

ORDINANCE

An Ordinance Adopting Policy Part 3, Chapter 4, Section 2 Jefferson County Traffic Code. BE IT ORDAINED by the Board of County Commissioners of Jefferson County, Colorado as follows:

Title: Regulatory Policy Jefferson County Traffic Code	Policy No. Part 3 Regulations, Chapter 4, Motor Vehicles Section 2
	Effective Date 30 days after final publication
Policy Custodian Sheriff's Office	Adoption/Revision Date August 12, 2008

Adopting Resolution(s): CC08-332

References (Statutes/Resos/Policies): 2003 Edition of the Model Traffic Code for Colorado, as amended by H.B. 08-1010 (2008); C.R.S. §§24-4.2-103(2003); 30-15-401, et seq.; 30-15-401(h); 42-4-101, et seq.; 42-4-110(1)(b); 42-2-127; CC04-382, 04-411, CC06-163, CC06-164

Purpose: To provide a system of traffic regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation.

Policy: Jefferson County Traffic Code

A. Adoption

Articles I and II, inclusive, of the 2003 edition of the "Model Traffic Code for Colorado," as amended in 2008 by H.B. 08-1010, promulgated and published as such by the Colorado Department of Transportation, Safety and Traffic Engineering Branch, 4201 East Arkansas Avenue, EP 700 Denver, CO 80222, are hereby adopted by reference. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations. 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 to the Board, Jefferson County, Colorado, and may be inspected during regular business hours.

This title of this ordinance referencing the Model Traffic Code shall be known as the JEFFERSON COUNTY TRAFFIC CODE.

B. Deletions

The 2003 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 the County of Jefferson and are therefore expressly excluded and/or deleted from the Jefferson County Traffic Code:

Section 107	Section 511	Section 1501
Section 114	Section 611	Section 1705
Section 203	Section 804	Section 1706
Section 216	Section 1101 – speeding 25 miles over posted speed limit	Section 1707(1)
Section 218	Section 1101(8)	Section 1707(2)
Section 227(3)(b)	Section 1102	Section 1707(3)(b) delete reference to municipal attorney
Section 233	Section 1104	Section 1707(4)(a) and (b)
Section 235	Section 1105	Section 1707(6)
Section 501	Section 1401	Section 1715(2) delete "forfeiture of bail," "Bail was forfeited" and "or forfeited"
Section 505	Section 1402	Section 1715(3) delete "or whether bail was forfeited" and "or forfeiture"
Section 507	Section 1409	Section 1901
Section 508	Section 1412	Section 1902
Section 509	Section 1413	Section 1903
Section 510	Section 1414	Section 1904

C. Additions and Modifications

The said adopted Code is subject to the following additions or modifications:

1. All references made to "municipal", "municipality" or "municipalities" shall be deleted and "county" or "counties" be inserted in their stead.
2. All references made to "police officers" shall be deleted and "deputy sheriff" or "deputy sheriffs" be inserted in their stead.
3. All references to the "Colorado Municipal Court Rules of Procedure (C.M.C.R.)" shall be deleted and the "Colorado Rules for Traffic Infractions", and/or the "Colorado Rules for County Court and Traffic Violations Bureaus" be inserted in its stead, as applicable.
4. Section 1209 delete "prosecutorial division of the appropriate jurisdiction" and insert in its stead, "the Jefferson County Sheriff's Traffic Violations Bureau."
5. Section 1701 delete all references to "traffic offenses" and insert "traffic infractions" in their stead.
6. Section 1707(3)(a) delete all references to "offense" and insert "infraction" in their stead.

7. Section 1707(5) delete all references to "summons" and "summons and complaint" and insert "penalty assessment notice" in their stead.
8. Section 1707(5) delete all references to "offense" and insert "infraction" in their stead.
9. Section 1710(1) delete all references to "offense" and insert "infraction" in their stead.
10. Section 1710(1) delete all references to "complaint" and insert "penalty assessment notice" in their stead.

D. Penalty Procedure and Penalty

The following penalties, herewith set forth in full, shall apply to this Ordinance:

1. Any person who violates any provision of this Ordinance commits a traffic infraction. Except when otherwise prohibited herein, the penalty assessment procedure provided in Colo. Rev. Stat. § 42-4-1701 (2008), may be followed by the assessing deputy for any such violation of this Ordinance. In addition to the penalties prescribed in this section, persons convicted of a violation of this Ordinance are subject to a surcharge as set forth in Colo. Rev. Stat. § 30-15-402 (2004). The fines and this surcharge shall be paid to the Jefferson County Sheriff's Traffic Violations Bureau Clerk by each defendant. The clerk shall transmit the surcharge to the court administrator of the 1st Judicial District for credit to the Victims and Witness Assistance and Law Enforcement Aid fund established pursuant to Colo. Rev. Stat. § 24-4.2-103 (2003) and the Colorado traumatic brain injury trust fund established pursuant to Colo. Rev. Stat. § 26-1-309 (2002). Court costs, if any, shall be paid directly to the Clerk of the Court by each defendant.
2. Traffic infractions are divided into two classes denoted by "TIA" for Class A Traffic Infractions, and "TIB" for Class B Traffic Infractions.
3. In the case of multiple traffic offenses involving aggressive driving, the applicable penalty or penalty assessment shall be doubled for each traffic offense. For purposes of this subsection, "aggressive driving" means committing any two or more of the following violations in a single act or series of acts in close proximity to another motor vehicle: 1) exceeding the speed limits (1101); 2) following too closely (1008); 3) failure to obey official traffic control devices (603); 4) passing on shoulder of road (1004); 5) failure to give an adequate signal (903); 6) failure to yield right-of-way (701, 702, 703); and 7) unsafe lane change (903).

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

Jefferson County Traffic Code Section	CRS Ref	Violation Description	Class-Fine or Summons	Common Code	Surcharge
Traffic Regulation – Generally					
0109	42-4-109	Operated or permitted operation of motorized bicycles, skates, skis, toy vehicles and recreational vehicles on highways.	TIB-\$15.00	926	\$10.00
Vehicle Equipment					
0201	42-4-201	Obstruction of view or interference with driving mechanism	TIA-\$35.00	450	\$10.00
0202	42-4-202	Unsafe vehicle	TIA-\$35.00	542	\$10.00
0204	42-4-204	When lighted lamps required	TIA-\$15.00	611	\$10.00
0205	42-4-205	Head lamps on motor vehicles	TIB-\$15.00	613	\$10.00
0206	42-4-206	Tail lamps and reflectors	TIB-\$15.00	615	\$10.00
0207	42-4-207	Clearance and identification	TIB-\$15.00	620	\$10.00
0208	42-4-208	Stop lamps and turn signals	TIB-\$15.00	623	\$10.00
0209	42-4-209	Lamp or flag on a projecting load	TIA-\$15.00	543	\$10.00
0210	42-4-210	Lamps on parked vehicles	TIB-\$15.00	350	\$10.00
0211	42-4-211	Lamps on farm equipment and other vehicles and equipment	TIB-\$15.00	627	\$10.00
0212	42-4-212	Vehicle spot lamps and auxiliary lamps	TIB-\$15.00	544	\$10.00
0213	42-4-213	Audible and visual signals on emergency vehicle	TIA-\$15.00	545	\$10.00
0214	42-4-214	Visual signals on a service vehicle	TIB-15.00	645	\$10.00
0215	42-4-215	Signal lamps, devices and additional lighting equipment	TIB-15.00	629	\$10.00
0217	42-4-217	Use of multiple beam lights	TIA-\$15.00	632	\$10.00
0219	42-4-219	Number of lamps permitted	TIB-\$15.00	635	\$10.00
0220	42-4-220	Motorized bicycles – motor driven cycles – lighting equipment – department control – use and operation	TIB-\$15.00	931	\$10.00
0221	42-4-221	Bicycle equipment	TIB-\$15.00	931	\$10.00
0222	42-4-222	Volunteer firemen – volunteer ambulance attendants – special lights and alarm systems	TIB-\$15.00	638	\$10.00
0223	42-4-223	Brake equipment required	TIA-\$15.00	549	\$10.00
0224	42-4-224	Horn and warning devices	TIB-\$15.00	551	\$10.00

0225	42-4-225	Mufflers – prevention of noise	TIB-\$15.00	552	\$10.00
0226	42-4-226	Mirrors – exterior placements	TIB-\$15.00	553	\$10.00
0227	42-4-227	Windows unobstructed – certain materials prohibited – windshield wiper requirement	TIB-\$50.00	466	\$10.00
0228	42-4-228	Restrictions on tire equipment	TIA-\$15.00	556	\$10.00
0229	42-4-229	Safety glazing materials in motor vehicle	TIB-\$15.00	572	\$10.00
0230	42-4-230	Emergency lighting equipment – who must carry	TIB-\$15.00	640	\$10.00
0231	42-4-231	Parking lights	TIB-\$15.00	642	\$10.00
0232	42-4-232	Minimum safety standards for motorcycles and motor driven cycles	TIA-\$15.00	161	\$10.00
0234	42-4-234	Slow moving vehicle – display of emblem	TIB-\$15.00	565	\$10.00
0236	42-4-236	Child restraint system/safety belt required	TIB-\$65.00	574	\$10.00
0237	42-4-237	Safety belt system – mandatory use	TIB-\$65.00	575	\$10.00
Overweight – Oversized Vehicles					
0502	42-4-502	Overwidth vehicle	TIB-\$75.00	561	\$10.00
0503	42-4-503	Projected loads on passenger vehicle	TIB-\$15.00	515	\$10.00
0504	42-4-504	Height and length of vehicles	TIB-\$75.00	529	\$10.00
0506	42-4-506	Trailers and towed vehicles	TIB-\$15.00	471	\$10.00
0512	42-4-512	Operated vehicle/object/contrivance that caused damage to a highway/highway structure – liability for damage to highway	TIA-\$75.00	495	\$10.00
Signals – Signs – Markings					
0603	42-4-603	Obedience (disregard) official traffic control devices	TIA-\$100.00	999	\$10.00
0604	42-4-604	Traffic control signal legend	TIA-100.00	220	\$10.00
0605	42-4-605	Flashing signals	TIA-\$70.00	310	\$10.00
0606	42-4-606	Displayed unauthorized sign devices	TIA-\$15.00	311	\$10.00
0607	42-4-607	Interfered with official devices	TIB-\$50.00	314	\$10.00
0608	42-4-608	Signal by hand or signal device	TIA-\$15.00	433	\$10.00
0609	42-4-609	Method of giving hand arm signals	TIA-\$15.00	433	\$10.00
0610	42-4-610	Unauthorized insignia	TIB-\$15.00	541	\$10.00
0612	42-4-612	When signals are inoperative or malfunctioning	TIA-\$70.00	320	\$10.00

Rights of Way					
0701	42-4-701	Vehicles approaching or entering intersection	TIA-\$70.00	371	\$10.00
0702	42-4-702	Vehicle turning left	TIA-\$70.00	278	\$10.00
0703	42-4-703	Entering through highway – stop or yield intersection	TIA-\$70.00	319	\$10.00
0704	42-4-704	Vehicle entering roadway	TIA-\$70.00	374	\$10.00
0705	42-4-705	Operation on approach of an emergency vehicle	TIA-\$70.00	375	\$10.00
0706	42-4-706	Obedience to railroad signal	TIA-\$70.00	315	\$10.00
0707	42-4-707	Certain vehicles must stop at railroad grade crossings	TIA-\$70.00	317	\$10.00
0708	42-4-708	Moving heavy equipment at railroad grade crossing	TIB-\$35.00	318	\$10.00
0709	42-4-709	Stop when traffic obstructed	TIA-\$70.00	952	\$10.00
0710	42-4-710	Emerging from or entering alley, driveway or building	TIA-\$70.00	378	\$10.00
0711	42-4-711	Driving on mountain highways	TIA-\$100.00	146	\$10.00
0712	42-4-712	Driving in highway work area	TIA-\$70.00	382	\$10.00
Pedestrians					
0801	42-4-801	Pedestrian obedience to traffic control devices and traffic regulations	TIB-\$15.00	401	\$10.00
0802	42-4-802	Pedestrian right-of-way in crosswalk	TIA-\$15.00	376	\$10.00
0803	42-4-803	Crossing at other than a crosswalk	TIB-\$15.00	402	\$10.00
0805	42-4-805	Pedestrian was under the influence of alcohol or drug while on a roadway Rider of an animal was under the influence of alcohol or drug while on a roadway	TIB-\$15.00	802 803	\$10.00
0806	42-4-806	Driving through safety zone prohibited	TIA-\$70.00	145	\$10.00
0807	42-4-807	Drivers to exercise due care	TIA-\$70.00	381	\$10.00
0808	42-4-808	Drivers and pedestrians, other than persons in wheelchairs, to yield to persons with disabilities	TIA-\$70.00	380	\$10.00

Turning – Stopping					
0901	42-4-901	Required position and method of turning – (right and left)	TIA-\$70.00	273	\$10.00
0902	42-4-902	Limitations on turning around (U-turn)	TIA-\$70.00	270	\$10.00
0903	42-4-903	Turning movements and required signals	TIA-\$70.00	433	\$10.00
Driving – Overtaking – Passing					
1001	42-4-1001	Drive on right side exceptions	TIA-\$70.00	250	\$10.00
1002	42-4-1002	Passing oncoming vehicles	TIA-\$100.00	190	\$10.00
1003	42-4-1003	Overtaking vehicle on left	TIA-\$100.00	193	\$10.00
1004	42-4-1004	When overtaking on right is permitted	TIA-\$100.00	194	\$10.00
1005	42-4-1005	Limitations on overtaking on left	TIA-\$100.00	195	\$10.00
1006	42-4-1006	Drove the wrong way on a one-way roadway and rotary traffic islands	TIA-\$70.00	256	\$10.00
1007	42-4-1007	Driving on roadways laned for traffic	TIA-\$100.00	222	\$10.00
1008	42-4-1008	Following too closely	TIA-\$100.00	142	\$10.00
1009	42-4-1009	Coasting prohibited	TIA-\$70.00	147	\$10.00
1010	42-4-1010	Driving on divided or controlled access highway	TIA-\$70.00	253	\$10.00
1011	42-4-1011	Use of runaway vehicle ramp	TIA-\$200.00	231	\$10.00
1012	42-4-1012	High occupancy vehicle lane (Three or more times – within a 12 month period)	TIA-\$65.00 (\$125.00)	232	\$10.00
Speed Regulations					
1101	42-4-1101	Driving too fast for conditions	TIA \$100.00	007	\$20.00
		Speeding 1-4 miles per hour over the posted limit	TIA-\$30.00	020	\$20.00
		Speeding 5-9 miles per hour over the posted limit	TIA-\$70.00	004	\$20.00
		Speeding 10-19 miles per hour over the posted limit	TIA\$135.00	005	\$20.00

		Speeding 20-24 miles per hour over the posted limit	TIA\$200.00	006	\$20.00
		* Speeding fines doubled in a school/construction zone			
1103	42-4-1103	Impeding normal flow of traffic	TIA-\$50.00	008	\$10.00
Parking Regulations					
1201	42-4-1201	Starting parked vehicle	TIA-\$30.00	144	\$10.00
1202	42-4-1202	Parking or abandonment of vehicles	TIB-\$30.00	350	\$10.00
1204	42-4-1204	Stopping, standing, or parking prohibited in specific places	TIB-\$15.00	350	\$10.00
1205	42-4-1205	Parking at curb or shoulder of a roadway	TIB-\$15.00	350	\$10.00
1206	42-4-1206	Unattended motor vehicle	TIB-\$15.00	350	\$10.00
1207	42-4-1207	Opening and closing vehicle doors	TIB-\$15.00	916	\$10.00
1208	42-4-1208	Parking privileges for persons with disabilities	TIB-\$100.00	362	\$10.00
1211	42-4-1211	Limitations on backing (unsafe)	TIA-\$15.00	153	\$10.00
Other Offenses					
1403	42-4-1403	Following fire apparatus prohibited	TIA-\$30.00	149	\$10.00
1404	42-4-1404	Crossed a fire hose	TIB-\$15.00	150	\$10.00
1405	42-4-1405	Riding in trailers	TIB-\$15.00	156	\$10.00
1406	42-4-1406	Littered foreign material on a highway	TIB-\$35.00	490	\$10.00
1407	42-4-1407	Spilled loads/debris on a highway	TIB-\$35.00	494	\$10.00
1408	42-4-1408	Operation of motor vehicles on property under control of or owned by parks and recreation districts	TIB-\$15.00	159	\$10.00
1411	42-4-1411	Use of earphones while driving	TIB-\$15.00	467	\$10.00
Motorcycles					
1502	42-4-1502	Riding on motorcycles	TIA-\$30.00	157	\$10.00
1503	42-4-1503	Operated motorcycles on roadways laned for traffic	TIA-\$30.00	226	\$10.00
1504	42-4-1504	Clinging to other vehicles	TIA-\$30.00	158	\$10.00

4. Driving Privilege and points:

Pursuant to Part 17 of the Model Traffic Code, points assessed against a driving privilege, shall be in conformance to the provisions of Colo. Rev. Stat. § 42-2-127 (2006), to include reduction in points specified in Colo. Rev. Stat. § 42-2-127 (5.5) (2006).

E. Application

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

F. Severability

If any part or parts of this Ordinance are for any other reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The 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.

G. 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. Section headings and cross references of this 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.

H. Enforcement

The provisions of this Ordinance shall be enforced by the Jefferson County Sheriff or deputies.

I. Prior Ordinance

This Ordinance and this version of Policy and Procedure Part 3 Regulations, Chapter 4, Motor Vehicles, Section 2 shall supersede all previous Ordinances addressing Policy and Procedure 5.68 Jefferson County Traffic Code for traffic infractions occurring on or after 30 days after final publication pursuant to CRS 30-15-405.

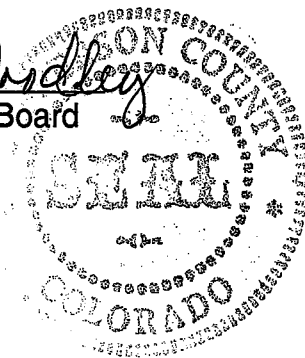
J. Safety Clause

This Ordinance is necessary to the immediate preservation of the public health and safety to clarify the validity of the Model Traffic Code and shall therefore take effect upon adoption.

Adopted, authenticated and approved the 8-12-08.

Attest: County of Jefferson
State of Colorado

By: Jayne Windley
Deputy Clerk to the Board



By: Kathy Hartman
Kathy Hartman
Chairman

Date of Introduction by Board: July 29, 2008

Date of Initial Publication: July 31, 2008

Date of Passage:

Date of Final Publication:

Commissioner moved that the following Ordinance be adopted: