

**ORDINANCE FOR THE REGULATION OF TRAFFIC BY THE BOARD OF  
COUNTY COMMISSIONERS OF CONEJOS COUNTY, COLORADO,  
ADOPTING BY REFERENCE THE 2020 EDITION OF THE "MODEL  
TRAFFIC CODE;" REPEALING ALL ORDINANCES IN CONFLICT  
THEREWITH; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.  
ORDINANCE NO. 2020-02**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF CONEJOS COLORADO:

**Section 1. Adoption.**

Pursuant to parts 1 and 2 of article 16 of title 31 and part 4 of article 15 of title 30, C.R.S., there is hereby adopted by reference the 2020 edition of the "Model Traffic Code" promulgated and published as such by the Colorado Department of Transportation, Traffic Engineering and Safety Branch, 2829 W Howard Place, Denver, CO 80204. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the City, Town, County. The purpose of this Ordinance and the Code adopted herein is to provide a system of traffic regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation. Three (3) copies of the Model Traffic Code adopted herein are now filed in the office of the Clerk and Recorder of the County of Conejos, Colorado, and may be inspected during regular business hours.

**Section 2. Deletions.**

The 2020 edition of the Model Traffic Code is adopted as if set out at length save and except the following articles and/or sections which are declared to be inapplicable to this County and are therefore expressly deleted:

A. Sections

- 106(4.5)(b)(I) and (II),
- 613,
- 1011,
- 1012,
- 1203.

B. Section 225(3) is modified to delete the second and third sentences.

**Section 3. Additions or Modifications.**

The said adopted Code is subject to the following additions or modifications:

- A. In addition to the terms specified in Section 1204, it shall be unlawful for any Person to operate, stand, park, or stop a Vehicle in any manner on any County Road or at any place in the unincorporated area of Conejos County, where such movement or parking of vehicles has been restricted or prohibited, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer or traffic control device. Parking prohibitions specified in this Ordinance are in addition to the restrictions specified in section 42-4-1204, C.R.S., and as otherwise specified by law. Temporary daytime parking will be allowed for the purpose of celebrations, parades, and special events. A special Event Permit must be obtained from the Conejos County Sheriff's Office at no cost in order to park on any County Road overnight.
- B. All references to "police" or "peace officer" shall mean the Conejos County Sheriff, Undersheriff, and all related Deputy Sheriffs.
- C. All references to "municipal" or "municipality" shall mean the County of Conejos, Colorado.
- D. All references to "incorporated" shall be modified to be "unincorporated" and shall mean the unincorporated areas of Conejos County, Colorado.
- E. All references to "highway," "road," "roadway," or "street" shall have the same meaning as "County Road."
- F. All references to Section 235(1)(a) shall be replaced with C.R.S. § 42-2-402(4).
- G. Section 110(2) is modified to add the following clause: "The Conejos County Court or the 12<sup>th</sup> Judicial District Court, whichever is most appropriate, shall have jurisdiction over violations of traffic regulations enacted or adopted by Conejos County."
- H. Section 210 is modified to add the following clause: "Except as required in emergency situations, the following shall apply:"
- I. Section 612(2)(a) is modified to add "of the CDOT Traffic Control Manual".
- J. Section 1202(1) is modified to be "roadway" instead of "highway."

**Section 4. Penalty Assessment Procedures and Penalties.**

The following penalties, set forth in full herein, shall apply to this Ordinance.

- A. It is unlawful for any person to violate any provision of this Ordinance.
- B. Any person who violates this Ordinance commits a traffic infraction and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars for each separate violation. The penalty assessment procedure provided in section 16-2-201, C.R.S., and 42-4-1709 may be followed by any arresting law enforcement officer for any such violation. In addition, the provisions, penalties, and fines of sections 42-4-1701 and 42-4-1703, C.R.S., and sections 42-4-1708 to 42-4-1718, C.R.S., shall apply, unless the Code or this Ordinance specifies otherwise.
- C. In addition to the penalties prescribed in subsection B, D, E, and G of this Section, persons convicted of, or admitting responsibility to, a violation of this Ordinance are subject to:
  - I. Additional surcharges as set forth in section 42-4-1701, C.R.S, if the surcharge is not specified in this Ordinance, which shall be paid to the County General Fund or to the State Treasurer as specified by the Colorado Revised Statute, as amended; and
  - II. A surcharge of ten dollars that shall be paid to the clerk of the court by the defendant. Each clerk shall transmit the moneys to the court administrator of the 12<sup>th</sup> Judicial District for credit to the victims and witness' assistance and law enforcement fund established in the 12<sup>th</sup> Judicial District pursuant to section 24-4.2-103, C.R.S;
- D. In addition to the penalties prescribed in subsection B, C, E, and G of this Section, each defendant convicted of, or admitting responsibility to, operating a vehicle in excess of the speed limit in violation of Section 1101, of violating the helmet law for minors of section 109, or of violating the helmet law of section 1502, shall pay to the Clerk of the Court or the County General Fund a twenty dollar (\$20.00) surcharge, as provided in Section 30-15-402(3), C.R.S. The Clerk of the Court or the County Administrator shall transmit the moneys to the State Treasurer, who shall credit them to the Colorado Traumatic Brain Injury Trust Fund created pursuant to Section 26-1-309, C.R.S;
  - I. If the surcharge is collected by a county or county court, the surcharge shall be twenty-two dollars of which two dollars shall be retained by the county and the remaining twenty dollars shall be transmitted to

the state treasurer and credited to the Colorado traumatic brain injury trust fund created pursuant to section 26-1-309, C.R.S., within fourteen days after the end of each quarter, to be used for the purposes set forth in sections 26-1-301 to 26-1-310, C.R.S.

- E. Pursuant to part 17 of the Model Traffic code, points assessed against a driving privilege shall be in conformance to the provisions of Section 41-2-127, C.R.S. to include reduction in points specified in Section 42-2-127 (5.5), C.R.S., except that points assessed for any violation of the provisions stated or adopted in or by this Ordinance shall be reduced as follows if the penalty assessment or fine and surcharge is paid within twenty days of the date of the penalty assessment, notice, or summons and complaint: a six point violation shall be reduced to a three point violation; a four point violation shall be reduced to a two point violation; a three point violation shall be reduced to a two point violation; and a two point violation shall be reduced to a one point violation. If the penalty assessment and surcharge is not paid within the time provided in this Subsection and the alleged offender is found guilty, Court costs shall be assessed in addition to the fine and surcharges imposed on the penalty assessment, notice, or summons and complaints, with said court costs to be used to assist the Conejos County Sheriff's Office Victim Locate and Officer Training Programs.
  
- F. If the penalty assessment procedure authorized by this Ordinance is not used, Court costs may be assessed against violators in addition to the fines imposed by this ordinance.
  
- G. The penalties and surcharges for violating specific sections of this Ordinance shall be as follows, and the penalty and the surcharge shall be paid to the Conejos County General Fund:

**Drivers' License Violations**

<b>Violated Traffic Code Section</b>	<b>Penalty</b>	<b>Surcharge</b>
42-2-101(1) or (4)	\$35.00	\$10.00
42-2-101 (2), (3), or (5)	\$15.00	\$6.00
42-2-103	\$15.00	\$6.00
42-2-105	\$70.00	\$10.00
42-2-105.5 (4)	\$65.00	\$10.00
42-2-106	\$70.00	\$10.00
42-2-116 (6)(a)	\$30.00	\$6.00
42-2-119	\$15.00	\$6.00

42-2-134	\$35.00	\$10.00
42-2-136	\$35.00	\$10.00
42-2-139	\$35.00	\$10.00
42-2-140	\$35.00	\$10.00
42-2-141	\$35.00	\$10.00

### Registration and Taxation Violations

Violated Traffic Code Section	Penalty	Surcharge
42-3-103	\$50.00	\$16.00
42-3-113	\$15.00	\$6.00
42-3-202	\$15.00	\$6.00
42-3-116	\$50.00	\$16.00
42-3-121 (1)(a)	\$75.00	\$24.00
42-3-121 (1)(c)	\$35.00	\$10.00
42-3-121 (1)(f), (1)(g), and (1)(h)	\$75.00	\$24.00
42-3-304 to 306	\$50.00	\$16.00

### Traffic Regulations Generally

Violated Conejos County Traffic Code Section ("Sec." refers to corresponding section of the adopted Code)	Penalty	Surcharge
Sec. 1412	\$15.00	\$6.00
Sec. 109(13)(a)	\$15.00	\$6.00
Sec. 109(13)(b)	\$100.00	\$6.00
Sec. 1211	\$30.00	\$10.00
Sec. 1405	\$15.00	\$10.00

### Traffic Regulations Generally

Violated Conejos County Traffic Code Section ("Sec." refers to corresponding section of the adopted Code)	Penalty	Surcharge
Sec. 201	\$35.00	\$10.00
Sec. 202	\$35.00	\$10.00
Sec. 204	\$15.00	\$6.00
Sec. 205	\$15.00	\$6.00
Sec. 206	\$15.00	\$6.00
Sec. 207	\$15.00	\$6.00
Sec. 208	\$15.00	\$6.00
Sec. 209	\$15.00	\$6.00

Sec. 210	\$15.00	\$6.00
Sec. 211	\$15.00	\$6.00
Sec. 212	\$15.00	\$6.00
Sec. 213	\$15.00	\$6.00
Sec. 214	\$15.00	\$6.00
Sec. 215	\$15.00	\$6.00
Sec. 216	\$15.00	\$6.00
Sec. 217	\$15.00	\$6.00
Sec. 218	\$15.00	\$6.00
Sec. 219	\$15.00	\$6.00
Sec. 220	\$15.00	\$6.00
Sec. 221	\$15.00	\$6.00
Sec. 222(1)	\$15.00	\$6.00
Sec. 223	\$15.00	\$6.00
Sec. 224	\$15.00	\$6.00
Sec. 225(1)	\$15.00	\$6.00
Sec. 226	\$15.00	\$6.00
Sec. 227(1)	\$50.00	\$16.00
Sec. 227(2)	\$15.00	\$6.00
Sec. 228 (1), (2), (3), (5), or (6)	\$15.00	\$6.00
Sec. 229	\$15.00	\$6.00
Sec. 230	\$15.00	\$6.00
Sec. 231	\$15.00	\$6.00
Sec. 232	\$15.00	\$6.00
Sec. 233	\$75.00	\$24.00
Sec. 234	\$15.00	\$6.00
Sec. 235	\$50.00	\$16.00
Sec. 236	\$65.00	\$16.00
Sec. 237	\$65.00	\$6.00
Sec. 1411	\$15.00	\$6.00
Sec. 1412	\$15.00	\$6.00
Sec. 1901	\$35.00	\$10.00

**Signals, Signs, and Markings Violations**

<b>Violated Conejos County Traffic Code Section ("Sec." refers to corresponding section of the adopted Code)</b>	<b>Penalty</b>	<b>Surcharge</b>
Sec. 603	\$100.00	\$10.00
Sec. 604	\$100.00	\$10.00
Sec. 605	\$70.00	\$10.00
Sec. 606	\$15.00	\$6.00
Sec. 607(1)	\$50.00	\$16.00

Sec. 607(2)(a)	\$100.00	\$32.00
Sec. 608(1)	\$70.00	\$6.00
Sec. 608(2)	\$15.00	\$6.00
Sec. 609	\$15.00	\$6.00
Sec. 610	\$15.00	\$6.00
Sec. 612	\$70.00	\$10.00
Sec. 613	\$35.00	\$10.00

### Rights-of-way Violations

<b>Violated Conejos County Traffic Code Section ("Sec." refers to corresponding section of the adopted Code)</b>	<b>Penalty</b>	<b>Surcharge</b>
Sec. 701	\$70.00	\$10.00
Sec. 702	\$70.00	\$10.00
Sec. 703	\$70.00	\$10.00
Sec. 704	\$70.00	\$10.00
Sec. 705	\$70.00	\$10.00
Sec. 706	\$70.00	\$10.00
Sec. 707	\$70.00	\$10.00
Sec. 708	\$35.00	\$10.00
Sec. 709	\$70.00	\$10.00
Sec. 710	\$70.00	\$10.00
Sec. 711	\$100.00	\$10.00
Sec. 712	\$70.00	\$10.00

### Pedestrian Violations

<b>Violated Conejos County Traffic Code Section ("Sec." refers to corresponding section of the adopted Code)</b>	<b>Penalty</b>	<b>Surcharge</b>
Sec. 801	\$15.00	\$6.00
Sec. 802 (1)	\$30.00	\$6.00
Sec. 802(3)	\$15.00	\$6.00
Sec. 802(4)	\$30.00	\$6.00
Sec. 802(5)	\$30.00	\$6.00
Sec. 803	\$15.00	\$6.00
Sec. 805	\$15.00	\$6.00
Sec. 806	\$70.00	\$10.00
Sec. 807	\$70.00	\$10.00
Sec. 808	\$70.00	\$10.00

**Turning and Stopping Violations**

<b>Violated Conejos County Traffic Code Section ("Sec." refers to corresponding section of the adopted Code)</b>	<b>Penalty</b>	<b>Surcharge</b>
Sec. 901	\$70.00	\$10.00
Sec. 902	\$70.00	\$10.00
Sec. 903	\$70.00	\$10.00

**Driving, Overtaking, and Passing Violations**

<b>Violated Conejos County Traffic Code Section ("Sec." refers to corresponding section of the adopted Code)</b>	<b>Penalty</b>	<b>Surcharge</b>
Sec. 1001	\$70.00	\$10.00
Sec. 1002	\$100.00	\$10.00
Sec. 1003	\$100.00	\$10.00
Sec. 1004	\$100.00	\$10.00
Sec. 1005	\$100.00	\$10.00
Sec. 1006	\$70.00	\$10.00
Sec. 1007	\$100.00	\$10.00
Sec. 1008	\$100.00	\$10.00
Sec. 1009	\$70.00	\$10.00
Sec. 1010	\$70.00	\$10.00
Sec. 1011	\$200.00	\$32.00
Sec. 1012(3)(a)	\$65.00	None
Sec. 1012(3)(b)	\$125.00	None
Sec. 1013	\$100.00	None

**Speeding Violations**

<b>Violated Conejos County Traffic Code Section ("Sec." refers to corresponding section of the adopted Code)</b>	<b>Penalty</b>	<b>Surcharge</b>
Sec. 1101 (1) or (8) (b) (1 to 4 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)	\$30.00	\$6.00
Sec. 1101 (1) or (8) (b) (5 to 9 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles)	\$70.00	\$10.00



per hour)		
Sec. 1101 (1) or (8) (b) (10 to 19 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)	\$135.00	\$16.00
Sec. 1101 (1) or (8) (b) (20 to 24 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)	\$200.00	\$32.00
Sec. 1101 (8) (g) (1 to 4 miles per hour over the maximum lawful speed limit of 40 miles per hour driving a low-power scooter)	\$50.00	\$6.00
Sec. 1101 (8) (g) (5 to 9 miles per hour over the maximum lawful speed limit of 40 miles per hour driving a low-power scooter)	\$75.00	\$10.00
Sec. 1101 (8) (g) (greater than 9 miles per hour over the maximum lawful speed limit of 40 miles per hour driving a low-power scooter)	\$100.00	\$16.00
Sec. 1101(3)	\$100.00	\$10.00
Sec. 1103	\$50.00	\$6.00
Sec. 1104	\$30.00	\$6.00

### Parking Violations

Violated Conejos County Traffic Code Section ("Sec." refers to corresponding section of the adopted Code)	Penalty	Surcharge
Sec. 1201	\$30.00	\$6.00
Sec. 1202	\$30.00	\$6.00
Sec. 1204	\$150.00	\$6.00
Sec. 1205	\$150.00	\$6.00
Sec. 1206	\$150.00	\$6.00
Sec. 1207	\$150.00	\$6.00
Sec. 1208 (9), (15), or (16)	\$150.00	\$32.00
Sec. 1213	\$150.00	\$32.00

### Other Offenses

Violated Conejos County Traffic Code Section ("Sec." refers to corresponding section of the adopted Code)	Penalty	Surcharge
Sec. 1301	\$100.00	\$16.00
Sec. 1305	\$50.00	\$16.00
Sec. 1305.5(2)	\$50.00	\$7.80
Sec. 1402	\$150.00	\$16.00
Sec. 1403	\$30.00	\$6.00
Sec. 1404	\$15.00	\$6.00
Sec. 1406	\$35.00	\$10.00
Sec. 1407(3)(a)	\$35.00	\$10.00
Sec. 1407(3)(b)	\$100.00	\$30.00
Sec. 1407(3)(c)	\$500.00	\$200.00
Sec. 314 (1) and (2)	\$35.00	\$10.00
Sec. 314 (6)(a)	\$100.00	\$10.00
Sec. 1408	\$15.00	\$6.00
Sec. 1414 (2)(a)	\$500.00	\$156.00
Sec. 1414(2)(b)	\$1,000.00	\$312.00
Sec. 1414(2)(c)	\$5,000.00	\$1,560.00
Sec. 1416 (3)	\$75.00	\$4.00
42-20-109(2)	\$250.00	\$66.00

### Motorcycle Violations

Violated Conejos County Traffic Code Section ("Sec." refers to corresponding section of the adopted Code)	Penalty	Surcharge
Sec. 1502 (1), (2), (3), or (4)	\$30.00	\$6.00
Sec. 1502 (4.5)	\$100.00	\$15.00
Sec. 1503	\$30.00	\$6.00
Sec. 1504	\$30.00	\$6.00

### Offenses by Persons Controlling Vehicles

Violated Conejos County Traffic Code Section ("Sec." refers to corresponding section of the adopted Code)	Penalty	Surcharge
Sec. 239(5)(a)	\$50.00	\$6.00
Sec. 239(5)(b)	\$100.00	\$6.00
Sec. 1704	\$15.00	\$6.00

Penalties and surcharges that are not specified in this fine schedule shall be punished in accordance with the penalty and surcharges mandated in the Code as adopted by this Ordinance, including any extra penalties and surcharges for subsequent violations. The District Attorney for the 12<sup>th</sup> Judicial District shall prosecute all offenses under this Ordinance pursuant to the Colorado County Court Rules of Criminal Procedures.

#### Section 5. Application.

This ordinance shall apply to every street, alley, sidewalk area, driveway, park, and to every other public way or public place or public parking area, either within or outside of the unincorporated limits of Conejos County, the use of which Conejos County has jurisdiction and authority to regulate. The provisions of sections 1401, 1402, 1413, and part 16 of the adopted Model Traffic Code, respectively concerning reckless driving, careless driving, eluding a police officer, and accidents and accident reports shall apply not only to public places and ways but also throughout Conejos County.

#### Section 6. Validity.

If any part or parts of this ordinance are for any reason held to be invalid such decision shall not affect the validity of the remaining portions of this ordinance. The Board of County Commissioners hereby declares that it would have passed this ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

#### Section 7. Repeal.

Existing Ordinance No. 2004 No. 1, covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

#### Section 8. Interpretation.

This ordinance 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 ordinance and adopted 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.

**Section 9. Certification.**

The County Clerk and Recorder shall certify to the passage of this ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

**Section 10. Effective Date.**

This Ordinance shall take effect thirty days after the final publication and adoption on second reading by the Board of County Commissioners.

**INTRODUCED ON FIRST READING on December 17, 2020.**

Public Hearing ordered to be held on January 21, 2021, at 11:00 a.m./p.m., at the Conejos County Courthouse, in the Board of County Commissioners' Board Room, 6683 County Road 13, CO 81129; and

Another Public Hearing ordered to be held on January 21, 2021, at 6:00 a.m./p.m., at the Conejos County Courthouse, in the Board of County Commissioners' Board Room, 6683 County Road 13, CO 81129.

**THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF  
CONEJOS, COLORADO**

Mitchell Jarvies

Mitchell Jarvies, Chair

Steven McCarroll

Steven McCarroll, Commissioner

Carlos Garcia

Carlos Garcia, Commissioner

ATTEST AND SEAL:



*Nathan Ruybal*  
Nathan Ruybal, Conejos County Clerk & Recorder

*Aracelly R. Gomez*  
Deputy Clerk

PUBLISHED IN THE \_\_\_\_\_ ON \_\_\_\_\_.

PUBLIC HEARING HELD ON \_\_\_\_\_ AT \_\_\_\_ A.M./P.M.

ADOPTED ON SECOND AND FINAL READING on \_\_\_\_\_, 2020 BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CONEJOS, COLORADO and ordered published in the Valley Courier, in accordance with the law.

\_\_\_\_\_  
Mitchell Jarvies, Chair

\_\_\_\_\_  
Steven McCarroll, Commissioner

\_\_\_\_\_  
Carlos Garcia, Commissioner

ATTEST AND SEAL:

\_\_\_\_\_

**Nathan Ruybal Recp. No: 20001825**  
**Conejos County Clerk and Recorder Page: 14 of 14**  
**Recorded: 12/17/2020 1:23 PM Rec Fee: \$0.00**  
**Doc Fee: \$0.00 EF: \$0.00**  
**Min Fee: \$0.00 RS: \$0.00**

Nathan Ruybal, Conejos County Clerk & Recorder