From: Joe Grenawalt [mailto:joejeep@q.com]
Sent: Tuesday, June 25, 2013 2:14 PM
To: Marlene Crosby
Cc: lyle rieger
Subject: Re: Check In - Scheduled Meeting in Tin Cup on July 26

Hi Marlene -

As time marches on, I want to check in with you regarding the upcoming meeting in Tin Cup with the Gunnison County Commissioners and John Murphy of the USFS, scheduled for Friday, July 26, 2013, at 3:00 p.m. at the Tin Cup Town Hall. Comments/questions are:

1. Will this be an "open" meeting from the perspective of the Commissioners? We originally set this up as a meeting with the Tin Cup Civic Association (TCCA) - but will anyone with interest be admitted to the

meeting? A completely open meeting was not our original intention, but we defer to your judgment on this one.
2. Part of the agenda is to review current ATV laws and regulations as they are currently written for Gunnison County. This will include requirements for ATV registration, age limits for operation of ATV's, any safety equipment required for ATV's, permissible road designations for ATV use, differences between Forest Service roads and county roads, etc. Can you direct me to a person or web location where this information may be available in official form?
3. Would you or any of the Commissioners be interested in a quick tour of "potential" by-pass routes? Seeing things on the ground may be helpful. If there is interest. we can set up something an hour or two before the meeting.
4. The TCCA Board of Directors has placed numerous 15 MPH Speed Limit signs throughout Tin Cup. The signs have helped slow traffic, to some degree. However, we remain especially frustrated with traffic on Washington Street (access to the Mirror Lake road), especially at the east end as the road narrows at Bill Stitt's place. I expect a lot of questions and interest in what Gunnison County may be able to do to help us with the traffic speed problem. Speed bumps? Additional signs (4' x 8' mini-billboards at all three entrances to Tin Cup) proclaiming Tin Cup is NOT a ghost town - we have pedestrians, children, and pets - so SLOW DOWN NOW You Idiots! (last two words optional)?

Please let me know if you would like to discuss the above (and any other matters relating to the July 26 meeting) by phone. Right now, I plan to be in Tin Cup for most of July. Our phone number there is 970 641-4082. I do not expect to have internet/email service during that time. My number here in Farmington is 505 327-6732 if you would like to talk before July 2.

In the meantime, anything you (or anyone) can do to get some rain in Gunnison County will certainly be appreciated. We're doing all we can on this end. Thanks.

Joe Grenawalt

Marlene Crosby

From: Marlene Crosby
Sent: Thursday, June 27, 2013 9:19 PM
To: 'Joe Grenawalt'
Cc: lyle rieger; David Baumgarten; Matthew Birnie; Murphy, Jerry -FS; Rick Besecker; Randy Barnes
Subject: RE: Check In - Scheduled Meeting in Tin Cup on July 26

Joe,

I will answer your questions the best I can. I have copied the County Attorney because some of the responses need to come from his department rather than mine. I have also copied Matthew Birnie, the County Manager.

1. This will be an open meeting. Anytime two or more Commissioners are at a meeting it is public unless it is an Executive Session. This type of meeting does not meet the criteria for an executive session. Everyone will have the right to attend and to speak.
2. The rules regarding ATV's are not County regulations, they are state laws. I will defer to the County Attorney's office to provide that information to you.
3. I will ask the Commissioners about a tour, but I need to know what by-pass routes you are referencing. Some type of map or drawing would be helpful.
4. Your organization does not have the legal right to place signs on roads under the jurisdiction of Gunnison County, especially regulatory signs such as speed limits. I noted today that there are 15 – 15mph signs illegally placed in County right-of-ways. In some places they are in direct conflict with County speed limit signs. The minimum speed limit sign that we can place is 25 mph. The speed limit you posted will not be enforced by law enforcement.

   The ATV signs that you posted are absolutely inappropriate. In spite of what your signs say there is no such thing as "local ATV traffic" only. There is either ATV travel for all, or for no one. I thought I made that very clear in my earlier e-mail to you.

   I will be meeting with the County Attorney early next week to determine whether or not the signs will be removed either by your organization or my staff.

   Thank you,
   Marlene Crosby

Marlene Crosby

From: Joe Grenawalt <joejeep@q.com>
Sent: Wednesday, February 13, 2013 5:44 AM
To: Marlene Crosby; Allen Moores; Jonathan Houck; Paula Swenson; Phil Chamberland; jrmurphy@fs.fed.us
Cc: lyle rieger
Subject: RE: Tincup Civic Association Input for Vehicular/Traffic Matters

Greetings:

Please note: A conventional, hard-copy letter with this information is in the mail to each of you. This email is provided for convenience.

On behalf of the Tincup Civic Association Board of Directors, I ask that you consider our input to all matters that concern any of the following vehicular issues in the south end of Taylor Park – in or near Tincup, Colorado:

1. ATV use, restrictions, and general guidelines for all ATV's and off-road motorcycles
2. Traffic patterns and routes, especially concerning ATV's and off-road motorcycles
3. Road upgrades, changes to alignments, and/or new roads and trails
4. Any other vehicle or traffic related topics

We will monitor the County Commissioner's agendas and other public documents that may provide notice of discussion regarding the above topics. However, a quick email or phone call will be greatly appreciated – if you are aware of meetings where Tincup's vehicular future is addressed. I will do my very best to attend, or I may ask another member of the Board of Directors to replace me. Under all circumstances, we desire to provide a "local voice" in these proceedings.

Tincup residents and the Board of Directors are very concerned about increased traffic in and around Tincup, especially ATV's and off-road motorcycles. Taylor Park and Tincup are no longer the "well kept secrets" that they once were. We understand that Tincup is surrounded by public lands, but we also wish to maintain at least a semblance of the peace and quiet that we as property owners enjoyed for so long.

Thanks in advance for your communication assistance. I look forward to meeting you soon.

Sincerely,

Joe S. Grenawalt

501 W. 32nd Street

Farmington, NM 87401

Home (505) 327-6732; Work (505) 598-4203; Cell (505) 215-8073; Tincup (970) 641-4082

Email:

joejeep@q.com

Please note: if you cannot reach me, please try the President of the Tincup Civic Association, Mr. Lyle Rieger at

Lylerieger@aol.com, or

Lyle W. Rieger

6536 Vesuvius Rd

Evergreen, CO 80439

Office 303-674-5052; Fax 303-679-8348; Mobile 303-880-3105; Tincup (970) 641-0260

Lyle is copied on this email.

Marlene Crosby

From: David Baumgarten
Sent: Tuesday, July 09, 2013 8:15 AM
To: Marlene Crosby; Art Trezise
Subject: RE: scan doc

Good morning Marlene: If these signs have been placed in the right of way of public roads under County jurisdiction, we should remove them. db

From: Marlene Crosby
Sent: Monday, July 08, 2013 4:55 PM
To: David Baumgarten; Art Trezise
Subject: FW: scan doc

Good Afternoon,

I thought I sent you these photos earlier, but maybe I just had good intentions!!!!!!! The Tincup Civic Association took it upon themselves to place 15 -15mph speed limit signs all over Tincup. The put them in direct conflict with our 25mph signs which is the speed limit that should be posted. They also put up the local ATV traffic only signs in spite of being told that ATV rules applied to everyone. The next e-mail will be a copy of my response to their President about the upcoming meeting and the signs.

Please let me know if I should have them removed.
Marlene

From: PubWorks
Sent: Monday, July 08, 2013 4:35 PM
To: Marlene Crosby
Subject: scan doc

LOCAL ATV
TRAFFIC
ONLY
BEYOND THIS
POINT

SPEED
LIMIT
15

STOP
TAYLOR RESVR. 8
MIRROR LAKE 3
267
SPEED LIMIT 15

TAYLOR RESVR.
MIRROR LAKE
15

:ffective January 1, 1985. **L. 95:** (5) 13: (5) to (7) amended, p. 1950, § 34, 1), ch. 281, p. 1631, § 84, effective

15 as it existed prior to 1984.

vmobiles - prohibitions. (1) It is

earm in his or her possession, unless se or inserted in a scabbard, or with ph (b) does not apply to any person of predators such as coyotes, foxes,

or harass any wildlife by use of a y person from using a snowmobile

predators such as coyotes, foxes, its district wildlife managers at no protect livestock and other wildlife. section is guilty of a class 2 petty ne as follows:
(1) of this section, two hundred

) of this section, fifty dollars; and
(1) of this section, two hundred

ctive January 1, 1985. **L. 95:** (3) amended, p. 1951, § 35, effective ch. 293, p. 1391, § 20, effective

as it existed prior to 1984.

) Any county, city and county, the operation of snowmobiles on d on streets and highways within body and by giving appropriate provisions of this article and the

nce which imposes a fee for the gency of the state or for the use county, city, or town; nor shall ch political subdivision.

ive January 1, 1985.

s it existed prior to 1984.

Every parks and recreation subdivisions, and every person enforce the provisions of this

(2) The division, with the advice and consent of the commission, is authorized to enter into cooperative agreements with federal land management agencies for the purpose of regulating snowmobile use on federal lands.

Source: L. 84: Entire article added, p. 913, § 2, effective January 1, 1985. **L. 2012:** (2) amended, (HB 12-1317), ch. 248, p. 1227, § 64, effective June 4.

Editor's note: This section is similar to former § 33-7-118 as it existed prior to 1984.

33-14-120. Repeal of sections. (Repealed)

Source: L. 88: Entire section added, p. 931, § 19, effective April 28. **L. 90:** Entire section amended, p. 333, § 17, effective April 3. **L. 91:** Entire section amended, p. 689, § 61, effective April 20. **L. 96:** Entire section repealed, p. 105, § 1, effective March 25.

ARTICLE 14.5

Off-highway Vehicles

Cross references: For the definitions applicable to this article, see § 33-10-102.

33-14.5-101.	Definitions.	33-14.5-107.	Rules.
33-14.5-102.	Off-highway vehicle registration - nonresident-owned or -operated off-highway vehicle permits - fees - applications - requirements - exemptions.	33-14.5-108.	Off-highway vehicle operation prohibited on streets, roads, and highways.
		33-14.5-109.	Required equipment - off-highway vehicles.
33-14.5-103.	Proof of ownership for registration purposes.	33-14.5-110.	Regulation by political subdivisions.
33-14.5-104.	Issuance of registration.	33-14.5-111.	Enforcement - federal, state, and local cooperation.
33-14.5-105.	Transfer or other termination of ownership.	33-14.5-112.	Off-highway use permit - fees - applications - requirements - exemptions.
33-14.5-106.	Off-highway vehicle recreation fund - creation - use of moneys.	33-14.5-113.	Notice of accident.

33-14.5-101. Definitions. As used in this article, unless the context otherwise requires:

(1) "Dealer" means a person engaged in the business of selling off-highway vehicles at wholesale or retail in this state.

(2) "Direct services" includes, but is not limited to, the activities and expenses associated with law enforcement, capital equipment, rescue and first aid equipment, off-highway vehicle facilities, and division and contract services related to clearing parking lots and providing trail maintenance.

(3) "Off-highway vehicle" means any self-propelled vehicle which is designed to travel on wheels or tracks in contact with the ground, which is designed primarily for use off of the public highways, and which is generally and commonly used to transport persons for recreational purposes. "Off-highway vehicle" does not include the following:

(a) Vehicles designed and used primarily for travel on, over, or in the water;
(b) Snowmobiles;
(c) Military vehicles;
(d) Golf carts;
(e) Vehicles designed and used to carry disabled persons;
(f) Vehicles designed and used specifically for agricultural, logging, or mining purposes; or
(g) Vehicles registered pursuant to article 3 of title 42, C.R.S.

(4) "Off-highway vehicle route" means any road, trail, or way owned or managed by

the state or any agency or political subdivision thereof or the United States for off-highway vehicle travel.

(5) "Owner" means any person, other than a lienholder, having a property interest in an off-highway vehicle and entitled to the use and possession thereof.

(6) "Possession" means physical custody of an off-highway vehicle by any person or by any owner of a motor vehicle or trailer on or in which an off-highway vehicle is placed for the purpose of transport.

(7) "Staging area" means any parking lot, trail head, or other location to or from which any off-highway vehicle is transported by truck, trailer, or other motor vehicle so that it may be placed into operation or removed from operation. "Staging area" does not include any location to which an off-highway vehicle is transported primarily for the purpose of service, maintenance, repair, storage, or sale.

Source: L. 89: Entire article added, p. 1361, § 1, effective April 1, 1990. **L. 95:** (4) amended, p. 340, § 7, effective July 1.

33-14.5-102. Off-highway vehicle registration - nonresident-owned or -operated off-highway vehicle permits - fees - applications - requirements - exemptions. (1) (a) Except as provided in subsection (6) of this section, and except as provided for nonresident-owned and -operated off-highway vehicles in subsection (9) of this section, no person shall operate, nor have in his or her possession at any staging area, any off-highway vehicle within the state unless such off-highway vehicle has been registered and numbered in accordance with the provisions of this article. The division is authorized to assign identification numbers and register off-highway vehicles.

(b) The division shall employ off-highway vehicle agents, including dealers and licensing agents serving as such for the division, for off-highway vehicle registration pursuant to section 33-12-104. Upon receiving a registration application, an agent shall collect the fee specified pursuant to section 33-10-111 (5) and issue a temporary registration and shall forward the application to the division, which shall issue the registration. An agent may retain a commission of not in excess of one dollar, as authorized by the division, for each registration issued. Any dealer is authorized to issue a temporary registration when a person purchases an off-highway vehicle from such dealer.

(2) (a) Every dealer shall require a purchaser of an off-highway vehicle to complete a registration application and pay the registration fee before the vehicle leaves the dealer's premises, except for those off-highway vehicles purchased for use exclusively outside of this state.

(b) Each off-highway vehicle owned by a lessor for rental purposes shall be registered pursuant to this article upon the payment of a registration fee, as provided in paragraph (a) of subsection (3) of this section.

(3) (a) For each year, or portion thereof, beginning April 1 and ending the following March 31, the original and each renewal registration fee by an owner shall be the fee specified pursuant to section 33-10-111 (5).

(b) The fee for the replacement of a lost, mutilated, or destroyed registration certificate shall be the fee specified in section 33-12-101.

(4) (a) For each year, or portion thereof, beginning April 1 and ending the following March 31, for which such registration is made, the registration fee for all off-highway vehicles owned by a dealer or manufacturer and operated solely for demonstration or testing purposes shall be a fee specified pursuant to section 33-10-111 (5).

(b) Dealer and manufacturer registrations are not transferable and shall be distinguished from the registration required for owners.

(5) A registration certificate shall be issued without the payment of a fee for any off-highway vehicle owned by the state of Colorado or a political subdivision thereof upon application therefor.

(6) No registration under this article is required for any:

(a) Off-highway vehicle owned by any agency of the United States or another state or a political subdivision thereof when such ownership is clearly displayed on such vehicle;

(b) Off-highway vehicle ow
off-highway vehicle is covered l
country and such off-highway ve
consecutive days;

(c) Off-highway vehicle used

(d) Off-highway vehicle used

(e) Off-highway vehicle oper
on publicly or privately owned o
unless the agency exercising juri
nized competitive or noncompeti

(f) Off-highway vehicle used
thereof, for off-highway vehicle

(7) Any person who operate
guilty of a class 2 petty offense
dollars.

(8) Any dealer who does not
is guilty of a class 2 petty offense
hundred dollars.

(9) (a) Notwithstanding the
after April 1, 2000, no person sha
area, any nonresident-owned or -
unless such off-highway vehicle i
or country and such nonresident
within this state for more than
-operated off-highway vehicle ha

(b) The division is hereby au
ated off-highway vehicles.

(c) (I) Nonresident off-highw
pursuant to section 33-12-104,
pursuant to section 33-10-111 (5

(II) Nonresident off-highway
following March 31, whichever

(III) The fee for the replace
highway vehicle permit shall be
passes and registrations.

(d) Nonresident off-highway
division.

(e) The following nonresider
ments of this subsection (9):

(I) Vehicles owned by the Un
if such ownership is clearly disp

(II) Vehicles operated in an o
or privately owned or leased lan
agency exercising jurisdiction o
petitive or noncompetitive event;

(III) Vehicles used strictly o

(f) Any person who violates
petty offense and, upon convictio

Source: L. 89: Entire article
and (7) amended and (8) added,
(4)(a) amended, p. 783, § 9, effec
§ 1, effective August 4. **L. 200**
L. 2011: (1)(b) amended, (SB 1

33-14.5-103. Proof of owne
require proof of ownership for

:of or the United States for off-highway

enholder, having a property interest in possession thereof.

off-highway vehicle by any person or vhich an off-highway vehicle is placed

ead, or other location to or from which :r, or other motor vehicle so that it may . "Staging area" does not include any ed primarily for the purpose of service,

1, effective April 1, 1990. **L. 95:** (4)

- nonresident-owned or -operated ons - requirements - exemptions.

s section, and except as provided for es in subsection (9) of this section, no 1 at any staging area, any off-highway cle has been registered and numbered The division is authorized to assign cles.

hicle agents, including dealers and for off-highway vehicle registration gistration application, an agent shall (5) and issue a temporary registration 1 shall issue the registration. An agent ar, as authorized by the division, for ssue a temporary registration when a lealer.

n off-highway vehicle to complete a efore the vehicle leaves the dealer's nased for use exclusively outside of

or rental purposes shall be registered ion fee, as provided in paragraph (a)

g April 1 and ending the following fee by an owner shall be the fee

, or destroyed registration certificate

g April 1 and ending the following egistration fee for all off-highway d solely for demonstration or testing 3-10-111.(5).

nsferable and shall be distinguished

out the payment of a fee for any a political subdivision thereof upon

· any:

ie United States or another state or clearly displayed on such vehicle;

(b) Off-highway vehicle owned by a resident of another state or country if such off-highway vehicle is covered by a valid license or registration of such other state or country and such off-highway vehicle has not been within this state for more than thirty consecutive days;

(c) Off-highway vehicle used strictly for agricultural purposes;

(d) Off-highway vehicle used strictly on private property;

(e) Off-highway vehicle operated in an organized competitive or noncompetitive event on publicly or privately owned or leased land; except that this exemption shall not apply unless the agency exercising jurisdiction over such land specifically authorizes the organized competitive or noncompetitive event;

(f) Off-highway vehicle used by a dealer or manufacturer, or an authorized designee thereof, for off-highway vehicle operator education or safety programs.

(7) Any person who operates an off-highway vehicle in violation of this section is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine of fifty dollars.

(8) Any dealer who does not comply with paragraph (a) of subsection (2) of this section is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine of one hundred dollars.

(9) (a) Notwithstanding the provisions of subsections (1) to (8) of this section, on and after April 1, 2000, no person shall operate, nor have in his or her possession at any staging area, any nonresident-owned or -operated off-highway vehicle within the state of Colorado unless such off-highway vehicle is covered by a valid license or registration of another state or country and such nonresident-owned or -operated off-highway vehicle has not been within this state for more than thirty consecutive days, or such nonresident-owned or -operated off-highway vehicle has been issued a permit pursuant to this subsection (9).

(b) The division is hereby authorized to issue permits to nonresident-owned or -operated off-highway vehicles.

(c) (I) Nonresident off-highway vehicle permits shall be sold by the agents designated pursuant to section 33-12-104, and the fee for said permits shall be the fee provided pursuant to section 33-10-111 (5).

(II) Nonresident off-highway vehicle permits shall be valid for one year or until the following March 31, whichever comes first.

(III) The fee for the replacement of a lost, mutilated, or destroyed nonresident off-highway vehicle permit shall be the fee specified in section 33-12-101 for replacement of passes and registrations.

(d) Nonresident off-highway vehicle permits shall be displayed as required by the division.

(e) The following nonresident off-highway vehicles shall be exempt from the requirements of this subsection (9):

(I) Vehicles owned by the United States or another state or political subdivision thereof if such ownership is clearly displayed on such vehicles;

(II) Vehicles operated in an organized competitive or noncompetitive event on publicly or privately owned or leased land; except that this exemption shall not apply unless the agency exercising jurisdiction over such land specifically authorizes the organized competitive or noncompetitive event;

(III) Vehicles used strictly on private property.

(f) Any person who violates the provisions of this subsection (9) is guilty of a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of thirty-five dollars.

Source: L. 89: Entire article added, p. 1362, § 1, effective April 1, 1990. **L. 95:** (6)(b) and (7) amended and (8) added, p. 341, § 8, effective July 1. **L. 96:** (1)(b), (3)(a), and (4)(a) amended, p. 783, § 9, effective May 23. **L. 99:** (1)(a) amended and (9) added, p. 887, § 1, effective August 4. **L. 2003:** (7) and (8) amended, p. 1951, § 36, effective May 22. **L. 2011:** (1)(b) amended, (SB 11-208), ch. 293, p. 1392, § 21, effective July 1.

33-14.5-103. Proof of ownership for registration purposes. (1) The division shall require proof of ownership for an off-highway vehicle prior to the initial registration

required under this article, but such proof shall not be dependent upon any certificate of title, and no certificate of title shall be issued by the division.

(2) The division shall keep a record of the manufacturer's numbers of all off-highway vehicles registered pursuant to this article and shall provide the department of revenue with a copy of said record monthly. The department of revenue shall maintain a computerized list of such record in order to aid in the recovery of stolen off-highway vehicles.

Source: L. 89: Entire article added, p. 1363, § 1, effective April 1, 1990.

33-14.5-104. Issuance of registration. (1) (a) Upon the receipt of a sufficient application for registration of an off-highway vehicle, as required by section 33-14.5-102, the division shall assign a distinctive number to the vehicle and shall enter upon its records the registration of such off-highway vehicle under the distinctive number assigned to it pursuant to this section.

(b) A number assigned to an off-highway vehicle at the time of its original registration shall remain with the off-highway vehicle until such off-highway vehicle is destroyed, abandoned, or permanently removed from the state or until such registration number is changed or terminated by the division.

(2) The division shall, upon assignment of such number, issue and deliver to the owner a registration in such form as the division shall prescribe. In the event of the loss, mutilation, or destruction of any registration, the owner of the registered off-highway vehicle shall file a statement containing such facts as the division shall require for the issuance of a replacement registration, together with the fee specified in section 33-12-101.

(3) At the time of the original registration and at the time of each annual renewal thereof, the division shall issue to said registrant a validation decal indicating the distinctive number assigned to such vehicle, as provided in subsection (1) of this section, and the validity of the current registration and the expiration date thereof, which validation decal shall be affixed to the off-highway vehicle in such manner as the division may prescribe. Notwithstanding the fact that an off-highway vehicle has been assigned an identifying number, it shall not be considered as validly registered within the meaning of this article unless a validation decal and current registration have been issued.

(4) In the event that an off-highway vehicle sought to be registered or reregistered does not comply with the provisions respecting equipment established by the regulations of the division, the division may deny the issuance of a current registration.

(5) The registration number assigned to an off-highway vehicle shall be displayed on the vehicle at all times in such manner as the division may, by regulation, prescribe.

(6) Every person, while operating an off-highway vehicle in this state which is required to be registered under this article, shall have on his person or in the off-highway vehicle the registration therefor and shall, upon demand of any peace officer authorized to enforce this article, produce for inspection the registration for such off-highway vehicle.

(7) (a) Any person who violates subsection (5) of this section is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine of twenty-five dollars.

(b) Any person who violates subsection (6) of this section is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine of fifty dollars.

Source: L. 89: Entire article added, p. 1364, § 1, effective April 1, 1990. **L. 95:** (7) amended, p. 974, § 31, effective July 1. **L. 2003:** (7) amended, p. 1951, § 37, effective May 22.

33-14.5-105. Transfer or other termination of ownership. (1) If there is a change of ownership of an off-highway vehicle for which a registration has been issued, the new owner shall apply for a new registration from a dealer employed as a licensing agent or from the division. Such application shall set forth the original number issued and shall be accompanied by the old registration properly signed by the previous owner and by the required fee for registration, pursuant to section 33-10-111 (5).

(2) In the event that an o
application must be accompa
numbered, completed, and sign

Source: L. 89: Entire artic
amended, p. 783, § 10, effectiv

33-14.5-106. Off-highway
(1) All fees collected from the
from the sale of off-highway us
credited to the off-highway vehi
be used for the administration
availability of off-highway veh
highway vehicle safety, for the
routes, parking areas, and facili
purposes of access to public la
however, any moneys collected i
shall be used exclusively for d
assembly shall make annual appr
the purposes enumerated in this

(2) All moneys collected fo
shall be distributed as follows:

(a) One-half of such amoun
credit to the general fund; and

(b) One-half of such amount

(I) If the citing officer is a
treasurer and credited to the off-

(II) If the citing officer is a v
be transferred to the state treasu

(III) If the citing officer is an
the treasurer of the local jurisdic
appropriate fund.

(3) Notwithstanding any pro
the state treasurer shall deduct sev
recreation fund and transfer such

Source: L. 89: Entire article a
added, p. 1544, § 5, effective Ma
6. **L. 2011:** (2)(b)(I) and (2)(b)(II
July 1.

33-14.5-107. Rules. (1) The
article 4 of title 24, C.R.S., conce

(a) Registration of off-highwa

(b) Procedures and requirem
permit program, including guideli

(c) Formulation, in cooperati
uniform maps and signs for use b
to control, direct, or regulate the

(d) The use of off-highway vel
the provisions of this article in an

Source: L. 89: Entire article ad
amended, (HB 12-1317), ch. 248,

ll not be dependent upon any certificate of
by the division.
manufacturer's numbers of all off-highway
hall provide the department of revenue with
f revenue shall maintain a computerized list
of stolen off-highway vehicles.

, § 1, effective April 1, 1990.

(a) Upon the receipt of a sufficient ap-
cle, as required by section 33-14.5-102, the
vehicle and shall enter upon its records the
e distinctive number assigned to it pursuant

hicle at the time of its original registration
il such off-highway vehicle is destroyed,
state or until such registration number is

uch number, issue and deliver to the owner
escribe. In the event of the loss, mutilation,
he registered off-highway vehicle shall file
sion shall require for the issuance of a
pecified in section 33-12-101.
and at the time of each annual renewal
a validation decal indicating the distinctive
in subsection (1) of this section, and the
ation date thereof, which validation decal
ch manner as the division may prescribe.
vehicle has been assigned an identifying
istered within the meaning of this article
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ought to be registered or reregistered does
ment established by the regulations of the
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off-highway vehicle shall be displayed on
vision may, by regulation, prescribe.
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s person or in the off-highway vehicle the
y peace officer authorized to enforce this
r such off-highway vehicle.
5) of this section is guilty of a class 2 petty
by a fine of twenty-five dollars.
of this section is guilty of a class 2 petty
by a fine of fifty dollars.

§ 1, effective April 1, 1990. **L. 95:** (7)
3: (7) amended, p. 1951, § 37, effective

of ownership. (1) If there is a change
a registration has been issued, the new
ler employed as a licensing agent or from
e original number issued and shall be
ned by the previous owner and by the
3-10-111 (5).

(2) In the event that an off-highway vehicle was purchased through a dealer, such application must be accompanied by a dealer's form, as prescribed by the division numbered, completed, and signed by the dealer or his agent and by the new owner.

Source: L. 89: Entire article added, p. 1364, § 1, effective April 1, 1990. **L. 96:** (1) amended, p. 783, § 10, effective May 23.

33-14.5-106. Off-highway vehicle recreation fund - creation - use of moneys. (1) All fees collected from the registration of off-highway vehicles and all fees collected from the sale of off-highway use permits, plus all interest earned on such moneys shall be credited to the off-highway vehicle recreation fund, which fund is hereby created, and shall be used for the administration of this article, for information and awareness on the availability of off-highway vehicle recreational opportunities, for the promotion of off-highway vehicle safety, for the establishment and maintenance of off-highway vehicle routes, parking areas, and facilities, and for the purchase or lease of private land for the purposes of access to public land for uses consistent with the provisions of this article; however, any moneys collected in excess of four dollars per original or renewal registration shall be used exclusively for direct services and not administrative costs. The general assembly shall make annual appropriations from the off-highway vehicle recreation fund for the purposes enumerated in this subsection (1).

(2) All moneys collected for fines imposed pursuant to the provisions of this article shall be distributed as follows:

(a) One-half of such amount collected shall be transferred to the state treasurer for credit to the general fund; and

(b) One-half of such amount collected shall be distributed as follows:

(I) If the citing officer is a park officer, the amount shall be transferred to the state treasurer and credited to the off-highway vehicle recreation fund; or

(II) If the citing officer is a wildlife officer or special wildlife officer, the amount shall be transferred to the state treasurer and credited to the wildlife cash fund; or

(III) If the citing officer is any other peace officer, such amount shall be transferred to the treasurer of the local jurisdiction in which the violation occurred to be credited to the appropriate fund.

(3) Notwithstanding any provision of this section to the contrary, on January 1, 2004, the state treasurer shall deduct seven hundred thousand dollars from the off-highway vehicle recreation fund and transfer such sum to the general fund.

Source: L. 89: Entire article added, p. 1365, § 1, effective April 1, 1990. **L. 2003:** (3) added, p. 1544, § 5, effective May 1; (2)(b)(II) amended, p. 1631, § 71, effective August 6. **L. 2011:** (2)(b)(I) and (2)(b)(II) amended, (SB 11-208), ch. 293, p. 1392, § 22, effective July 1.

33-14.5-107. Rules. (1) The commission shall adopt rules in the manner provided by article 4 of title 24, C.R.S., concerning the following:

(a) Registration of off-highway vehicles and display of registration numbers;

(b) Procedures and requirements to implement and administer the off-highway use permit program, including guidelines in connection with the exemptions therefrom;

(c) Formulation, in cooperation with appropriate federal agencies, of guidelines for uniform maps and signs for use by the state, counties, cities, city and counties, and towns to control, direct, or regulate the operation and use of off-highway vehicles;

(d) The use of off-highway vehicles, but such regulations shall not be inconsistent with the provisions of this article in any way.

Source: L. 89: Entire article added, p. 1365, § 1, effective April 1, 1990. **L. 2012:** IP(1) amended, (HB 12-1317), ch. 248, p. 1227, § 65, effective June 4.

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 or political subdivision thereof;

(b) When crossing streets or when crossing roads, highways, or railroad tracks in the manner provided in section 33-14-112;

(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) (I) When the United States or any agency thereof authorizes by any means such operation on lands under its jurisdiction.

(II) No action is required to be taken by the United States pursuant to this paragraph (h) to authorize the use of off-highway vehicles on lands under the jurisdiction of the United States.

(III) If conduct violates both this paragraph (h) and section 33-6-124 (4), enforcement shall occur only pursuant to section 33-6-124 (4).

(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.

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.

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.

33-14.5-109. Required equipment - off-highway vehicles. (1) No off-highway vehicle shall be operated upon public land unless it is equipped with the following:

(a) At least one lighted head lamp and one lighted tail lamp, each having the minimum candlepower prescribed by regulation of the division while being operated between the hours of sunset and sunrise;

(b) Brakes and a muffler and spark arrester which conform to the standards prescribed by regulation of the division, which shall be applicable in all cases except for off-highway vehicles being operated in organized competitive events held on private lands with the permission of the landowner, lessee, or custodian of the land, on public lands and waters under the jurisdiction of the division with its permission, or on other public lands with the consent of the public agency owning the land.

(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.

Source: L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990. **L. 95:** (2) amended, p. 974, § 32, effective July 1. **L. 2003:** (2) amended, p. 1952, § 39, effective May 22.

33-14.5-110. Regulati
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of this article and the rules

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33-14.5-111. Enforcem
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33-14.5-112. Off-highw
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dollars.

pril 1, 1990. **L. 95:** (2)
p. 1952, § 39, effective

33-14.5-110. Regulation by political subdivisions. (1) Any county, city and county, city, or town acting by its governing body may regulate the operation of off-highway vehicles on public lands, waters, and property under its jurisdiction and on streets and highways within its boundaries by resolution or ordinance of the governing body and by giving appropriate notice thereof if such regulation is not inconsistent with the provisions of this article and the rules and regulations promulgated pursuant thereto.

(2) No county, city and county, city or town acting by its governing body may adopt an ordinance which imposes a fee for the use of public land or water under the jurisdiction of any agency of the state or for the use of any access thereto owned by the county, city and county, city, or town; nor shall it require an off-highway vehicle to be licensed or registered in such political subdivision.

Source: L. 89: Entire article added, p. 1366, § 1, effective April 1, 1990.

33-14.5-111. Enforcement - federal, state, and local cooperation. (1) Every parks and recreation officer, every peace officer of this state and its political subdivisions, and every person commissioned by the division has the authority to enforce the provisions of this article.

(2) The division is authorized to enter into cooperative agreements with federal land management agencies for the purpose of regulating off-highway vehicle use on federal lands.

Source: L. 89: Entire article added, p. 1367, § 1, effective April 1, 1990.

33-14.5-112. Off-highway use permit - fees - applications - requirements - exemptions. (1) (a) No later than January 1, 1990, the division of parks and recreation shall devise a plan for implementation of the off-highway use permit program.

(b) On and after January 1, 1991, the owner of every vehicle required to be registered pursuant to article 3 of title 42, C.R.S., and the owner or operator of every motor vehicle and off-highway vehicle from another state or country, when such vehicle is being used for recreational travel upon designated off-highway vehicle routes, shall obtain and display on such vehicle an off-highway use permit.

(2) Off-highway use permits shall be sold by the agents referred to in section 33-12-104, and the fee for said permits shall be the fee provided pursuant to section 33-10-111 (5).

(3) Off-highway use permits, when issued on April 1, shall be valid for a one-year period, which runs from April 1 through the following March 31. All permits issued during the year at any time after April 1 shall expire on the following March 31.

(4) Off-highway use permits shall be displayed as required by the division.

(5) The following vehicles shall be exempt from the requirements of this section:

(a) Vehicles owned by the United States or another state or political subdivision thereof if such ownership is clearly displayed on such vehicles;

(b) Vehicles operated in an organized competitive or noncompetitive event on publicly or privately owned or leased land; except that this exemption shall not apply unless the agency exercising jurisdiction over such land specifically authorizes the organized competitive or noncompetitive event;

(c) Vehicles operated on public land for purposes other than recreational use, which purposes shall include but not be limited to logging, mining, grazing of livestock, firewood-cutting, and the taking of trees for noncommercial purposes.

(6) Any person who violates paragraph (b) of 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.

Source: L. 89: Entire article added, p. 1367, § 1, effective April 1, 1990. **L. 95:** (6) amended, p. 974, § 33, effective July 1. **L. 96:** (2) amended, p. 784, § 11, effective May 23. **L. 2003:** (6) amended, p. 1952, § 40, effective May 22.

33-14.5-113. Notice of accident. (1) The operator of an off-highway vehicle involved in an accident resulting in property damage of fifteen hundred dollars or more or injuries resulting in hospitalization or death, or some person acting for the operator, or the owner of the off-highway vehicle having knowledge of the accident shall immediately, by the quickest available means of communication, notify an officer of the Colorado state patrol, the sheriff's office of the county wherein the accident occurred, or the office of the police department of the municipality wherein the accident occurred.

(2) Any law enforcement agency receiving a report of accident under this section shall forward a copy thereof to the division, which shall compile statistics annually based upon such reports.

(3) Within forty-eight hours after an accident involving an off-highway vehicle, the accident shall be reported to the Denver office of the division. The report shall be made on forms furnished by the division and shall be made by the owner or operator of the vehicle or someone acting for the owner or operator.

(4) Any person who violates subsection (1) or (3) of this section is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine of seventy-five dollars.

Source: L. 95: Entire section added, p. 341, § 10, effective July 1. **L. 2003:** (4) amended, p. 1952, § 41, effective May 22.

ARTICLE 15

Law Enforcement and Penalties - Parks and Outdoor Recreation

Editor's note: This article was added in 1984 with an effective date of January 1, 1985. Prior to 1984, the substantive provisions of this article were contained in article 6 of this title.

Cross references: For the definitions applicable to this article, see § 33-10-102.

33-15-101.	Powers of officers.	33-15-109.	Damage to state property.
33-15-102.	Imposition of penalty - procedures.	33-15-110.	Vehicles and vessels - operation on state property.
33-15-103.	Disposition of fines - notice of court decisions.	33-15-111.	Motor vehicles - reckless operation. (Repealed)
33-15-104.	Items constituting public nuisance - when - seizure.	33-15-112.	Motor vehicles - careless operation.
33-15-105.	Eluding.	33-15-113.	Unattended vehicles without valid pass.
33-15-106.	Fires.		
33-15-107.	Camping.	33-15-114.	Commercial use of state property.
33-15-108.	Littering.		

33-15-101. Powers of officers. (1) Every peace officer, as defined in section 33-10-102 (17), has the authority to enforce this article and shall assist parks and recreation officers in the enforcement of articles 10 to 15 and 32 of this title and the rules of the commission adopted pursuant thereto. Each such officer has the full power and authority to arrest any person who such officer has probable cause to believe is guilty of a violation of articles 10 to 15 or 32 of this title or any rule adopted pursuant thereto, and, in accordance with the constitutions and laws of the United States and the state of Colorado, to open, enter, and search all places of concealment including motor vehicles and vessels and all other places as provided by law where such officer has probable cause to believe evidence relating to a violation of this title is to be found and to seize the same.

(2) When the public health, safety, welfare, or necessity requires, any officer having the power to enforce the provisions of articles 10 to 15 and 32 of this title shall have the authority to make use of any motor vehicle or other means of transportation, whether privately or publicly owned, to aid such officer in the performance of such officer's duties. In such a case, payment of reasonable compensation shall be made for the use of such motor

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Source: L. 84: Entire ar
section amended, p. 967, §
248, p. 1227, § 66, effecti

33-15-102. Imposition
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shall be punished by a fin
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Source: L. 84: Entire a
section amended, p. 967,
effective May 22. **L. 200**
July 1. **L. 2012:** Entire se
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33-15-103. Dispositio
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(b) All moneys collect
this title shall be distribut

Tincup

To: bcoburn@sni.net
From: Marlene Crosby <mcrosby@co.gunnison.co.us>
Subject: Traffic Problems in Tincup
Cc: rmurdie@co.gunnison.co.us jrdawson@fs.fed.us
Bcc:
Attached:

Mr. Coburn,

I apologize for not getting back to you earlier. I did meet with Sheriff Rick Murdie shortly after receiving your letter. Let me begin by pointing out some important differences between the Town of Tincup and the Town of Pitkin. Pitkin is an incorporated town. Therefore, they have jurisdiction and responsibility for the streets in their town. Their town council has the authority to pass ordinances for the Town of Pitkin.

Tincup is not an incorporated town. The main street through Town is a Forest Service road as is the road to Mirror Lake. Gunnison County has jurisdiction over the side streets in the platted town. Consequently we issue utility permits, access permits, and the Board of County Commissioners may vote to vacate certain streets. The Tincup Civic Association would not have the legal right to do any of those items.

Gunnison County does not place speed bumps in any of our roads. While they may slow traffic they are also a known risk to motorcycle and bicycle riders, and we have been instructed by the County Attorney to refrain from using them. Any signs that we post have to be in accordance with the regulations defined in the Manual of Uniform Traffic Control Devices, and we place stop signs as necessary to control traffic. We looked at this issue a couple of years ago, and installed the signs that were appropriate according to the Manual and approved by the Sheriff.

We would be unwilling to limit access on the through streets. Both Cumberland Pass and the Mirror Lake Road are maintained with public dollars and thus must be open for use by the public, not a limited group of users.

When I spoke with Sheriff Murdie he told me that he has personnel in the Tincup area at least twice a week during the summer doing campground checks in the area, plus he has regular patrol people in the area. He said that people riding ATV's are required to obey traffic laws. They will be ticketed if they are caught speeding, careless driving, or operating a vehicle underage, etc. He cannot ticket people for using their ATV's on the Cumberland Pass Road since it is a Forest Service Road and ATV's are allowed on Forest Service roads.

I have had a number of phone conversations with the owners of the property adjacent to the culvert at the end of Washington Avenue. Hopefully I will have an opportunity to meet with them later this summer.

The cemetery road will be bladed this year, but there are absolutely no plans to pave it. I have never even heard that mentioned before.

Hopefully this note has addressed your concerns and given you the information that you need to take back to your annual meeting. If you need any additional information, e-mail works well for me this time of the year when I am out of the office a great deal.

Thank You

Marlene Crosby
Public Works Director

Gunnison County, Colorado

Public Works Department
11th and Rio Grande
Gunnison, CO 81230

July 16, 1996

Mr. E.W. Conway, President
Tincup Civic Association
CR#765
Almont, CO 81210

Dear E.W.:

Enclosed with this letter is a copy of a memorandum and a signing diagram I sent to Allen Moores who is the Road Foreman in your area.

As I mentioned to you on the phone 15 mph speed limits are not legal and thus are not enforceable. We are changing the speed limit to 25 mph which is the lowest possible limit for a business district designation.

Hopefully the additional signs will help make motorists in the area aware of the congestion. Please call if you have any other questions or concerns.

Sincerely,

Marlene

Marlene D. Crosby
Director of Public Works

MDC/nha
cc: BOCC
enc: Map
Memo
Speed limit brochure