOPMENT STANDARD

6.1. - GENERAL PROVISIONS

6.1.1. PURPOSE

This Section includes standards that must be followed when developing property or establishing new uses of property within the boundaries of Pagosa Springs, to ensure the protection of the health, welfare, safety, and quality of life for local citizens, visitors, and business owners. The development and design standards in this chapter shall apply to the physical layout and design of all development, unless exempted by this Land Use Code. These provisions address the physical relationship between development and adjacent properties, public streets, neighborhoods, and the natural environment, in order to implement the comprehensive plan vision for a more attractive, efficient, and livable community.

6.4 - SENSITIVE AREA PROTECTION

6.4.1. PURPOSE

The Town contains many natural amenities, including stream corridors, river corridors, natural drainages, wildlife habitat areas, waterways (lakes, rivers, and streams), wetlands, viewsheds, and hillsides, as well as significant amounts of native forest, tree cover, and open space, all of which contribute to the Town's character, quality of life, and property values. The regulations of this Section are intended to ensure that the natural character of the Town is reflected in patterns of development and redevelopment, and significant natural features are incorporated into open space areas.

The majority of existing, large, native trees will need to be removed to build additional residences. Many trees have already been removed. This is in conflict with the above paragraph of the LUDC regarding "the natural character of the Town". The wetlands and the wetlands pond that reside on the property to the west of the subdivision could be affected by run off from any potential construction process. Construction activity will probably require silt fences to be utilized. But after construction, there will be ongoing pollution caused by additional rooftops, run off from fertilizer/pesticides and possible paving/hardscape. In reviewing the Comprehensive Plan again, a quote from the Natural Environment section states: "Goal N-1- Protect and conserve water resources, water quality, the San Juan River corridor, streams, lakes, wetlands and geothermal resources." One of the action initiatives following that goal states "ensuring wetlands areas are protected". An important, detailed

letter from the owner of the property containing the wetlands, Deverick Jordan, follows the Exhibit pages of this appeal. The letter voices further concern regarding the wetlands, specifically the pond, and potential construction/residential impacts.

See #3 Appellant's Allegation response above.

6.4.6 - WILDFIRE HAZARD AREAS

The Town Clerk shall keep on file and available to the public, a set of maps clearly showing all known and identified wildfire hazard areas in the Town, as such become available. The Town shall not approve any subdivision plan or site plan if the proposed subdivision or development is in an area identified as a wildfire hazard area or is in an area suspected of being in a wildfire hazard area, unless the applicant can submit adequate evidence, prepared by a qualified professional forester, that the proposed subdivision or development meets the following conditions:

A. Any development in which residential activity is to take place shall be designed to minimize significant wildfire hazards to public health, safety, and property.

B. Any development shall have adequate roads for emergency service by fire trucks, firefighting personnel, and fire breaks or other means of alleviating conditions conducive to wildfire hazard.

C. Precautions required to reduce or eliminate wildfire hazards shall be provided at the time of initial development.

D. All subdivision and development shall adhere to the Guidelines and Criteria for Wildfire Hazard Areas published by the Colorado State Forest Service.

E. Consideration shall be given to recommendations of the State Forest Service resulting from review of a proposed subdivision or development in a wildfire hazard area.

It is understood that the CWRC **will be** enforced beginning in July, 2026. This Code will be applied to new developments. But what about adjacent properties? It must be noted that the majority of the vacant land to the south, west and northwest of the proposed development is grassland. A large portion of this land extends to the airport perimeter. Should a wildfire occur on or around the proposed subdivisions and allowed to reach the grassland, the airport hangars will be in jeopardy...not to mention the danger to the adjacent townhome community. Access to this grassland area is extremely limited with no immediate access to fire hydrants. Two existing fire hydrants are located on the easterly perimeter of the current subdivision on the outside of privacy fences. No new fire hydrants are shown on the proposal.

Emergency vehicles will only have one way through a common driveway to access any wildfire that may occur in this development. No turn around space is denoted on the survey.

See #4. Appellant's Allegation response above.

6.4.7. PERIMETER FENCING

If implemented, perimeter fencing shall be no higher than forty-two (42) inches, so as not to impede the movement of deer and elk. Recorded covenants or restrictions shall require individual owners to maintain said fence.

Several sections of perimeter fencing exist today on multiple sides of the current subdivision with a height exceeding 72 inches. Additional perimeter fencing of this nature is planned based on existing fence posts and cross members that are in place. Deer frequent this entire area because of the access to a water source, grassland and tree cover. Any future fencing must be evaluated in height and location.

The fence is not a full perimeter fence, thus wildlife can easily access the wetlands. Residential lots are allowed up to a 6-foot fence, without additional town approvals. If the fence exceeds 6‘ in height, it is inches in a few areas.

6.6- ACCESS AND CIRCULATION

6.6.2. CONNECTIVITY

C. Connections to vacant land. Where new development is adjacent to land likely to be developed or redeveloped in the future, all streets, bicycle paths, and access ways in the development's proposed street system shall continue through to the boundary lines of the area, as determined by the Director, to provide for the orderly subdivision and development of such adjacent land or the transportation and access needs of the community. In addition, all redevelopment and street improvement projects shall take advantage of opportunities for retrofitting existing streets to provide increased vehicular and pedestrian connectivity.

Undeveloped, vacant land exists to the south, west and northwest of the development. There are no streets in the development but the driveway that services three parcels should be "treated" as a street and continue through to the boundary lines of the area and connect to vacant land.

Mr. Jordan owns the property to the West, however, the proposed Plat Amendment boundary line adjustment and minor subdivision, does not trigger a required road or roadway connection to neighboring property.

6.6.3- ROADWAYS

B. Roadway Design Standards

3. Roadway basic design policies.

a. **Design period.** Roadway design shall be based on the projected needs twenty (20) years after construction. Projection of development over the design period shall be based on land use regulations, existing land use, proximity to developed areas, historic growth, and other factors expected to influence development.

b. **Design controls.** The general design controls cited in the most recent reversion AASHTO Green Book shall be used for the design of all roads in the Town including stopping sight distances, passing sight distances, vertical alignment, crest vertical curves, sag vertical curves, horizontal alignment, and guardrails.

c. **Roadway design.** Roadways shall bear a logical relationship to the topography.

d. **Access.** There shall be no less than two (2) street rights-of-way accessing any subdivision to minimize traffic congestion and/or blockage in times of emergency. Additional access points are required for larger developments pursuant to Section 6.6.2.8.

Whether there are one or two subdivisions in this development, there is only one street right-of-way. Paragraph d. above states "There shall be no less than two (2) street rights-of-way accessing any subdivision". If the "newly created" subdivision (created from a remnant parcel) only has a single driveway from a single private road servicing three parcels, where is the second means of access? Any congestion or blockage at the entrance to that driveway will make it difficult for emergency services to access those three (3) parcels especially with no other access available. Access by delivery vehicles will be problematic.

Secondary access is required for development of more than 20 dwelling units or lots, and uis not required for 4 low density residential lots.

e. **Dead-end streets and cul-de-sacs.**

(i) Dead-end streets are prohibited, unless they are designed as a cul-de-sac to serve no more than twenty (20) dwelling units or designed to connect with future streets in adjacent land, in which case a temporary turnaround shall be provided.

(ii) Cul-de-sacs should be no longer than one thousand (1,000) feet unless approved by the Town Engineer and the local fire district, and a surfaced turnaround shall be provided at the closed end with a radius of at least forty-five (45) feet to the inside edge of the improved road surface and a right-of-way radius of at least fifty (50) feet.

The best explanation of the access to this proposed development is that It is via a dead-end driveway. There is currently no turnaround included on the survey. In Article 12.5, Other Terms Defined, there is a definition of a "Stub Road":

The proposal is an approximate 130' shared driveway on private property to serve 3 low density residential lots. It is not a roadway.

Street, stub. A dead-end road used for access to a maximum of three (3) single-family dwellings not exceeding eight hundred (800) feet in length.

It would appear that this is the correct means of access for the three-parcel subdivision plus the addition of a cul-de-sac for turnaround. The requirements and improvements associated with a "street" would apply to the stub street.

There is not a prohibition in the LUDC for shared driveways serving three residential lots. The driveway is short enough to allow fire department equipment to back up into the street to turn around.

m. **Public and private roadway surfacing requirements.**

(i) All new roads having a projected trip generation of two hundred (200) or greater ADT shall be paved.

(ii) Private drives and roadways serving more than three (3) lots accessing onto a paved public road shall have paved aprons approved by the Town Engineer.

Three (3) lots are involved with one of the subdivisions and currently the apron and the associated driveway are gravel. Entrance to the gravel driveway is from a private, paved roadway.

Gravel driveways for single family lots is allowed. Wildwood Drive is privately owned; however, it includes a dedicated Public Easement for ingress and egress.

ARTICLE 7-SUBDIVISION DESIGN AND IMPROVEMENT STANDARDS

7.1. – GENERAL

7.1.1. This Article contains the Town's Subdivision Regulations, which shall apply to **any proposed subdivisions** of land within the Town's boundaries.

7.1.Z. The description of a lot or parcel by metes and bounds shall not exempt the transaction from these Subdivision Regulations.

7.2. - PURPOSE

7.2.1. These Subdivision Regulations are designed and enacted for the purpose of promoting the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the Town by:

A. Encouraging new subdivision developments to relate to the Town's historic development pattern.

The subdivisions in question have been in existence in one form or another since the 1990's. There is no historic development pattern.

B. Promoting compact, well-defined, sustainable neighborhoods that enhance the Town's character and are compatible with adjoining lands.

There are no compatible neighborhoods on adjoining lands. As previously stated, this proposed development is immediately adjacent to a private townhome community that has existed since 1985. To the south of this proposed development is a vacant lot that is zoned for "Mixed-use". Future development of this vacant lot could be residential or a commercial business such as an auto repair shop. The only other "land" that "touches" the proposed development is vacant land to the west and northwest with the same R-6 zoning and no current plans for development. As mentioned earlier, the only single-family residence in the immediate area is at the north end of the townhome community on a large acreage.

- **The addition of single-family home lots is not incompatible with the existing multi-family residential development accessed by Wildwood Drive.**
- **Additionaly, the majority of vacant land having dedicated right to use Wildwood Drive for access, is zoned low-density single family residential, and include a 17.3 acre parcel, a 14.56 acre parcel, and a 10.57 acre parcel, equaling 42.43 acres, which the LUDC would allow up to 255 dwelling units.**

C. Ensuring that any proposed subdivision does not create an excessive burden on the Town's taxpayers as a whole.

Existing taxpayers deserve a voice concerning their perception of how this proposed development will affect their property values. The proposed development must be evaluated as to potential effect on surrounding property values...specifically the vatue of the twenty (20) townhomes that are immediately adjacent to the development. The increase in traffic on the townhome's private roads albeit for only three new residences will have a negative effect on property values at Mountain Vista. Mountain Vista's appeal has been the quiet, secluded privacy of the community. The addition of an unaffiliated housing development whose traffic shares the same private roads will adversely affect the appeal of Mountain Vista. The character of Mountain Vista will change. Not only is the vehicle traffic a detriment to property values but the increase in foot traffic within Mountain Vista will increase with associated concerns. Even though it is a civil matter, trespassing has been a serious problem within this private community for years. More people will increase the trespassing issue and contribute to potential security problems. The potential for crime will increase. It must also be noted that the vacant properties adjacent to the proposed development are an private properties. Trespassing on these properties will require vigilance on the part of the property owners. The attached letter from the adjacent wetlands property owner further explains the trespassing problem. (Letter follows the Exhibits.) Again, these are civil matters that can involve both Town and County law enforcement.

D. Creating livable neighborhoods that foster a sense of community and reduce dependency on private vehicles.

The only "sense of community" will be within the subdivision itself. The only access to these proposed subdivisions will be by private vehicles. There are no sidewalks. No public streets. No public lands.

E. Encouraging the proper arrangement of streets in relation to the Access Control Plan and to existing or planned streets and ensuring streets facilitate safe, efficient, and pleasant walking, biking and driving.

There are no planned streets in this proposed development. Residences will share a common driveway that accesses a private street.

F. Providing a variety of lot sizes and housing types in every neighborhood.

To be determined. Unknown at this time.

G. Protecting sensitive natural and historic areas and the Town's environmental quality.

H. Providing for adequate and convenient open spaces for traffic, utilities, access of fire apparatus, recreation, light and air and for the avoidance of congestion of population.

As addressed earlier, access of fire apparatus is a concern. The entrance driveway is a one way in and one way out driveway with no provision for a turnaround of any large equipment shown on the survey. Two fire hydrants currently exist but are located within the adjacent townhome community and will create a challenge for fire fighters for quick access in times of emergency.

Recreation areas will require dedicated space which is not present on the proposed development survey document. Green space or some form of common area for use by residents is not shown on the plans. It appears that this section of the LUDC is ignored for this development.

Not triggered by a Minor Subdivision/Boundary Line Adjustment for low density residential.

I. Providing open spaces for adequate storm water management.

Water created by snow melt becomes the larger issue when compared to water generated from rainstorms. Concentrated snow melt from three (3) additional rooftops and possible paving will create a water flow westerly downhill to the adjacent wetlands pond on an adjoining property. Water from heavy rains will flow in the same direction with the potential of carrying fertilizer, pesticides and vehicle contaminants. The pond at the end of the water flow is in a protected wetlands area and is home to a variety of water fowl and small mammals. It serves as a drinking water source for a multitude of wildlife. The storm water flow can easily bring toxins and water contamination. Even though there are only three planned residences in one subdivision, a storm water management plan should be required. There is a 10-12-foot decline in elevation from lot 22-4 to the edge of the pond. A topographical survey should be conducted and storm water flow evaluated.

J. Providing adequate spaces for educational facilities.

Obviously not planned and not needed for a development that is far removed from any educational facility except daycare.

K. Providing protection from natural hazards and flood prone areas.

L. Ensuring compliance with the Land Use and Development Code and the Town Comprehensive Plan or Land Use Plan, whichever was last updated.

M. Regulating such other matters as the Town Council may deem necessary in order to protect the best interest of the public.

If it is determined that the proposed development creates two Minor Subdivision, then there is no "interest of the public" involved. There are no neighborhood meetings. No public hearing. No public input of any kind.

7.3.- SUBDIVISION DESIGN

7.3.1. APPLICABILITY

All subdivisions (major, minor, condominium, and plat amendments) shall comply with all applicable provisions in this Land Use Code. Subdivisions shall be designed per all applicable standards unless a standard is modified or varied pursuant to this Land Use Code. No minor modification or variance may be granted for areas of special flood hazard or geologic hazard, nor shall a minor modification or variance be granted for utility construction specifications. To the extent not already addressed in other provisions of this Land Use Code, **the additional design criteria in this Section shall apply to all subdivisions.**

7.3.2. GENERAL DESIGN STANDARDS

A. **Compliance with zoning requirements.** The general layout of lots, roads, driveways, utilities, drainage facilities, and other services within all proposed subdivisions shall be designed in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation, protects wetlands and critical wildlife habitat, and otherwise accomplishes the purpose and intent of this Land Use Code and of the zone district in which the subdivision is located. Applicants shall refer to the general development standards in Article 6 and shall apply them in the layout of the subdivision in order to avoid creating lots or patterns of lots that will make compliance with such development standards difficult or infeasible.

Land disturbance will not be minimal with this proposed development. Large pine trees will require removal for any new construction (several have already been removed). Open space will only exist on one parcel with the remainder of open spaces being on neighboring private properties. The adjacent pond is in a wetlands and any run off from the three (3) new, planned houses (may) enter the pond.

BLOCKS AND LOTS

B. **Lots.**

1. Each lot shall have frontage on a public street right-of-way. No lots shall be created that are narrow or irregularly shaped, making construction impractical due to the inability to meet the setback and yard requirements.

The three (3) new parcels only have a shared driveway to a private street if that can be considered a right-of-way.

A shared Driveway is not a public Right-of- Way

C. The sanitary sewer system shall be connected to an existing public sanitary sewer system and consist of a closed system of sanitary sewer mains and lateral branch connections to each structure or lot upon which a structure is to be built.

D. Sanitary sewer lines are to be of sufficient size and design to collect all sewage from all proposed or portable structures within the subdivision or development.

As explained in the paragraph concerning overloading public utilities (Article 3.2.1.C), the sanitary sewer system that will service this proposed development must be evaluated and engineering results reported to all parties. PAWSD did not build the sewer system that would service this development. PAWSD took over maintenance in the late 1990s. Engineering "modeling" is crucial in determining adequate sewer capacity.

This determination sanitary sewer and water infrastructure to serve the proposed two additional low density residential lots is up to the Pagosa Areas Water and Sanitation District (PAWSD) during their sewer modeling application process that the Ms. Neel is still required to complete prior to recordation of the Final revised Plat Amendment.

MARTINEZ MINOR SUBDIVISION AMENDMENT 2025-01

Being a Replat of Parcel 2, Martinez Minor Subdivision &
Tract 4, Martinez Annexation Plat
Creating Parcels 2Z-1, 2Z-2, 2Z-3, & 2Z-4
Within Section 18 T.35N R.2W, N.M.P.M.
Town of Pagosa Springs, Archuleta County, Colorado

EXHIBIT A

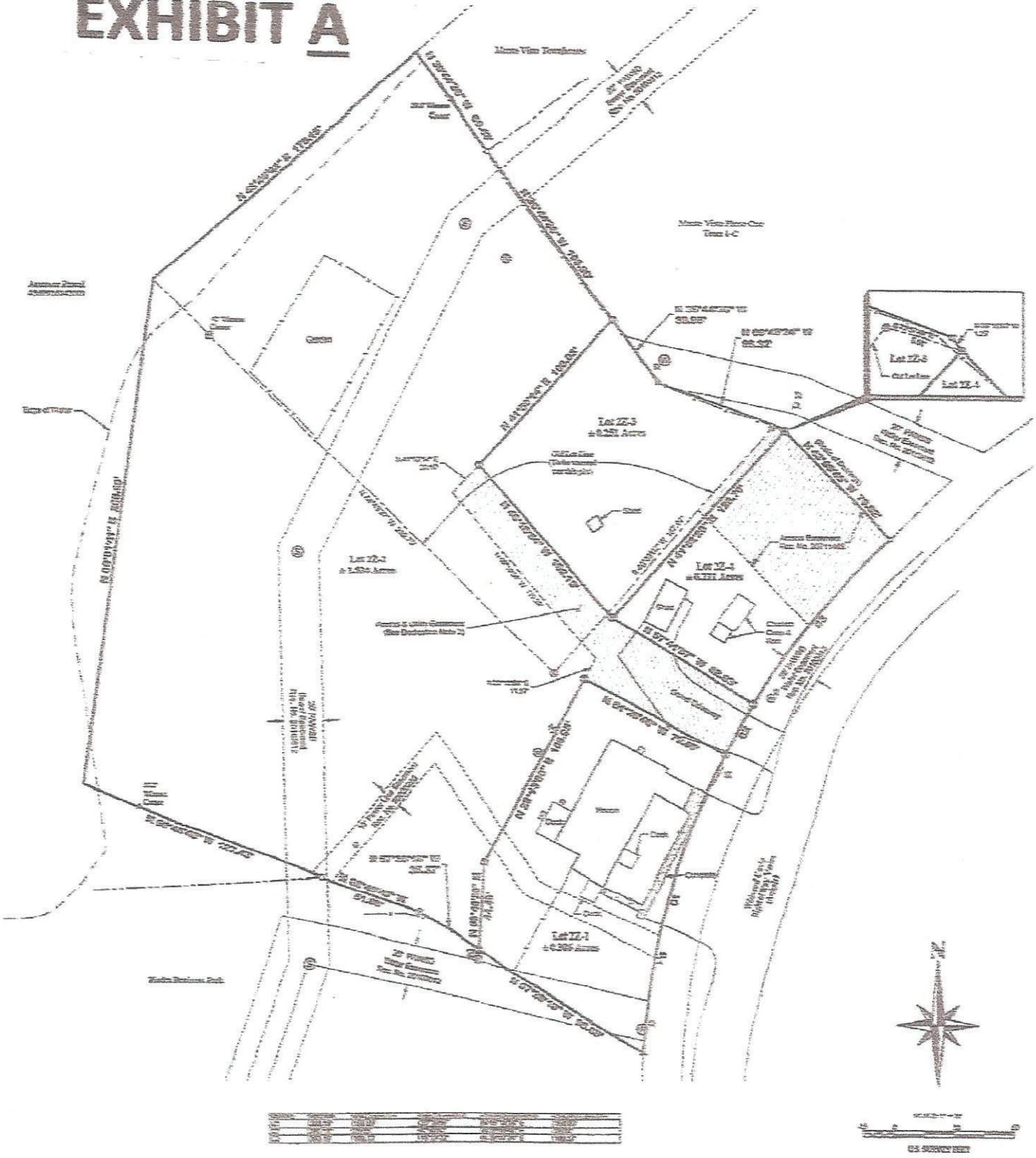
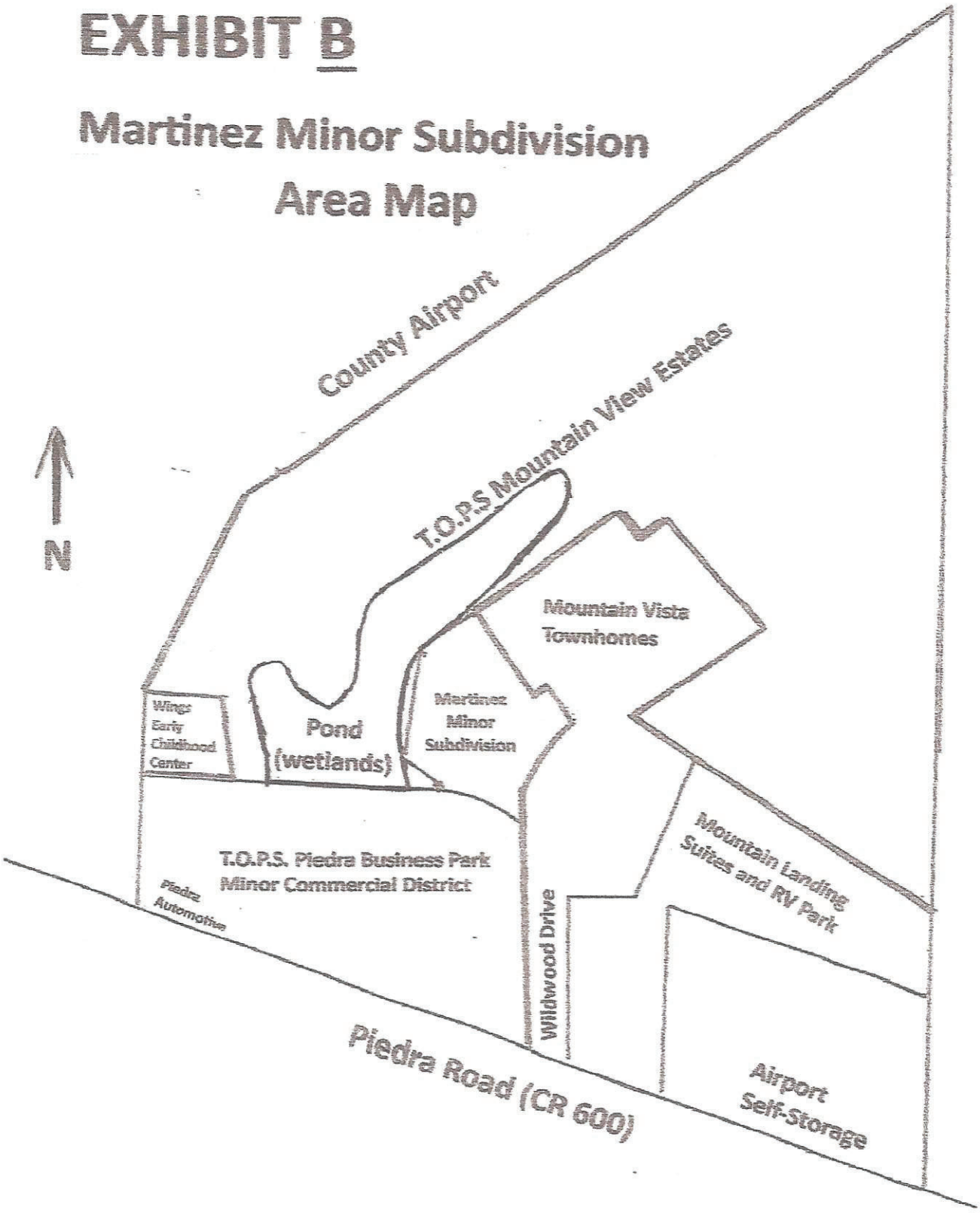

Lot 2Z-1
±0.394 Acres
Lot 2Z-2
±0.231 Acres
Lot 2Z-3
±0.251 Acres
Lot 2Z-4
±0.231 Acres
Garage
Shed
Shed
Shed

EXHIBIT B

Martinez Minor Subdivision
Area Map



Deverick Jordan
Pagosa Landing LLC
2000 Renfro Road
Colleyville, TX 76034
deverick@gmail.com
214.906.0033

February 27, 2026

James Dickhoff
Town Development Director Town of Pagosa Springs
P.O. Box 1859
Pagosa Springs, CO 81147

Care of: Mr. Ronald Barnum
Mountain Vista Townhomes Association

Re: Appeal of Approval for Martinez Minor Subdivision Amendment 2025-01 at 144 Wildwood Drive, Pagosa Springs, CO

Dear Mr. Barnum:

As the owner of Pagosa Landing LLC, which holds title to the adjacent 17.3-acre parcel in TOPS Mountain View Estates (Parcel No. 569916142001) and the 2.66-acre parcel in TOPS Piedra Business Park Minor Community (Parcel No. 569916143001), I am writing in support of your appeal against Ms. Neel's development. These properties border the proposed subdivision to the east and south, including the pond which is located on my land. I formally object to the approval of the Martinez Minor Subdivision Amendment 2025-01 and request that this letter be considered as tagging onto the comprehensive appeal filed by the Board of Directors of Mountain Vista Townhomes Association, Inc. on February 23, 2026. While I fully endorse their detailed analysis of code discrepancies, I wish to emphasize my unique concerns regarding environmental impacts to the pond and ongoing trespass issues, which directly affect my properties and violate the Pagosa Springs Land Use and Development Code (LUDC).

Environmental Impacts on the Pond (Violates LUDC Sec. 7.2.1.G and Sec. 8.1)

The LUDC requires subdivisions to protect sensitive natural areas and the Town's environmental quality (Sec. 7.2.1.G), including impact assessments for developments near wetlands or water bodies (Sec. 8.1). The proposed lots position new homes abutting the pond's edge, increasing risks of stormwater runoff, pollution, and habitat disturbance to this wetland feature on my property. No such assessment or stormwater plan (required under Sec. 8.3) mitigates these threats, despite the plat's configuration inviting degradation. This approval overlooks the pond's vulnerability. Under Colorado law, developments burdening adjacent private water bodies through indirect harm are prohibited (Bijou Irrigation Dist. v. Empire Club, 804 P.2d 175 (Colo. 1991)), and this subdivision exacerbates that by enabling unmitigated environmental risks.

Trespass and Unauthorized Access Risks (Violates LUDC Sec. 7.2.1.B for Compatibility)

Ms. Neel's documented history of unauthorized use of my pond and suspected pumping without storage rights, has necessitated nearly $100,000 in legal defense to Pagosa Landing LLC. Future construction poses ongoing trespass threats. In sworn testimony in Archuleta County District Court Case No. 2025CV30024 (Rebecca Neel v. Mountain Vista Townhomes Association, Inc.), Ms. Neel admitted offering boat rides on the pond to neighbors, stating: "I told them sure I said they could even get in the boat and ride on the lake as long as they put on some life vests and they would be responsible for themselves." This occurred despite prior notifications of trespass and confirms her disregard for property boundaries. Colorado law establishes that waters on private land are not open for recreational use without consent (People v. Emmert, 198 Colo. 137, 597 P.2d 1025 (1979)), and approving lots abutting the pond facilitates further violations under third-degree criminal trespass statutes (C.R.S. § 18-4-504). The subdivision's shared driveway and proximity will amplify these risks for multiple new residents, undermining compatibility with adjoining lands (LUDC Sec. 7.2.1.B).

By tagging onto Mountain Vista's appeal, I incorporate their code analysis while highlighting these direct impacts on my properties. The administrative approval sidesteps transparency and fails to address these violations. I urge revocation of the approval and a public hearing for full review. Please contact me for additional evidence, including water court records, surveys, and the referenced testimony.

Sincerely,



Deverick Jordan, Manager
Pagosa Landing LLC

APPENDIX

Mountain Vista Townhomes Association, Inc.
Board of Directors/Appellants

Ronald Barnum, President **PRIMARY CONTACT**
11621 Tomahawk Creek Pkwy #E
Leawood, KS 66211
816-914-3994
Address in Pagosa Springs:
88 W Peregrine Circle #3

Sheila Lagasse, Vice President
175 Wildwood Drive, #1
Pagosa Springs, CO 81147
401-954-4006

John Stoker, Treasurer
632 Westwood Drive
Richardson, TX 75080
972-400-2704
Address in Pagosa Springs:
88 W Peregrine Circle #4

Denise Floyd, Secretary
3727 Oakwood CT.
Enid, OK 73703
580-278-9419
Address in Pagosa Springs:
147 Wildwood Drive # 1

Steve Host, Member at Large
808 Main
Richmond, TX 77469
713-515-3031
Address in Pagosa Springs:
28 W Peregrine Circle #4

Sheila Lagasse, Vice President
Mountain Vista Board of Directors

John Stoker, Treasurer
Mountain Vista Board of Directors

Denise Floyd, Secretary
Mountain Vista Board of Directors

STeve HOST

Steve Host, Member at Large
Mountain Vista Board of Directors

Ronald L Barnum

Ronald L Barnum, President
Mountain Vista Board of Directors