

# C.R.S. 33-14.5-108

## Copy Citation

Current through all Laws passed during the 2018 Legislative Session

- [Colorado Revised Statutes](#)
- [TITLE 33. PARKS AND WILDLIFE](#)
- [PARKS](#)
- [ARTICLE 14.5. OFF-HIGHWAY VEHICLES](#)

### 33-14.5-108. Off-highway vehicle operation prohibited on streets, roads, and highways

**(1) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:**

- (a)** When a street, road, or highway is designated open by the state or any agency of the state;
- (b)** When crossing streets or when crossing roads, highways, or railroad tracks in accordance with section 33-14.5-108.5;
- (c)** When traversing a bridge or culvert;
- (d)** During special off-highway vehicle events lawfully conducted pursuant to the authority granted to local political subdivisions in this article;
- (e)** During emergency conditions declared by the proper state or local authority;
- (f)** When local political subdivisions have authorized by ordinance or resolution the establishment of off-highway vehicle routes to permit the operation of off-highway vehicles on city streets or county roads, but no street or road which is part of the state highway system may be so designated;
- (g)** When using an off-highway vehicle for agricultural purposes;
- (h)** When authorized under subsection (3) of this section; and
- (i)** When a public utility, as defined in section 40-1-103 (1), C.R.S., or a cooperative electric association, as defined in section 40-9.5-102, C.R.S., or any agent thereof designated specifically for the purpose of meter reading or repair, is using an off-highway vehicle for business purposes.

**(2) Any person who violates subsection (1) of this section is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine of fifty dollars.**

**(3) (a) Except as otherwise provided in paragraph (d) of this subsection (3), it is unlawful for a person to operate a motor vehicle on any federal public land, trail, or road unless the federal public land, trail, or road is signed or otherwise authorized for such use.** A peace officer shall not enforce this paragraph

(a) within an administrative unit of federal public land until the controlling land management agency identifies whether a route is available for motorized travel by maps, route markers, or signs that are available to the public and provide information to determine whether the route is authorized. Except for violations occurring within a federal wilderness area, **a person who violates this paragraph (a) is guilty of a misdemeanor** and, upon conviction thereof, shall be punished by a fine of one hundred dollars. A person who violates this paragraph (a) within a federal wilderness area is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of two hundred dollars.

**(b)** A person is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of one hundred fifty dollars if the person, without authorization, takes either of the following actions with regard to a sign located on federal public land that affects whether motor vehicle travel is or purports to be authorized:

**(I)** Removes, defaces, or destroys such a sign that was installed by the controlling land management agency; or

**(II)** Installs such a sign.

**(c)** A peace officer may enforce this subsection (3).

**(d)**

**(I)** The prohibition and penalties expressed in paragraphs (a) and (b) of this subsection (3) do not apply to a peace officer in the performance of his or her official duties, a person acting at the direction of a peace officer, or a person otherwise authorized to operate a motor vehicle on the federal public

land, trail, or road by legal right or by permission of the controlling land management agency, including administrative and emergency access, facility maintenance, ski area operations, oil and gas operations, logging operations, and motor vehicle use that is authorized under permits, including for special events, recreational uses, firewood gathering, and livestock operations and activities.

**(II)** Nothing in this subsection (3) affects any authority that the parks and wildlife commission has pursuant to law other than this subsection (3) to regulate motor vehicle travel on lands subject to the commission's jurisdiction.

## History

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### Source:

L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990.L. 95: (1)(a) and (2) amended and (1)(h) added, p. 341, § 9, effective July 1.L. 99: (1)(i) added, p. 888, § 2, effective August 4.L. 2003: (2) amended, p. 1951, § 38, effective May 22.L. 2008: (1)(h)(III) added, p. 146, § 3, effective July 1.L. 2013: (1)(h) amended and (3) added, (SB 13-067), ch. 106, p. 369, § 2, effective April 4.L. 2015: (1)(b) amended, (SB 15-023), ch. 21, p. 51, § 1, effective August 5.L. 2018: (1)(a) amended, (HB 18-1103), ch. 80, p. 669, § 2, effective August 8.

### ▼ Annotations

### Notes

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Cross references: For the legislative declaration contained in the 2008 act enacting subsection (1)(h)(III), see section 1 of chapter 54, Session Laws of Colorado 2008. For the legislative declaration in HB 18-1103, see section 1 of chapter 80, Session Laws of Colorado 2018.