

10.14 Off-Highway Vehicles

10.14.010 Definitions

As defined in this chapter, unless the context otherwise requires, the following terms, phrases, words, and their derivation shall have the meaning given herein.

1. "Off-highway vehicle" as set forth in 33.14.5.101(3) C.R.S. shall mean 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" shall 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 to and used to carry disabled persons; (f) vehicles designed and used specifically for agricultural, logging, or mining purposes; (g) vehicles registered pursuant to article 3 of title 42 C.R.S., (h) low speed electric vehicles 42-1-102(48.6), (i) toy vehicles as defined in C.R.S. 42-4-103.5 (a)(b)(c), or (j) kit vehicles as defined in C.R.S. 42-1-102(45.5)

10.14.020 Designated Off-highway Vehicle Routes

In accordance with C.R.S. §33-14.5-108(1), all Town streets, roads or alleys, or trails except any road or roadway that is part of the state highway system (Main Street/Highway 64) within the Town, are hereby designated as off-highway vehicle routes.

10.14.030 Operation of Off-Highway Vehicles

1. No person under the age of ten (10) years may operate an off-highway vehicle on such public street, road, or alley of the Town as designated in Section 10.14.020 above, unless the person is accompanied by and under the immediate supervision of a guardian who is 16 years of age or older. The phrase "under immediate supervision" shall mean that, at a minimum, the minor operator is within close proximity of the guardian.
2. Minor operators under the age of 16 years who operates an off-highway vehicle designated in section 10.14.020 above shall meet the following requirements.
 - a. Be physically able to place both feet firmly on the footrests and
 - b. Be physically able to reach fingers comfortably around the handlebars and brake levers even when the handlebars are turned and
 - c. Be physically able to stand with knees bent with a couple of inches space between their seat and the OHV seat and
 - d. Be physically able to easily reach the foot controls
3. Minor operators under the age of 16 years who operates an off-highway vehicle designated in section 10.14.010 above shall have sufficient strength and familiarity to operate controls and meet the following requirements.
 - a. Squeeze the hand controls and
 - b. Operate the shift lever and
 - c. Operate the parking brake and
 - d. Press the brake lever with sufficient pressure on a decline and

Rangely Municipal Code / F:\Cityside\Code\Document\Title 10 / revised 2-11-15 / Page 1 of 4

Date
Town Manager Quality Check Approval

Date
Town Clerk Quality Check Approval

- e. Operate the controls without looking at them
 - f. Be able to demonstrate hand signals
4. Certification of Minor operator
 - 1) The Town of Rangely Police Department shall have certified officer to train and or instruct a minor OHV operator in a Safety Education and familiarization program.
 - 2) Any minor operator must possess a valid OHV education certificate of completion before operating an OHV within the Town of Rangely.
 - 3) The education certificate will have the OHV vehicle number assigned for which the operator completed and demonstrated proficiency with. The education certificate can have multiple OHV vehicle numbers assigned for the operator.
 5. No person shall operate an off-highway vehicle on a road, roadway, or alley of the Town while carrying any person or riding in any position that may interfere with the operation or control of an off-highway vehicle or the view of the operator.
 6. Every person operating an off-highway vehicle shall do so in compliance with the applicable laws of the State of Colorado and the Model Traffic Code for Colorado, as adopted by the Town of Rangely, pursuant to the provisions of section 10.5.107 of this chapter.
 7. The operator of an off-highway vehicle in Town otherwise operating pursuant to section 10.14.020 above shall not exceed a maximum speed of fifteen (15) miles per hour.

10.14.040 Required Equipment

1. No off-highway vehicle shall be operated upon the Municipal streets, roads or alleys unless it is equipped with the following.
 - a. At least one lighted headlamp having minimum candlepower of sufficient intensity to reveal persons or objects at a distance of at least 100 feet ahead during operation from sunset to sunrise. Such headlamp shall be aimed so that glaring rays are not projected into the eyes of operators in oncoming vehicles when operated on a straight level surface.
 - b. One lighted tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during operation from sunset to sunrise.
 - c. Brakes, a braking system that may be operated by hand or foot, capable of producing deceleration of 14 feet per second on level ground at a speed of 20 miles per hour. The braking system must be adequate to control the movement of, and to stop and to hold the off-highway vehicle stationary on any grade upon which it can be operated.
 - d. Muffler and spark arrestor which conform to the standards, a spark arrestor is a device which traps or pulverizes exhaust particles as they are expelled from an internal combustion engine exhaust system and is effective in reducing exhaust sparks and protecting against spark fires. 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 is effective in reducing noise, which shall be applicable in all cases except for off-highway vehicles being operated in organized competitive

Date

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Date

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events held on private lands with the permission of the landowner, lessee, or custodian of the land, on public lands and waters under the jurisdiction of the division with its permission, or on other public lands with the consent of the public agency owning the land.

- e. A red or orange “whip flag” must be attached to OHVs when being operated by a minor operator on any street or roadway within the Town of Rangely.

10.14.050 Notice of Accident

1. The operator of an off-highway vehicle involved in an accident within the Town limits resulting in property damage, injuries or death, or some person acting for the operator, or the owner of the off-highway vehicle having knowledge of the accident shall immediately, by the quickest available means of communication, notify the office of the Town police department. If an accident occurs outside of the Town limits, the operator or some person acting for the operator shall immediately notify the Rio Blanco County Sheriff’s Office.

2. The Town Police Department upon receiving a report of accident under this section shall forward a copy thereof to the Colorado Division of Parks and Outdoor Recreation.

3. Within forty-eight (48) hours after an accident involving an off-highway vehicle, the accident shall be reported to the Denver office of the Colorado Division of Parks and Outdoor Recreation. The report shall be made on forms furnished by such Division and shall be made by the owner or operator of the vehicle or someone acting for the owner or operator.

10.14.051 Limitation of Liability

To the maximum extent permitted by law, nothing in this chapter shall be construed as an assumption of any duty of care by the Town with respect to, or the assumption of any liability by the Town for any injuries to persons or property which may result from the operation of an off-highway vehicle on the roads, roadways, or alleys within the Town limits.

10.14.052 Enforcement, Violations and Fines.

1. Every peace officer of the Town is hereby authorized to enforce the provisions of this chapter as provided by the applicable provisions of the Model Traffic Code for Colorado Municipalities, as adopted by the Town of Rangely. Notwithstanding the provisions of the Model Traffic Code for Colorado, as adopted by the Town of Rangely, Article II Definitions, subsection (121), an “off-highway vehicle” as defined herein shall be considered a “vehicle” for purposes of the application or enforcement of the Model Traffic Code, as adopted by the Town of Rangely, except for Part 2, Equipment thereof.

2. Any person who violates the provisions of this chapter shall be guilty of a municipal ordinance offense and, upon conviction thereof shall be punished by a minimum fine of fifty (\$50.00) dollars, and a maximum fine of not more than three hundred (\$300.00) dollars. Pursuant to the Colorado Municipal Court Rules of Procedure, 210(b)(4), the Municipal Court may by order,

Date
Town Manager Quality Check Approval

Date
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which from time to time may be amended, supplemented, or repealed, designate the ordinance offenses and the penalties for which may be paid at the office of the court clerk.

Date
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