

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 15-0313.01 Jery Payne x2157

HOUSE BILL 15-1173

HOUSE SPONSORSHIP

Mitsch Bush and Rankin,

SENATE SPONSORSHIP

Todd,

House Committees
Transportation & Energy

Senate Committees
Transportation

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT MOTOR VEHICLES HAVE CERTAIN**
102 **TRACTION EQUIPMENT WHEN DRIVING ON THE INTERSTATE 70**
103 **MOUNTAIN CORRIDOR.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)

The bill requires all motor vehicles driving on interstate 70 between Morrison and Dotsero during the snowy season to:

- ! Have tires with the mountain-snowflake symbol and a tread depth of 1/8 inch; or
- ! Have tires with the M+S or M/S symbol and a tread depth

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
Amended 2nd Reading
April 10, 2015

HOUSE
3rd Reading Unamended
March 6, 2015

HOUSE
Amended 2nd Reading
February 26, 2015

of 1/8 inch;
! Carry tire chains or an equivalent traction device.
The penalties for a violation are a \$100 fine and \$32 surcharge.
The department of transportation is instructed to erect signs at
appropriate places, notifying the public of this requirement.
The bill also rewrites the chain law to clarify its provisions.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds, determines, and declares that:

4 (a) Interstate 70 is the major east-west freeway route through
5 Colorado;

6 (b) Interstate 70 is the only way to drive from Denver to many
7 mountain communities;

8 (c) Mountain communities rely on Interstate 70 for goods and
9 services, medical visits, business trips to Denver, and especially tourist
10 visits, which are the key economic factors in these areas;

11 (d) Interstate 70 is the major route to several mountain resort
12 areas, and these tourist hubs are a significant economic engine for the
13 state;

14 (e) The Western Slope utilizes Interstate 70 to transport:
15 agricultural products; natural resources, such as oil and gas; and forest
16 products to the Front Range and beyond;

17 (f) Both the Colorado department of transportation and the Denver
18 Metro Chamber of Commerce have identified the Interstate 70 mountain
19 corridor as essential for commerce in our state;

20 (g) During heavy snow and inclement weather, both Vail Pass and
21 the Eisenhower-Johnson Memorial Tunnels, as well as other portions of
22 Interstate 70 from Idaho Springs to Dotsero, have been reduced to one

1 lane or completely closed on account of vehicles with inadequate winter
2 driving equipment;

3 (h) Motorists driving passenger vehicles might not realize the
4 equipment needed to successfully negotiate these stretches of Interstate
5 70;

6 (i) Lane closures and complete road closure both pose significant
7 public safety risks, cost the taxpayers, and can result in significant
8 economic losses for communities along Interstate 70 and for the entire
9 state; and

10 (j) Therefore, another tool is needed to reduce travel times, road
11 congestion, and highway closures. It is in the public interest to require
12 vehicles to be properly equipped when traveling on Interstate 70 when
13 inclement weather is likely to occur. This bill establishes a pilot-program
14 traction law. If the pilot program is a success, the general assembly
15 intends to expand the program with future legislation to cover other
16 problematic highways.

17 **SECTION 2.** In Colorado Revised Statutes, 42-4-106, **amend** (5)

18 (a) (I) as follows:

19 **42-4-106. Who may restrict right to use highways - repeal.**

20 (5) (a) (I) (A) The department of transportation ~~shall also have authority~~
21 ~~to~~ MAY close any portion of a state highway ~~to public travel or to prohibit~~
22 ~~the use thereof~~ FOR USE DURING STORMS OR OTHER DANGEROUS DRIVING
23 CONDITIONS, DURING CONSTRUCTION OR MAINTENANCE OPERATIONS, OR
24 WHENEVER THE DEPARTMENT CONSIDERS A ROAD CLOSURE NECESSARY
25 FOR THE PROTECTION AND SAFETY OF THE PUBLIC.

26 (B) unless motor vehicles using the same are equipped with tire
27 chains, four-wheel drive with adequate tires for the existing conditions,

1 or snow tires with a "mud and snow" or all weather rating from the
2 manufacturer having a tread of sufficient abrasive or skid-resistant design
3 or composition and depth to provide adequate traction under existing
4 driving conditions. during storms or when other dangerous driving
5 conditions exist or during construction or maintenance operations
6 whenever the department considers such closing or restriction of use
7 necessary for the protection and safety of the public THE DEPARTMENT
8 MAY RESTRICT ANY PORTION OF A STATE HIGHWAY TO TRAVEL BY ANY
9 MOTOR VEHICLE UNLESS THE MOTOR VEHICLE IS EQUIPPED WITH THE
10 FOLLOWING: TIRE CHAINS OR AN APPROVED TRACTION CONTROL DEVICE;
11 FOUR-WHEEL DRIVE WITH OR ALL-WHEEL DRIVE WITH TIRES THAT HAVE A
12 TREAD DEPTH OF FOUR THIRTY-SECONDS OF AN INCH; OR TIRES IMPRINTED
13 BY A MANUFACTURER WITH A MOUNTAIN-SNOWFLAKE, "M&S", "M+S",
14 OR "M/S" SYMBOL WITH A TREAD DEPTH OF FOUR THIRTY-SECONDS OF AN
15 INCH.

16 (C) Such A prohibition or restriction of use shall be UNDER THIS
17 SUBSECTION (5) IS effective when signs, including temporary or electronic
18 signs, giving notice thereof THAT NOTIFY THE PUBLIC OF THE PROHIBITION
19 OR RESTRICTION are erected upon such portion of said THE highway and
20 it shall be unlawful to proceed in violation of such notice OR WHERE ICY
21 OR SNOW-PACKED CONDITIONS ARE PRESENT ON INTERSTATE 70 BETWEEN
22 MILEPOST 133 (DOTSERO) AND MILEPOST 259 (MORRISON) OR ON A
23 HIGHWAY TRAVERSING ANY MOUNTAIN PASS THAT IS REACHED BY A
24 HIGHWAY THAT CONNECTS TO INTERSTATE 70 BETWEEN MILEPOST 133
25 (DOTSERO) AND MILEPOST 259 (MORRISON). BEGINNING SEPTEMBER 1,
26 2015, THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY THE PUBLIC
27 OF THE REQUIREMENTS OF THIS PARAGRAPH (a) THROUGH TEMPORARY OR

1 PERMANENT SIGNS, THE DEPARTMENT'S TRAVEL WEB SITE, SOCIAL MEDIA,
2 AND OTHER APPROPRIATE MEANS. _____

3 (D) The Colorado state patrol shall cooperate with the department
4 of transportation in the enforcement of ~~any such~~ A closing or restriction.
5 of use. ~~"Tire chains", as used in this subsection (5), means metal chains~~
6 ~~which consist of two circular metal loops, one on each side of the tire,~~
7 ~~connected by not less than nine evenly spaced chains across the tire tread~~
8 ~~and any other traction devices differing from such metal chains in~~
9 ~~construction, material, or design but capable of providing traction equal~~
10 ~~to or exceeding that of such metal chains under similar conditions.~~

11 (E) The ~~operator~~ DRIVER of a commercial vehicle with four or
12 more drive wheels, other than a bus, shall affix tire chains to at least four
13 of the drive wheel tires ~~of such vehicle~~ when ~~such~~ THE vehicle is required
14 to be equipped with tire chains under this subsection (5). The ~~operator~~
15 DRIVER of a bus shall affix tire chains to at least two of the drive wheel
16 tires ~~of such vehicle~~ when ~~such~~ THE vehicle is required to be equipped
17 with tire chains under this subsection (5).

18 (F) "TIRE CHAINS", AS USED IN THIS SUBSECTION (5), MEANS
19 METAL CHAINS CONSISTING OF TWO CIRCULAR METAL LOOPS, ONE ON EACH
20 SIDE OF THE TIRE, CONNECTED BY NOT LESS THAN NINE EVENLY SPACED
21 CHAINS ACROSS THE TIRE TREAD.

22 (G) "TRACTION CONTROL DEVICE", AS USED IN THIS SUBSECTION
23 (5), MEANS A DEVICE AFFIXED TO A WHEEL OR TIRE THAT IS APPROVED BY
24 THE COLORADO DEPARTMENT OF TRANSPORTATION AS CAPABLE OF
25 PROVIDING TRACTION EQUAL TO OR EXCEEDING THAT OF METAL CHAINS
26 UNDER SIMILAR CONDITIONS.

27 (H) A PERSON WHO VIOLATES THIS SUBPARAGRAPH (I) COMMITS

1 A TRAFFIC INFRACTION AND IS SUBJECT TO THE PENALTIES IN SECTION
2 42-4-1701 (4) (a) (I) (F).

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6 **SECTION 3. Applicability.** This act applies to offenses
7 committed on or after the effective date of this act.

8 **SECTION 4. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, and safety.