

## PART 2 - EQUIPMENT

### 201. Obstruction of view or driving mechanism - hazardous situation.

- (1) No person shall drive a vehicle when it is so loaded or when there are in the front seat such number of persons, exceeding three (3), as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.
- (2) No person shall knowingly drive a vehicle while any passenger therein is riding in any manner which endangers the safety of such passenger or others.
- (3) No person shall drive any motor vehicle equipped with any television viewer, screen or other means of visually receiving a television broadcast which is located in the motor vehicle at any point forward of the back of the driver's seat or which is visible to the driver while operating the motor vehicle, except law enforcement or emergency services personnel while operating an emergency vehicle. The provisions of this Subsection (3) shall not be interpreted to prohibit the usage of any computer, data terminal or other similar device in a motor vehicle.
- (4) No vehicle shall be operated upon any highway unless the driver's vision through any required glass equipment is normal and unobstructed.
- (5) No passenger in a vehicle shall ride in such position as to create a hazard for such passenger or others, or to interfere with the driver's view ahead or to the sides, or to interfere with the driver's control over the driving mechanism of the vehicle; nor shall the driver of a vehicle permit any passenger therein to ride in such manner.
- (6) No person shall hang on or otherwise attach himself or herself to the outside, top, hood or fenders of any vehicle, or to any other portion thereof, other than the specific enclosed portion of such vehicle intended for passengers or while in a sitting position in the cargo area of a vehicle if such area is fully or partially enclosed on all four (4) sides, while the same is in motion; nor shall the operator knowingly permit any person to hang on or otherwise attach himself or herself to the outside, top, hood or fenders of any vehicle, or any other portion thereof, other than the specific enclosed portion of such vehicle intended for passengers or while in a sitting position in the cargo area of a vehicle if such area is fully or partially enclosed on all four (4) sides, while the same is in motion. This Subsection (6) shall not apply to parades, caravans or exhibitions which are officially authorized or otherwise permitted by law.
- (7) No person shall board or alight from any vehicle while such vehicle is in motion, except for law enforcement or emergency services personnel in the performance of their official duties.

- (8) The provisions of Subsection (6) of this Section shall not apply to a vehicle owned by the United States government or any agency or instrumentality thereof, or to a vehicle owned by the state of Colorado or any of its political subdivisions, or to a privately owned vehicle when operating in a governmental capacity under contract with or permit from any governmental subdivision or under permit issued by the Public Utilities Commission of the State of Colorado, when in the performance of their duties persons are required to stand or sit on the exterior of the vehicle and said vehicle is equipped with adequate handrails and safeguards. (Ord. 016, 2003 §1)

**202. Unsafe vehicles - penalty.**

- (1) It is unlawful for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this Section and Sections 204 to 231 and Part 3 of this Traffic Code, or which is equipped in any manner in violation of said sections and Part 3 or for any person to do any act forbidden or fail to perform any act required under said sections and Part 3.
- (2) The provisions of this Section and Sections 204 to 231 and Part 3 of this Traffic Code with respect to equipment on vehicles shall not apply to implements of husbandry or farm tractors, except as made applicable in said sections and part.
- (3) Nothing in this Traffic Code shall be construed to prohibit the use of additional parts and accessories on any vehicle, consistent with the provisions of this Traffic Code or state law. (Ord. 016, 2003 §1)

**203. Unsafe vehicles - spot inspections.**

- (1) Uniformed law enforcement officers, at any time upon reasonable cause, may require the driver of a vehicle to stop and submit such vehicle and its equipment to an inspection and such test with reference thereto as may be appropriate. The fact that a vehicle is an older model vehicle shall not alone constitute reasonable cause. In the event such vehicle is found to be in an unsafe condition or the required equipment is not present or is not in proper repair and adjustment, the officer may give a written notice and issue a summons to the driver. Said notice shall require that such vehicle be placed in safe condition and properly equipped or that its equipment be placed in proper repair and adjustment, the particulars of which shall be specified on said notice.

- (2) In the event any such vehicle is, in the reasonable judgment of such police officer, in such condition that further operation would be hazardous, the officer may require, in addition to the instructions set forth in Subsection (1) of this Section, that the vehicle be moved at the operator's expense and not operated under its own power or that it be driven to the nearest garage or other place of safety.
- (3) Every owner or driver upon receiving the notice and summons issued pursuant to Subsection (1) of this Section shall comply therewith and shall secure that such vehicle is in safe condition and its equipment has been placed in proper repair and adjustment and otherwise made to conform to the requirements of this Traffic Code.
- (4)
  - (a)
    - (I) Except as provided for in Subparagraph (II) or Subparagraph (III) of this Paragraph (a), any owner receiving written notice and a summons pursuant to this Section is guilty of a traffic offense and, upon conviction thereof, shall be punished by a fine.
    - (II) If the owner repairs the unsafe condition or installs or adjusts the required equipment prior to his or her arraignment date and presents the certification required in Subsection (3) of this Section to the Municipal Court, no fine shall be imposed.
    - (III) If the owner submits to the Municipal Court at the time of his or her arraignment date proof that he or she has disposed of the vehicle for junk parts or immobilized the vehicle and he or she also submits to the court the registration and license plates for the vehicle, no fine shall be imposed. If the owner wishes to relicense the vehicle in the future, he or she must obtain the certification required in Subsection (3) of this Section.
  - (b)
    - (I) Except as provided for in Subparagraph (II) of this Paragraph (b), any non-owner driver receiving written notice and a summons pursuant to this Section is guilty of a traffic offense and, upon conviction thereof, shall be punished by a fine.
    - (II) If the driver submits to the Municipal Court at the time of his or her arraignment date proof that he or she was not the owner of the car at the time the summons was issued and that he or she mailed, within five (5) days of issuance thereof, a copy of the notice and summons by certified mail to the owner of the vehicle at the address on the registration, no fine shall be imposed.
  - (c) Upon a showing of good cause that the required repairs or adjustments cannot be made prior to his or her arraignment date, the Municipal Court

may extend the period of time for installation or adjustment of required equipment as may appear justified.

- (d) The owner may, in lieu of appearance, submit to the Municipal Court, prior to the arraignment date the certification specified in Subsection (3) of this Section and the appropriate fine stated on the penalty assessment notice and summons. (Ord. 016, 2003 §1)

**204. When lighted lamps are required.**

- (1) Every vehicle upon a highway within the City, between sunset and sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of one thousand (1,000) feet ahead, shall display lighted lamps and illuminating devices as required by this Traffic Code and by the laws of the State of Colorado for different classes of vehicles, subject to exceptions with respect to parked vehicles.
- (2) Whenever a requirement is declared by this Traffic Code and by the laws of the State of Colorado as to distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times stated in Subsection (1) of this Section in respect to a vehicle without load when upon a straight, level, unlighted highway under normal atmospheric conditions, unless a different time or condition is expressly stated.
- (3) Whenever a requirement is declared by this Traffic Code and by the laws of the State of Colorado as to the mounted height of lamps or devices, it shall mean from the center of such lamp or device to the level ground upon which the vehicle stands when such vehicle is without a load. (Ord. 016, 2003 §1)

**205. Headlamps on motor vehicles.**

- (1) Every motor vehicle other than a motorcycle shall be equipped with at least two (2) headlamps with at least one (1) on each side of the front of the motor vehicle, which headlamps shall comply with the requirements and limitations set forth in Sections 202 and 204 to 231 where applicable.
- (2) Every motorcycle shall be equipped with at least one (1) and not more than two (2) headlamps that comply with the requirements and limitations of Sections 202 and 204 to 231.
- (3) Every headlamp upon every motor vehicle, including every motorcycle, shall be located at a height measured from the center of the headlamp of not more than fifty-four (54) inches nor less than twenty-four (24) inches, to be measured as set forth in Section 204(3). (Ord. 016, 2003 §1; Ord. 097, 2009 §1)

**206. Tail lamps and reflectors.**

- (1) Every motor vehicle, trailer, semi trailer and pole trailer and any other vehicle which is being drawn at the end of a train of vehicles shall be equipped with at least one (1) tail lamp mounted on the rear which, when lighted as required in Section 204, shall emit a red light plainly visible from a distance of five hundred (500) feet to the rear; but, in the case of a train of vehicles, only the tail lamp on the rear-most vehicle need actually be seen from the distance specified, and except as provided in Section 215.5. Furthermore, every such vehicle registered in this State and manufactured or assembled after January 1, 1958, shall be equipped with at least two (2) tail lamps mounted on the rear, on the same level and as widely spaced laterally as practicable, which, when lighted as required in Section 204, shall comply with the provisions of this Section.
- (2) Every tail lamp upon every vehicle shall be located at a height of not more than seventy-two (72) inches nor less than twenty (20) inches, to be measured as set forth in Section 204(3).
- (3) Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of fifty (50) feet to the rear. Any tail lamp or tail lamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the headlamps or auxiliary driving lamps are lighted.
- (4) Every motor vehicle operated on and after January 1, 1958, upon a highway in the State shall carry on the rear, either as part of a tail lamp or separately, one (1) red reflector meeting the requirements of this Section; except that vehicles of the type mentioned in Section 207 shall be equipped with reflectors as required in those sections applicable thereto and except as provided in Section 215.5.
- (5) Every new motor vehicle sold and operated on and after January 1, 1958, upon a highway shall carry on the rear, whether as a part of the tail lamps or separately, two (2) red reflectors; except that every motorcycle shall carry at least one (1) reflector meeting the requirements of this Section, and vehicles of the type mentioned in Section 207 shall be equipped with reflectors as required in those sections applicable thereto.
- (6) Every reflector shall be mounted on the vehicle at a height of not less than twenty (20) inches nor more than sixty (60) inches, measured as set forth in Section 204(3), and shall be of such size and characteristics and so mounted as to be visible at night from all distances within three hundred fifty (350) feet to one hundred (100) feet from such vehicle when directly in front of lawful upper beams and head lamps; except that visibility from a greater distance is

required by law of reflectors on certain types of vehicles. (Ord. 016, 2003 §1; Ord. 097, 2009 §2)

**207. Clearance and identification.**

- (1) Every vehicle designed or used for the transportation of property or for the transportation of persons shall display lighted lamps at the times mentioned in Section 204 when and as required in this Section.
- (2) Clearance lamps:
  - (a) Every motor vehicle or motor-drawn vehicle having a width at any part in excess of eighty (80) inches shall be equipped with four (4) clearance lamps located as follows:
    - (I) Two (2) on the front and one (1) at each side, displaying an amber light visible from a distance of five hundred (500) feet to the front of the vehicle;
    - (II) Two (2) on the rear and one (1) at each side, displaying a red light visible only to the rear and visible from a distance of five hundred (500) feet to the rear of the vehicle, which said rear clearance lamps shall be in addition to the rear red lamp required in Section 206.
  - (b) All clearance lamps required shall be placed on the extreme sides and located on the highest stationary support; except that, when three (3) or more identification lamps are mounted on the rear of a vehicle on the vertical center line and at the extreme height of the vehicle, rear clearance lamps may be mounted at optional height.
  - (c) Any trailer, when operated in conjunction with a vehicle which is properly equipped with front clearance lamps as provided in this Section, may be, but is not required to be, equipped with front clearance lamps if the towing vehicle is of equal or greater width than the towed vehicle.
  - (d) All clearance lamps required in this Section shall be of a type approved by the State Department of Revenue.
- (3) Side marker lamps:
  - (a) Every motor vehicle or motor-drawn vehicle or combination of such vehicles which exceeds thirty (30) feet in overall length shall be equipped with four (4) side marker lamps located as follows:

- (I) One (1) on each side near the front displaying an amber light visible from a distance of five hundred (500) feet to the side of the vehicle on which it is located;
  - (II) One (1) on each side near the rear displaying a red light visible from a distance of five hundred (500) feet to the side of the vehicle on which it is located; but the rear marker light shall not be so placed as to be visible from the front of the vehicle.
- (b) Each side marker lamp required shall be located not less than fifteen (15) inches above the level on which the vehicle stands.
  - (c) If the clearance lamps required by this Section are of such a design as to display lights visible from a distance of five hundred (500) feet at right angles to the sides of the vehicles, they shall be deemed to meet the requirements as to marker lamps in this Subsection (3).
  - (d) All marker lamps required in this Section shall be of a type approved by the State Department of Revenue.
- (4) Clearance reflectors:
- (a) Every motor vehicle having a width at any part in excess of eighty (80) inches shall be equipped with clearance reflectors located as follows:
    - (I) Two (2) red reflectors on the rear and one (1) at each side, located not more than one (1) inch from the extreme outside edges of the vehicle;
    - (II) All such reflectors shall be located not more than sixty (60) inches nor less than fifteen (15) inches above the level on which the vehicle stands.
  - (b) One (1) or both of the required rear red reflectors may be incorporated within the tail lamp or tail lamps if any such tail lamps meet the location limits specified for reflectors.
  - (c) All such clearance reflectors shall be of a type approved by the State Department of Revenue.
- (5) Side marker reflectors:
- (a) Every motor vehicle or motor-drawn vehicle or combination of vehicles which exceeds thirty (30) feet in overall length shall be equipped with four (4) side marker reflectors located as follows:
    - (I) One (1) amber reflector on each side near the front;

- (II) One (1) red reflector on each side near the rear.
- (b) Each side marker reflector shall be located not more than sixty (60) inches nor less than fifteen (15) inches above the level on which the vehicle stands.
- (c) All such side marker reflectors shall be of a type approved by the State Department of Revenue.
- (6) Nothing in this Section shall be construed to supersede any federal motor vehicle safety standard established pursuant to the "National Traffic and Motor Vehicle Safety Act of 1966," Public Law 89-563, as amended. (Ord. 016, 2003 §1)

**208. Stop lamps and turn signals.**

- (1) Every motor vehicle or motor-drawn vehicle shall be equipped with a stop light in good working order at all times and shall meet the requirements of Section 215(1).
- (2) No person shall sell or offer for sale or operate on the highways any motor vehicle registered in this State and manufactured or assembled after January 1, 1958, unless it is equipped with at least two (2) stop lamps meeting the requirements of Section 21 (1); except that a motorcycle manufactured or assembled after said date shall be equipped with at least one (1) stop lamp meeting the requirements of Section 215(1).
- (3) No person shall sell, offer for sale or operate on the highway any motor vehicle, trailer or semi-trailer registered in this State and manufactured or assembled after January 1, 1958; and no person shall operate any motor vehicle, trailer or semi-trailer on the highways when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of such motor vehicle exceeds twenty-four (24) inches, unless it is equipped with electrical turn signals meeting the requirements of Section 215(2). This Subsection (3) shall not apply to any motorcycle or low-power scooter. (Ord. 016, 2003 §1; Ord. 097, 2009 §3)

**209. Lamp or flag on projecting load.**

Whenever the load upon any vehicle extends to the rear four (4) feet or more beyond the bed or body of such vehicle, there shall be displayed at the extreme rear end of the load, at the time specified in Section 204, a red light or lantern plainly visible from a distance of at least five hundred (500) feet to the sides and rear. The red light or lantern required under this Section shall be in addition to the red rear light required upon every vehicle. At any other time, there shall be displayed at the extreme rear end of such load a red flag or cloth not less than twelve (12) inches

square and so hung that the entire area is visible to the driver of a vehicle approaching from the rear. (Ord. 016, 2003 §1)

**210. Lamps on parked vehicles.**

- (1) Whenever a vehicle is lawfully parked upon a highway during the hours between sunset and sunrise and in the event there is sufficient light to reveal any person or object within a distance of one thousand (1,000) feet upon such highway, no lights need be displayed upon such parked vehicle.
- (2) Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended during the hours between sunset and sunrise and there is not sufficient light to reveal any person or object within a distance of one thousand (1,000) feet upon such highway, such vehicle so parked or stopped shall be equipped with one (1) or more operating lamps meeting the following requirements: At least one (1) lamp shall display a white or amber light visible from a distance of five hundred (500) feet to the front of the vehicle, and the same lamp or at least one (1) other lamp shall display a red light visible from a distance of five hundred (500) feet to the rear of the vehicle, and the location of said lamp or lamps shall always be such that at least one (1) lamp or combination of lamps meeting the requirements of this Section is installed as near as practicable to the side of the vehicle which is closer to passing traffic. This Subsection (2) shall not apply to a low-power scooter.
- (3) Any lighted headlamps upon a parked vehicle shall be depressed or dimmed. (Ord. 016, 2003 §1; Ord. 097, 2009 §4)

**211. Lamps on farm equipment and other vehicles and equipment.**

- (1) Every farm tractor and every self-propelled farm equipment unit or implement of husbandry not equipped with an electric lighting system shall at all times mentioned in Section 204 be equipped with at least one (1) lamp displaying a white light visible from a distance of not less than five hundred (500) feet to the front of such vehicle and shall also be equipped with at least one (1) lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear of such vehicle.
- (2) Every self-propelled unit of farm equipment not equipped with an electric lighting system shall at all times mentioned in Section 204, in addition to the lamps required in Subsection (1) of this Section, be equipped with two (2) red reflectors visible from all distances within six hundred (600) feet to one hundred (100) feet to the rear when directly in front of lawful upper beams of head lamps.

- (3) Every combination of farm tractor and towed unit of farm equipment or implement of husbandry not equipped with an electric lighting system shall, at all times mentioned in Section 204, be equipped with the following lamps:
  - (a) At least one (1) lamp mounted to indicate as nearly as practicable the extreme left projection of said combination and displaying a white light visible from a distance of not less than five hundred (500) feet to the front of said combination;
  - (b) Two (2) lamps each displaying a red light visible when lighted from a distance of not less than five hundred (500) feet to the rear of said combination or, as an alternative, at least one (1) lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear thereof and two (2) red reflectors visible from all distances within six hundred (600) feet to one hundred (100) feet to the rear thereof when illuminated by the upper beams of head lamps.
- (4) Every farm tractor and every self-propelled unit of farm equipment or implement of husbandry equipped with an electric lighting system shall at all times mentioned in Section 204 be equipped with two (2) single-beam head lamps meeting the requirements of Section 216 or 218, respectively, and at least one (1) red lamp visible from a distance of not less than five hundred (500) feet to the rear; but every such self-propelled unit of farm equipment other than a farm tractor shall have two (2) such red lamps or, as an alternative, one (1) such red lamp and two (2) red reflectors visible from all distances within six hundred (600) feet to one hundred (100) feet when directly in front of lawful upper beams of head lamps.
- (5)
  - (a) Every combination of farm tractor and towed farm equipment or towed implement of husbandry equipped with an electric lighting system shall at all times mentioned in Section 204 be equipped with lamps as follows:
    - (I) The farm tractor element of every such combination shall be equipped as required in Subsection (4) of this Section.
    - (II) The towed unit of farm equipment or implement of husbandry element of such combination shall be equipped with two (2) red lamps visible from a distance of not less than five hundred (500) feet to the rear or, as an alternative, two (2) red reflectors visible from all distances within six hundred (600) feet to the rear when directly in front of lawful upper beams of head lamps.
  - (b) Said combinations shall also be equipped with a lamp displaying a white or amber light, or any shade of color between white and amber, visible from a distance of not less than five hundred (500) feet to the front and a

lamp displaying a red light visible when lighted from a distance of not less than five hundred (500) feet to the rear.

- (6) The lamps and reflectors required in this Section shall be so positioned as to show from front and rear as nearly as practicable the extreme projection of the vehicle carrying them on the side of the roadway used in passing such vehicle. If a farm tractor or a unit of farm equipment, whether self-propelled or towed, is equipped with two (2) or more lamps or reflectors visible from the front or two (2) or more lamps or reflectors visible from the rear, such lamps or reflectors shall be so positioned that the extreme projections, both to the right and to the left of said vehicle, shall be indicated as nearly as practicable.
- (7) Every vehicle, including animal-drawn vehicles and vehicles referred to in Section 202(2), not specifically required by the provisions of this Traffic Code to be equipped with lamps or other lighting devices shall at all times specified in Section 204 be equipped with at least one (1) lamp displaying a white light visible from a distance of not less than five hundred (500) feet to the front of said vehicle and shall also be equipped with two (2) lamps displaying red lights visible from a distance of not less than five hundred (500) feet to the rear of said vehicle or, as an alternative, one (1) lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear and two (2) red reflectors visible for distances of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps. (Ord. 016, 2003 §1; Ord. 097, 2009 §5)

## **212. Spot lamps and auxiliary lamps.**

- (1) Any motor vehicle may be equipped with not more than two (2) spot lamps, and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high-intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred (100) feet ahead of the vehicle.
- (2) Any motor vehicle may be equipped with not more than two (2) fog lamps mounted on the front at a height not less than twelve (12) inches nor more than thirty (30) inches above the level surface upon which the vehicle stands and so aimed that, when the vehicle is not loaded, none of the high-intensity portion of the light to the left of the center of the vehicle shall at a distance of twenty-five (25) feet ahead project higher than a level of four (4) inches below the level of the center of the lamp from which it comes. Lighted fog lamps meeting the requirements of this Subsection (2) may be used with lower headlamp beams as specified in Section 216(1)(b).
- (3) Any motor vehicle may be equipped with not more than two (2) auxiliary passing lamps mounted on the front at a height not less than twenty (20) inches nor more than forty-two (42) inches above the level surface upon which the

vehicle stands. The provisions of Section 216 shall apply to any combination of headlamps and auxiliary passing lamps.

- (4) Any motor vehicle may be equipped with not more than two (2) auxiliary driving lamps mounted on the front at a height not less than sixteen (16) inches nor more than forty-two (42) inches above the level surface upon which the vehicle stands. The provisions of Section 216 shall apply to any combination of headlamps and auxiliary driving lamps. (Ord. 016, 2003 §1)

**213. Audible and visual signals on emergency vehicles.**

- (1) Except as otherwise provided in this Section or in Section 222 in the case of volunteer fire vehicles and volunteer ambulances, every authorized emergency vehicle shall, in addition to any other equipment and distinctive markings required by this Traffic Code, be equipped as a minimum with a siren and a horn. Such devices shall be capable of emitting a sound audible under normal conditions from a distance of not less than five hundred (500) feet.
- (2) Every authorized emergency vehicle, except those used as undercover vehicles by governmental agencies, shall, in addition to any other equipment and distinctive markings required by this Traffic Code, be equipped with at least one (1) signal lamp mounted as high as practicable, which shall be capable of displaying a flashing, oscillating or rotating red light to the front and to the rear having sufficient intensity to be visible at five hundred (500) feet in normal sunlight. In addition to the required red light, flashing, oscillating or rotating signal lights may be used which emit blue, white or blue in combination with white.
- (3) A police vehicle, when used as an authorized emergency vehicle, may but need not be equipped with the red lights specified in this Section.
- (4) Any authorized emergency vehicle, including those authorized by Section 222, may be equipped with green flashing lights, mounted at sufficient height and having sufficient intensity to be visible at five hundred (500) feet in all directions in normal daylight. Such lights may only be used at the single designated command post at any emergency location or incident and only when such command post is stationary. The single command post shall be designated by the on-scene incident commander in accordance with local or state government emergency plans. Any other use of a green light by a vehicle shall constitute a violation of this Section.
- (5) The use of either the audible or the visual signal equipment described in this Section shall impose upon drivers of other vehicles the obligation to yield right-of-way and stop as prescribed in Section 705. (Ord. 016, 2003 §1)

**214. Visual signals on service vehicles.**

- (1) Every authorized service vehicle in the City shall, in addition to any other equipment required by this Traffic Code, be equipped with one (1) or more warning lamps mounted as high as practicable, which shall be capable of displaying in all directions one (1) or more flashing, oscillating or rotating yellow lights. Only yellow and no other color or combination of colors shall be used as a warning lamp on an authorized service vehicle; except that an authorized service vehicle snowplow operated by the City may also be equipped with and use no more than two (2) flashing, oscillating or rotating blue lights as warning lamps in conjunction with yellow lights. Lighted directional signs used by police and highway departments to direct traffic need not be visible except to the front and rear. Such lights shall have sufficient intensity to be visible at five hundred (500) feet in normal sunlight.
- (2) The warning lamps authorized in Subsection (1) of this Section shall be activated by the operator of an authorized service vehicle only when the vehicle is operating upon the roadway so as to create a hazard to other traffic. The use of such lamps shall not relieve the operator from the duty of using due care for the safety of others or from the obligation of using any other safety equipment or protective devices that are required by this Traffic Code. Service vehicles authorized to operate also as emergency vehicles shall also be equipped to comply with signal requirements for emergency vehicles.
- (3) Whenever an authorized service vehicle is performing its service function and is displaying lights as authorized in Subsection (1) of this Section, drivers of all other vehicles shall exercise more than ordinary care and caution in approaching, overtaking or passing such service vehicle and, in the case of highway and traffic maintenance equipment engaged in work upon the highway, shall comply with the instructions of Section 712.
- (4) Only authorized service vehicles shall be equipped with the warning lights as authorized in Subsection (1) of this Section. (Ord. 016, 2003 §1)

**215. Signal lamps and devices - additional lighting equipment.**

- (1) Any motor vehicle may be equipped, and when required under this Traffic Code shall be equipped, with a stop lamp or lamps on the rear of the vehicle which, except as provided in Section 215.5, shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight, and which shall be actuated upon application of the service (foot) brake, and which may but need not be incorporated with one (1) or more other rear lamps. Such stop lamp or lamps may also be automatically actuated by a mechanical device when the vehicle is reducing speed or stopping. If two (2) or more stop lamps

are installed on any motor vehicle, any device actuating such lamps shall be so designed and installed that all stop lamps are actuated by such device.

- (2) Any motor vehicle may be equipped, and when required under this Traffic Code shall be equipped, with lamps showing to the front and rear for the purpose of indicating an intention to turn either to the right or to the left. Such lamps showing to the front shall be located on the same level and as widely spaced laterally as practicable and when in use shall display a white or amber light, or any shade of color between white and amber, visible from a distance of not less than one hundred (100) feet to the front in normal sunlight, and the lamps showing to the rear shall be located at the same level and as widely spaced laterally as practicable and, except as provided in Section 215.5, when in use shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight. When actuated, such lamps shall indicate the intended direction of turning by flashing the light showing to the front and rear on the side toward which the turn is made.
- (3) No stop lamp or signal lamp shall project a glaring or dazzling light.
- (4) Any motor vehicle may be equipped with not more than two (2) side cowl or fender lamps which shall emit an amber or white light without glare.
- (5) Any motor vehicle may be equipped with not more than one (1) running board courtesy lamp on each side thereof, which shall emit a white or amber light without glare.
- (6) Any motor vehicle may be equipped with not more than two (2) back-up lamps either separately or in combination with other lamps, but no such back-up lamp shall be lighted when the motor vehicle is in forward motion.
- (7) Any vehicle may be equipped with lamps which may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing and, when so equipped and when the said vehicle is not in motion or is being operated at a speed of twenty-five (25) miles per hour or less and at no other time, may display such warning in addition to any other warning signals required by this Traffic Code. The lamps used to display such warning to the front shall be mounted at the same level and as widely spaced laterally as practicable and, shall display simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable and, except as provided in Section 215.5, shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. These warning lights shall be visible from a distance of not less than five hundred (500) feet under normal atmospheric conditions at night.

- (8) Any vehicle eighty (80) inches or more in overall width may be equipped with not more than three (3) identification lamps showing to the front which shall emit an amber light without glare and not more than three (3) identification lamps showing to the rear which shall emit a red light without glare. Such lamps shall be mounted horizontally. (Ord. 016, 2003 §1)

**215.5 Signal lamps and devices - street rod vehicles and custom motor vehicles.**

- (1) As used in this Section, unless the context otherwise requires:
  - (a) *Blue dot tail light* means a red lamp installed in the rear of a motor vehicle containing a blue or purple insert that is not more than one (1) inch in diameter.
  - (b) *Street rod vehicle* has the same meaning as provided in Section 42-3-114 (3)(b), C.R.S.
- (2) A street rod vehicle or custom motor vehicle may use blue dot taillights for stop lamps, rear turning indicator lamps, rear hazard lamps and rear reflectors. Such lamps shall comply with all requirements provided in this Traffic Code and state statutes other than color requirements. (Ord. 016, 2003 §1)

**216. Multiple-beam road lights.**

- (1) Except as provided in this Traffic Code, the head lamps or the auxiliary driving lamp or the auxiliary passing lamp or combination thereof on motor vehicles, other than motorcycles or low-power scooters, shall be so arranged that the driver may select at will between distributions of light projected to different elevations, and such lamps may, in addition, be so arranged that such selection can be made automatically, subject to the following limitations:
  - (a) There shall be an uppermost distribution of light or composite beam so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty (350) feet ahead for all conditions of loading.
  - (b) There shall be a lowermost distribution of light or composite beam so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead; and on a straight level road under any condition of loading, none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.
- (2) Head lamps arranged to provide a single distribution of light not supplemented by auxiliary driving lamps shall be permitted for low-speed electric vehicles in lieu of multiple-beam road-lighting equipment specified in this Section if the single distribution of light complies with the requirements of Subsection (1)(b) of this Section.

- (3) A new motor vehicle, other than a motorcycle or low-power scooter, that has multiple-beam road-lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the headlamps is in use and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped. (Ord. 016, 2003 §1; Ord. 097, 2009 §6)

**217. Use of multiple-beam lights.**

- (1) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the times specified in Section 204, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:
  - (a) Whenever a driver of a vehicle approaches an oncoming vehicle within five hundred (500) feet, such driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light or composite beam specified in Section 216(1)(b) shall be deemed to avoid glare at all times, regardless of road contour and loading.
  - (b) Whenever the driver of a vehicle follows another vehicle within two hundred (200) feet to the rear, except when engaged in the act of overtaking and passing, such driver shall use a distribution of light permissible under this Title other than the uppermost distribution of light specified in Section 216(1)(a).
  - (c) A low-speed electric vehicle may use the distribution of light authorized in Section 216(2). (Ord. 016, 2003 §1; Ord. 097, 2009 §7)

**218. Single-beam road-lighting equipment.**

- (1) Head lamps arranged to provide a single distribution of light not supplemented by auxiliary driving lamps shall be permitted on motor vehicles manufactured and sold prior to July 15, 1936, in lieu of multiple-beam road-lighting equipment specified in Section 216 if the single distribution of light complies with the following requirements and limitations:
  - (a) The head lamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall, at a distance of twenty-five (25) feet ahead, project higher than a level of five (5) inches below the level of the center of the lamp from which it comes and in no case higher than forty-two (42) inches above the level on which the vehicle stands at a distance of seventy-five (75) feet ahead.

- (b) The intensity shall be sufficient to reveal persons and vehicles at a distance of at least two hundred (200) feet. (Ord. 016, 2003 §1)

**219. Number of lamps permitted.**

Whenever a motor vehicle equipped with head lamps as required in this Traffic Code is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of an intensity greater than three hundred (300) candlepower, not more than a total of four (4) of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway. (Ord. 016, 2003 §1)

**220. Low-power scooters - lighting equipment - department control - use and operation.**

- (1)
  - (a) Every low-power scooter, when in use at the times specified in Section 204, shall be equipped with a lamp on the front that emits a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear, of a type approved by the State Department of Revenue, which shall be visible from all distances from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to the red reflector.
  - (b) No person shall operate a low-power scooter unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred (100) feet; except that a low-power scooter shall not be equipped with nor shall any person use upon a low-power scooter a siren or whistle.
  - (c) A low-power scooter shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.
- (2) Any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps and school bus warning lamps, which projects a beam of light of an intensity greater than three hundred (300) candlepower, shall be so directed that no part of the high-intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five (75) feet from the vehicle.
- (3) This Section shall not be construed to prohibit the use by any vehicle of simultaneously flashing hazard warning lights as provided in Section 215(7).
- (4) No person shall sell or offer for sale, for use upon or as a part of the equipment of a motor vehicle, trailer or semitrailer, or for use upon any such vehicle, any

head lamp, auxiliary or fog lamp, rear lamp, signal lamp or reflector, which reflector is required under this Part 2, or parts of any of the foregoing which tend to change the original design or performance thereof, unless of a type which has been approved by the Colorado Department of Motor Vehicles.

- (5) No person shall have for sale, sell or offer for sale, for use upon or as a part of the equipment of a motor vehicle, trailer or semitrailer, any lamp or device mentioned in this Section unless such lamp or device bears thereon the trademark or name under which it is approved so as to be legible when installed.
- (6) No person shall use upon any motor vehicle, trailer or semitrailer any lamps mentioned in this Section unless said lamps are mounted, adjusted and aimed in accordance with state law. (Ord. 016, 2003 §1; Ord. 085, 2005 §2; Ord. 097, 2009 §8)

## **221. Bicycle and personal mobility device equipment.**

- (1) No other provision of this Part 2 and no provision of Part 3 of this Traffic Code shall apply to a bicycle, electrical assisted bicycle or EPAMD or to equipment for use on a bicycle, electrical assisted bicycle or EPAMD except those provisions in this Traffic Code made specifically applicable to such a vehicle.
- (2) Every bicycle, electrical assisted bicycle or EPAMD in use at the times described in Section 204 shall be equipped with a lamp on the front emitting a white light visible from a distance of at least five hundred (500) feet to the front.
- (3) Every bicycle, electrical assisted bicycle or EPAMD shall be equipped with a red reflector of a type approved by the State Department of Revenue, which shall be visible for six hundred (600) feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle.
- (4) Every bicycle, electrical assisted bicycle or EPAMD when in use at the times described in Section 204 shall be equipped with reflective material of sufficient size and reflectivity to be visible from both sides for six hundred (600) feet when directly in front of lawful lower beams of head lamps on a motor vehicle or, in lieu of such reflective material, with a lighted lamp visible from both sides from a distance of at least five hundred (500) feet.
- (5) A bicycle, electrical assisted bicycle or EPAMD or its rider may be equipped with lights or reflectors in addition to those required by Subsections (2) to (4) of this Section.
- (6) A bicycle or electrical assisted bicycle shall not be equipped with, nor shall any person use upon a bicycle or electrical assisted bicycle, any siren or whistle.

- (7) Every bicycle or electrical assisted bicycle shall be equipped with a brake or brakes that will enable its rider to stop the bicycle or electrical assisted bicycle within twenty-five (25) feet from a speed of ten (10) miles per hour on dry, level, clean pavement.
- (8) A person engaged in the business of selling bicycles or electrical assisted bicycles at retail shall not sell any bicycle or electrical assisted bicycle unless the bicycle or electrical assisted bicycle has an identifying number permanently stamped or cast on its frame. (Ord. 016, 2003 §1; Ord. 097, 2009 §9)

**222. Volunteer firefighters - volunteer ambulance attendants - special lights and alarm systems.**

- (1) All members of volunteer fire departments regularly attached to the fire departments organized within incorporated towns and cities and fire protection districts and all members of a volunteer ambulance service regularly attached to a volunteer ambulance service within an area that the ambulance service would be reasonably expected to serve may have their private automobiles equipped with a signal lamp or a combination of signal lamps capable of displaying flashing, oscillating or rotating red lights visible to the front and rear at five hundred (500) feet in normal sunlight. In addition to the red light, flashing, oscillating or rotating signal lights may be used that emit white or white in combination with red lights. At least one (1) of such signal lamps or combination of signal lamps shall be mounted on the top of the automobile. Said automobiles may be equipped with audible signal systems such as sirens, whistles or bells. Said lights, together with any signal systems authorized by this Section, may be used only when a member of any fire department is responding to or attending a fire alarm or other emergency or when the member of an ambulance service is responding to an emergency requiring the member's services. Neither such lights nor such signals shall be used for any other purpose than those set forth in this Section. If used for any other purpose, such use shall constitute a violation of this Section.
- (2) A fire engine collector or member of a fire department may use the signal system authorized by this Section in a funeral or parade or for other special purposes if the circumstances would not lead a reasonable person to believe that such vehicle is responding to an actual emergency.
- (3) A member of a volunteer fire department or volunteer ambulance service may equip his or her private automobile with the equipment described in Subsection (1) above only after receiving a permit for the equipment from the fire chief or chief executive officer of the ambulance service through which the volunteer serves. (Ord. 016, 2003 §1; Ord. 085, 2005 §3)

## 223. Brakes.

- (1) Brake equipment required:
  - (a) Every motor vehicle, other than a motorcycle, electrical assisted bicycle or low-power scooter, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two (2) separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two (2) wheels. If these two (2) separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one (1) part of the operating mechanism shall not leave the motor vehicle without brakes on at least two (2) wheels.
  - (b) Every motorcycle and low-power scooter, when operated upon a highway, shall be equipped with at least one (1) brake, which may be operated by hand or foot.
  - (c) Every trailer or semi-trailer of a gross weight of three thousand (3,000) pounds or more, when operated upon a highway, shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from the cab, and said brakes shall be so designed and connected that, in case of an accidental breakaway of the towed vehicle, the brakes shall be automatically applied. The provisions of this Paragraph (c) shall not be applicable to any trailer which does not meet the definition of "commercial vehicle" as that term is defined Paragraph 235(1)(a) and which is owned by a farmer when transporting agricultural products produced on the owner's farm or supplies back to the farm of the owner of the trailer, tank trailers not exceeding ten thousand (10,000) pounds gross weight used solely for transporting liquid fertilizer or gaseous fertilizer under pressure, or distributor trailers not exceeding ten thousand (10,000) pounds gross weight used solely for transporting and distributing dry fertilizer when hauled by a truck capable of stopping within the distance specified in Subsection (2) of this Section.
  - (d) Every motor vehicle, trailer or semi-trailer constructed or sold in this state or operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle; except that:
    - (I) Any trailer or semi-trailer of less than three thousand (3,000) pounds gross weight, or any horse trailer of a capacity of two (2) horses or less, or any trailer which does not meet the definition of "commercial vehicle" as that term is defined in Section 235(1)(a) and which is owned by a farmer when transporting agricultural products produced on the owner's farm or supplies back to the farm

of the owner of the trailer, or tank trailers not exceeding ten thousand (10,000) pounds gross weight used solely for transporting liquid fertilizer or gaseous fertilizer under pressure, or distributor trailers not exceeding ten thousand (10,000) pounds gross weight used solely for transporting and distributing dry fertilizer when hauled by a truck capable of stopping with a loaded trailer attached in the distance specified by Subsection (2) of this Section need not be equipped with brakes, and any two-wheel motor vehicle need have brakes on only one (1) wheel.

(II) Any truck or truck tractor manufactured before July 25, 1980, and having three (3) or more axles, need not have brakes on the wheels of the front or tandem steering axles if the brakes on the other wheels meet the performance requirements of Subsection (2) of this Section.

(III) Every trailer or semi-trailer of three thousand (3,000) pounds or more gross weight must have brakes on all wheels.

(e) Provisions of this Subsection (1) shall not apply to manufactured homes.

(2) Performance ability of brakes:

(a) The service brakes upon any motor vehicle or combination of vehicles shall be adequate to stop such vehicle when traveling twenty (20) miles per hour within a distance of forty (40) feet when upon dry asphalt or concrete pavement surface free from loose material where the grade does not exceed one (1) percent.

(b) Under the conditions stated in Paragraph (a) of this Subsection (2), the hand brakes shall be adequate to stop such vehicle within a distance of fifty-five (55) feet, and said hand brake shall be adequate to hold such vehicle stationary on any grade upon which operated.

(c) Under the conditions stated in Paragraph (a) of this Subsection (2), the service brakes upon a motor vehicle equipped with two-wheel brakes only, when permitted under this Section, shall be adequate to stop the vehicle within a distance of fifty-five (55) feet.

(d) All braking distances specified in this Section shall apply to all vehicles mentioned, whether such vehicles are not loaded or are loaded to the maximum capacity permitted under this Title.

(e) All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as possible with respect to the wheels on opposite sides of the vehicle. (Ord. 016, 2003 §1; Ord. 097, 2009 §10)

## **224. Horns or warning devices.**

- (1) Every motor vehicle, when operated upon a highway, shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound, except as provided in Section 213(1) in the case of authorized emergency vehicles or as provided in Section 222. The driver of a motor vehicle, when reasonably necessary to ensure safe operation, shall give audible warning with the horn but shall not otherwise use such horn when upon a highway.
- (2) No vehicle shall be equipped with nor shall any person use upon a vehicle any audible device except as otherwise permitted in this Section. It is permissible but not required that any vehicle be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as a warning signal unless the alarm device is a required part of the vehicle. Nothing in this Section is meant to preclude the use of audible warning devices that are activated when the vehicle is backing. Any authorized emergency vehicle may be equipped with an audible signal device under Section 213(1), but such device shall not be used except when such vehicle is operated in response to an emergency call or in the actual pursuit of a suspected violator of the law or for other special purposes, including, but not limited to, funerals, parades and the escorting of dignitaries. Such device shall not be used for such special purposes unless the circumstance would not lead a reasonable person to believe that such vehicle is responding to an actual emergency.
- (3) No bicycle, electrical assisted bicycle or low-power scooter shall be equipped with, nor shall any person use upon such a vehicle, a siren or whistle.
- (4) Snowplows and other snow-removal equipment shall display flashing yellow lights meeting the requirements of Section 214 as a warning to drivers when such equipment is in service on the highway.
- (5)
  - (a) When any snowplow or other snow-removal equipment displaying flashing yellow lights is engaged in snow and ice removal or control, drivers of all other vehicles shall exercise more than ordinary care and caution in approaching, overtaking or passing such snowplow.
  - (b) The driver of a snowplow, while engaged in the removal or control of snow and ice on any highway open to traffic and while displaying the required flashing yellow warning lights as provided by Section 214, shall not be charged with any violation of the provisions of this Traffic Code relating to parking or standing, turning, backing or yielding the right-of-way. These exemptions shall not relieve the driver of a snowplow from the duty to drive with due regard for the safety of all persons, nor shall

these exemptions protect the driver of a snowplow from the consequences of a reckless or careless disregard for the safety of others. (Ord. 016, 2003 §1; Ord. 085, 2005 §4; Ord. 097, 2009 §11)

**225. Mufflers - prevention of noise.**

- (1) Every motor vehicle subject to registration and operated on a highway shall at all times be equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise. No person shall operate a motor vehicle that is equipped with a straight pipe exhaust system, a cut-off, bypass or similar device. No person shall modify the exhaust system of a motor vehicle in a manner which will amplify or increase the noise emitted by the motor of such vehicle above that emitted by the muffler originally installed on the vehicle, and such original muffler shall comply with all of the requirements of this Section.
- (2) Any commercial vehicle, as defined in Section 42-4-235, C.R.S., subject to registration and operated on a highway, that is equipped with an engine compression brake device is required to have a muffler.
- (3) For the purposes of this Section, *muffler* shall mean 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 effective in reducing noise. *Straight pipe exhaust system* shall mean any straight muffler that does not contain baffles, including but not limited to glass packs, steel packs and straight pipes.
- (4) This Section shall not apply to electric motor vehicles. (Ord. 016, 2003 §1; Ord. 032, 2004)

**226. Mirrors - exterior placements.**

- (1) Every motor vehicle shall be equipped with a mirror or mirrors so located and so constructed as to reflect to the driver a free and unobstructed view of the highway for a distance of at least two hundred (200) feet to the rear of such vehicle.
- (2) Whenever any motor vehicle is not equipped with a rear window and rear side windows or has a rear window and rear side windows composed of, covered by or treated with any material or component that, when viewed from the position of the driver, obstructs the rear view of the driver or makes such window or windows nontransparent, or whenever any motor vehicle is towing another vehicle or trailer or carrying any load or cargo or object that obstructs the rear view of the driver, such vehicle shall be equipped with an exterior mirror on each side so located with respect to the position of the driver as to comply with

the visual requirement of Subsection (1) of this Section. (Ord. 016, 2003 §1; Ord. 097, 2009 §12)

**227. Windows unobstructed - certain materials prohibited - windshield wiper requirements.**

- (1) (a) Except as provided in this Paragraph (a), no person shall operate any motor vehicle registered in Colorado on which any window, except the windshield, is composed of, covered by or treated with any material or component which presents an opaque, nontransparent, metallic or mirrored appearance in such a way that it allows less than twenty-seven (27) percent light transmittance. The windshield shall allow seventy (70) percent light transmittance. The provisions of this Paragraph (a) shall not apply to the windows to the rear of the driver, including the rear window, on any motor vehicle; however, if such windows allow less than twenty-seven (27) percent light transmittance, then the front side windows and the windshield on such vehicles shall allow seventy (70) percent light transmittance.
- (b) Notwithstanding any provision of Paragraph (a) of this Subsection (1), nontransparent material may be applied, installed or affixed to the topmost portion of the windshield subject to the following:
  - (I) The bottom edge of the material extends no more than four (4) inches measured from the top of the windshield down;
  - (II) The material is not red or amber in color, nor does it affect perception of primary colors or otherwise distort vision or contain lettering that distorts or obstructs vision;
  - (III) The material does not reflect sunlight or headlight glare into the eyes of occupants of oncoming or preceding vehicles to any greater extent than the windshield without the material.
- (c) Nothing in this Subsection (1) shall be construed to prevent the use of any window which is composed of, covered by or treated with any material or component in a manner approved by federal statute or regulation if such window was included as a component part of a vehicle at the time of the vehicle manufacture, or the replacement of any such window by such covering which meets such guidelines.
- (d) No material shall be used on any window in the motor vehicle that presents a metallic or mirrored appearance.
- (e) Nothing in this Subsection (1) shall be construed to deny or prevent the use of certificates or other papers which do not obstruct the view of the driver and which may be required by law to be displayed.

- (2) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle. Every windshield wiper upon a motor vehicle shall be maintained in good working order.
- (3) (a) Except as provided in Paragraph (b) of this Subsection (3), any person who violates any provision of this Section shall be punished in accordance with Section 1-15 of the City Code.
  - (b) (I) Any person who installs, covers or treats a windshield or window so that the windshield or window does not meet the requirements of Paragraph (a) of Subsection (1) of this Section shall be punished in accordance with Section 1-15 of the City Code.
  - (II) Subsection (1)(a) through (e) of this Section shall not apply to law enforcement vehicles, police officers, peace officers or other law enforcement officers operating a motor vehicle while in the performance of their official duties.
- (4) This Section shall apply to all motor vehicles, except that Subsection (2) of this Section shall not apply to low-speed electric vehicles. (Ord. 016, 2003 §1; Ord. 031, 2004 §§1, 2; Ord. 097, 2009 §13)

**228. Restrictions on tire equipment.**

- (1) Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one (1) inch thick above the edge of the flange of the entire periphery.
- (2) No person shall operate or move on any highway any motor vehicle, trailer or semi-trailer having any metal tire in contact with the roadway, and it is unlawful to operate upon the highways of this State any motor vehicle, trailer or semi-trailer equipped with solid rubber tires.
- (3) No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat or spike or any other protuberances of any material other than rubber which projects beyond the tread on the traction surface of the tire; except that, on single-tired passenger vehicles and on other single-tired vehicles with rated capacities up to and including three-fourths ( $\frac{3}{4}$ ) ton, it shall be permissible to use tires containing studs or other protuberances which do not project more than one-sixteenth ( $\frac{1}{16}$ ) of an inch beyond the tread of the traction surface of the tire; and except that it shall be permissible to use farm machinery with tires having protuberances which will not injure the highway; and except also that it shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to skid.

- (4) The City Traffic Engineer, in his or her discretion, may issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this Traffic Code.
- (5)
  - (a) No person shall drive or move a motor vehicle on any highway unless such vehicle is equipped with tires in safe operating condition in accordance with this Subsection (5) and any supplemental rules and regulations promulgated by the Executive Director of the State Department of Revenue.
  - (b) A tire shall be considered unsafe if it has:
    - (I) Any bump, bulge or knot affecting the tire structure;
    - (II) A break which exposes a tire body cord or is repaired with a boot or patch;
    - (III) A tread depth of less than two thirty-seconds ( $\frac{2}{32}$ ) of an inch measured in any two (2) tread grooves at three (3) locations equally spaced around the circumference of the tire, or, on those tires with tread wear indicators, a tire shall be considered unsafe if it is worn to the point that the tread wear indicators contact the road in any two-tread grooves at three (3) locations equally spaced around the circumference of the tire; except that this Subparagraph (III) shall not apply to tires on a commercial vehicle as such term is defined in Section 235(1); or
    - (IV) Such other conditions as may be reasonably demonstrated to render it unsafe.
- (6) No passenger car tire shall be used on any motor vehicle which is driven or moved on any highway if such tire was designed or manufactured for nonhighway use.
- (7) No person shall destroy, alter or deface any marking on a new or usable tire which indicates whether the tire has been manufactured for highway or nonhighway use.
- (8) No person shall sell any motor vehicle for highway use unless the vehicle is equipped with tires that are in compliance with Subsections (5) and (6) of this Section and any rules of safe operating condition promulgated by the State Department of Revenue. (Ord. 016, 2003 §1)

**229. Safety glazing material in motor vehicles.**

- (1) No person shall sell any new motor vehicle, nor shall any new motor vehicle be registered, unless such vehicle is equipped with safety glazing material of a type approved by the State Department of Revenue for any required front windshield and wherever glazing material is used in doors and windows of said motor vehicle. This Section shall apply to all passenger-type motor vehicles, including passenger buses and school buses, but, in respect to camper coaches and trucks, including truck tractors, the requirements as to safety glazing material shall apply only to all glazing material used in required front windshields and that used in doors and windows in the drivers' compartments and such other compartments as are lawfully occupied by passengers in said vehicles.
- (2) The term *safety glazing materials* means such glazing materials as will reduce substantially, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from exterior sources or by these safety glazing materials when they may be cracked or broken.
- (3) The State Department of Revenue shall compile and publish a list of types of glazing material by name approved by it as meeting the requirements of this Section, and the State Department of Revenue shall not, after January 1, 1958, register any motor vehicle which is subject to the provisions of this Section unless it is equipped with an approved type of safety glazing material. The State Department of Revenue shall suspend the registration of any motor vehicle subject to this Section which is found to be not so equipped until it is made to conform to the requirements of this Section.
- (4) No person shall operate a motor vehicle on any highway within this State unless such vehicle is equipped with a front windshield of an approved type as provided in this Section, except as provided in Section 232(1) and except for motor vehicles registered as collectors' items under Section 42-3-138, C.R.S. (Ord. 016, 2003 §1)

**230. Emergency lighting equipment - who must carry.**

- (1) No motor vehicle carrying a truck license and weighing six thousand (6,000) pounds or more and no passenger bus shall be operated over the highways of this State at any time without carrying in an accessible place inside or on the outside of the vehicle three (3) bi-directional emergency reflective triangles of a type approved by the State Department of Revenue, but the use of such equipment is not required in local governments where there are street lights within not more than one hundred (100) feet.
- (2) Whenever a motor vehicle referred to in Subsection (1) of this Section is stopped upon the traveled portion of a highway or the shoulder of a highway

for any cause other than necessary traffic stops, the driver of the stopped motor vehicle shall immediately activate the vehicular hazard warning signal flashers and continue the flashing until the driver places the bi-directional emergency reflective triangles as directed in Subsection (3) of this Section.

- (3) Except as provided in Subsection (2) of this Section, whenever a motor vehicle referred to in Subsection (1) of this Section is stopped upon the traveled portion of a highway or the shoulder of a highway for any cause other than necessary traffic stops, the driver shall, as soon as possible, but in any event within ten (10) minutes, place the bi-directional emergency reflective triangles in the following manner:
  - (a) One (1) at the traffic side of the stopped vehicle, within ten (10) feet of the front or rear of the vehicle;
  - (b) One (1) at a distance of approximately one hundred (100) feet from the stopped vehicle in the center of the traffic lane or shoulder occupied by the vehicle and in the direction toward traffic approaching in that lane; and
  - (c) One (1) at a distance of approximately one hundred (100) feet from the stopped vehicle in the opposite direction from those placed in accordance with Paragraphs (a) and (b) of this Subsection (3) in the center of the traffic lane or shoulder occupied by the vehicle; or
  - (d) If the vehicle is stopped within five hundred (500) feet of a curve, crest of a hill or other obstruction to view, the driver shall place the emergency equipment required by this Subsection (3) in the direction of the obstruction to view at a distance of one hundred (100) feet to five hundred (500) feet from the stopped vehicle so as to afford ample warning to other users of the highway; or
  - (e) If the vehicle is stopped upon the traveled portion or the shoulder of a divided or one-way highway, the driver shall place the emergency equipment required by this Subsection (3), one (1) at a distance of two hundred (200) feet and one (1) at a distance of one hundred (100) feet in a direction toward approaching traffic in the center of the lane or shoulder occupied by the vehicle, and one (1) at the traffic side of the vehicle within ten (10) feet of the rear of the vehicle.
- (4) No motor vehicle operating as a wrecking car at the scene of an accident shall move or attempt to move any wrecked vehicle without first complying with those sections of the law concerning emergency lighting. (Ord. 016, 2003 §1)

**231. Parking lights.**

When lighted lamps are required by Section 204, no vehicle shall be driven upon a highway with the parking lights lighted except when the lights are being used as signal lamps and except when the headlamps are lighted at the same time. Parking lights are those lights permitted by Section 215 and any other lights mounted on the front of the vehicle, designed to be displayed primarily when the vehicle is parked. (Ord. 016, 2003 §1)

**232. Minimum safety standards for motorcycles and low-power scooters.**

- (1) No person shall operate any motorcycle or low-power scooter on any public highway in this State unless such person and any passenger thereon is wearing goggles or eyeglasses with lenses made of safety glass or plastic, except that this Subsection (1) shall not apply to a person wearing a helmet containing eye protection made of safety glass or plastic.
- (2) Any motorcycle or low-power scooter carrying a passenger, other than in a sidecar or enclosed cab, shall be equipped with footrests for such passengers. (Ord. 016, 2003 §1; Ord. 097, 2009 §14)

**233. Alteration of suspension system.**

- (1) No person shall operate a motor vehicle of a type required to be registered under the laws of this State upon a public highway with either the rear or front suspension system altered or changed from the manufacturer's original design except in accordance with specifications permitting such alteration established by the State Department of Revenue. Nothing contained in this Section shall prevent the installation of manufactured heavy duty equipment to include shock absorbers and overload springs, nor shall anything contained in this Section prevent a person from operating a motor vehicle on a public highway with normal wear of the suspension system if normal wear shall not affect the control of the vehicle.
- (2) This Section shall not apply to motor vehicles designed or modified primarily for off-highway racing purposes, and such motor vehicles may be lawfully towed on the highways of this State. (Ord. 016, 2003 §1)

**234. Slow-moving vehicles - display of emblem.**

- (1) (a) All machinery, equipment and vehicles, except bicycles, electrical assisted bicycles and other human-powered vehicles, designed to operate or normally operated at a speed of less than twenty-five (25) miles per hour on a public highway shall display a triangular slow-moving vehicle emblem on the rear.

- (b) Bicycles, electrical assisted bicycles and other human-powered vehicles and neighborhood electric vehicles shall be permitted but not required to display the emblem specified in this Subsection (1).
- (2) The Executive Director of the State Department of Revenue shall adopt standards and specifications for such emblem, position of the mounting thereof and requirements for certification of conformance with the standards and specifications adopted by the American Society of Agricultural Engineers concerning such emblems. The requirements of such emblem shall be in addition to any lighting device required by law.
- (3) The use of the emblem required under this Section shall be restricted to the use specified in Subsection (1) of this Section, and its use on any other type of vehicle or stationary object shall be prohibited. (Ord. 016, 2003 §1; Ord. 097, 2009 §15)

**235. Minimum standards for commercial vehicles.**

- (1) As used in this Section, unless the context otherwise requires:
  - (a) *Commercial vehicle* means any self-propelled or towed vehicle bearing an apportioned plate or having a manufacturer's gross vehicle weight ratio or gross combination rating of ten thousand one (10,001) pounds or more, which vehicle is used in commerce on the public highways of this State or is designed to transport sixteen (16) or more passengers, including the driver, unless such vehicle is a school bus regulated by Section 1904 of this Traffic Code, or any vehicle that does not have a gross vehicle weight rating of twenty-six thousand one (26,001) or more pounds and that is owned or operated by a school district so long as such school district does not receive remuneration for the use of such vehicle, not including reimbursement for the use of such vehicle; and
  - (b) Any motor vehicle designed or equipped to transport other motor vehicles from place to place by means of winches cables, pulleys or other equipment for towing, pulling or lifting, when such motor vehicle is used in commerce on the public highways of this State.
  - (c) *Department* means the Department of Public Safety.
  - (d) *Motor carrier* means every person, lessee, receiver or trustee appointed by any court whatsoever owning, controlling, operating or managing any commercial vehicle.
- (2) No person shall operate a commercial vehicle on any public highway unless such vehicle is in compliance with the rules and regulations adopted by the Department. Any person who violates a rule or regulation promulgated by the Department commits a traffic offense. (Ord. 016, 2003 §1)

**236. Child restraint systems required - definitions - exemptions.**

- (1) As used in this Section, unless the context otherwise requires:
  - (a) *Child care center* means a facility required to be licensed under the Child Care Licensing Act, Section 26.6.102(1.5), C.R.S.
  - (b) *Child restraint system* means any device which is designed to protect, hold or restrain a child in a privately owned noncommercial passenger vehicle in such a way as to prevent or minimize injury to the child in the event of a motor vehicle accident and which conforms to all applicable federal motor vehicle safety standards.
  - (c) *Safety belt* means a lap belt, shoulder belt or any other belt or combination of belts installed in a motor vehicle to restrain drivers and passengers, except any such belt which is physically a part of a child restraint system. *Safety belt* includes the anchorages, buckles and all other equipment directly related to the operation of safety belts.
  - (d) *Seating position* means any motor vehicle interior space intended by the motor vehicle manufacturer to provide seating accommodation while the motor vehicle is in motion.
- (2)
  - (a) Unless exempted pursuant to Subsection (3) of this Section, every child who is under four (4) years of age and weighs under forty (40) pounds, being transported in the City in a privately owned noncommercial passenger vehicle or in a vehicle operated by a child care center, shall be provided with a child restraint system suitable for the child's size and shall be properly fastened into such child restraint system which is in a seating position which is equipped with a safety belt or other means to secure the system according to the manufacturer's instructions.
  - (b) Unless excepted pursuant to Subsection (3) of this Section, every child, who is at least four (4) years of age but less than sixteen (16) years of age or who is less than four (4) years of age and weighs forty (40) pounds or more, being transported in this State in a privately owned noncommercial vehicle or in a vehicle operated by a child care center, shall be provided with a safety belt system and shall be properly fastened into the safety belt system according to the manufacturer's instructions.
  - (c) It is the responsibility of the driver transporting children subject to the requirements of this Section to ensure that such children are provided with and that they properly use a child restraint system or safety belt system.
- (3) Except as provided in Section 42-2-105.5, C.R.S., the requirement of Subsection (2) of this Section shall not apply to a child who:

- (a) Is being transported in a motor vehicle as a result of a medical emergency;
  - (b) Is being transported in a commercial motor vehicle, as defined in Section 42-2-402(4)(a), C.R.S., that is operated by a child care center; or
  - (c) Is the driver of a motor vehicle and is subject to the safety belt requirements provided in Section 237.
- (4) No person shall use a safety belt or child restraint system, whichever is applicable under the provisions of this Section, for children under sixteen (16) years of age in a motor vehicle unless it conforms to all applicable federal motor vehicle safety standards.
  - (5) The fine may be waived if the driver presents the court with satisfactory evidence of the acquisition, purchase or rental of an approved child restraint system by the time of the court appearance.
  - (6) A minor driver who violates this Section shall be punished in accordance with Section 116(5) of this Traffic Code. (Ord. 016, 2003 §1; Ord. 109, 2006 §2)

**237. Safety belt systems - mandatory use - exemptions - penalty.**

- (1) As used in this Section:
  - (a) *Motor vehicle* means a self-propelled vehicle intended primarily for use and operation on the public highways, including passenger cars, station wagons, vans, taxicabs, ambulances, motor homes and pickups. The term does not include motorcycles, low-power scooters, passenger buses, school buses and farm tractors and implements of husbandry designed primarily or exclusively for use in agricultural operations.
  - (b) *Safety belt system* means a system utilizing a lap belt, shoulder belt or any other belt or combination of belts installed in a motor vehicle to restrain drivers and passengers, which system conforms to federal motor vehicle safety standards.
- (2) Unless exempted pursuant to Subsection (3) of this Section, every driver of and every front seat passenger in a motor vehicle equipped with a safety belt system shall wear a fastened safety belt while the motor vehicle is being operated on a street or highway in the City.
- (3) The requirement of Subsection (2) of this Section shall not apply to:
  - (a) A child required by Section 236 to be restrained by a child restraint system;

- (b) A member of an ambulance team, other than the driver, while involved in patient care;
  - (c) A peace officer as defined in Section 16-2.5-101, C.R.S., while performing official duties so long as the performance of said duties is in accordance with rules and regulations applicable to said officer which are at least as restrictive as Subsection (2) of this Section and which only provide exceptions necessary to protect the officer;
  - (d) A person with a physically or psychologically disabling condition whose physical or psychological disability prevents appropriate restraint by a safety belt system if such person possesses a written statement by a physician certifying the condition, as well as stating the reason why such restraint is inappropriate;
  - (e) A person driving or riding in a motor vehicle not equipped with a safety belt system due to the fact that federal law does not require such vehicle to be equipped with a safety belt system;
  - (f) A rural letter carrier of the United States postal service while performing duties as a rural letter carrier; and
  - (g) A person operating a motor vehicle which does not meet the definition of *commercial vehicle* as that term is defined in Section 235(1)(a) for commercial or residential delivery or pickup service; except that such person shall be required to wear a fastened safety belt during the time period prior to the first delivery or pickup of the day and during the time period following the last delivery or pickup of the day.
- (4) Any person who operates a motor vehicle while such person or any passenger is in violation of the requirement of Subsection (2) of this Section commits a traffic violation.
  - (5) No driver in a motor vehicle shall be cited for a violation of Subsection (2) of this Section unless such driver was stopped by a law enforcement officer for an alleged violation of this Traffic Code or state law other than a violation of this Section.
  - (6) Testimony at a trial for a violation charged pursuant to Subsection (4) of this Section may include:
    - (a) Testimony by a law enforcement officer that the officer observed the person charged operating a motor vehicle while said operator or any passenger was in violation of the requirement of Subsection (2) of this Section; or

- (b) Evidence that the driver removed the safety belts or knowingly drove a vehicle from which the safety belts had been removed.
- (7) A minor driver who violates this Section shall be punished in accordance with Section 116(5) of this Traffic Code. (Ord. 016, 2003 §1; Ord. 113, 2004 §1; Ord. 109, 2006 §3; Ord. 097, 2009 §16)

**238. Red and blue lights – illegal use and possession.**

- (1) A person shall not be in actual physical control of a vehicle, except an authorized emergency vehicle as defined in Section 42-1-102(6), C.R.S., that the person knows contains a lamp or device that is designed to display, or that is capable of displaying if affixed or attached to the vehicle, a red or blue light visible directly in front of the center of the vehicle.
- (2) It shall be an affirmative defense that the defendant was:
  - (a) A peace officer as described in Section 16-2.5-101, C.R.S.;
  - (b) In actual physical control of a vehicle expressly authorized by a chief of police or sheriff to contain a lamp or device that is designed to display, or that is capable of displaying if affixed or attached to the vehicle, a red or blue light visible from directly in front of the center of the vehicle;
  - (c) A member of a volunteer fire department or a volunteer ambulance service who possesses a permit from the fire chief of the fire department or chief executive officer of the ambulance service through which the volunteer serves to operate a vehicle pursuant to Section 42-4-222(1)(b), C.R.S.;
  - (d) A vendor who exhibits, sells or offers for sale a lamp or device designed to display, or that is capable of displaying, if affixed or attached to the vehicle, a red or blue light; or
  - (e) A collector of fire engines, fire suppression vehicles or ambulances and the vehicle to which the red or blue lamps were affixed is valued for the vehicle's historical interest or as a collector's item.
- (3) A violation of this Section is a class 1 misdemeanor. (Ord. 085, 2005 §6)

**239. Misuse of wireless telephones – definitions.**

- (1) As used in this Section, unless the context otherwise requires:
  - (a) *Emergency* shall mean a situation in which a person:

- (I) Has reason to fear for such person's life or safety, or believes that a criminal act may be perpetrated against such person or another person requiring the use of a wireless telephone while the car is moving; or
  - (II) Reports a fire, a traffic accident in which one (1) or more injuries are apparent, a serious road hazard, a medical or hazardous materials emergency or a person who is driving in a reckless, careless or otherwise unsafe manner.
- (b) *Operating a motor vehicle* shall mean driving a motor vehicle on a public highway, but *operating a motor vehicle* shall not mean maintaining the instrument of control while the motor vehicle is at rest in a shoulder lane or lawfully parked.
  - (c) *Use* shall mean talking on or listening to a wireless telephone or engaging the wireless telephone for text messaging or other similar forms of manual data entry or transmission.
  - (d) *Wireless telephone* shall mean a telephone that operates without a physical, wireline connection to the provider's equipment. The term includes, without limitation, cellular and mobile telephones.
- (2) No person under eighteen (18) years of age shall use a wireless telephone while operating a motor vehicle.
  - (3) No person eighteen (18) years of age or older shall use a wireless telephone for the purpose of engaging in text messaging or other similar forms of manual data entry or transmission while operating a motor vehicle.
  - (4) Subsection (2) or (3) of this Section shall not apply to a person who is using the wireless telephone:
    - (a) to contact a public safety entity; or
    - (b) during an emergency.
  - (5) (a) A person who operates a motor vehicle in violation of Subsection (2) or (3) of this Section commits a traffic infraction defined in Section 1-15 of the City Code, and the court shall assess a minimum fine of fifty dollars (\$50).
    - (b) The court shall assess a fine of one hundred dollars (\$100) upon a second or subsequent violation of Subsection (2) or (3) of this Section.
  - (6) (a) An operator of a motor vehicle shall not be cited for a violation of Subsection (2) of this Section unless the operator was under eighteen

(18) years of age and a law enforcement officer saw the operator use a wireless telephone.

- (b) An operator of a motor vehicle shall not be cited for a violation of Subsection (3) of this Section unless the operator was eighteen (18) years of age or older and a law enforcement officer saw the operator use a wireless telephone for the purpose of engaging in text messaging or other similar forms of manual data entry or transmission.
- (7) The provisions of this Section shall not be construed to authorize the seizure and forfeiture of a wireless telephone, unless otherwise provided by law.
- (8) This Section does not restrict operation of an amateur radio station by a person who holds a valid amateur radio operator license issued by the Federal Communications Commission. (Ord. 085, 2005 §7; Ord. 097, 2009 §17)

**240. License plates.**

- (1) License plates assigned to a self-propelled vehicle other than a motorcycle or street rod vehicle shall be attached thereto, one (1) in the front and the other in the rear. The number plate assigned to a motorcycle, street rod vehicle, trailer or semi-trailer, any other vehicle drawn by a motor vehicle or any item of mobile machinery or self-propelled construction equipment shall be attached to the rear thereof.
- (2) License plates shall be displayed showing the current registration month and year.
- (3) Every license plate shall at all times be securely fastened to the vehicle to which it is assigned, so as to prevent the plate from swinging, and shall be horizontal at a height not less than twelve (12) inches from the ground measuring from the bottom of such plate, in a place and position clearly visible from a distance of fifty (50) feet away, and shall be maintained free from foreign materials and in a condition to be clearly legible.
- (4) A person shall not operate a motor vehicle with an affixed device or a substance that causes all or a portion of a license plate to be unreadable by a system used to automatically identify a motor vehicle. Such a device includes, but is not limited to, a cover that distorts angular visibility, alters the color of the plate or is smoked, scratched or dirty so as to impair the legibility of the license plate. (Ord. 113, 2004 §2; Ord. 051, 2005 §1; Ord. 085, 2005 §5; Ord. 109, 2006 §4; Ord. 097, 2009 §18)