

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 21-0411.01 Jery Payne x2157

SENATE BILL 21-084

SENATE SPONSORSHIP

Smallwood,

HOUSE SPONSORSHIP

Gray,

Senate Committees

Local Government

House Committees

Transportation & Local Government

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY OF LOCAL GOVERNMENTS TO PROHIBIT**
102 **THE OPERATION OF MOTOR VEHICLES UPON ROUGHED-IN ROADS**
103 **WHEN NECESSARY FOR THE PROTECTION OF THE PUBLIC.**

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://leg.colorado.gov>.)

Current law allows local governments to prohibit the operation of trucks and commercial vehicles on designated roads. The bill expands this to allow local governments to prohibit the operation of motor vehicles on roughed-in roads, which are areas where the ground has been cut with the intention to make a road but has not been improved enough to qualify as

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

HOUSE
2nd Reading Unamended
April 8, 2021

SENATE
3rd Reading Unamended
March 17, 2021

SENATE
Amended 2nd Reading
March 16, 2021

a road.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **add** (85.5)
3 as follows:

4 **42-1-102. Definitions.** As used in articles 1 to 4 of this title 42,
5 unless the context otherwise requires:

6 (85.5) "ROUGHED-IN ROAD" MEANS AN AREA OF GROUND THAT
7 HAS BEEN CUT WITH THE INTENTION TO MAKE A HIGHWAY BUT WHICH HAS
8 NOT BEEN IMPROVED ENOUGH TO MAKE THE AREA QUALIFY AS A
9 HIGHWAY.

10 **SECTION 2.** In Colorado Revised Statutes, 42-4-106, **amend** (3)
11 as follows:

12 **42-4-106. Who may restrict right to use highways - definitions**
13 **- rules - repeal.** (3) Local authorities, with respect to highways under
14 their jurisdiction, may also, by ordinance or resolution:

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

17 (b) ~~or may~~ Impose limitations as to the weight thereof, which
18 ~~prohibitions and limitations shall be~~ OF TRUCKS OR COMMERCIAL
19 VEHICLES IF THE LIMITATIONS ARE designated by appropriate signs placed
20 on ~~such highways~~ THE HIGHWAY; OR

21 (c) PROHIBIT THE OPERATION OF MOTOR OR OFF-HIGHWAY
22 VEHICLES UPON A ROUGHED-IN ROAD WHEN NECESSARY FOR THE
23 PROTECTION AND SAFETY OF THE PUBLIC.

24 **SECTION 3.** In Colorado Revised Statutes, 43-2-110, **amend**
25 (1.5)(b) as follows:

1 **43-2-110. Selection by county - notice - secondary system.**

2 (1.5) The board of county commissioners of any county with a population
3 of two hundred fifty thousand or more may designate as a primary road
4 any four-lane controlled-access county highway, the construction of
5 which commences in 2016, that is located within the unincorporated area
6 of the county and that intersects with an interstate highway or a United
7 States numbered highway. If a city or an incorporated town subsequently
8 annexes any portion of a highway that has been designated as a primary
9 road, the respective jurisdiction, control, and duty of the county and of the
10 city or incorporated town with respect to the highway is as follows:

11 (b) The county has the authority to grant or deny access to the
12 highway AND TO ROUGHED-IN ROADS, AS DEFINED IN SECTION 42-1-102
13 (85.5), and to establish weight restrictions for vehicles traveling on the
14 highway as authorized by section 42-4-106 (1), (2), and ~~(3)~~, C.R.S. (3)(b).

15 **SECTION 4. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly; except
18 that, if a referendum petition is filed pursuant to section 1 (3) of article V
19 of the state constitution against this act or an item, section, or part of this
20 act within such period, then the act, item, section, or part will not take
21 effect unless approved by the people at the general election to be held in
22 November 2022 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.