

## **PART 10 - DRIVING - OVERTAKING - PASSING**

### **1001. Drive on right side exceptions.**

- (1) Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway, except as follows:
  - (a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
  - (b) When an obstruction exists making it necessary to drive to the left of the center of the highway; but any person so doing shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed portion of the highway within such distance as to constitute an immediate hazard;
  - (c) Upon a roadway divided into three (3) lanes for traffic under the rules applicable thereon; or
  - (d) Upon a roadway restricted to one-way traffic as indicated by official traffic control devices.
- (2) Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.
- (3) Upon any roadway having four (4) or more lanes for moving traffic and providing for two-way movement of traffic, no vehicle shall be driven to the left of the center line of the roadway, except when authorized by official traffic control devices designating certain lanes to the left side of the center of the roadway for use by traffic not otherwise permitted to use such lanes or except as permitted under Subsection (1)(b) of this Section. However, this Subsection (3) does not prohibit the crossing of the centerline in making a left turn into or from an alley, private road or driveway when such movement can be made in safety and without interfering with, impeding or endangering other traffic lawfully using the highway. (Ord. 016, 2003 §1)

### **1002. Passing oncoming vehicles.**

- (1) Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and, upon roadways having width for not more than one (1) lane of traffic in each direction, each driver shall give to the other at least one-half ( $\frac{1}{2}$ ) of the main traveled portion of the roadway as nearly as possible.

- (2) A driver shall not pass a bicyclist moving in the same direction and in the same lane when there is oncoming traffic unless the driver can simultaneously:
  - (a) allow oncoming vehicles at least one-half ( $\frac{1}{2}$ ) of the main-traveled portion of the roadway in accordance with Subsection (1) of this Section; and
  - (b) allow the bicyclist at least a three-foot separation between the right side of the driver's vehicle, including all mirrors or other projections, and the left side of the bicyclist at all times. (Ord. 016, 2003 §1; Ord. 097, 2009 §24)

**1003. Overtaking a vehicle on the left.**

- (1) The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to the limitations, exceptions and special rules stated in this Section and Sections 1004 to 1008:
  - (a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left of the vehicle at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.
  - (b) The driver of a motor vehicle overtaking a bicyclist proceeding in the same direction shall allow the bicyclist at least a three-foot separation between the right side of the driver's vehicle, including all mirrors or other projections, and the left side of the bicyclist at all times.
  - (c) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of the driver's vehicle until completely passed by the overtaking vehicle. (Ord. 016, 2003 §1; Ord. 097, 2009 §25)

**1004. When overtaking on the right is permitted.**

- (1) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:
  - (a) When the vehicle overtaken is making or giving indication of making a left turn;
  - (b) Upon a street or highway with unobstructed pavement not occupied by parked vehicles and marked for two (2) or more lanes of moving vehicles in each direction; or

- (c) Upon a one-way street or upon any roadway on which traffic is restricted to one (1) direction of movement where the roadway is free from obstructions and marked for two (2) or more lanes of moving vehicles.
- (2) The driver of a motor vehicle upon a one-way roadway with two (2) or more marked traffic lanes, when overtaking a bicyclist proceeding in the same direction and riding on the left-hand side of the road, shall allow the bicyclist at least a three-foot separation between the left side of the driver's vehicle, including all mirrors or other projections, and the right side of the bicyclist at all times.
- (3) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway. (Ord. 016, 2003 §1; Ord. 097, 2009 §26)

**1005. Limitations on overtaking on the left.**

- (1) No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless authorized by the provisions of this Traffic Code and unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completed without interfering with the operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to an authorized lane of travel as soon as practicable and, in the event the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within two hundred (200) feet of any approaching vehicle.
- (2) No vehicle shall be driven on the left side of the roadway under the following conditions:
  - (a) When approaching or upon the crest of a grade or a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;
  - (b) When approaching within one hundred (100) feet of or traversing any intersection or railroad grade crossing; or
  - (c) When the view is obstructed upon approaching within one hundred (100) feet of any bridge, viaduct or tunnel.
- (3) The City Traffic Engineer is authorized to determine those portions of any highway where overtaking, passing or driving on the left side of the roadway would be especially hazardous and may by appropriate signs or markings on

the roadway indicate the beginning and end of such zones. Where such signs or markings are in place to define a no-passing zone and such signs or markings are clearly visible to an ordinarily observant person, no driver shall drive on the left side of the roadway within such no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone throughout its length.

- (4) The provisions of this Section shall not apply:
  - (a) Upon a one-way alleyway, street or roadway;
  - (b) Under the conditions described in Section 1001(1)(b);
  - (c) To the driver of a vehicle turning left into or from an alley, private road or driveway when such movement can be made in safety and without interfering with, impeding or endangering other traffic lawfully using the highway; or
  - (d) To the driver of a vehicle passing a bicyclist moving the same direction and in the same lane when such movement can be made in safety and without interfering with, impeding or endangering other traffic lawfully using the highway. (Ord. 016, 2003 §1; Ord. 097, 2009 §27)

**1006. One-way roadways and rotary traffic islands.**

- (1) Upon those alleyways, streets or roadways and parts of alleyways, streets or roadways, restricted for one-way traffic as authorized in this Traffic Code, a vehicle shall be driven only in the direction designated at all or such times as shall be indicated by official traffic control devices.
- (2) A vehicle passing around a rotary traffic island shall be driven only to the right of such island.
- (3) The City Traffic Engineer with respect to alleyways, streets, roadways and highways under his or her jurisdiction may designate any alleyway, street or roadway, part of a alleyway, street or roadway, or specific lanes upon which vehicular traffic shall proceed in one (1) direction at all or such times as shall be indicated by official traffic control devices. In the case of streets or roadways which are a part of the state highway system, the regulation shall be subject to the approval of the Colorado Department of Transportation pursuant to Section 43-2-135(1)(g), C.R.S. (Ord. 016, 2003 §1)

**1007. Driving on roadways laned for traffic.**

- (1) Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic, the following rules in addition to all others consistent with this Section shall apply:

- (a) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.
- (b) Upon a roadway which is divided into three (3) lanes and provides for two-way movement of traffic, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle traveling in the same direction where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn, or where such center lane is at the time allocated exclusively to the traffic moving in the direction the vehicle is proceeding and is designated by official traffic control devices to give notice of such allocation. Under no condition shall an attempt be made to pass upon the shoulder or any portion of the roadway remaining to the right of the indicated right-hand traffic lane.
- (c) Official traffic control devices may be erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway, and drivers of vehicles shall obey the directions of every such device.
- (d) Official traffic control devices may be installed prohibiting the changing of lanes on sections of roadway, and drivers of vehicles shall obey the directions of every such device. (Ord. 016, 2003 §1)

**1008. Following too closely.**

- (1) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the street or highway.
- (2) The driver of any motor truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another motor truck, or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger; except that this shall not prevent a motor truck or motor vehicle drawing another vehicle from overtaking and passing any like vehicle or other vehicle.
- (3) Motor vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade, whether or not towing other vehicles, shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. This provision shall not apply to funeral processions. (Ord. 016, 2003 §1)

**1008.5. Crowding or threatening a bicyclist.**

- (1) The driver of a motor vehicle shall not, in a careless or imprudent manner, drive the vehicle unnecessarily close to, toward or near a bicyclist.
- (2) Any person who violates Subsection (1) of this Section commits careless driving as described in Section 1402. (Ord. 097, 2009 §28)

**1009. Coasting prohibited.**

- (1) The driver of any motor vehicle when traveling upon a downgrade shall not coast with the gears or transmission of such vehicle in neutral.
- (2) The driver of a truck or bus when traveling upon a downgrade shall not coast with the clutch disengaged. (Ord. 016, 2003 §1)

**1010. Driving on divided or controlled-access highways.**

- (1) Whenever any highway has been divided into separate roadways by leaving an intervening space or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway, unless directed or permitted to use another roadway by official traffic control devices. No vehicle shall be driven over, across or within any such dividing space, barrier or section, except through an opening in such physical barrier or dividing section or space or at a crossover or intersection as established, unless specifically prohibited by official signs and markings or by the provisions of Section 902. However, this Subsection (1) does not prohibit a left turn across a median island formed by standard pavement markings or other mountable or traversable devices as prescribed in the state traffic control manual when such movement can be made in safety and without interfering with, impeding or endangering other traffic lawfully using the street or highway.
- (2)
  - (a) No person shall drive a vehicle onto or from any controlled-access roadway except at such entrances and exits as are established by public authority.
  - (b) Whenever an acceleration lane has been provided in conjunction with a ramp entering a controlled-access highway and the ramp intersection is not designated or signed as a stop or yield intersection as provided in Section 703(1), drivers may use the acceleration lane to attain a safe speed for merging with through traffic when conditions permit such acceleration with safety; but traffic so merging shall be subject to the rule governing the changing of lanes as set forth in Section 1007(1)(a).
  - (c) Whenever a deceleration lane has been provided in conjunction with a ramp leaving a controlled-access highway, drivers shall use such lane to

slow to a safe speed for making an exit turn after leaving the mainstream of faster-moving traffic.

- (3) Any class or kind of traffic which is found to be incompatible with the normal and safe movement of traffic shall not use any controlled-access highway posted with official traffic control devices in conformity with the standards established by Sections 105 and 601 at entrance points or along the highway on which such regulations are applicable. When such devices are so in place, giving notice thereof, no person shall disobey the restrictions made known by such devices. (Ord. 016, 2003 §1)

**1011. Use of runaway vehicle ramps.**

- (1) No person shall use a runaway vehicle ramp unless such person is in an emergency situation requiring use of the ramp to stop his or her vehicle.
- (2) No person shall stop, stand or park a vehicle on a runaway vehicle ramp or in the pathway of the ramp. (Ord. 016, 2003 §1)

**1012. High occupancy vehicle lanes.**

- (1) The City Traffic Engineer, with respect to streets and highways under his or her jurisdiction, may designate exclusive or preferential lanes for vehicles that carry a specified number of persons. The occupancy level of vehicles and the time of day when lane usage is restricted to high occupancy vehicles, if applicable, shall be designated by official traffic control devices.
- (2) A motorcycle or low-power scooter may be operated upon high occupancy vehicle lanes pursuant to Section 402, Title 23, United States Traffic Code, unless prohibited by official traffic control devices. (Ord. 016, 2003 §1)

**1013. Driving on roadways with designated bicycle lanes.**

Whenever a bicycle lane has been established on a roadway, any person operating a motor vehicle on such roadway shall not drive in the bicycle lane except to park where parking is permitted, to enter or leave the highway or to prepare for a turn. Any person operating a motor vehicle shall not enter a bicycle lane as provided by this Section until yielding the right-of-way to all bicycles lawfully within the bicycle lane. (Ord. 016, 2003 §1; Ord. 119, 2011, §8)