

## **PART 14 - OTHER OFFENSES**

### **1401. Reckless driving.**

A person who drives any motor vehicle, bicycle, electrical assisted bicycle or low-power scooter in such a manner as to indicate either a wanton or a willful disregard for the safety of persons or property is guilty of reckless driving. A person convicted of reckless driving of a bicycle or electrical assisted bicycle shall not be subject to the provisions of Section 42-2-127, C.R.S. (Ord. 016, 2003 §1; Ord. 097, 2009 §31)

### **1402. Careless driving.**

A person who drives a motor vehicle, bicycle, electrical assisted bicycle or low-power scooter in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic and use of the streets and highways and all other attendant circumstances, is guilty of careless driving. A person convicted of careless driving of a bicycle or electrical assisted bicycle shall not be subject to the provisions of Section 42-2-127, C.R.S. (Ord. 016, 2003 §1; Ord. 097, 2009 §32)

### **1403. Following fire apparatus prohibited.**

The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (Ord. 016, 2003 §1)

### **1404. Crossing fire hose.**

No vehicle shall be driven over any unprotected hose of a fire department used at any fire, alarm of fire or practice runs or laid down on any street, private driveway or highway without the consent of the fire department official in command. (Ord. 016, 2003 §1)

### **1405. Riding in trailers.**

- (1) No person shall occupy a trailer while it is being moved upon a public highway. This Section shall not apply to law enforcement or emergency services personnel in the performance of their official duties, parades, caravans or exhibitions which are officially authorized or otherwise permitted by law.
- (2) The provisions of this Section shall not apply to a trailer owned by the United States government or any agency or instrumentality thereof, or to a trailer owned by the State of Colorado or any of its political subdivisions, or to a privately owned trailer 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 a trailer

and said trailer is equipped with adequate handrails and safeguards. (Ord. 016, 2003 §1)

**1406. Foreign matter on highway prohibited.**

- (1) (a) No person shall drop, throw or deposit upon or along any street or highway any glass bottle, glass, stones, nails, tacks, wire, cans, container of human waste or other substance likely to injure any person, animal or vehicle upon or along such highway.
- (b) No person shall throw, drop or otherwise expel a lighted cigarette, cigar, match or other burning material from a motor vehicle upon any street or highway.
- (2) Any person who drops, or permits to be dropped or thrown, upon any highway or structure any destructive or injurious material or lighted or burning substance shall immediately remove the same or cause it to be removed.
- (3) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.
- (4) No person shall excavate a ditch or other aqueduct, or construct any flume or pipeline or any steam, electric or other railway, or construct any approach to a public highway without written consent of the authority responsible for the maintenance of that highway.
- (5) Except as provided below, any person who violates any provision of this Section commits a traffic infraction.
  - (a) Any person who violates Paragraph (a) of Subsection (1) of this Section by throwing or depositing a container of human waste upon or along any highway shall be punished by a fine of five hundred dollars (\$500).
  - (b) Any person who violates any provision of Paragraph (b) of Subsection (1) of this Section is guilty of a misdemeanor, and upon conviction thereof, shall be punished in accordance with Section 1-15 of the City Code.
- (6) As used in this Section:
  - (a) *Container* shall include, without limitation, a bottle, a can, a box or a diaper.
  - (b) *Human waste* shall mean urine or feces produced by a human. (Ord. 016, 2003 §1; Ord. 085, 2005 §12)

**1407. Spilling loads on highways prohibited - prevention of aggregate, trash and recyclable spills.**

- (1) No vehicle shall be driven or moved on any highway if the vehicle is transporting aggregate material, trash or recyclables unless such vehicle is constructed or loaded or the load thereof securely covered to prevent any of its load from blowing, dropping, sifting, leaking or otherwise escaping therefrom; except that material may be dropped for the purpose of securing traction or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.
  
- (2) (a) No vehicle shall be driven or moved on any highway for a distance of more than two (2) miles if the vehicle is transporting aggregate material with a diameter of one (1) inch or less, trash or recyclables unless at least one (1) of the following conditions is met:
  - (I) The load is covered by a tarp or other cover in a manner that prevents the load from blowing, dropping, sifting, leaking or otherwise escaping from the vehicle;
  - (II) The vehicle utilizes other technology that prevents the load from blowing, dropping, sifting, leaking or otherwise escaping from the vehicle;
  - (III) The load is required to be secured and complies with 49 CFR 392 or 393; or
  - (IV) The vehicle is loaded in such a manner or the load itself has physical characteristics such that the contents will not escape from the vehicle. Such a load may include, but is not limited to, heavy scrap metal or hydraulically compressed scrap recyclables.
  
- (b) This Subsection (2) shall not apply to a vehicle:
  - (I) Operating entirely within a marked construction zone;
  - (II) Involved in maintenance of public roads during snow or ice removal operations;
  - (III) Involved in emergency operations when requested by a law enforcement agency or an emergency response authority designated in or pursuant to Section 29-22-102, C.R.S.; or
  - (IV) In the process of collecting trash or recyclables within a one-mile radius of the motor vehicle's last collection point.
  
- (3) For the purposes of this Section:

- (a) *Aggregate material* means any rock, clay, silts, gravel, limestone, dimension stone, marble and shale; except that aggregate material does not include hot asphalt, including asphalt patching material, wet concrete or other materials not susceptible to blowing;
- (b) *Recyclables* means materials or objects that can be reused, reprocessed, remanufactured, reclaimed or recycled;
- (c) *Trash* means materials or objects that have been or are in the process of being discarded and transported. (Ord. 016, 2003 §1; Ord. 113, 2004 §5; Ord. 085, 2005 §13)

#### **1407.5 Splash guards - when required.**

- (1) As used in this Section, unless the context otherwise requires:
  - (a) *Splash guard* means mud flaps, rubber, plastic or fabric aprons, or other devices directly behind the rear-most wheels, designed to minimize the spray of water and other substances to the rear.
  - (b) Splash guards must, at a minimum, be wide enough to cover the full tread of the tires being protected, hang perpendicular from the vehicle not more than ten (10) inches above the surface to the street or highway when the vehicle is empty, and generally maintain their perpendicular relationship under normal driving conditions.
- (2) Except as otherwise permitted in this Section, no vehicle or motor vehicle shall be driven or moved on any street or highway unless the vehicle is equipped with splash guards.
- (3) This Section does not apply to:
  - (a) Passenger-carrying motor vehicles registered pursuant to Section 42-3-134(4), C.R.S.;
  - (b) Trucks and truck tractors registered pursuant to Section 42-3-134(12) or (13), C.R.S., having an empty weight of ten thousand (10,000) pounds or less;
  - (c) Trailers equipped with fenders or utility pole trailers;
  - (d) Vehicles while involved in chip and seal or paving operations or road widening equipment;
  - (e) Truck tractors or converter dollies when used in combination with other vehicles;

- (f) Vehicles drawn by animals; or
- (g) Bicycles or electrical assisted bicycles. (Ord. 016, 2003 §1; Ord. 097, 2009 §33)

**1408. Operation of motor vehicles on property designated as parks, natural areas or recreation areas under the control of or owned by the City.**

- (1) It is unlawful for any person to operate or park a motor vehicle in any natural area, park or recreation area owned by or under the control of the City unless otherwise authorized by City Code.
- (2) A vehicle owner's liability for violation of Subsection (1) of this Section pertaining to any parking restrictions shall be the same as set forth in Section 1209 of this Traffic Code. (Ord. 016, 2003 §1; Ord. 119, 2011, §14)

**1409. Compulsory insurance - penalty.**

- (1) No owner of a motor vehicle or low-power scooter required to be registered in this State shall operate the vehicle or permit it to be operated on the public streets or highways in the City when the owner has failed to have a complying policy or certificate of self-insurance in full force and effect as required by law.
- (2) No person shall operate a motor vehicle or low-power scooter on the public street or highways in the City without a complying policy or certificate of self-insurance in full force and effect as required by law.
- (3) When an accident occurs, or when requested to do so following any lawful traffic contact or during any traffic investigation by a peace officer, no owner or operator of a motor vehicle or low-power scooter shall fail to present to the requesting officer immediate evidence of a complying policy or certificate of self-insurance in full force and effect as required by law.
- (4) Any person who violates the provisions of Subsection (1), (2) or (3) of this Section commits a violation of this Traffic Code.
  - (a) The defendant shall be punished by a minimum mandatory fine of not less than five hundred dollars (\$500). The Court may suspend up to one-half (½) of the fine upon a showing that appropriate insurance as required pursuant to Section 10-4-619 or 10-4-624, C.R.S., has been obtained.
  - (b) Upon a second or subsequent conviction under this Section within a period of five (5) years, the defendant shall be punished by a minimum mandatory fine of not less than one thousand dollars (\$1,000). The court may suspend up to one-half (½) of the fine upon a showing that

appropriate insurance as required pursuant to Section 10-4-619 or 10-4-624, C.R.S., has been obtained.

- (5) Testimony of the failure of any owner or operator of a motor vehicle or low-power scooter to present immediate evidence of a complying policy or certificate of self-insurance in full force and effect as required by law, when requested to do so by a peace officer, shall constitute *prima facie* evidence, at a trial concerning a violation charged under Subsection (1) or (2) of this Section, that such owner or operator of a motor vehicle violated Subsection (1) or (2) of this Section.
- (6) No person charged with violating Subsection (1), (2) or (3) of this Section shall be convicted if such person produces in court a bona fide complying policy or certificate of self-insurance which was in full force and effect, as required by law, at the time of the alleged violation. (Ord. 016, 2003 §1; Ord. 101, 2003; Ord. 113, 2004 §6; Ord. 097, 2009 §34)

**1410. Use of highways for traveling on snowmobiles, skis, toboggans, coasting sleds, skates or similar devices.**

- (1) No person shall use any street or highway in the City for traveling on skis, toboggans, coasting sleds, skates, in-line skates, skateboards, coasters, scooters or similar devices, whether human- or motor-powered. It is unlawful for any person to use any roadway of the City as a sled or ski course for the purpose of coasting on sleds, skis or similar devices. It is also unlawful for any person upon roller skates, in-line skates, skateboards, or riding in or by means of any coasters, scooters, toy vehicles or similar devices, whether human- or motor-powered, to go upon any roadway in the City, except while crossing a highway in a crosswalk, and when so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This Section does not apply to any sidewalk or public way which is set aside by proper authority as a play street and which is adequately roped off or otherwise marked for such purpose.
- (2) Where such use is prohibited by signs or markings, a person shall not ride or use skates, in-line skates, skateboards, coasters, scooters, toy vehicles or similar devices, whether human- or motor-powered, on any sidewalk, path, trail, crosswalk, plaza area, public parking area or any other public way or place.
- (3) Where such use not prohibited by official signs or markings, a person riding or using roller skates, in-line skates, skateboards coasters, scooters, toy vehicles or similar devices, whether human- or motor-powered, on any sidewalk, path, trail, crosswalk, plaza area, public parking area or any other public way or place, shall yield the right-of-way to any pedestrian and shall give an audible signal or verbal warning before overtaking and passing such pedestrian.

- (4) A snowmobile may be operated on streets and highways under the jurisdiction of the City only when such operation is authorized by special ordinance or addition to this Traffic Code and appropriate notice is given thereof, and then only in the manner and on such streets prescribed by such ordinance consistent with the provisions of State law. This Subsection shall not apply to police and emergency services personnel in the performance of their official duties. (Ord. 016, 2003 §1)

**1410.1 Neighborhood electric vehicles.**

- (1) Except as provided in Section 42-4-111(1)(aa), C.R.S., no person shall operate a neighborhood electric vehicle on a highway.
- (2) No person shall operate a neighborhood electric vehicle on a limited access highway. (Ord. 016, 2003 §1)

**1410.5 Animal or animal-drawn conveyances on streets or highways.**

- (1) Persons riding or leading animals on or along any highway shall ride or lead such animals on the left side of said highway, facing approaching traffic. This shall not apply to persons driving herds of animals along highways.
- (2) Every person riding or leading an animal or driving any animal-drawn conveyance upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Traffic Code, except those provisions of this Traffic Code which by their very nature can have no application. (Ord. 016, 2003 §1)

**1411. Use of earphones while driving.**

- (1) No person shall operate a motor vehicle while wearing earphones.
- (2) For purposes of this Section (1), *earphones* includes any headset, radio, tape player or other similar device which provides the listener with radio programs, music or other recorded information through a device attached to the head and which covers all of or a portion of the ears. Earphones do not include speakers or other listening devices which are built into protective headgear. (Ord. 016, 2003 §1)

**1412. Operation of bicycles, electrical assisted bicycles and other human-powered vehicles.**

- (1) Every person riding a bicycle or electrical assisted bicycle upon a roadway where bicycle and electrical assisted bicycle travel is permitted shall be granted all of the rights and shall be subject to all of the duties and penalties applicable to the driver of a vehicle as set forth in this Traffic Code, except those provisions of this Traffic Code that, by their very nature, can have no

application. Said riders shall also comply with special rules set forth in this Section and in Section 220(1)(b) and (1)(c) and Section 221 and, when using streets and highways within the City, shall be subject to local ordinances regulating the operation of bicycles and electrical assisted bicycles as provided in Section 42-4-111, C.R.S. Whenever the word *vehicle* is used in any of the driving rules set forth in this Traffic Code that are applicable to bicycle or electrical assisted bicycle riders, such term shall include bicycles and electrical assisted bicycles.

- (a) These regulations not in conflict with the Rules and Regulations promulgated by Colorado State University pursuant to Sections 23-5-106 and 107, C.R.S., shall apply on the campus of the University.
  - (b) The parent of any child or guardian of any ward shall not authorize or knowingly permit any child or ward to violate any provision of this Section.
- (2) A person riding a bicycle or electrical assisted bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.
  - (3) No bicycle or electrical assisted bicycle shall be used to carry more persons at one (1) time than the number for which it is designed and equipped.
  - (4) No person riding upon any bicycle or electrical assisted bicycle shall attach the same or himself or herself to any motor vehicle upon a roadway.
  - (5) (a) Any person operating a bicycle upon a roadway at less than the normal speed of traffic shall ride in the right-hand lane, subject to the following conditions:
    - (I) If the right-hand lane then available for traffic is wide enough to be safely shared with overtaking vehicles, a bicyclist shall ride far enough to the right as is reasonably prudent to facilitate the movement of such overtaking vehicle unless other conditions make it unsafe to do so.
    - (II) A bicyclist may use a lane other than the right-hand lane when:
      - (A) preparing for a left turn at an intersection or into a private roadway or driveway;
      - (B) overtaking a slower vehicle; or
      - (C) taking reasonably necessary precautions to avoid hazards or road conditions.

- (III) Upon approaching an intersection where right turns are permitted and there is a dedicated right-turn lane, a bicyclist may ride on the left-hand portion of the dedicated right-turn lane even if the bicyclist does not intend to turn right.
- (b) A bicyclist shall not be expected or required to:
    - (I) ride over or through hazards at the edge of a roadway, including but not limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards or narrow lanes; or
    - (II) ride without a reasonable safety margin on the right-hand side of the roadway.
  - (c) A person operating a bicycle upon a one-way roadway with two (2) or more marked traffic lanes may ride as near to the left-hand curb or edge of such roadway as is reasonably prudent, subject to the following conditions:
    - (I) If the left-hand lane then available for traffic is wide enough to be safely shared with overtaking vehicles, a bicyclist shall ride as far to the left as is reasonably prudent to facilitate the movement of such overtaking vehicles unless other conditions make it unsafe to do so.
    - (II) A bicyclist shall not be expected or required to:
      - (A) ride over or through hazards at the edge of a roadway, including but not limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards or narrow lanes; or
      - (B) ride without a reasonable safety margin on the left-hand side of the roadway.
  - (6) (a) Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadway set aside for the exclusive use of bicycles.
  - (b) Persons riding bicycles two (2) abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.
  - (7) A person operating a bicycle or electrical assisted bicycle shall keep at least one (1) hand on the handlebars at all times.

- (8) (a) A person riding a bicycle or electrical assisted bicycle intending to turn left shall follow a course described in Sections 901(1), 903 and 1007 or may make a left turn in the manner prescribed in Paragraph (b) of this Subsection (8).
  - (b) A person riding a bicycle or electrical assisted bicycle intending to turn left shall approach the turn as closely as practicable to the right-hand curb or edge of the roadway. After proceeding across the intersecting roadway to the far corner of the curb or intersection of the roadway edges, the bicyclist shall stop, as much as practicable, out of the way of traffic. After stopping, the bicyclist shall yield to any traffic proceeding in either direction along the roadway that the bicyclist had been using. After yielding and complying with any official traffic control device or police officer regulating traffic on the highway along which the bicyclist intends to proceed, the bicyclist may proceed in the new direction.
  - (c) Notwithstanding the provisions of Paragraphs (a) and (b) of this Subsection (8), the City Traffic Engineer may cause official traffic control devices to be placed on roadways and thereby require and direct that a specific course be traveled and operators of bicycles or electrical assisted bicycles shall obey the directions of every such device.
- (9) (a) Except as otherwise provided in this Subsection (9), every person riding a bicycle or electrical assisted bicycle shall signal his or her intention to turn or stop in accordance with the provisions of Section 903; except that a person riding a bicycle or electrical assisted bicycle may signal a right turn with the right arm extended horizontally.
  - (b) A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred (100) feet traveled by the bicycle or electrical assisted bicycle before turning and shall be given while the bicycle or electrical assisted bicycle is stopped waiting to turn. A signal by hand and arm need not be given continuously if the hand is needed in the control or operation of the bicycle or electrical assisted bicycle.
- (10) (a) A person riding a bicycle or electrical assisted bicycle upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian. A person riding a bicycle in a crosswalk shall do so in a manner that is safe for pedestrians.
  - (b) A person shall not ride a bicycle or electrical assisted bicycle upon and along a sidewalk or across a roadway upon and along a crosswalk where such use of bicycles or electrical assisted bicycles is prohibited by official traffic control devices or local ordinances. A person riding a

bicycle or electrical assisted bicycle shall dismount before entering any crosswalk where required by official traffic control devices or ordinance.

- (c) A person riding or walking a bicycle or electrical assisted bicycle upon and along a sidewalk or across a roadway upon and along a crosswalk shall have all the rights and duties applicable to a pedestrian under the same circumstances, including but not limited to the rights and duties granted and required by Section 802.
  - (d) Low-power scooters are restricted at all times from riding upon and along a sidewalk, or across a highway or street upon or along a crosswalk, except when the low-power scooter operator has dismounted the low-power scooter and is walking the low-power scooter under human power.
- (11)
- (a) A person may park a bicycle or electrical assisted bicycle on a sidewalk unless prohibited or restricted by an official traffic control device or local ordinance.
  - (b) A bicycle or electrical assisted bicycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.
  - (c) A bicycle or electrical assisted bicycle may be parked on the road at any angle to the curb or edge of the road at any location where parking is allowed.
  - (d) A bicycle or electrical assisted bicycle may be parked on the road abreast of another such bicycle or electrical assisted bicycle near the side of the road or any location where parking is allowed in such a manner as does not impede the normal and reasonable movement of traffic.
  - (e) In all other respects, bicycles or electrical assisted bicycles parked anywhere on a highway shall conform to the provisions of Part 11 of this Traffic Code regulating the parking of vehicles.
- (12) Where suitable bike paths, horseback trails or other trails have been established on the right-of-way or parallel to and within one-fourth ( $\frac{1}{4}$ ) mile of the right-of-way of heavily traveled streets and highways, the Colorado Department of Transportation may, subject to the provisions of Section 43-2-135, C.R.S., by resolution or order, and the City Traffic Engineer may, where suitable bike paths, horseback trails or other trails have been established on the right-of-way or parallel to it within four hundred fifty (450) feet of the right-of-way of heavily traveled streets, by ordinance, determine and designate, upon the basis of an engineering and traffic investigation, those heavily traveled streets and highways upon which shall be prohibited any bicycle, animal rider, animal-

drawn conveyance or other class or kind of nonmotorized traffic which is found to be incompatible with the normal and safe movement of traffic, and, upon such a determination, the Colorado Department of Transportation or the City shall erect appropriate official signs giving notice thereof; except that with respect to controlled access highways, the provisions of Section 42-4-1010(3), C.R.S., shall apply. When such official signs are so erected, no person shall violate any of the instructions contained thereon.

- (13) For the sake of uniformity of bicycle or electrical assisted bicycle safety rules throughout the State, the Colorado Department of Revenue, in cooperation with the Colorado Department of Transportation, shall prepare and make available to all local jurisdictions for distribution to bicycle and electrical assisted bicycle riders therein a digest of state regulations explaining and illustrating the rules of the road, equipment requirements and traffic control devices that are applicable to such riders and their bicycles or electrical assisted bicycles. The City Traffic Engineer may supplement this digest with a leaflet describing any additional regulations of a local nature that apply within their respective jurisdictions.
- (14) A person riding a bicycle or electrical assisted bicycle upon and along a recreational trail shall yield the right-of-way to any pedestrian using the recreational trail and shall give an audible signal or verbal warning before overtaking and passing any such pedestrian.
- (15) The rider of an electrical assisted bicycle shall not use the electrical motor on a bike or pedestrian path or on a recreational trail unless otherwise authorized by the City Code. (Ord. 016, 2003 §1; Ord. 085, 2005 §14; Ord. 097, 2009 §35; Ord. 119, 2011, §15)

#### **1413. Obedience to police officers - eluding.**

- (1) No person shall willfully fail or refuse to comply with any lawful order or direction of any peace officer or emergency services personnel who is invested by the law with authority to direct, control or regulate traffic.
- (2) Any operator of a motor vehicle who the officer has reasonable grounds to believe has violated a state law or local ordinance, who has received a visual or audible signal such as a red light or a siren from a police officer driving a marked, unmarked or other authorized emergency vehicle directing the operator to bring the operator's vehicle to a stop, who willfully increases his or her speed or extinguishes his or her lights in an attempt to elude such police officer, who willfully attempts in any other manner to elude the police officer, or who does elude such police officer commits a traffic offense. (Ord. 016, 2003 §1)

**1413.5 Authority of police and emergency services personnel.**

- (1) It shall be the duty of the Office of Police Services and such officers as are assigned by the Chief of Police, to enforce all street traffic regulations of the City and all of the state laws applicable to street and highway traffic in the City.
- (2) Police Services officers, or such special officers as are assigned by the Chief of Police, are hereby authorized to direct all traffic by voice, hand or signal in conformance with state traffic laws and the traffic ordinances of the City, provided that, in the event of fire or other emergency or to expedite traffic or to safeguard pedestrians, such officers and emergency services personnel as are assigned, may direct traffic at or in the immediate vicinity as conditions may require, notwithstanding the provisions of the state traffic laws and the provisions of this Traffic Code. (Ord. 016, 2003 §1)

**1414. Moving construction-related equipment.**

Pursuant to Section 42-4-202(4), C.R.S., each exempt vehicle, motor vehicle, trailer or item of mobile machinery, self-propelled construction equipment or similar implement of equipment, used in any type of construction business may be moved on the roads, streets and highways during daylight hours and at such time as vision is not less than five hundred (500) feet. No cargo or supplies shall be hauled upon such exempt item except cargo and supplies used in normal operation of any such item. (Ord. 016, 2003 §1)

**1415. Radar-jamming devices prohibited - penalty.**

- (1)
  - (a) No person shall use, possess or sell a radar-jamming device.
  - (b) No person shall operate a motor vehicle with a radar-jamming device in the motor vehicle.
- (2)
  - (a) For purposes of this Section, *radar-jamming device* shall mean any active or passive device, instrument, mechanism or equipment that is designed or intended to interfere with, disrupt or scramble the radar or laser that is used by law enforcement agencies and peace officers to measure the speed of motor vehicles. *Radars-jamming device* shall include, without limitation, devices commonly referred to as "jammers" or "scramblers."
  - (b) For purposes of this Section, *radar-jamming device* shall not include equipment that is legal under FCC regulations, such as a citizens' band radio, ham radio or any other similar electronic equipment.

- (3) Radar-jamming devices shall be subject to seizure by any peace officer and may be confiscated and destroyed by order of the court in which a violation of this Section is charged.
- (4) A violation of Subsection (1) of this Section is a misdemeanor traffic offense.
- (5) The provisions of Subsection (1) of this Section shall not apply to peace officers acting in their official capacity. (Ord. 085, 2005 §15)

**1416. Funeral processions.**

- (1) Vehicles participating in a funeral procession shall be identified by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be required by the traffic or police authority of the City. Vehicles participating in the funeral procession shall operate with the low headlight beams of each vehicle on.
- (2) Each driver in a funeral procession shall drive as near to the right-hand edge of the roadway as practicable and shall follow the vehicle ahead as close as is practicable and safe. Each driver in a funeral procession shall obey all traffic control devices encountered along the procession route, unless escorted by authorized emergency vehicles.
- (3) No driver of a vehicle shall drive between the vehicles comprising a funeral procession while said vehicles are in motion and when said vehicles are conspicuously designated as required in this Traffic Code. This provision shall not apply at intersections where traffic is controlled by signals or police officers.
- (4) Funeral escort vehicles must be designated as an authorized emergency vehicle in accordance with Section 42-4-108(5), C.R.S., and equipped in accordance with Sections 42-4-213(1) and (2) C.R.S.
- (5) A minimum of two (2) escort vehicles shall be used at all times to escort a funeral procession.
- (6) Escort vehicles shall be granted exceptions to the sections of this Traffic Code as they pertain to speed regulations and obedience to traffic control devices while in the performance of their duties. The exceptions granted herein shall not relieve the driver of an escort vehicle from the duty to drive with due regard for the safety of all persons and property, nor shall such exceptions protect the driver, associated funeral business or escort business from the consequences of such driver's disregard for the safety of others and others' property.
  - (a) Exception to Part 11 Speed Regulations, Section 1101: No driver of an escort vehicle shall drive a vehicle on a street or highway within the City

at a speed greater than is reasonable and prudent under the conditions existing, and in no event greater than a speed of ten (10) miles per hour over the posted speed limit.

- (b) Exception to Part 6 Signal, Signs and Markings, Section 603: The driver of an escort vehicle may disobey the instructions of any official traffic control device, including any official hand signal device placed or displayed in accordance with the provisions of this Traffic Code, only while using appropriate emergency equipment and upon the exercise of due care and good judgment. (Ord. 016, 2003 §1; Ord. 031, 2005 §2)