

PART 20 – DEFINITIONS

2001. Meaning of certain words and phrases.

- (1) When used in this Traffic Code the words and phrases defined in this Part shall for the purpose of this Traffic Code have the meanings respectively ascribed to them herein.
- (2) Whenever any words and phrases used in this Traffic Code are not defined herein but are defined in Section 42-1-102, C.R.S., or other state laws regulating the operation of vehicles, any such definition therein shall be deemed to apply to such words and phrases used in this Traffic Code. (Ord. 016, 2003 §1)

2002. Definitions.

As used in this Traffic Code, unless the context otherwise requires:

- (1) *Accident.* Any event that results in unintended injury, either fatal or nonfatal, or any property damage attributable directly or indirectly to the motion of a motor vehicle or its load.
- (2) *Authorized emergency vehicle.* Such vehicles of the fire services, police vehicles, ambulances and other special-purpose vehicles as are publicly owned and operated by or for a governmental agency to protect and preserve life and property in accordance with state laws regulating emergency vehicles, and such privately owned vehicles as are designated by the State Motor Vehicle Licensing Agency, necessary to the preservation of life and property, which are to be equipped and to operate as emergency vehicles in the manner prescribed by state law.
- (3) *Authorized service vehicle.* Such highway or traffic maintenance vehicles as are publicly owned and operated on a highway by or for a governmental agency, the function of which requires the use of service vehicle warning lights as prescribed by state law, and such other vehicles having a public service function, including, but not limited to, public utility vehicles and tow trucks, as determined by the Colorado Department of Transportation. Some vehicles may be designated as both an authorized emergency vehicle and an authorized service vehicle.
- (4) *Automobile.* Any motor vehicle.
- (5) *Bicycle.* A vehicle propelled by human power applied to pedals upon which a person may ride, having two (2) tandem wheels or two (2) parallel wheels and one (1) forward wheel, all of which are more than fourteen (14) inches in diameter.

- (6) *Bus*. Every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons; and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.
- (7) *Bus stand or stop*. A designated area adjacent to a curb or edge of the roadway assigned for the use of buses during the loading or unloading of passengers.
- (8) *Commercial vehicle*. Every vehicle designed, maintained or used primarily for the transportation of persons or property over the public streets or highways for profit, hire or otherwise in any business or commercial enterprise.
- (9) *Driver*. Every person who drives or is in actual physical control of a vehicle.
- (10) *Electric personal assistive mobility device or EPAMD*. A self-balancing, nontandem two-wheeled device, designed to transport only one (1) person, that is powered solely by an electric propulsion system producing an average power output of no more than seven hundred fifty (750) watts.
- (11) *Electrical assisted bicycle*. A vehicle having two (2) tandem wheels or two (2) parallel wheels and one (1) forward wheel, fully operable pedals, an electric motor not exceeding seven hundred fifty (750) watts of power and a top motor-powered speed of twenty (20) miles per hour.
- (12) *Farm tractor*. Every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.
- (13) *Implement of husbandry*. Every vehicle which is designed for agricultural purposes. It also includes equipment used solely for the application of liquid, gaseous and dry fertilizers. Transportation of fertilizer, in or on the equipment used for its application, shall be deemed a part of the application if it is incidental to such application. It also includes hay balers, hay stacking equipment, combines, tillage and harvesting equipment, and other heavy movable farm equipment primarily used on farms and not on the highways. Trailers specially designed to move such equipment on highways shall, for the purposes of size, weight and load requirements be considered as component parts of such implements of husbandry.
- (14) *Low-power scooter*. A self-propelled vehicle designed primarily for use on the roadways with not more than three (3) wheels in contact with the ground, no manual clutch and either of the following:
 - (a) a cylinder capacity not exceeding fifty (50) cubic centimeters if powered by internal combustion; or

- (b) a wattage not exceeding four thousand four hundred seventy-six (4,476) if powered by electricity.

Low-power scooter shall not include a toy vehicle, bicycle, electrical assisted bicycle, wheelchair or any device designed to assist mobility-impaired people who use pedestrian rights-of-way.

- (15) *Motor vehicle*. Any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways, except that the term does not include low-power scooters, wheelchairs or vehicles moved solely by human power. *Motor vehicle* includes a neighborhood electric vehicle. For purposes of the offenses described in Section 42-4-1401, C.R.S., for farm tractors operated on streets and highways, *motor vehicle* includes a farm tractor, which is not otherwise classified as a motor vehicle.
- (16) *Motorcycle*. Every motor vehicle designed to travel on not more than three (3) wheels in contact with the ground, except that the term does not include a farm tractor as herein defined and except a low-power scooter.
- (17) *Owner*. A person who holds the legal title of a vehicle; or, in the event a vehicle is the subject of any agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with the immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner, or parties otherwise having lawful use or control or the right to use or control a vehicle for a period of thirty (30) days or more.
- (18) *Park or parking*. The standing of a vehicle, whether occupied or not, otherwise than very briefly for the purpose of and while actually engaged in loading or unloading property or passengers.
- (19) *Pedestrian*. Any person afoot or any person using a wheelchair.
- (20) *Person*. Every natural person, firm, co-partnership, association or corporation.
- (21) *Police officer*. Every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.
- (22) *Railroad*. A carrier of persons or property upon cars, other than streetcars, operated on stationary rails.
- (23) *Railroad train*. A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars.

- (24) *Right-of-way.* The right of one (1) vehicle operator or pedestrian to proceed in a lawful manner in preference to another vehicle operator or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one (1) grants precedence to the other.
- (25) *Road machinery.* Those vehicles, self-propelled or otherwise, which are not designed primarily for the transportation of persons or cargo over the public highways, and those motor vehicles which may have originally been designed for the transportation of persons but which have been redesigned or modified by the mounting thereon of special equipment or machinery, and which may be only incidentally operated or moved over the public highways. This definition includes but is not limited to wheeled vehicles commonly used in the construction, maintenance and repair of roadways and the digging of ditches.
- (26) *Road tractor.* Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load hereon either independently or any part of the weight of a vehicle or load so drawn.
- (27) *School bus.* Every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or any school-sponsored activity or privately owned and operated for compensation, but not including informal or intermittent arrangements such as sharing of actual gasoline expense or participation in a car pool, for the transportation of children to or from school or any school-sponsored activity.
- (28) *Semi-trailer.* Any wheeled vehicle, without motive power, which is designed to be used in conjunction with a truck tractor so that some part of its own weight and that of its cargo load rests upon or is carried by such truck tractor, and which is generally and commonly used to carry and transport property over the public highways.
- (29) *Snowmobile.* A self-propelled vehicle primarily designed for travel on snow or ice, and supported in part by skis, belts or cleats.
- (30) *Snowplow.* Any vehicle originally designed for highway snow and ice removal or control or subsequently adapted for such purposes, which is operated by or for the State of Colorado or any political subdivision thereof.
- (31) *Stand or standing.* The halting of a vehicle, whether occupied or not, other than momentarily for the purpose of and while actually engaged in receiving or discharging passengers.
- (32) *Stop or stopping.* When prohibited means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer, emergency services personnel or official traffic control device.

- (33) *Street rod vehicle.* A vehicle manufactured in 1948 or earlier with a body design which has been modified for safe road use, including, but not limited to, modifications to the drive train, suspension and brake systems, modifications to the body through the use of materials such as steel or fiberglass, and any other safety or comfort features.
- (34) *Taxi and taxicab.* A licensed public motor vehicle for hire designed and constructed to seat not more than ten (10) persons and operating as a common carrier on call or demand.
- (35) *Taxi-taxicab stand.* A designated area adjacent to the curb set aside and assigned for taxicabs to stand or wait for passengers.
- (36) *Toy vehicle.* Any vehicle, whether or not home-built by the user, that has wheels with an outside diameter of not more than fourteen (14) inches and is not designed, approved or intended for use on public roadways or highways or for off-road use. *Toy vehicle* includes, but is not limited to, gas-powered or electric-powered vehicles, commonly known as mini bikes, "pocket" bikes, kamikaze boards, go-peds and stand-up scooters. *Toy vehicle* does not include off-highway vehicles or snowmobiles.
- (37) *Traffic.* Pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using any street or highway for the purpose of travel.
- (38) *Trailer.* Any wheeled vehicle, without motive power, having an empty weight of more than two thousand (2,000) pounds, which is designed to be drawn by a motor vehicle and to carry its cargo load wholly upon its own structure and which is generally and commonly used to carry and transport property over the public highways.
- (39) *Trailer coach, motor coach, or mobile home.* Any wheeled vehicle which is a single self-contained unit, with or without motive power, which is designed and generally and commonly used for occupancy by persons for residential purposes, in either temporary or permanent locations, and which may occasionally be drawn or driven over the public highways by a motor vehicle or self propelled.
- (40) *Truck.* Any motor vehicle equipped with a body designed to carry property and which is generally and commonly used to carry and transport property over the public highways.
- (41) *Truck tractor.* Any motor vehicle, which is generally and commonly designed and used to draw a semi trailer and its cargo load over the public highways.
- (42) *Vehicle.* A device that is capable of moving itself, or being moved, from place to place upon wheels or endless tracks. *Vehicle* includes, without limitation, a

bicycle, electrical assisted bicycle or EPAMD, but does not include a wheelchair, off-highway vehicle, snowmobile, farm tractor or implement of husbandry designed primarily or exclusively for use and used in agricultural operations; or any device moved exclusively over stationary rails or tracks, or designed to move primarily through the air.

- (43) *Wheelchair.* A motorized or nonmotorized wheeled vehicle designed for use by a person with a physical disability.
- (44) *Yield.* To take appropriate action to grant the right-of-way. (Ord. 016, 2003 §1; Ord. 031, 2005 §3; Ord. 097, 2009 §§41—43)

2003. Definitions relating to streets and highways.

- (1) *Acceleration lane.* A speed-change lane, including tapered areas, for the purpose of enabling a vehicle entering a roadway to increase its speed to a rate at which it can more safely merge with through traffic.
- (2) *Alley (or alleyway).* A street or highway intended to provide access to the rear or side of lots or buildings in urban areas and not intended for the purpose of through vehicular traffic.
- (3) *Block face.* A portion of a street or highway between two (2) intersections, including all on-street parking within such boundaries.
- (4) *Business district.* The territory contiguous to and including a street or highway when within any six hundred (600) feet along such street or highway there are buildings in use for business or industrial purposes, including but not limited to motels, banks, office buildings, railroad stations and public buildings which occupy at least three hundred (300) feet of frontage on one (1) side or three hundred (300) feet collectively on both sides of the street or highway.
- (5) *Controlled-access street or highway.* Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.
- (6) *Crosswalk.* That portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections, or any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.
- (7) *Deceleration lane.* A speed-change lane, including tapered areas, for the purpose of enabling a vehicle that is to make an exit turn from a roadway to slow to the safe speed on the ramp ahead after it has left the main stream of faster-moving traffic.

- (8) *Divided highway.* A highway with separated roadways usually for traffic moving in opposite directions, such separation being indicated by depressed dividing strips, raised curbs, traffic islands or other physical barriers so constructed as to impede vehicular traffic or otherwise indicated by standard pavement markings or other official traffic control devices.
- (9) *Intersection:*
- (a) The area embraced within the prolongation of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of two (2) streets or highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets or highways joining at any other angle may come in conflict.
 - (b) Where a street or highway includes two (2) roadways thirty (30) feet or more apart, every crossing of each roadway of such divided street or highway by an intersecting street or highway shall be regarded as a separate intersection.
 - (c) In the event such intersecting street or highway also includes two (2) roadways thirty (30) feet or more apart, every crossing of two (2) roadways of such streets or highways shall be regarded as a separate intersection.
 - (d) The junction of an alley with a street or highway does not constitute an intersection.
- (10) *Lane.* The portion of a roadway for the movement of a single line of vehicles.
- (11) *Median or central dividing strip.* That portion of a divided street or highway separating the traveled ways for traffic in opposite directions.
- (12) *Play street.* Any street or part thereof set apart and properly signed or marked for recreation purposes.
- (13) *Private road or driveway.* Every road or driveway not open to the use of the public for purposes of vehicular travel.
- (14) *Ramp.* A turning or interconnecting roadway of a traffic interchange.
- (15) *Residence district.* The territory contiguous to and including a street or highway not comprising a business district when the frontage on such street or highway for a distance of three hundred (300) feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business.
- (16) *Recreational trail.* Any trail or path that is not a sidewalk which is owned and maintained by the City for use by the public for any recreational purpose,

whether such trail is paved or not and whether it is located within or outside the City limits.

- (17) *Road*. Any street or highway.
- (18) *Roadway*. That portion of a street or highway improved, designed or ordinarily used for vehicular travel, exclusive of the sidewalk, berm or shoulder, even though such sidewalk, berm or shoulder is used by persons riding bicycles or other human-powered vehicles, and exclusive of that portion of a highway designated for exclusive use as a bicycle path or reserved for the exclusive use of bicycles, human powered vehicles or pedestrians. In the event a street or highway includes two (2) or more separate roadways, *roadway* refers to any such roadway separately but not to all such roadways collectively.
- (19) *Sidewalk* or *sidewalk area*. That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.
- (20) *Street* or *highway*. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel; or the entire width of every way declared to be a public street or highway by any law of this State. The terms *street* and *highway* are synonymous and interchangeable.
- (21) *Through street* or *highway*. Every street or highway or portion thereof on which vehicular traffic is given preferential right-of-way and at the entrances to which other vehicular traffic from intersecting streets or highways is required by law to yield the right-of-way to vehicles on such through street or highway in obedience to a stop sign, yield sign or other official traffic control device, when such signs or devices are erected as provided by state law. (Ord. 016, 2003 §1)

2004. Definitions relating to traffic control devices.

- (1) *Barricade*. A portable or fixed barrier having object markings, used to close all or a portion of the right-of-way to vehicular traffic.
- (2) *Centerline*. A line either marked or unmarked dividing the roadway between traffic moving in opposite directions.
- (3) *Freight or passenger loading zone*. A designated space for the exclusive use of vehicles during the loading or unloading of freight or passengers.
- (4) *Lane-direction control signal*. A traffic control signal which is erected to control the direction of vehicular traffic movement in an individual lane.

- (5) *Lane line.* A line other than a centerline separating two (2) lanes for traffic moving in the same direction.
- (6) *Laned street or highway.* A street or highway the roadway of which is divided into two (2) or more clearly marked lanes for vehicular traffic.
- (7) *Loading zone.* A designated space reserved for the exclusive use of vehicles during the loading or unloading of passengers or property.
- (8) *Markings.* All lines, patterns, words, colors or other devices, except signs, set into the surface of, applied upon or attached to the pavement or curbing or to objects within or adjacent to the roadway, conforming to state standards as required by law and officially placed for the purpose of regulating, warning or guiding traffic.
- (9) *Official traffic control devices.* All signs, signals, markings and devices, not inconsistent with state law, placed or displayed by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.
- (10) *Parking meter.* A mechanical time-measuring device authorized by the City to be used for the purpose of regulating parking.
- (11) *Pedestrian control signal.* A traffic control signal which is erected for the exclusive purpose of directing pedestrian traffic at signalized locations.
- (12) *Railroad sign or signal.* Any sign, signal or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.
- (13) *Safety zone.* The area or space officially set aside within a street or highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.
- (14) *Stop.* When required means the complete cessation of movement.
- (15) *Stop line (or limit line).* A line which indicates where drivers shall stop when directed by an official traffic control device or a police officer.
- (16) *Traffic control signal.* Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed. (Ord. 016, 2003 §1)

2005. Miscellaneous definitions.

- (1) *City.* The City of Fort Collins.

- (2) *Council.* The governing body of a city, or city and county.
- (3) *Holidays.* Where used in this ordinance or on official signs shall, in addition to Sundays, mean New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and such additional statutory holidays as may by ordinance be declared applicable.
- (4) *Litter.* All rubbish, waste material, refuse, garbage, trash, debris or other foreign substance, solid or liquid, of every form, size, kind and description.
- (5) *Parking Referee.* A public civil officer invested with judicial power to determine violations of the parking provisions of this Traffic Code.
- (6) *Official time standard.* Whenever certain hours are named herein, they shall mean standard time or daylight-saving time as may be in current use in the City.
- (7) *Person with a disability.* A person so severely impaired that such person is unable to move from place to place without the aid of a mechanical device, or who has a physical impairment which substantially limits that person's ability to move from place to place.