

ORDINANCE

An Ordinance Adopting Policy Part 3, Chapter 4, Section 2 Use of Off-Highway Road Maintenance Vehicles. BE IT ORDAINED by the Board of County Commissioners of Jefferson County, Colorado as follows:

Title: Regulatory Policy Use of Off-Highway Road Maintenance Vehicles	Policy No. Part 3 Regulations, Chapter 4, Motor Vehicles Section 4
	Effective Date August 28, 2017
Policy Custodian Sheriff's Office	Adoption/Revision Date July 18, 2017

Adopting Resolution(s): CC17-230

References (Statutes/Resos/Policies): §§ 30-15-401(1)(h), 30-15-402, 33-14.5-101(3), 33-14.5-103(3), 33-14.5-108(1)(f), 33-14.5-110(1), 43-2-201 C.R.S.; CC17-191

Purpose: To regulate the use of off-highway vehicles for road maintenance on county roads that are unpaved and have not been accepted for maintenance by the county.

Policy: Use of Off-Highway Road Maintenance Vehicles

A. Definitions

1. County roads shall have the same definition as a "public highway" as defined in § 43-2-201, C.R.S.
2. Off-Highway Vehicles ("OHVs") shall have the definition provided at § 33-14.5-103(3), C.R.S.: "any self-propelled vehicle which is designed to travel on wheels or tracks in contact with the ground, which is designed primarily for use off of the public highways, and which is generally and commonly used to transport persons for recreational purposes. 'Off-highway vehicle' does not include the following: (a) Vehicles designed and used primarily for travel on, over, or in the water; (b) Snowmobiles; (c) Military vehicles; (d) Golf carts; (e) Vehicles designed and used to carry individuals with disabilities; (f) Vehicles designed and used specifically for agricultural, logging, or mining purposes; or (g) Vehicles registered pursuant to article 3 of title 42, C.R.S."

B. Use

OHV travel shall be allowed for road maintenance purposes, subject to the restrictions listed in this Ordinance, on all unpaved county roads located in unincorporated Jefferson County but not accepted for maintenance by the county.

C. Restrictions

1. Any person operating an OHV pursuant to this Ordinance shall comply with all rules and regulations applicable to such vehicles adopted by the State of Colorado.
2. Any person operating an OHV on a county road pursuant to this Ordinance shall be in possession of a valid motor vehicle operator's license and be at least 16 years of age.
3. OHVs operated pursuant to this Ordinance shall be considered to be motor vehicles for the purposes of maintaining at least the minimum liability insurance coverage required by the

Colorado Motor Vehicle Financial Responsibility Law, Title 42, Article 7, C.R.S.

4. All ordinance and regulations pertaining to vehicles or motor vehicles shall be applicable to the operation of OHVs pursuant to this Ordinance except those which, by their nature, can have no application. In the event of a conflict between such ordinances and regulations and this Ordinance, this Ordinance shall govern.
5. OHVs operated pursuant to this Ordinance shall not exceed 25 miles per hour or the posted speed limit, whichever is less.

D. Penalties and Enforcement

1. Traffic Offenses Adopted. The provisions and penalties of § 42-4-1701, C.R.S. are hereby adopted by this reference.
2. Enforcement. Prosecution may be brought against a violator of this Ordinance in accordance with § 30-15-402, C.R.S.

E. Miscellaneous.

1. 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.
2. 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 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.



Libby Szabo, Chairman,
Board of County Commissioners



Faye Griffin,
Jefferson County Clerk and Recorder