

## CHAPTER 6

### Law Enforcement

#### Article I Adoption of Model Traffic Code

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## ARTICLE I

### Adoption of Model Traffic Code

#### *Division 1 General Provisions*

#### **Sec. 6-1-10. Adoption of *Model Traffic Code for Colorado, 2003 Revised Edition.***

Pursuant to Part 4 of Article 15 of Title 30, and Part 1 of Article 4 of Title 42, C.R.S., as amended, there is hereby adopted by reference Articles I and II, inclusive, of the 2003 Revised Edition of the "Model Traffic Code for Colorado" (hereinafter referred to as the "Model Traffic Code"), promulgated and published as such by the Colorado Department of Transportation, Staff Traffic and Safety Projects Branch, 4201 East Arkansas Avenue, Denver, Colorado 80222. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for Weld County. The Fine Schedule found at Appendix 6-A to this Chapter shall be valid and enforceable for all corresponding offenses adopted in this Article. Offenses which lack a corresponding fine in the Fine Schedule shall have a fine as established in the Colorado Revised Statutes, which is incorporated herein by reference. The purpose of this Article and the Model Traffic Code adopted herein is to provide a system of traffic regulations in Weld County which are consistent with those found elsewhere in Colorado and the United States. Three (3) copies of the Model Traffic Code adopted herein and the Fine Schedule are now filed in the office of the Weld County Clerk to the Board, 915 10th Street, Greeley, Colorado, and may be inspected during regular business hours. (Weld County Code Ordinance 2005-3)

#### **Sec. 6-1-20. Deletions.**

Deletions to the Model Traffic Code, as adopted for Weld County, Colorado, are the following Sections and Parts found therein: Sections 101, 102, 104, 111, 113, 804, 1203, 1410, 1701, 1706, and as otherwise stated in this Article, and Parts 3, 4, 13, 16 and 18. (Weld County Code Ordinance 2005-3)

#### **Sec. 6-1-30. Additions or modifications.**

Additions or modifications to the Model Traffic Code are as stated in this Article and, specifically, the following:

A. The Model Traffic Code, Section 1204, Parking, is hereby amended to add the following subsections (6) and (7):

#### **"1204. Stopping, standing or parking prohibited in specified places.**

"(6) As the unregulated parking of oversized vehicles in residence districts within the County creates a public safety hazard and a public nuisance in that the parking of such vehicles diminishes parking availability, inhibits through access and sight visibility and limits access of emergency vehicles to property, no person shall park any oversized vehicle upon any County-maintained public street or highway within any residence districts within the County, except for the purpose of loading and unloading.

"(7) For the purposes of this Section, only:

"(a) 'Oversized Vehicle' means any vehicle which exceeds thirty (30) feet in length or seven (7) feet in width or seven (7) feet in height.

"(b) 'Residence District' means the territory contiguous to and including a street, highway, public right-of-way or public property not comprising a business district when the frontage on such 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, and includes County subdivisions and unincorporated townships within the County."

(Weld County Code Ordinance 2005-3; Weld County Code Ordinances 2008-3)

**Sec. 6-1-40. Procedures and penalties.**

Sections 1709 and 1710 of the Model Traffic Code are modified, as follows:

A. The "prescribed" or "appropriate" penalty and surcharge, as referred to in Sections 1709 and 1710 of the Model Traffic Code, shall be those shown for the offense on the Fine Schedule in Appendix 6-A, and said offense shall be referred to as a "Weld County Traffic Infraction," being either "Class A" or "Class B," accordingly, as shown in said Appendix 6-A.

B. Whenever an officer comes upon an unattended vehicle which is parked in apparent violation of the Model Traffic Code, the officer may place upon the vehicle a penalty assessment notice as specified in Section 1709 of the Model Traffic Code; except that said notice shall contain the license plate number and state of registration of the vehicle and need not contain the identification of the alleged offender. When a penalty assessment notice is left on an unattended vehicle, it shall be presumed that the registered owner of such vehicle was the driver/offender.

C. For all offenses where the offender receives a summons for an offense not on the Fine Schedule, or where the penalty and surcharge are not shown, the penalty and surcharge shall be as provided in Section 30-15-402, C.R.S., as follows:

1. Any person who violates any of the provisions of this Article commits a Class 2 Petty Offense and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars (\$1,000.00) for each separate violation, plus applicable surcharges, court costs and docket fees.

D. In addition to the penalty shown on the Fine Schedule in Appendix 6-A, or as prescribed in Section 6-1-40C.1 above, persons convicted of a violation of this Article are subject to surcharges. Such surcharges shall be paid by the defendant to the Weld County Court Clerk. The Weld County Court Clerk shall transmit such surcharges to the Court Administrator of the 19th Judicial District for credit to its Victims and Witnesses Assistance and Law Enforcement Fund, established pursuant to Section 24-4.2-103, C.R.S.; for the Traumatic Brain Injury Fund, established pursuant to Sections 30-15-402(2)(b) and 42-4-1701(4)(e)(I), C.R.S.; and for the Family Friendly Court Fund, established pursuant to Sections 13-3-113(6)(a) and 42-4-1701(4)(a), C.R.S. The payment of the penalty, surcharge and docket fee shall be due upon a date set by the Weld County Court Magistrate or Weld County Court Judge acting as a magistrate. Weld County Court collections personnel are authorized to charge the following penalties (hereinafter collectively referred to as *late charges*), when applicable, for collections made thereafter: Twenty-five-dollar time payment fee, ten-dollar late payment fee and thirty-dollar outstanding judgment-warrant fee.

Collections personnel are authorized to process uncollectible fines, surcharges, docket fees and late charges in the same manner and process used for other traffic infractions or County Court cases.

E. All offenses for which a penalty assessment ticket is issued are called, "Weld County Traffic Infractions." If not otherwise clarified, all references in the Model Traffic Code to "municipal court" shall mean the Weld County Court, and all references to a municipal judge or magistrate shall mean a Weld County Court Judge or Weld County Court Magistrate.

F. Every hearing in Weld County Court for the adjudication of a Weld County Traffic Infraction, as provided by this Article, shall be held before a Weld County Court Magistrate appointed pursuant to Part 5 of Article 8 of Title 13, C.R.S., or before a Weld County Court Judge acting as a magistrate, and the Colorado Rules of Traffic Infractions shall apply; except that, whenever a crime and a Class A and/or Class B Traffic Infraction are charged in the same summons and complaint, all charges shall be made returnable before a judge or magistrate having jurisdiction over the crime and the Colorado Rules of Criminal Procedure shall apply. Nothing in this Article or in Part 5 or Article 8 of Title 13, C.R.S., shall be construed to prevent a court having jurisdiction over a criminal charge relating to traffic law violations from lawfully entering a judgment on a case dealing with a Class A or Class B Traffic Infraction. The docket fee described in Section 42-4-1710(4), C.R.S., shall be assessed, when appropriate. The Weld County Court Magistrate or Weld County Court Judge acting as a magistrate has the authority to accept the Standard Plea Offers for Traffic Infractions set forth in Appendix 6-B.

G. When a court of competent jurisdiction determines that a person charged with a Class 1 or a Class 2 Misdemeanor Traffic Offense is guilty of a lesser-included offense which is a Class A or Class B Traffic Infraction, the court may enter a judgment as to such lesser charge.

H. The Weld County Attorney may, in his or her discretion, enter Traffic Infraction cases for the purpose of attempting a negotiated plea or a stipulation to a deferred prosecution or deferred judgment and sentence, but shall not be required to so enter by any person, court or law, nor shall the County Attorney represent the People of the State of Colorado and/or the County of Weld at hearings conducted by a Weld County Court Magistrate or a Weld County Court Judge acting as a magistrate on Class A or Class B Traffic Infraction matters. The Weld County Court Magistrate or a Weld County Court Judge acting as a magistrate shall be permitted to call and question any witness and shall also act as the fact finder at hearings on Traffic Infraction matters.

#### I. Time Limitations.

1. Except as otherwise stated in Subsection 6-1-40.I.2. below, no person against whom a judgment has been entered for a Traffic Infraction shall collaterally attack the validity of that judgment unless such attack is commenced within six (6) months after the date of entry of judgment.

2. In recognition of the difficulties attending the litigation of stale claims and the potential for frustrating various statutory provisions directed at repeat offenders, former offenders and habitual offenders, the only exceptions to the time limitations specified in Subsection 6-1-40.I.1. above, shall be:

a. A case in which the court entering judgment did not have jurisdiction over the subject matter of the alleged Traffic Infraction;

b. A case in which the court entering judgment did not have jurisdiction over the person of the violator;

c. Where the court hearing the collateral attack finds by a preponderance of the evidence that the failure to seek relief within the applicable time period was caused by an adjudication of incompetence, or by commitment of the violator to an institution for treatment as a mentally ill person; or

d. Where the court hearing the collateral attack finds that the failure to seek relief within the applicable time period was the result of circumstances amounting to justifiable excuse or excusable neglect.

J. Trials shall not be before a jury.

K. Any offender who can prove he or she was wearing a seatbelt at the time of infraction may receive a five-dollar reduction in fine or penalty assessment.

L. In the case of multiple traffic offenses involving aggressive driving, the applicable penalty or penalty assessment shall be tripled for each traffic offense. For purposes of this subsection, *aggressive driving* means committing any three (3) or more of the following violations in a single act or series of acts in close proximity to another motor vehicle:

1. Exceeding the speed limits (1101);
2. Following too closely (1008);
3. Failure to obey official traffic control devices (603);
4. Failure to give an adequate signal (903);
5. Failure to yield right-of-way (701, 702, 703); and
6. Unsafe lane change (903). (Weld County Code Ordinance 2005-3; Weld County Code Ordinance 2005-12; Weld County Code Ordinances 2008-3)

**Sec. 6-1-50. Application.**

This Article shall apply to every street, alley, sidewalk area, driveway, park and to every other public way, place or parking area within the boundaries of Weld County. The provisions of Sections 1401, 1402, and 1413 of the Model Traffic Code, respectively governing reckless driving, careless driving and eluding a police officer, shall apply not only to public places and ways but also throughout Weld County. (Weld County Code Ordinance 2005-3)

**Sec. 6-1-60. Applicability.**

If any part or parts of this Article are, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this Article. The Board of County Commissioners hereby declares that it would have passed this Article and each part or parts thereof, irrespective of the fact that any one (1) part or parts be declared invalid. (Weld County Code Ordinance 2005-3)

**Sec. 6-1-70. Interpretation.**

This Article shall be so interpreted and construed as to effectuate its general purpose to conform with the State's uniform system for the regulation of vehicles and traffic. Article and section headings of the Weld County Code and the Model Traffic Code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any article or section thereof. (Weld County Code Ordinance 2005-3)

**APPENDIX 6-A**

**MODEL TRAFFIC CODE FINE SCHEDULE**

*List of Abbreviations*

## + #	A penalty assessment citation should be issued with the fine being the first numbers and the victim/witness surcharge being the second number.
RA	Conviction of these offenses requires the State of Colorado, Department of Revenue, Motor Vehicles Division to take restraint action against the violator's driver privilege or license.
SUM	A Summons and Complaint should be issued.
TI	Traffic infraction with no penalty class specified.
TIA	Class "A" traffic infraction.
TIB	Class "B" traffic infraction.
VAR	Various penalty classes apply. Reference should be made to C.R.S., Title 42, to determine the actual class.
MTO	Misdemeanor traffic offense.

*Fine Schedule*

<i>Section</i>	<i>Charge</i>	<i>Class of Offense</i>	<i>Fine and Surcharge</i>	<i>Points</i>
<b>BICYCLES</b>				
109(11)	Failed to Use Bicycle Path When Directed by Official Signs	TIB	\$15 + \$7	0
1010(3)	Rode Bicycle on Controlled Access Highway Where Prohibited by Signs	TIA	\$35 + \$7	0
<b>BICYCLE EQUIPMENT</b>				
221(2)	Bicycle Not Equipped With Front Lamp Visible 500 Feet to Front	TIB	\$15 + \$7	0
221(3)	Bicycle Not Equipped With Red Reflector Visible 600 Feet to Rear	TIB	\$15 + \$7	0
221(4)	Bicycle Not Equipped With Side Reflective Material or Lamps	TIB	\$15 + \$7	0
221(6)	Unlawful Use of (Siren/Whistle) Upon a Bicycle	TIB	\$15 + \$7	0
224(3)	Unlawful Use of (Siren/Whistle) Upon a Bicycle	TIB	\$15 + \$7	0
221(7)	Bicycle Not Equipped With Adequate Brake	TIB	\$15 + \$7	0
<b>COMMERCIAL VEHICLE (D.P.S. &amp; P.U.C. RULES &amp; REGULATIONS)</b>				
106(3)	Drove (Truck/Commercial Vehicle) Where Prohibited	TIB	\$35 + \$11	0
106(1)	Vehicle Exceeded Posted Weight Limitation (Specify Posted and Actual Weights)	TIB	\$35 + \$11	0
225(1.5)	(No/Inadequate) Muffler on a Vehicle Equipped With an Engine Compression Brake (Jake Brake)	TIB	\$500 + \$186	0
<b>EQUIPMENT</b>				
202(1)	Drove a (Defective/Unsafe) Vehicle	TIA	\$35 + \$11	2

209	(Improper/No) Red (Flag/Light) on Projecting Load	TIA	\$15 + \$7	0
213(1)	Insufficient (Audible/Visual Signal) on Emergency Vehicle	TIA	\$15 + \$7	0
213(1)	Defective (Audible/Visual Signal) on Emergency Vehicle	TIA	\$15 + \$7	0
223(1)(b)	(Motorcycle/Motorized Bicycle/Bicycle with Motor) Not Equipped With One Brake	TIA	\$15 + \$7	2
223(1)(c)	(Trailer/Semitrailer) Did Not Have Breakaway Brakes as Required	TIA	\$15 + \$7	2
223(1)(d)	(Motor Vehicle/Trailer/Semi-Trailer) Did Not Have Service Brake as Required	TIA	\$15 + \$7	2
223(2)	Performance of (Service/Hand) Brake Did Not Meet Requirements	TIA	\$15 + \$7	2
224(1)	Vehicle Had (No/Defective) Horn	TIB	\$15 + \$7	0
224(2)	Operated Vehicle With Unauthorized Audible Signal	TIB	\$15 + \$7	0
225(1)	Vehicle Had (Defective/Improper/No) Mufflers	TIB	\$15 + \$7	0
226(1)	Vehicle Did Not Have Rearview Mirror(s)	TIB	\$15 + \$7	0
226(1)	Rearview Mirror Did Not Permit Minimum 200 Ft. Vision	TIB	\$15 + \$7	0
227(2)	Vehicle Had (No/Defective) Windshield Wipers	TIB	\$15 + \$7	0
228(1)	Solid Rubber Tire Failed to Be at Least One Inch Thick	TIA	\$15 + \$7	0
228(3)	Tire Had (Block/Flange/Cleat/Spike) Protruding From Rubber	TIA	\$15 + \$7	0
228(5)	Operated a Vehicle With (Improper/Unsafe) Tires	TIA	\$15 + \$7	0
228(6)	Operated Vehicle on Highway with Tires Designed for Nonhighway Use	TIA	\$15 + \$7	0
229(4)	Vehicle Not Equipped With (Front Windshield/Safety Glass in Front Windshield)	TIB	\$15 + \$7	0
230(1)	Required Vehicle Did Not Have Emergency Reflective Triangles	TIB	\$15 + \$7	0
230(2)	Failed to Use (Warning Signal Flashers/Emergency Reflective Triangles) as Required	TIB	\$15 + \$7	0
234(1)	Failed to Display Slow-Moving Vehicle Emblem	TIB	\$15 + \$7	0
234(3)	Misused Slow-Moving Vehicle Emblem	TIB	\$15 + \$7	0
1407.5(2)	Hauled Aggregate Material Without Required Rear Flaps/Tarp	TIB	\$35 + \$11	0
1411(1)	Drove Vehicle While Wearing Earphones	TIB	\$15 + \$7	0
502(3)	Vehicle Had (Chains/Rope/Wire) (Swinging/Dragging/Projecting)	TIB	\$75 + \$25	0
608(2)	Vehicle Not Equipped With Turn Signals as Required	TIA	\$15 + \$7	0
610	Displayed Unauthorized Insignia	TIB	\$15 + \$7	0
1414(2)(a)	Unlawful Use of Dyed Diesel Fuel (First Offense)	TIB	\$500 + \$157	0
1414(2)(b)	Unlawful Use of Dyed Diesel Fuel (Second Offense)	TIB	\$1,000 + \$313	0
1414(2)(c)	Unlawful Use of Dyed Diesel Fuel (Third Offense)	TIB	\$5,000 + \$1,561	0

**IMPROPER/RECKLESS/CARELESS DRIVING AND ACTIONS**

1211(1)	Backed Vehicle in Parking Area (When Not Safe/and Interfered With Traffic)	TIA	\$30 + \$7	2
1211(2)	Backed Vehicle on (Shoulder/Roadway) of Controlled-Access Highway	TIA	\$30 + \$7	2
1201	Improper Starting From (Parked/Stopped) Position	TIA	\$30 + \$7	3
709	Driver Stopped Vehicle in (Intersection/Marked Crosswalk/Railroad Grade Crossing) When Prohibited	TIA	\$70 + \$11	3
710(3)	Drove Vehicle Upon Sidewalk	TIA	\$70 + \$11	3
711	Drove Vehicle Improperly on Mountain Highway	TIA	\$100 + \$11	3
1008(1)	Following Too Closely	TIA	\$100 + \$11	4
1008(2)	Unlawful Following by Vehicle Drawing Another Vehicle	TIA	\$100 + \$11	4
1008(3)	Following Too Closely in Caravan or Motorcade	TIA	\$100 + \$11	4
1009	Coasted Vehicle Down Grade With Gears in Neutral	TIA	\$70 + \$11	3
1010(1)	Failed to Drive as Required on (Divided/Controlled-Access) Highway	TIA	\$53 + \$11	3
1010(2)	Vehicle Crossed Roadway Dividing (Space/Median/Barrier) in an Unlawful Manner	TIA	\$53 + \$11	3
1403	Following Too Closely Behind Fire Apparatus	TIA	\$23 + \$7	3
1404	Drove Vehicle Over Fire Hose	TIB	\$15 + \$7	0
<b>LANE USAGE</b>				
806	Drove Vehicle Through or Within Safety Zone	TIA	\$70 + \$11	3
1007(1)(a)	Changed Lanes When Unsafe	TIA	\$100 + \$11	3
1007(1)(a)	Failed to Drive in Single Lane (Weaving)	TIA	\$100 + \$11	3
1007(1)(b)	Drove Vehicle in Center Lane When (Unnecessary/Prohibited)	TIA	\$100 + \$11	3
1007(1)(c)	Failed to Drive in Designated Lane	TIA	\$100 + \$11	3
1007(1)(d)	Changed Lanes Where Prohibited by Official Traffic Control Device	TIA	\$100 + \$11	4
1011	(Illegal Use of/Obstructed) a Runaway Vehicle Ramp	TIA	\$200 + \$33	3
1012(3)	Drove Unauthorized Vehicle in High Occupancy Lane	TIA	\$65 + \$1	0
1012(3)	Drove Unauthorized Vehicle in High Occupancy Lane Three or More Times	TIA	\$125 + \$1	0
<b>LIGHTS/REFLECTORS</b>				
204(1)	Failed to Display Lamps When Required	TIA	\$15 + \$7	2
202(1)	Operated Vehicle With Defective Head Lamps	TIA	\$35 + \$7	1
205(1)	Motor Vehicle Not Equipped With Head Lamps as Required	TIB	\$15 + \$7	0
205(2)	Motorcycle Not Equipped With Head Lamp as Required	TIB	\$15 + \$7	0
205(3)	Height of Head Lamp Failed to Meet Requirements	TIB	\$15 + \$7	0
206(1)	Vehicle Not Equipped With Tail Lamps as Required	TIB	\$15 + \$7	0
206(2)	Height of Tail Lamp Failed to Meet Requirements	TIB	\$15 + \$7	0

206(3)	Vehicle Had (No/Defective) License Plate Lamps	TIB	\$15 + \$7	0
206(4)	Vehicle Failed to Have Reflector as Required	TIB	\$15 + \$7	0
206(5)	1958 or Newer Vehicle Failed to Have Two Reflectors as Required	TIB	\$15 + \$7	0
206(6)	Height of Reflector Failed to Meet Requirements	TIB	\$15 + \$7	0
207	Vehicle Not Equipped With (Clearance/Side Marker) (Lamps/Reflectors) as Required	TIB	\$15 + \$7	0
208(1)	Vehicle Had (Defective/No) Stop Light(s)	TIB	\$15 + \$7	0
208(1)	Vehicle Not Equipped With Turn Signals as Required	TIB	\$15 + \$7	0
211	(Farm Tractor/Farm Equipment/Implement of Husbandry/Animal-Drawn Vehicle) Not Equipped With (Lamps/Reflectors) as Required	TIB	\$15 + \$7	0
212	(Spot Lamps/Fog Lamps/Auxiliary Passing Lamps/Auxiliary Driving Lamps) Failed to Meet Requirements	TIB	\$15 + \$7	0
212	Improper Use of (Spot Lamps/Fog Lamps/Auxiliary Passing Lamps/Auxiliary Driving Lamps)	TIB	\$15 + \$7	0
213(4)	Vehicle Displayed Unauthorized Green Light	TIA	\$15 + \$7	0
214(1)	Lamps on Service Vehicle (Failed to Meet Requirements/Not Yellow)	TIB	\$15 + \$7	0
214(2)	Failed to Display Lamps on Service Vehicle as Required	TIB	\$15 + \$7	0
215	Signal (Lamps/Devices) Failed to Meet Requirements	TIB	\$15 + \$7	0
215	Vehicle Did Not Have Turn Signals as Required	TIB	\$15 + \$7	0
216	Vehicle Had No Upper-Lower Beam (Switch/Indicator)	TIB	\$15 + \$7	0
217(1)	Improper Headlight Distribution	TIA	\$15 + \$7	0
217(1)(a)	Failed to Dim Lights When Approaching an Oncoming Vehicle	TIA	\$15 + \$7	2
217(1)(b)	Failed to Dim Lights When Following Another Vehicle	TIA	\$15 + \$7	2
218	Single-Beam Head Lamps Failed to Meet Requirements	TIB	\$15 + \$7	0
219	Displayed More Than Four Lamps When Prohibited	TIB	\$15 + \$7	0
220	Motorized Bike or Motor-Driven Cycle Had High Intensity Light Improperly Directed	TIB	\$15 + \$7	0
222(1)	Improper Auxiliary (Signal Lamps/Audible Signal) on (Volunteer Firefighter Vehicle/Volunteer Ambulance Attendant)	TIB	\$15 + \$7	0
222(1)	Misuse of Auxiliary (Signal Lamps/Audible Signal) by (Volunteer Firefighter/Volunteer Ambulance Attendant Vehicle)	TIB	\$15 + \$7	0
231	Drove on Highway With Park Lights When Headlights Required	TIB	\$15 + \$7	0
<b>MOTORCYCLES</b>				
232(1)	Motorcycle (Operator/Passenger) Had No Protective Eye Wear as Required	TIA	\$15 + \$7	0
232(2)	Motorcycle Not Equipped With Passenger Footrests	TIA	\$15 + \$7	0
1502	Improper Riding on Motorcycle	TIA	\$30 + \$12	3
1503	Illegal Operation of Motorcycle on Laned Roads	TIA	\$30 + \$12	3

1504	Person on Motorcycle Clung to Another Vehicle	TIA	\$30 + \$12	3
<b>MOTORIZED BICYCLES - MOTOR-DRIVEN CYCLES</b>				
109(1)	Motorized Bicycle Rider Failed to Obey Provisions of Article 4 (State Violation; i.e., Failed to Signal, or Speeding)	TIB	\$15 + \$7	0
109(2) through (6)	Rode Motorized Bicycle in an Improper Manner (Specify the Violation)	TIB	\$15 + \$7	0
109(11)	Motorized Bicycle Failed to Use Bicycle Path When Directed by Official Signs	TIB	\$15 + \$7	0
220	Motorized Bicycle Did Not Have (Lamp/Reflector/Audible Signal/Brake) as Required	TIB	\$15 + \$7	0
224	Unlawful Use of (Siren/Whistle) Upon a Motorized Bicycle	TIB	\$15 + \$7	0
220	Motor-Driven Cycle Not Equipped With Head Lamp as Required	TIB	\$15 + \$7	0
232(1)	Motor-Driven Cycle (Operator/Passenger) Had No Protective Eye Wear as Required	TIA	\$15 + \$7	0
232(2)	Motor-Driven Cycle Not Equipped With Passenger Footrests	TIA	\$15 + \$7	0
<b>OBSTRUCTED/OBSCURED VISION - INTERFERENCE WITH DRIVER</b>				
201(1)	Number of Persons in Front Seat of Vehicle Obstructed Vision	TIA	\$35 + \$11	0
201(1)	Number of Persons in Front Seat of Vehicle Interfered With Driver	TIA	\$35 + \$11	0
201(2)	Driver of Vehicle Allowed Passenger to Ride in an Unsafe Manner	TIA	\$35 + \$11	0
201(3)	Television Visible to Vehicle Operator	TIA	\$35 + \$11	0
201(4)	Driver's Vision Obstructed Through Required Glass	TIA	\$35 + \$11	0
201(5)	Passenger in Vehicle (Interfered With/Obstructed Vision of) Driver	TIA	\$35 + \$11	0
201(5)	Driver of Vehicle Allowed Passenger to Interfere With Driving	TIA	\$35 + \$11	0
201(6)	Person (Hung on/Attached Himself) to the Outside of Vehicle	TIA	\$35 + \$11	0
201(6)	Driver Permitted Person to (Hang on/Attach Himself) to the Outside of Vehicle	TIA	\$35 + \$11	0
227(1)	Material on (Windshield/Front Side Windows) Presented (Nontransparent/Metallic/Mirrored) Appearance (Note: Metallic/Mirrored Applies to Any Window)	TIB	\$50 + \$17	0
504(5)	Projecting Load on Vehicle Obstructed Driver's Vision	TIB	\$75 + \$25	0
226	Load Obstructed View to Rear - No Exterior Mirrors	TIB	\$15 + \$7	0
<b>OVERSIZE/OVER WIDTH/OVER LENGTH/OVER WEIGHT/PROJECTING LOAD</b>				
502(1)	Width of (Vehicle/Load) Exceeded 8 Feet 6 Inches	TIB	\$75 + \$25	0
502(2)(a)	Load of Loose Hay Exceeded 12 Feet in Width	TIB	\$75 + \$25	0
502(2)(b)	Load of Small Rectangular Hay Bales on a Single Vehicle Exceeded 10 Feet 6 Inches in Width	TIB	\$75 + \$25	0
502(4)	Width of Bus Exceeded 8 Feet 6 Inches	TIB	\$75 + \$25	0
503	Load Projected Beyond Fender of Left Side of Passenger Vehicle	TIB	\$15 + \$7	0
503	Load Projected More Than 6 Inches on Right Side of Passenger Vehicle	TIB	\$15 + \$7	0

504(6)	Rear Projection of Load Exceeded 10 Feet	TIB	\$75 + \$25	0
504(5)	Load Projected Beyond Grill Assembly or Front Wheels	TIB	\$75 + \$25	0
504(1)	Height of Vehicle Exceeded 13 Feet	TIB	\$75 + \$25	0
504(1)	Height of Vehicle Exceeded 14 Feet 6 Inches on Designated Highway	TIB	\$75 + \$25	0
504(2)	Single Vehicle Exceeded 45 Feet in Length	TIB	\$75 + \$25	0
504(3)	Bus Exceeded 60 Feet in Length	TIB	\$75 + \$25	0
504(4)	Combination of Vehicles Exceeded (Four Units/70 Feet in Length)	TIB	\$75 + \$25	0
504(4.5)	(Saddle Mount Combination/Laden Truck Tractor Semitrailer Combination/Auto or Boat Transporter) Exceeded (Four Units/75 Feet in Length)	TIB	\$75 + \$25	0
505	Operated Longer Vehicle Combination Where Prohibited	TIB	\$75 + \$25	0
<b>PARKING VIOLATIONS</b>				
210	Failed to Display Required Lights When Parked	TIB	\$15 + \$7	0
1201	Improper Starting From Parked Position	TIA	\$15 + \$7	3
1202	(Stopped/Parked/Left Standing) Vehicle on Paved Portion of Highway	TIB	\$30 + \$7	0
1204	Improper (Stopping/Standing/Parking) Specify the Violation	TIB	\$15 + \$7	0
1204	Improper Moving of Parked Vehicle	TIB	\$15 + \$7	0
1205(1)	Parked Vehicle More Than 12 Inches From Curb	TIB	\$15 + \$7	0
1205(1)	Failed to Park as Close as Practicable to Edge of Shoulder	TIB	\$15 + \$7	0
1205(2)	Parked Vehicle (on Wrong Side of/in Wrong Direction on) Roadway	TIB	\$15 + \$7	0
1206	Failed to (Lock Ignition of/Remove Key From) Parked Vehicle	TIB	\$15 + \$7	0
1206	Parked Vehicle Without Setting Brakes	TIB	\$15 + \$7	0
1206	Parked Vehicle on Grade Without Turning Wheels to Side of Curb	TIB	\$15 + \$7	0
1207	(Opened Door/Left Door Open) Into Lane of Traffic (When Not Safe/and Interfered With Traffic)	TIB	\$15 + \$7	0
1208(6)	Improper Use of Disabled Parking Privileges When Not Disabled	TIB	\$100 + \$33	0
<b>PASSING</b>				
802(4)	Passed Vehicle Stopped for Pedestrian in (Marked/Unmarked) Crosswalk	TIA	\$30 + \$7	3
1002	Failed to Yield One-Half of the Roadway to Oncoming Vehicle	TIA	\$100 + \$11	4
1003(1)(a)	Passed on Left in Unsafe Manner (Note: Use when vehicle failed to maintain safe distance from overtaken vehicle during pass or upon return to right lane.)	TIA	\$100 + \$11	4
1003(1)(b)	Driver Failed to Give Way When Overtaken	TIA	\$100 + \$11	3
1004	Passed on Right When (Not Permitted/Not Safe)	TIA	\$100 + \$11	4
1005(1)	Passed on Left When Left Not Clear to Traffic	TIA	\$100 + \$11	4
1005(1)	Passed Without Giving Oncoming Traffic Sufficient Clearance	TIA	\$100 + \$11	4
1005(2)(a)	Passed on (Hill/Curve) When View Obstructed	TIA	\$100 + \$11	4

1005(2)(b)	Passed When (Crossing/Within) 100 Feet of (Intersection/Railroad Crossing)	TIA	\$100 + \$11	4
1005(2)(c)	Passed Within 100 Feet of (Bridge/Tunnel/Viaduct) When View Obstructed	TIA	\$100 + \$11	4
1005(3)	Passed on Left When Prohibited by (Signs/Markings)	TIA	\$100 + \$11	4
1007(1)(b)	(Attempted to Pass/Passed) on Shoulder of Right-Hand Traffic Lane	TIA	\$100 + \$11	4
<b>PEDESTRIAN/ANIMAL RIDER VIOLATIONS</b>				
808	Pedestrian Failed to Yield Right-of-Way to Disabled Person	TIA	\$70 + \$11	0
604	Pedestrian (Disregarded/Failed to Obey) Traffic Control Signal	TIA	\$100 + \$11	0
801(1)	Pedestrian Disregarded Traffic Control Device	TIB	\$15 + \$7	0
802(3)	Pedestrian Suddenly (Walked/Ran) Into Path of Vehicle	TIA	\$15 + \$7	0
803	Pedestrian Failed to Yield Right-of-Way to Vehicle	TIB	\$15 + \$7	0
803	Pedestrian Failed to Cross Roadway as Required	TIB	\$15 + \$7	0
805(6)	Pedestrian Solicited Rides in Roadway	TIB	\$15 + \$7	0
805	(Pedestrian/Animal Rider) Failed to (Walk/Ride) (Along/Upon) Roadway as Required	TIB	\$15 + \$7	0
805	Animal Rider on Highway Under the influence of (Alcohol/Controlled Substance)	TIB	\$15 + \$7	0
805	Pedestrian on Highway Under the Influence of (Alcohol/Controlled Substance)	TIB	\$15 + \$7	0
805	Vehicle (Endangered/Impeded) Traffic to Pick up Pedestrian	TIB	\$15 + \$7	0
805	(Pedestrian/Animal Rider) Failed to Yield to Emergency Vehicle	TIB	\$15 + \$7	0
109(8)	(Rode/Led) Animal on Wrong Side of Highway	TIB	\$15 + \$7	0
109(12)	(Parent/Guardian) Knowingly Permitted Child to Violate Section 42-4-109	TIB	\$15 + \$7	0
<b>RECREATIONAL VEHICLES, AREAS AND SERVICES</b>				
109(9)	Used (Skis/Sled/Skates/Coaster/Toy Vehicle/etc.) on Highway	TIB	\$15 + \$7	0
109(12)	(Parent/Guardian) Knowingly Permitted Child to Violate Section 42-4-109	TIB	\$15 + \$7	0
1408	Operated Motor Vehicle in Recreation Area or District Where Prohibited	TIB	\$15 + \$7	0
<b>RIGHT-OF-WAY (VEHICLE/PEDESTRIAN)</b>				
604	Failed to Yield Right-of-Way on Right Turn After Stop at Red Light	TIA	\$100 + \$11	3
701	Failed to Yield Right-of-Way as Required at Uncontrolled Intersection	TIA	\$70 + \$11	3
703(4)	Failed to Yield at Yield Intersection	TIA	\$70 + \$11	3
703(3)	Failed to Yield Right-of-Way When Proceeding From Stop Sign	TIA	\$70 + \$11	3
704	Failed to Yield Right-of-Way Upon Entering Highway (Use when vehicle enters from any place other than a roadway)	TIA	\$70 + \$11	3
705	Failed to Yield Right-of-Way to Emergency Vehicle	TIA	\$70 + \$17	4

711(2)	Failed to Yield Right-of-Way to Ascending Vehicle on Narrow Mountain Highway	TIA	\$100 + \$11	3
710(1)	Failed to Yield Right-of-Way to Pedestrian Upon Emerging From (Alley/Driveway/Building)	TIA	\$70 + \$11	4
710(2)	Failed to Yield Right-of-Way to Pedestrian Upon Entering (Alley/Driveway/Building)	TIA	\$70 + \$11	4
712(1)	Failed to Yield Right-of-Way to Authorized (Vehicle/Pedestrian) in Highway Work Area	TIA	\$70 + \$11	3
712(2)	Failed to Yield Right-of-Way to Authorized Service Vehicle Displaying Flashing Yellow Light	TIA	\$70 + \$11	3
802(1)	Failed to Yield Right-of-Way to Pedestrian in Crosswalk	TIA	\$30 + \$7	4
802(5)	Failed to Yield Right-of-Way to Pedestrian at Steady Walk Signal	TIA	\$15 + \$7	4
807	Driver Failed to Exercise Due Care for Pedestrian	TIA	\$70 + \$11	4
808	Driver Failed to Yield Right-of-Way to Disabled Person	TIA	\$70 + \$11	6
<b>SAFETY BELT/RESTRAINT</b>				
236(2)(a)	Failed to (Provide/Use) an Approved Child Restraint System (0 to 4 Years of Age)	TIB	\$65 + \$17	0
236(2)(b)	Failed to (Provide/Use) an Approved Child Restraint System (4 to 16 years of Age)	TIB	\$65 + \$17	0
237(2)	Drove Vehicle When Safety Belt Not in Use	TIB	\$65 + \$7	0
237(2)	Drove Vehicle When Front Seat Passenger Not Secured by Safety Belt	TIB	\$65 + \$7	0
<b>SCHOOL BUS</b>				
707	(School Bus/Commercial Vehicle) Failed to Stop at Railroad Crossing When Required	TIA	\$70 + \$11	4
1901	Operated School Bus on Mountainous Terrain With Passengers in (Front Row Seats/Seats Next to Emergency Exit) When School Bus Not Equipped With Supplementary Brake Retarders	TIB	\$35 + \$11	0
<b>SIGNALING</b>				
903	(Failed to Signal as Required/Gave Improper Signal) for (Turn/Stop/Sudden Decrease in Speed)	TIA	\$70 + \$11	2
903(2)	Improper Use of Flashing Turn Signal	TIA	\$70 + \$11	2
608(1)	Failed to Use Turn Signals	TIA	\$70 + \$7	2
609	Gave Improper Hand and Arm Signal	TIA	\$15 + \$7	2
<b>SPEED</b>				
1101	Speeding (1—4 MPH Over Posted Limit in Construction Zone or School Zone)	TIA	\$60 + \$33	0
1101	Speeding (5—9 MPH Over Posted Limit in Construction Zone or School Zone)	TIA	\$140 + \$41	1
1101	Speeding (10—19 MPH Over Posted Limit in Construction Zone or School Zone)	TIA	\$270 + \$53	4
1101	Speeding (20—24 MPH Over Posted Limit in Construction Zone or School Zone)	TIA	\$540 + \$85	6

1101(1)	Speeding (1—4 MPH Over Prima Facie Limit/Over Maximum 75 MPH Limit)	TIA	\$30 + \$22	0
1101(1)	Speeding (5—9 MPH Over Prima Facie Limit/Over Maximum 75 MPH Limit)	TIA	\$70 + \$26	1
1101(1)	Speeding (10—19 MPH Over Prima Facie Limit/Over Maximum 75 MPH Limit)	TIA	\$135 + \$32	4
1101(1)	Speeding (20—24 MPH Over Prima Facie Limit/Over Maximum 75 MPH Limit)	TIA	\$200 + \$48	6
1101(3)	Exceeded Safe Speed for Conditions (Indicate actual speed/safe speed)	TIA	\$100 + \$26	3
1103(1)	Impeded Normal Flow of Traffic	TIA	\$50 + \$22	3
1104(1)	Exceeded Posted State Speed on Elevated Structure	TIA	\$30 + \$22	3
<b>SPILLING – LOADS – DAMAGING HIGHWAY – LITTERING</b>				
512	Damaged (Highway/Highway Structure)	TIA	\$75 + \$25	0
1406(1)	(Left/Deposited/Threw) Foreign Matter on Highway	TIB	\$35 + \$11	0
1406(2)	Failed to Remove (Lighted/Burning) Matter (Left/Deposited/Thrown) on Highway	TIB	\$35 + \$11	0
1406(3)	Removed Wrecked or Damaged Vehicle From Highway Without Removing Injurious Substance From Highway	TIB	\$35 + \$11	0
1406(4)	Excavated on Highway Without Authorization	TIB	\$35 + \$11	0
1406(4)	Constructed on Highway Without Authorization	TIB	\$35 + \$11	0
1407	Spilled Load on Highway/Failed to Cover Load/No Flaps When Required	TIB	\$35 + \$11	0
<b>TOWING</b>				
1405	Person Rode in Trailer	TIB	\$15 + \$7	0
506	Failed to Use White Flag on Tow (Chain/Cable/Rope)	TIB	\$15 + \$7	0
506	Failed to Use Safety Chain or Cable on Towed Vehicle	TIB	\$15 + \$7	0
506	Unlawful Drawbar	TIB	\$15 + \$7	0
1008(2)	Unlawful Following by Vehicle Drawing Another Vehicle (Following Too Closely)	TIA	\$100 + \$11	4
<b>TRAFFIC CONTROLS</b>				
601	Disobeyed Sign Closing Highway for (Construction/Event)	TIB	\$35 + \$11	0
603	(Failed to Observe/Disregarded) Traffic Control Device	TIA	\$100 + \$11	4
604	Failed to Obey Lane-Use Control Signal	TIA	\$100 + \$11	4
604	Failed to Obey Traffic Control Signal	TIA	\$100 + \$11	4
604	Failed to Stop for Traffic Control Signal at Place Required	TIA	\$100 + \$11	4
605	Failed to Obey Flashing (Red/Yellow) Signal Light as Required	TIA	\$70 + \$11	4
606	Displayed Unauthorized (Sign/Signal/Marking/Device)	TIA	\$15 + \$7	0
607	(Removed/Interfered With/Altered/Defaced/ Knocked Down/Injured) Traffic Control (Sign/Device) (or Attempted to Do So)	TIB	\$50 + \$17	0

612	Failed to Proceed (With Caution/as Required) at Inoperative or Malfunctioning Control Signal	TIA	\$70 + \$11	4
703	(Disregarded/Failed to Stop as Required at) Stop Sign at Through Highway	TIA	\$70 + \$11	4
706	Disregarded (Railroad Signal/Crossing Gate/Barricade/Flagman)	TIA	\$70 + \$11	4
706(1)	Disregarded Stop Sign at Railroad Crossing	TIA	\$70 + \$11	4
707	(School Bus/Commercial Vehicle) Failed to Stop at Railroad Crossing When Required	TIA	\$70 + \$11	4
708	Unlawful Moving of Heavy Equipment Across Railroad Grade Crossing	TIB	\$35 + \$11	0
712	Disregarded (Instructions/Signals) of Authorized Flagperson in Highway Work Area	TIA	\$70 + \$11	3
806	Drove Vehicle Through Safety Zone	TIA	\$70 + \$11	3
<b>TURNS</b>				
603	Made Turn Where Prohibited by Traffic Control Device	TIA	\$100 + \$11	4
604	Made (Right/Left) Turn on Red Light Where Prohibited by Sign	TIA	\$100 + \$11	4
702	Failed to Yield Right-of-Way When Turning Left in Front of Approaching Traffic	TIA	\$70 + \$11	3
901	Made Right Turn From Wrong (Position/Lane)	TIA	\$70 + \$11	3
901	Made Left Turn From Wrong (Position/Lane)	TIA	\$70 + \$11	3
901	Made Improper Left Turn at Multi-Turn Intersection	TIA	\$70 + \$11	3
901	Failed to Turn as Required by Traffic Control Device	TIA	\$70 + \$11	3
901	Failed to Turn From Turn-Only Lane	TIA	\$70 + \$11	3
902	Made U-Turn on Hill or Curve	TIA	\$70 + \$11	3
902	Made Unsafe U-Turn at Intersection	TIA	\$70 + \$11	3
902	Made U-Turn Where Prohibited	TIA	\$70 + \$11	3
1010	(Improper Turn/Turned Where Prohibited) Across Median of Divided Highway	TIA	\$70 + \$11	3
<b>WRONG WAY - WRONG SIDE</b>				
1001	Failed to Drive Vehicle (on Right Side of Road/in Right-Hand Lane) as Required	TIA	\$70 + \$11	4
1001	Failed to Yield Right-of-Way When Forced to Drive on Left Side of Road	TIA	\$70 + \$11	4
1002	Failed to Yield One-Half of Roadway to Oncoming Vehicle	TIA	\$100 + \$11	4
1006	Drove Vehicle Wrong Way on One-Way Roadway	TIA	\$70 + \$11	3
1006	Drove Vehicle Wrong Way Around Rotary Island	TIA	\$70 + \$11	3
1010(1)	Drove Vehicle on Wrong Side of Divided Highway	TIA	\$70 + \$11	4

(Weld County Code Ordinance 2005-3; Weld County Code Ordinance 2005-12; Weld County Code Ordinance 2006-5; Weld County Code Ordinance 2008-3; Weld County Code Ordinance 2009-6; Weld County Code Ordinance 2009-14)

**APPENDIX 6-B**

**STANDARD PLEA OFFERS FOR TRAFFIC INFRACTIONS**

<i>Original Charge</i>	<i>Plea Offer</i>	<i>Fines/Cost</i>
6 Points	4 Points – Speeding Section 1101 (10—19 MPH over limit)	The penalty assessed on your Summons and Complaint, including a surcharge, docket fee and \$1 fee as required by law.
4 Points	2 Points – Defective Vehicle Section 202	The penalty assessed on your Summons and Complaint, including a surcharge, docket fee and \$1 fee as required by law.
3 Points	1 Point – Defective Vehicle Section 202(1)	The penalty assessed on your Summons and Complaint, including a surcharge, docket fee and \$1 fee as required by law.
2 Points	1 Point – Defective Vehicle Section 202(1)	The penalty assessed on your Summons and Complaint, including a surcharge, docket fee and \$1 fee as required by law.

(Weld County Code Ordinance 2005-3)