

PART 5 - SIZE - WEIGHT - LOAD

501. Size and weight violations - penalty.

- (1) Except as provided in Section 509, 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 vehicles of a size or weight exceeding the limitations stated in Sections 502 to 512 or otherwise in violation of said Sections or Section 1407, except as permitted in Section 510. The maximum size and weight of vehicles specified in said Sections shall be lawful throughout this State, and local authorities shall have no power or authority to alter said limitations, except as express authority may be granted in Section 42-4-106, C.R.S.
- (2) The provisions of this Article governing size, weight and load shall not apply to fire apparatus, authorized emergency vehicles, public transportation vehicles operated by the City or other political subdivision of the State, mobile machinery, self-propelled construction equipment, to implements of husbandry temporarily moved upon a street or highway, or to a vehicle operated under the terms of a special permit issued as provided in Section 510 and 511. (Ord. 016, 2003 §1)

502. Width of vehicles.

- (1) The total outside width of any vehicle or the load thereon shall not exceed eight (8) feet six (6) inches, except as otherwise provided in this Section.
- (2)
 - (a) A load of loose hay, including loosely bound, round bales, whether horse-drawn or by motor, shall not exceed twelve (12) feet in width.
 - (b) A vehicle and trailer may transport a load of rectangular hay bales if such vehicle and load do not exceed ten (10) feet six (6) inches in width.
- (3) The total outside width of buses and coaches used for the transportation of passengers shall not exceed eight (8) feet six (6) inches.
- (4) The total outside width of vehicles as included in this Section shall not be construed so as to prohibit the projection beyond such width of clearance lights, rearview mirrors or other accessories required by federal, state or city laws or regulations.
- (5) The width requirements imposed by Subsection (1) shall not include appurtenances on recreational vehicles, including but not limited to motor homes, travel trailers, fifth wheel trailers, camping trailers, recreational park trailers and truck campers as defined in Section 24-32-902, C.R.S., so long as such recreational vehicle, including such appurtenances, does not exceed a total outside width of nine (9) feet six (6) inches.

- (a) *Appurtenance* means a piece of equipment that is affixed or attached to a motor vehicle or trailer and is used for a specific purpose or task, including awnings, support hardware and extractable equipment. *Appurtenance* does not include any item or equipment that is temporarily affixed or attached to the exterior of a motor vehicle for the purpose of transporting such vehicle. (Ord. 016, 2003 §1)

503. Projecting loads on vehicles.

- (1) No passenger type vehicle, except a motorcycle, motor-driven cycle or bicycle, shall be operated on any highway with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six (6) inches beyond the line of the fenders on the right side thereof.
- (2) The load upon any vehicle operated alone or the load upon the front vehicle of a combination of vehicles shall not extend beyond the front wheels of such vehicles or vehicle or the front most point of the grill of such vehicle; but a load may project not more than four (4) feet beyond the front most point of the grill assembly of the vehicle engine compartment of such a vehicle at a point above the cab of the driver's compartment so long as that part of any load projecting ahead of the rear of the cab or driver's compartment shall be so loaded as not to obscure the vision of the driver to the front or to either side.
- (3) It is unlawful for any person to operate a vehicle or a motor vehicle which has attached thereto in any manner any chain, rope, wire or other equipment which drags, swings or projects in any manner so as to endanger the person or property of another. (Ord. 016, 2003 §1)

504. Height and length of vehicles.

- (1) No vehicle unladen or with load shall exceed a height of thirteen (13) feet; except that vehicles with a height of fourteen (14) feet six (6) inches shall be operated only on highways designated by the Colorado Department of Transportation.
- (2) No single motor vehicle shall exceed a length of forty-five (45) feet extreme overall dimension, inclusive of front and rear bumpers. The length of vehicles used for the mass transportation of passengers wholly within the limits of the City or within a radius of fifteen (15) miles thereof may extend to sixty (60) feet. The length of school buses may extend to forty (40) feet.
- (3) Buses used for the transportation of passengers between towns, cities and municipalities in the state of Colorado may be sixty (60) feet extreme overall length, inclusive of front and rear bumpers but shall not exceed a height of thirteen (13) feet six (6) inches, if such buses are equipped to conform with the

load and weight limitations set forth in Section 508; except that buses with a height of fourteen (14) feet six (6) inches which otherwise conform to the requirements of this Subsection (3) shall be operated only on highways designated by the Colorado Department of Transportation.

- (4) No combination of vehicles coupled together shall consist of more than four (4) units, and no such combination of vehicles shall exceed a total overall length of seventy (70) feet. Said length limitation shall not apply to unladen truck tractor-semi-trailer combinations when the semi-trailer is fifty-seven (57) feet four (4) inches or less in length or to unladen truck tractor-semi-trailer-trailer combinations when both the semi-trailer and the trailer are twenty-eight (28) feet six (6) inches or less in length. Said length limitations shall also not apply to vehicles operated by a public utility when required for emergency repair of public service facilities or properties or when operated under special permit as provided in Section 510, but, in respect to night transportation, every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load. The limitations in this Section shall be strictly construed and enforced.
- (5) Notwithstanding the provisions of Subsection (4) of this Section, the following combinations of vehicles shall not exceed seventy-five (75) feet in total overall length:
 - (a) Saddle-mount combinations consisting of no more than four (4) units;
 - (b) Laden truck tractor semi-trailer combinations; and
 - (c) Specialized equipment used in combination for transporting automobiles or boats. The overall length of such combinations shall be exclusive of:
 - (I) Safety devices; however, such safety devices shall not be designed or used for carrying cargo;
 - (II) Automobiles or boats being transported;
 - (III) Any extension device that may be used for loading beyond the extreme front or rear ends of a vehicle or combination of vehicles; except that the projection of a load, including any extension devices loaded to the front of the vehicle, shall not extend more than four (4) feet beyond the extreme front to the grill of such vehicle and no load or extension device may extend more than six (6) feet to the extreme rear of the vehicle.
- (6) The length limitations of vehicles and combinations of vehicles provided for in this Section as they apply to vehicles being operated and utilized for the transportation of steel, fabricated beams, trusses, utility poles and pipes, shall

be determined without regard to the projection of said commodities beyond the extreme front or rear of the vehicle or combination of vehicles; except that the projection of a load to the front shall be governed by the provisions of Section 503, and no load shall project to the rear more than ten (10) feet. (Ord. 016, 2003 §1)

505. Longer vehicle combinations.

- (1) Notwithstanding any other provision of this Traffic Code to the contrary, the Colorado Department of Transportation, in the exercise of its discretion, may issue permits for the use of longer vehicle combinations. An annual permit for such use may be issued to each qualified carrier company. The carrier company shall maintain a copy of such annual permit in each vehicle operating as a longer vehicle combination.
- (2) The permits shall allow operation, over designated highways, of the following vehicle combinations of not more than three (3) cargo units and neither fewer than six (6) axles nor more than nine (9) axles:
 - (a) An unladen truck tractor, a semi-trailer, and two (2) trailers. A semi-trailer used with a converter dolly shall be considered a trailer. Semi-trailers and trailers shall be of approximately equal lengths not to exceed twenty-eight (28) feet six (6) inches in length.
 - (b) A laden truck tractor, semi-trailer and single trailer. A semi-trailer used with a converter dolly shall be considered a trailer. Semi-trailers and trailers shall be of approximately equal lengths not to exceed forty-eight (48) feet in length. Notwithstanding any other restriction set forth in this Section, such combination may have up to eleven (11) axles when used to transport empty trailers.
 - (c) An unladen truck tractor, semi-trailer and single trailer, one (1) trailer of which is not more than forty-eight (48) feet long, the other trailer of which is not more than twenty-eight (28) feet six (6) inches long. A semi-trailer used with a converter dolly shall be considered a trailer. The shorter trailer shall be operated as the rear trailer.
 - (d) A truck and single trailer, having an overall length of not more than eighty-five (85) feet, the truck of which is not more than thirty-five (35) feet long and the trailer of which is not more than forty (40) feet long. For the purposes of this Paragraph (d), a semi-trailer used with a converter dolly shall be considered a trailer.
- (3) The long combinations shall be limited to Interstate Highway 25. The Colorado Department of Transportation shall promulgate rules and regulations

to provide carriers with reasonable ingress to and egress from such designated highway segments. (Ord. 016, 2003 §1)

506. Trailers and towed vehicles.

- (1) When one (1) vehicle is towing another, the drawbar or other connection shall be of sufficient strength to pull all weight towed thereby, and said drawbar or other connection shall not exceed fifteen (15) feet from one (1) vehicle to the other, except the connection between any two (2) vehicles transporting poles, pipe, machinery or other objects of a structural nature which cannot readily be dismembered and except connections between vehicles in which the combined lengths of the vehicles and the connection do not exceed an overall length of fifty-five (55) feet and the connection is of rigid construction included as part of the structural design of the towed vehicle.
- (2) When one (1) vehicle is towing another and the connection consists of a chain, rope or cable, there shall be displayed upon such connection a white flag or cloth not less than twelve (12) inches square.
- (3) Whenever one (1) vehicle is towing another, in addition to the drawbar or other connection, except a fifth wheel connection meeting the requirements of the Colorado Department of Transportation, safety chains or cables arranged in such a way that it will be impossible for the vehicle being towed to break loose from the vehicle towing in the event the drawbar or other connection were to be broken, loosened or otherwise damaged shall be used. This Subsection (3) shall apply to all motor vehicles, to all trailers except semi-trailers connected by a proper fifth wheel, and to any dolly used to convert a semi-trailer to a full trailer. (Ord. 016, 2003 §1)

507. Wheel and axle loads.

- (1) The gross weight upon any wheel of a vehicle shall not exceed the following:
 - (a) When the wheel is equipped with a solid rubber or cushion tire, eight thousand (8,000) pounds;
 - (b) When the wheel is equipped with a pneumatic tire, nine thousand (9,000) pounds.
- (2) The gross weight upon any single axle or tandem axle of a vehicle shall not exceed the following:
 - (a) When the wheels attached to said axle are equipped with solid rubber or cushion tires, sixteen thousand (16,000) pounds;
 - (b) When the wheels attached to a single axle are equipped with pneumatic tires, twenty thousand (20,000) pounds.

- (c) When the wheels attached to a single axle are equipped with pneumatic tires and the vehicle is a digger derrick or bucket boom truck operated by an electric utility on a highway that is not on the interstate system as defined in Section 43-2-101, C.R.S., twenty-one thousand (21,000) pounds;
 - (d) When the wheels attached to a tandem axle are equipped with pneumatic tires, thirty-six thousand (36,000) pounds for highways on the interstate system and forty thousand (40,000) pounds for highways not on the interstate system.
- (3) Vehicles equipped with a self-compactor and used solely for the transporting of trash are exempted from the provisions of Paragraph (b) of Subsection (2) of this Section.
 - (4) For the purposes of this Section:
 - (a) A single axle is defined as all wheels, whose centers may be included within two (2) parallel transverse vertical planes not more than forty (40) inches apart, extending across the full width of the vehicle.
 - (b) A tandem axle is defined as two (2) or more consecutive axles, the centers of which may be included between parallel vertical planes spaced more than forty (40) inches and not more than ninety-six (96) inches apart, extending across the full width of the vehicle.
 - (5) The gross weight upon any one (1) wheel of a steel-tired vehicle shall not exceed five hundred (500) pounds per inch of cross-sectional width of tire. (Ord. 016, 2003 §1)

508. Gross weight of vehicles and loads.

- (1) Except as provided in Subsection (2) of this Section, no vehicle or combination of vehicles shall be moved or operated on any highway or bridge when the gross weight thereof exceeds the limits specified below:
 - (a) (I) The gross weight upon any one (1) axle of a vehicle shall not exceed the limits prescribed in Section 507.
 - (II) Subject to the limitations prescribed in Section 507, the gross weight of a vehicle having two (2) axles shall not exceed thirty-six thousand (36,000) pounds.
 - (III) Subject to the limitations prescribed in Section 507, the gross weight of a single vehicle having three (3) or more axles shall not exceed fifty-four thousand (54,000) pounds.

- (b) Subject to the limitations prescribed in Section 507, the maximum gross weight of any vehicle or combination of vehicles shall not exceed that determined by the formula $W \text{ equals } 1,000 (L \text{ plus } 40)$, W = the gross weight in pounds, L = the length in feet between the centers of the first and last axles of such vehicle or combination of vehicles, but in computation of this formula no gross vehicle weight shall exceed eighty-five thousand (85,000) pounds. For the purposes of this Section, where a combination of vehicles is used, no vehicle shall carry a gross weight of less than ten (10) percent of the overall gross weight of the combination of vehicles; except that these limitations shall not apply to specialized trailers of fixed public utilities whose axles may carry less than ten (10) percent of the weight of the combination. The limitations provided in this Section shall be strictly construed and enforced.
- (c) Notwithstanding any other provisions of this Section, except as may be authorized under Section 510, no vehicle or combination of vehicles shall be moved or operated on any highway or bridge which is part of the national system of interstate and defense highways, also known as the interstate system, when the gross weight of such vehicle or combination of vehicles exceeds the following specified limits:
- (I) Subject to the limitations prescribed in Section 507, the gross weight of a vehicle having two (2) axles shall not exceed thirty-six thousand (36,000) pounds.
- (II) Subject to the limitations prescribed in Section 507, the gross weight of a single vehicle having three (3) or more axles shall not exceed fifty-four thousand (54,000) pounds.
- (III) (A) Subject to the limitations prescribed in Section 507, the maximum gross weight of any vehicle or combination of vehicles shall not exceed that determined by the formula $W = 500 [(LN/N-1) + 12N + 36]$.
- (B) In using the formula in Sub-subparagraph (A) of this Subparagraph (III), W equals overall gross weight on any group of two (2) or more consecutive axles to the nearest five hundred (500) pounds, L equals distance in feet between first and last axles of such vehicle or combination of vehicles, and N equals number of axles; but in computations of this formula no gross vehicle weight shall exceed eighty thousand (80,000) pounds, except as may be authorized under Section 510 or state law.
- (IV) For the purposes of this Subsection (1), where a combination of vehicles is used, no vehicle shall carry a gross weight of less than

ten (10) percent of the overall gross weight of the combination of vehicles; except that this limitation shall not apply to specialized trailers whose specific use is to haul poles and whose axles may carry less than ten (10) percent of the weight of the combination.

- (2) The gross weight limits provided Subsection (1) of this Section are increased by one thousand (1,000) pounds for any vehicle or combination of vehicles that contains an alternative fuel system and operates on alternative fuel or both alternative and conventional fuel. The provisions of this Subsection (2) apply only when the vehicle or combination of vehicles is operated on a highway that is not on the interstate system as defined in Section 43-2-101, C.R.S. For the purposes of this Subsection (2), *alternative fuel* has the same meaning provided in Section 25-7-106.8(1)(a), C.R.S. (Ord. 016, 2003 §1)

509. Vehicles weighed - excess removed.

- (1) Any police or peace officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the same by means of either portable or stationary scales or shall require that such vehicle be driven to the nearest public scales in the event such scales are within five (5) miles.
- (2)
 - (a) Except as provided in Paragraph (b) of this Subsection (2), whenever an officer upon weighing a vehicle and load as provided in Subsection (1) of this Section determines that the weight is unlawful, such officer shall require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under Sections 501 to 512 and 1407. All material so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.
 - (b) Whenever an officer upon weighing a vehicle and load as provided in Subsection (1) of this Section determines that the weight is unlawful and the load consists solely of either explosives or hazardous materials as defined in Section 42-1-102(32), C.R.S., such officer shall permit the driver of such vehicle to proceed to the driver's destination without requiring such person to unload the excess portion of such load.
- (3) No driver of a vehicle shall fail or refuse to stop and submit the vehicle and load to a weighing or fail or refuse when directed by an officer upon a weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this Section.
- (4) No owner or operator of a motor vehicle subject to the provisions of Section 42-8-105, C.R.S., relating to clearance at ports of entry, shall fail or refuse to

obtain valid clearance. Every such owner or operator shall seek out a port of entry to obtain such valid clearance, whether or not such port of entry weigh station is located on the route that the owner or operator is following, unless a valid clearance or a valid special permit from the State Department of Revenue has previously been secured. (Ord. 016, 2003 §1; Ord. 109, 2006 §5)

510. Permits for excess size and weight and for manufactured homes.

- (1) (a) The City Traffic Engineer or the City Engineer and state highway authority with respect to streets and highways under their jurisdiction may, upon application in writing and good cause being shown therefor, issue a single trip, a special or an annual permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this Code or state law or otherwise not in conformity with the provisions of this Code upon any street or highway under its jurisdiction; except that permits for the movement of any manufactured home shall be issued as provided in Subsection (2), of this Section.
 - (b) The application for any permit shall specifically describe the vehicle and load to be operated or moved and the particular highways or streets for which the permit to operate is requested, and whether such permit is for a single trip, a special or an annual operation, and the time of such movement. All local permits shall be issued in the discretion of the City pursuant to ordinances or resolutions adopted in accordance with Section 511. Any ordinances or resolutions of the City shall not conflict with Section 42-4-510, C.R.S.
- (2) In the event of an imminent natural or man-made disaster or emergency, including, but not limited to, rising waters, flood or fire, the owner, owner's representative or agent, occupant or tenant of a manufactured home or the mobile home park owner or manager, lienholder or manufactured home dealer is specifically exempted from the need to obtain a permit pursuant to this Section and may move the endangered manufactured home out of the danger area to a temporary or new permanent location and may move such manufactured home back to its original location without a permit, penalty or fee requirement. Upon any such move to a temporary location as a result of a disaster or emergency, the person making the move or his or her agent or representative shall notify the county assessor in the county to which the manufactured home has been moved, within twenty (20) days after such move, of the date and circumstances pertaining to the move and the temporary or permanent new location of the manufactured home. If the manufactured home is moved to a new permanent location from a temporary location as a result of a disaster or emergency, a permit for such move shall be issued but no fee shall be assessed.

- (3) The Colorado Department of Transportation or the Colorado State Patrol and the City are authorized to issue or withhold a permit, as provided in this Section, and, if such permit is issued, to limit the number of trips, to establish seasonal or other time limitations within which the vehicles described may be operated on the highways indicated, or otherwise to limit or prescribe conditions of operation of such vehicles, when necessary to protect the safety of highway users, to protect the efficient movement of traffic from unreasonable interference, or to protect the highways from undue damage to the road foundations, surfaces or structures, and may require such undertaking or other security as may be deemed necessary to compensate for any injury to any highway or highway structure.
- (4) Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting such permit, and no person shall violate any of the terms or conditions of such special permit.
- (5) No vehicle having a permit under this Section shall be remodeled, rebuilt, altered or changed except in such a way as to conform to those specifications and limitations established in Sections 501 to 507 and 1407 or state law.
- (6) Any person who has obtained a valid permit for the movement of any oversize vehicle or load may attach to such vehicle or load or to any vehicle accompanying the same not more than three (3) illuminated flashing yellow signals as warning devices.
- (7) No permit shall be necessary for the operation of authorized emergency vehicles, public transportation vehicles operated by municipalities or other political subdivisions of the state, county road maintenance and county road construction equipment temporarily moved upon the highway, implements of husbandry, and farm tractors temporarily moved upon the highway, including transportation of such tractors or implements by a person dealing therein to his or her place of business within the state or to the premises of a purchaser or prospective purchaser within the state; nor shall such vehicles or equipment be subject to the size and weight provisions of this Part 5.
- (8) The City may impose a fee, in addition to but not to exceed the amounts required in Section 42-4-510 (11), C.R.S., as provided by ordinance or resolution; and, in the case of a permit under Section 42-4-510(11)(a)(IV), C.R.S., the amount of the fee shall not exceed the actual cost of the extraordinary action.
- (9) (a) Any person holding a permit issued pursuant to this Section or any person operating a vehicle pursuant to such permit who violates any provision of this Section, any ordinance or resolution of the City or any standards or rules or regulations promulgated pursuant to Section 42-4-

510, C.R.S., by the Colorado Department of Transportation except the provisions of Section 42-4-510(2)(b)(IV), C.R.S., commits a traffic offense.

- (b) The City with regard to a local permit may, after a hearing under Section 24-4-105, C.R.S., revoke, suspend, refuse to renew or refuse to issue any permit authorized by this Section upon a finding that the holder of the permit has violated the provisions of this Section, any ordinance or resolution of the City or any standards or rules or regulations promulgated pursuant to this Section. (Ord. 016, 2003 §1)

511. Permit standards - local.

- (1) Any permits which may be required by the City shall be issued in accordance with ordinances and resolutions adopted by the elected governing body after a public hearing at which testimony is received from affected motor vehicle owners and operators. Notice of such public hearing shall be published in a newspaper having general circulation within the City's jurisdiction. Such notice shall not be less than eight (8) days prior to the date of hearing. The publication shall not be placed in that portion of the newspaper in which legal notices or classified advertisements appear. Such notice shall state the purpose of the hearing, the time and place of the hearing, and that the general public, including motor vehicle owners and operators to be affected, may attend and make oral or written comments regarding the proposed ordinance or resolution. Notice of any subsequent hearing shall be published in the same manner as for the original hearing.
- (2) At least thirty (30) days prior to such public hearing, the City shall transmit a copy of the proposed ordinance or resolution to the Colorado Department of Transportation for its comments, and said department shall make such comments in writing to the City prior to such public hearing.
- (3) When the City adopts or has adopted an ordinance or resolution governing permits for the movement of oversize or overweight vehicles or loads shall file a copy of such resolution with the Colorado Department of Transportation and the Motor Carrier Services Division of the Colorado Department of Revenue. (Ord. 016, 2003 §1)

512. Liability for damage to highway.

- (1) No person shall drive, operate or move upon or over any street, highway or highway structure any vehicle, object or contrivance in such a manner so as to cause damage to said street, highway or highway structure. When the damage sustained to said street, highway or highway structure is the result of the operating, driving or moving of such vehicle, object or contrivance weighing in excess of the maximum weight authorized by Sections 501 to 512 and 1407, it

shall be no defense to any action, either civil or criminal, brought against such person that the weight of the vehicle was authorized by special permit issued in accordance with Sections 501 to 512 and 1407.

- (2) Every person violating the provisions of Subsection (1) of this Section shall be liable for all damage which said street, highway or highway structure may sustain as a result thereof. Whenever the driver of such vehicle, object or contrivance is not the owner thereof but is operating, driving or moving such vehicle, object or contrivance with the express or implied consent of the owner thereof, then said owner or driver shall be jointly and severally liable for any such damage. The liability for damage sustained by any such street, highway or highway structure may be enforced by a civil action by the authorities in control of such street, highway or highway structure. No satisfaction of such civil liability, however, shall be deemed to be a release or satisfaction of any criminal liability for violation of the provisions of Subsection (1) of this Section. (Ord. 016, 2003 §1)

513. Who may restrict right to use of streets and highways.

- (1) The City, with respect to streets and highways under its jurisdiction, may prohibit the operation of vehicles upon any such street or highway or impose restrictions as to the weight of vehicles to be operated upon any such street or highway, whenever any of said street or highway by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced.
- (2) After enacting any such ordinance, signs designating the permissible weights shall be erected and maintained.
- (3) The City, with respect to streets and highways under its jurisdiction, may prohibit the operation of trucks or other commercial vehicles on designated streets and highways or may impose limitations as to the weight thereof, which prohibitions and limitations shall be designated by appropriate signs placed on such highways. (Ord. 016, 2003 §1)

514. Hazardous materials transport - deviation from authorized route - penalty.

- (1) No person shall transport hazardous materials by motor vehicle contrary to any route designation approved by the Chief of Police or State Patrol unless such action is necessary to service a motor vehicle or to make a local pickup or delivery of hazardous materials or unless such action is required by emergency conditions which would make continued use of authorized routes unsafe or by the closure of an authorized route and, in such circumstances, the motor vehicle shall remain on authorized routes whenever possible and shall minimize the distance traveled on restricted routes. A person transporting

hazardous materials by motor vehicle may make successive local pickups and deliveries without returning to the authorized route between each pickup or delivery when such return would be unreasonable. A person transporting hazardous materials shall not utilize residential streets unless there is no other reasonable route available to reach the destination and the person has obtained an exemption permit pursuant to Section 11-5 of the City Code.

- (2) Any person who transports hazardous materials by motor vehicle in a manner inconsistent with the provisions of Subsection (1) of this Section commits a misdemeanor traffic offense and shall be assessed a penalty of two hundred fifty dollars (\$250) for each separate violation. A person who commits a second or subsequent violation within a twelve-month period of transporting hazardous materials by motor vehicle in a manner inconsistent with the provisions of Subsection (1) of this Section commits a misdemeanor traffic offense and shall be issued a summons and complaint, and upon conviction thereof, shall be punished by a fine of not less than two hundred fifty dollars (\$250) nor more than five hundred dollars (\$500).
- (3) For the purposes of this Section, *hazardous materials* means those materials as defined in Section 42-20-103(3), C.R.S. (Ord. 109, 2006 §6)