

**AGENDA
OURAY CITY COUNCIL**

Monday, June 16, 2025 - 2:30 PM

**Ouray Community Center
320 6th Ave
Ouray, CO 81427**

VIRTUAL OPTION - <https://zoom.us/j/9349389230>

Meeting ID: 934 938 9230 Passcode: 491878 Or dial: 408 638 0968 or 669 900 6833

Ouray City Council Work Session

- Changes to this agenda can be found on the bulletin board at City Hall
- Electronic copies of the Council Packet are available on the City website at www.cityofouray.com. A hard copy of the Packet is also available at the Administrative Office for interested citizens.
- Notice is hereby given that a majority or quorum of the Planning Commission, Ouray Economic Development Committee, Beautification Committee, Tourism Advisory Committee, Main Streets Committee, and/or Parks and Recreation Committee may be present at the above noticed City Council meeting to discuss any or all of the matters on the agenda below for Council consideration

1. CALL TO ORDER
2. DISCUSSION ITEMS
 - a. Ouray County Fire Authority Discussion
 - b. Parking Study & Bicycle Usage on Municipal Trails (regulations for E-Bikes)



OURAY COUNTY EMERGENCY SERVICES

Ouray County Board of County
Commissioners

Work Session

May 7, 2025

FIRE AND EMS SERVICES IN OURAY COUNTY

Ouray
County EMS

City of
Ouray

Ouray Fire
Protection
District

Ridgway
Fire
Protection
District

Log Hill
Mesa Fire
Protection
District

Horsefly
Volunteer
Fire
Protection

HISTORY OF COOPERATION AMONG FIRST RESPONDERS



Mutual Aid Agreements



**Facilities and
equipment usage /
leasing**



**Evolution of
departments**

Creation of Fire Protection
Districts
Evolution from Volunteer to
Employees



**Continued desire to
proceed in the spirit
of cooperation.**

RISING TIDE

- Ridgway Fire engaged Butler Snow in 2020 to discuss possible merger options;
- Ridgway Fire engaged Lyons Gaddis in the summer of 2024;
 - August 2024 presentation from John Chmil with Lyons Gaddis to discuss available options:
 - Consolidation and Creation of a New District;
 - Inclusion – Dissolution Election;
 - Administrative Property Transfer; and
 - Creation of an Authority
 - Working group of Chiefs / Department Heads

WHERE ARE WE NOW?

- Working group recommendation was to proceed with an Authority
- Draft IGA was circulated in 2024; then re-circulated in 2025
- Drafts have been presented to City of Ouray, Ridgway Fire, Ouray County
- IGA is in draft format, with no formal decision having been made at this point
- Approval of the IGA at Board/Governance Level
 - BOCC/ Ouray City Council/ RFPD, OFPD, LHFPD
BOD/Horsefly BOD

INTERGOVERNMENTAL
AGREEMENT
ESTABLISHING OURAY
COUNTY FIRE
PROTECTION
DISTRICT AUTHORITY

- PRO
 - Faster and easier to establish
 - No election
 - Can quickly incorporate all of Ouray County
 - IGA allows for parties to negotiate substantive issues with creating the authority
 - Freedom to define funding and funding splits
 - Preserves individual agencies
- CON
 - Not permanent
 - Difficult to unwind
 - No independent ability to tax
 - Layered approach
 - Negotiating funding splits

AUTHORITY OVERVIEW & EXAMPLES

- Established by any two (2) or more governmental entities that have the authority to provide the same service
- Formed by Intergovernmental Agreement of the establishing entities
- Can establish a separate local government (stated intent in IGA)
- Underlying entities remain in existence and provide annual funding
- Cannot levy its own tax or exercise eminent domain
- Overseen by separate Board of Directors with separate budget, audit, etc.

Poudre Fire Authority:

- Established by City of Ft. Collins and Poudre Valley Fire Protection District
- Operating since 1981
- Provides all-hazards service to 230 square miles (City and surrounding areas)
- IGA sets out revenue allocation between City and PVFPD (dedicated portion of City revenues (mostly sales and property tax) and all of District mill levy)
- Governed by 5-member Board of Directors (2 appointed by each, 5th chosen by 4 Directors (usually City Manager))

Loveland Fire Rescue Authority:

- Established by City of Loveland and Loveland Rural Fire Protection District
- Operating since 2012
- Provides fire, EMS, and rescue services to 187 square miles (City and surrounding areas)
- IGA sets our allocation of costs and expenses between City and LRFPD (82%-18%)
- Governed by 5-member Board of Directors (2 appointed by each and City Manager)

Front Range Fire Rescue Authority:

- Established by Johnstown and Milliken Fire Protection Districts
- Operated from 2015 to 2018
- Provided fire, EMS, and rescue services to both municipalities and portions of 2 Counties
- IGA required nearly 100% pass-through funding with exceptions (i.e., pension, debt, TABOR)
- Governed by 10-member Board of Directors (both District Boards)
- Primarily used as an operational steppingstone to consolidation (Districts formally consolidated to a single District in 2018)

West's Colorado Revised Statutes Annotated
Title 29. Government--Local
General Provisions
Article 1. Budget and Services
Part 2. Intergovernmental Relationships (Refs & Annos)

C.R.S.A. § 29-1-204

§ 29-1-204. Establishment of separate governmental entity

Currentness

(1) Any combination of cities and towns of this state which are authorized to own and operate electric systems may, by contract with each other or with cities and towns of any adjoining state, establish a separate governmental entity, to be known as a power authority, to be used by such contracting municipalities to effect the development of electric energy resources or production and transmission of electric energy in whole or in part for the benefit of the inhabitants of such contracting municipalities.

(2) Any contract establishing such separate governmental entity shall specify:

(a) The name and purpose of such entity and the functions or services to be provided by such entity;

(b) The establishment and organization of a governing body of the entity, which shall be a board of directors in which all legislative power of the entity is vested, including:

(I) The number of directors, their manner of appointment, their terms of office, their compensation if any, and the procedure for filling vacancies on the board;

(II) The officers of the entity, the manner of their selection, and their duties;

(III) The voting requirements for action by the board; except that, unless specifically provided otherwise, a majority of directors shall constitute a quorum, and a majority of the quorum shall be necessary for any action taken by the board;

(IV) The duties of the board which shall include the obligation to comply with the provisions of parts 1, 5, and 6 of this article;

(c) Provisions for the disposition, division, or distribution of any property or assets of the entity;

(d) The term of the contract, which may be continued for a definite term or until rescinded or terminated, and the method, if any, by which it may be rescinded or terminated; except that such contract may not be rescinded or terminated so long as the entity has bonds, notes, or other obligations outstanding, unless provision for full payment of such obligations, by escrow or otherwise, has been made pursuant to the terms of such obligations.

(3) The general powers of such entity shall include the following powers:

(a) To develop electric energy resources and produce or transmit electric energy in whole or in part for the benefit of the inhabitants of the contracting municipalities;

(b) To make and enter into contracts, including, without limitation, contracts with cities and towns in any adjoining state, irrespective of whether such cities and towns are parties to the contract establishing the separate governmental entity;

(c) To employ agents and employees;

(d) To acquire, construct, manage, maintain, or operate electric energy facilities, works, or improvements or any interest therein;

(e) To acquire, hold, lease (as lessor or lessee), sell, or otherwise dispose of any real or personal property, commodity, or service;

(f) To condemn property for public use, if such property is not owned by any public utility and devoted to such public use pursuant to state authority;

(g) To incur debts, liabilities, or obligations;

(h) To sue and be sued in its own name;

(i) To have and use a corporate seal;

(j) To fix, maintain, and revise fees, rates, and charges for functions, services, or facilities provided by the entity;

(k) To adopt, by resolution, regulations respecting the exercise of its powers and the carrying out of its purposes;

(l) To exercise any other powers which are essential to the provision of functions, services, or facilities by the entity and which are specified in the contract;

(m) To do and perform any acts and things authorized by this section under, through, or by means of an agent or by contracts with any person, firm, or corporation;

(n) To deposit moneys of the power authority not then needed in the conduct of the power authority affairs in any depository authorized in [section 24-75-603, C.R.S.](#) For the purpose of making such deposits, the board of directors may appoint, by written resolution, one or more persons to act as custodians of the moneys of the power authority. Such persons shall give surety bonds in such amounts and form and for such purposes as the board requires.

(o) To acquire or cross railroad rights-of-way in the manner set forth in [section 40-5-105, C.R.S.](#)

(4) The separate governmental entity established by such contracting municipalities shall be a political subdivision and a public corporation of the state, separate from the parties to the contract, and shall be a validly created and existing political subdivision and public corporation of the state, irrespective of whether a contracting municipality, including a city or town of an adjoining state, withdraws (whether voluntarily, by operation of law, or otherwise) from such entity subsequent to its creation under circumstances not resulting in the rescission or termination of the contract establishing such entity pursuant to its terms. It shall have the duties, privileges, immunities, rights, liabilities, and disabilities of a public body politic and corporate. The provisions of articles 10.5 and 47 of title 11, C.R.S., shall apply to moneys of the entity.

(5) The bonds, notes, and other obligations of such separate governmental entity shall not be the debts, liabilities, or obligations of the contracting municipalities.

(6) The contracting municipalities may provide in the contract for payment to the separate governmental entity of funds from proprietary revenues for services rendered by the entity, from proprietary revenues or other public funds as contributions to defray the cost of any purpose set forth in the contract, and from proprietary revenues or other public funds as advances for any purpose subject to repayment by the entity.

(7)(a) To carry out the purposes for which the separate governmental entity was established, the entity is authorized to issue bonds, notes, or other obligations payable solely from the revenues derived or to be derived from the function, service, or facility or the combined functions, services, or facilities of the entity or from any other available funds of the entity. The terms, conditions, and details of said bonds, notes, and other obligations, the procedures related thereto, and the refunding thereof shall be set forth in the resolution authorizing said bonds, notes, or other obligations and shall, as nearly as may be practicable, be substantially the same as those provided in part 4 of article 35 of title 31, C.R.S., relating to water and sewer revenue bonds; except that the purposes for which the same may be issued shall not be so limited and except that said bonds, notes, and other obligations may be sold at public or private sale. Bonds, notes, or other obligations issued under this subsection (7) shall not constitute an indebtedness of the entity or the cooperating or contracting municipalities within the meaning of any constitutional or statutory limitation or other provision. Each bond, note, or other obligation issued under this subsection (7) shall recite in substance that said bond, note, or other obligation, including the interest thereon, is payable solely from the revenues and other available funds of the entity pledged for the payment thereof and that said bond, note, or other obligation does not constitute a debt of the entity or the cooperating or contracting municipalities within the meaning of any constitutional or statutory limitations or provisions. Notwithstanding anything in this section to the contrary, such bonds, notes, and other obligations may be issued to mature at such times not beyond forty years from their respective issue dates, shall bear interest at such rates, and shall be sold at, above, or below the principal amount thereof, all as shall be determined by the board of the entity. Notwithstanding anything in this section to the contrary, in the case of short-term notes or other obligations maturing not later than one year from the date of issuance thereof, the board of the entity may authorize officials of the entity to fix principal amounts, maturity dates, interest rates, and purchase prices of any particular issue of such short-term notes or obligations, subject to such limitations as to maximum term, maximum principal amount outstanding, and maximum net effective interest rates as the board shall prescribe by resolution. Such action may be taken by the board of the entity only at a public meeting preceded by adequate notice, and the action of the board shall be properly recorded on the permanent records of the board.

(b) The resolution, trust indenture, or other security agreement under which any bonds, notes, or other obligations are issued shall constitute a contract with the holders thereof, and it may contain such provisions as shall be determined by the board of the entity to be appropriate and necessary in connection with the issuance thereof and to provide security for the payment

thereof, including, without limitation, any mortgage or other security interest in any revenues, funds, rights, or properties of the entity. The bonds, notes, and other obligations of the entity and the income therefrom shall be exempt from taxation, except inheritance, estate, and transfer taxes.

(8) A separate governmental entity established by contracting municipalities shall, if the contract so provides, be the successor to any nonprofit corporation, agency, or other entity theretofore organized by the contracting municipalities to provide the same function, service, or facility, and such separate governmental entity shall be entitled to all rights and privileges and shall assume all obligations and liabilities of such other entity under existing contracts to which such other entity is a party.

(9) The authority granted pursuant to this section shall in no manner limit the powers of governments to enter into intergovernmental cooperation or contracts or to establish separate legal entities pursuant to the provisions of [section 29-1-203](#) or any other applicable law or otherwise to carry out their powers under applicable statutory or charter provisions, nor shall such authority limit the powers reserved to cities and towns by [section 2 of article XI of the state constitution](#). Nothing in this part 2 constitutes a legislative declaration of preference for electric systems owned by separate governmental entities over electric systems owned by other or different entities.

(10) For the purposes of subsection (1), paragraph (b) of subsection (3), and subsection (4) of this section, “cities and towns of any adjoining state” means any city or town located in any state sharing a common border with the state of Colorado which owns an electric system and which is located not more than fifteen miles from the common border of the state of Colorado and such adjoining state.

Credits

Formerly § 29-1-203.1. Added by Laws 1975, H.B.1666, § 2, eff. May 20, 1975. Amended by Laws 1976, S.B.61, §§ 1, 2, eff. May 7, 1976; Laws 1977, S.B.522, §§ 54, 55, eff. June 29, 1977. Renumbered § 29-1-204. Amended by Laws 1979, H.B.1363, § 11, eff. June 8, 1979; Laws 1982, H.B.1148, § 1, eff. March 17, 1982; Laws 1982, S.B.148, § 1, eff. April 16, 1982; [Laws 2002, Ch. 350, § 5, eff. June 8, 2002](#).

[Notes of Decisions \(3\)](#)

C. R. S. A. § 29-1-204, CO ST § 29-1-204

Current through legislation effective May 20, 2025 of the First Regular Session, 75th General Assembly (2025). Some statute sections may be more current. See credits for details.

Ouray Parking Study

Prepared for:
City of Ouray

November 27, 2024

UT24-2504



FEHR  PEERS ENGINEERING

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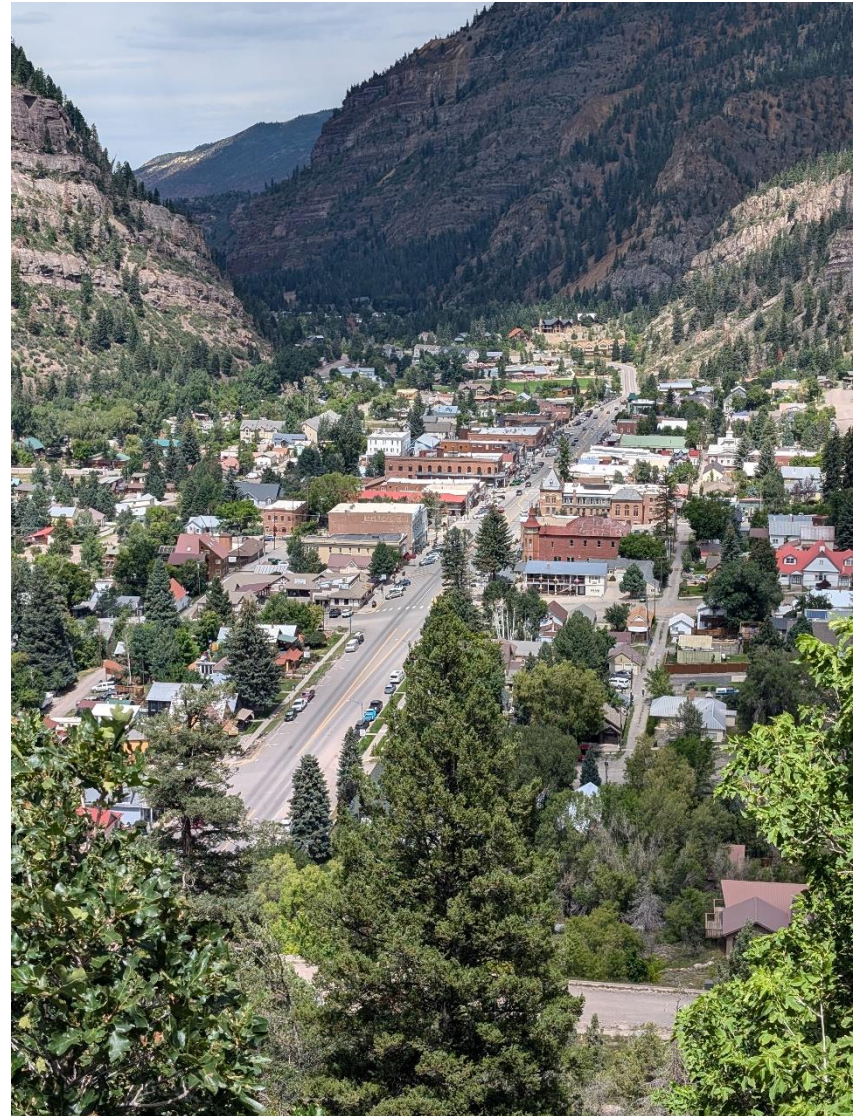
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Background

Ouray, Colorado is renowned tourist destination due to its undeniably scenic setting at the southern end of Box Canyon. With easy access to recreation of all types, Ouray attracts people of all ages and interests, either passing through on the Million Dollar Highway (Highway 550), stopping by for a guided off-road vehicle tour, spending time relaxing in the natural hot springs in town, or strolling Main Street in pursuit of something to eat and a souvenir.

While Winter in Ouray is still an active tourist season, due to the hot springs and the Ouray Ice Climbing Festival, summer in the San Juan Mountains is a beautiful season, and Ouray is no exception. The surge in visitation hits in late June and is sustained through August, coinciding with school vacations. The increase in tourists does lead to Ouray feeling vibrant and lively, but it can also result in parts of Ouray feeling crowded and stifling.

Parking demand in Ouray is most apparent on Main Street (Highway 550), with parking spaces adjacent to key destinations being heavily utilized. This parking demand, or lack of available parking, is felt by visitors, business owners, and Ouray residents alike. This lack of parking led City leadership to conduct this parking study to understand where and how parking was being utilized, identify possible causes for a lack of parking, and develop recommendations for how to better manage Ouray's parking supply to support businesses, welcome visitors, and keep Ouray an ideal place to live and play.



Study Goals

This study was conducted to achieve the following goals:

Understand How Parking in Ouray is Being Used

Regardless of setting, parking utilization in busy, commercial areas is difficult to quantify. While regular visitors to Ouray's Main Street (residents and out-of-towners alike) develop expectations or assumptions about where and when parking will be least available, these assumptions are often based on snapshots of personal data. When, where, and at what rate parking utilization changes over the course of a busy day is crucial data for City leadership and business owners to guide decision-making in Ouray.

Compare an Assumed Lack of Parking with Objective Utilization Data

This study was conducted with the understanding that parking is a public resource. As mentioned above, personalized assessments of parking conditions in a given town or business district are based on personal experiences. To validate the subjective data gathered through lived experience, this study involved a substantial data collection effort to quantify parking demand across several days during the summer of 2024. This data has been reviewed and mapped to provide the most objective assessment of parking utilization data possible.

Develop Recommendations for Parking Management in Ouray

Regardless of what the parking data reveals, alternatives exist for how to manage parking in Ouray differently. Recommendation strategies for changing how parking is used in Ouray can include policy updates, enforcement strategies, or infrastructure improvements. Potential outcomes include increased turnover at the parking stall-level or more distributed parking demand throughout Ouray.

Data Collection

Parking utilization data was collected on four days during the summer of 2024:

- Wednesday, July 10th
- Saturday, July 20th
- Saturday, August 3rd
- Wednesday, August 7th

Data collection was split between Wednesdays and Saturdays to include a typical, midweek day (Wednesday) and a typical weekend day (Saturday). Data collection days intentionally did not include holidays or event days so as to not base analyses or recommendations on days that are outliers in a given year.

Using an aerial drone outfitted with a camera, parking utilization data was collected at consistent times across the four collection days to quantify demand throughout the day:

- 6:00 AM, to better understand overnight utilization
- 8:00 AM, to better understand possible employee utilization
- 1:00 PM, to better understand midday peak utilization
- 7:00 PM, to better understand peak evening utilization

The number of parked cars on a given block in Ouray was compared against the number of parking stalls on a given block, either explicitly marked or calculated based on an average stall width of 9.5 feet. The number of parked cars recorded as parking on a block during each data collection period was divided by the number of stalls on each block to determine the percentage of spaces occupied on a given block during each period.

The project team also conducted multiple site visits for in-person observations to supplement this quantitative data. These observations helped clarify how parking was being used in ways that our other data collection methods could not communicate.

While these methods did not allow for continuous monitoring of all parking stalls in Ouray, which is cost-prohibitive and typically unnecessary in such studies, they do provide a relatively complete picture of typical parking demand. The results align with expectations and reveal possible opportunities to incentivize turnover.

A map presenting where data was collected is shown below in **Figure 1**. A number of assumed parking stalls by block is presented below in **Table 1**.

Table 1: Parking Stalls by Block

	100-200 Block ¹	200-300 Block	300-400 Block	400-500 Block	500-600 Block	600-700 Block	700-800 Block	800-900 Block
1st Street	-	-	-	-	-	-	-	-
2nd Street	43	64	41	51	42	37	13	-
Main Street	15	24	32	24	29	31	30	23
4th Street	-	-	43	53	43	37	42	27
5th Street	-	-	56	52	-	41	57	-
3rd Avenue	23	28	49	38	-	-	-	-
4th Avenue	28	50	40	58	-	-	-	-
5th Avenue	20	47	39	-	38	-	-	-
6th Avenue	42	42	60	60	-	-	-	-
7th Avenue	42	49	50	36	-	-	-	-
8th Avenue	9	52	58	34	-	-	-	-

Notes:

1. 100-200 Block corresponds to address between 100 and 200, 200-300 Block with addresses between 200 and 300, etc.

Source: PST Engineering, 2024.

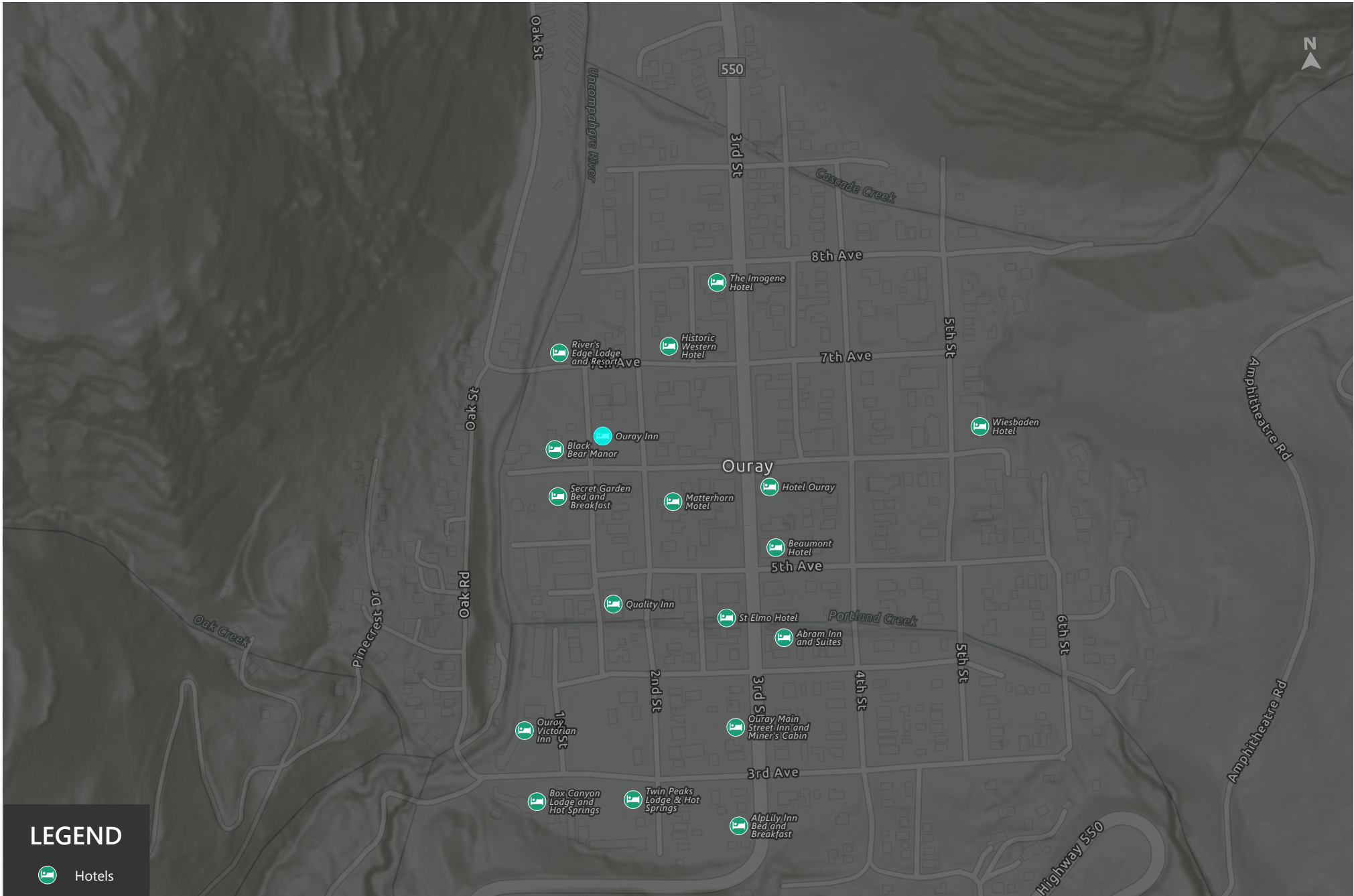


Figure 1

Parking Count Locations

Findings

According to both data collected by drone and on-site observations, parking utilization is highest on Main Street during midday, with pockets of high utilization adjacent to hotels at the beginning and end of each day. There is not substantial variation in observed utilization between weekdays and weekend days during the summer.

Across all data collection periods and days, parking utilization was consistently highest on Main Street at 1:00, with multiple blocks seeing utilization above 90% on all four days. Outside of this midday period, though, there is comparative availability throughout Ouray.

Trends by time of day are presented below.

6:00 AM Utilization Trends

Parking in Ouray is broadly available at 6:00 AM. The highest observed utilization was on 3rd Avenue between 1st and 2nd Streets, an area of Ouray with several hotels, motels, and inns in the immediate vicinity. Outside of this block, no other blocks in Ouray were observed with more than 80% utilization, with many blocks being at or below 50% utilization.

8:00 AM Utilization Trends

Similar to trends observed at 6:00 AM, parking in Ouray is broadly available at 8:00 AM, with slightly lower observed utilization on all blocks when compared with 6:00 AM. While utilization is still highest at or near hotels, including the block of 3rd Avenue between 1st and 2nd Streets, utilization has decreased slightly (from 100% at 6:00 AM to 95.7% at 8:00 AM). This is presumably due to overnight guests departing before visitors from outside of town arrive for the day.

1:00 PM Utilization Trends

Parking utilization peaks in Ouray during the middle of the day, with the highest parking utilization recorded along the northern end of Main Street. Between 9th Avenue and 5th Avenue, utilization is consistently over 90% with several blocks experiencing 100% utilization during that time. Blocks adjacent to Main Street on 7th Avenue and 8th Avenue were heavily utilized during this period as well, presumably due to the access to dining options and tour operations, though blocks slightly further away from Main Street and to the south offered reliable parking availability.

7:00 PM Utilization Trends

Parking utilization at 7:00 PM in Ouray generally matches utilization recorded at 1:00 PM, though overall utilization is slightly lower in the evening than at midday. Again, the blocks of Main Street between 9th and 5th Avenues are heavily utilized, though there was slightly more availability than was observed at 1:00 PM.

Distribution of Parking Demand

Mapping parking demand further clarifies the concentration of parking demand in the northern portion of Ouray, both on Main Street and adjacent blocks.

Average Weekday Parking Demand is shown in **Figure 2**, and shows a baseline demand during summer weekdays. This averages parking utilization for all weekday data collection periods, which obscures extreme outliers and provides a better representation of how parking is used throughout an entire day. Over the course of a day, average parking utilization in Ouray is well below available supply.

However, when combining peak demand observed on every block regardless of timing – different blocks peak at different times throughout the day due to adjacent uses and access to amenities – mapping of peak weekday demand reveals that parking is clearly high, as shown in **Figure 3**. That said, there is still parking available on portions of Main Street and adjacent side streets, and on-site observations would suggest that key destinations drive most of that maximum utilization. There are some blocks that experience 100% utilization, though several blocks of Main Street and adjacent side streets did not reach capacity during the data collection periods.

Average weekend demand (**Figure 4**) and peak weekend demand (**Figure 5**) reveal similar trends for weekends and weekdays. While there is routinely available parking throughout Ouray, peak periods suggest that there are opportunities for to better manage that demand if stakeholders are interested in implementing management strategies.

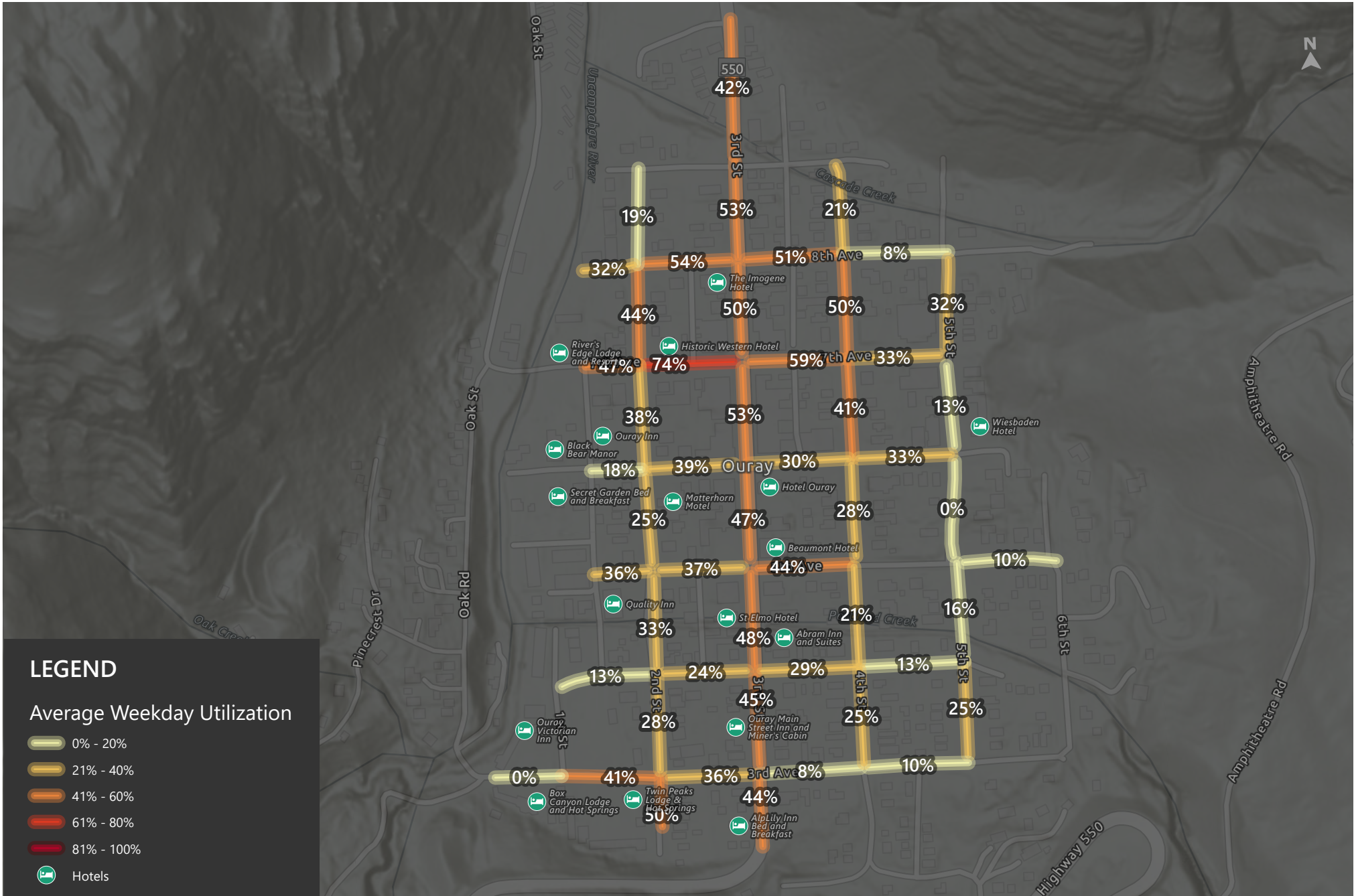


Figure 2

Average Weekday Parking Utilization

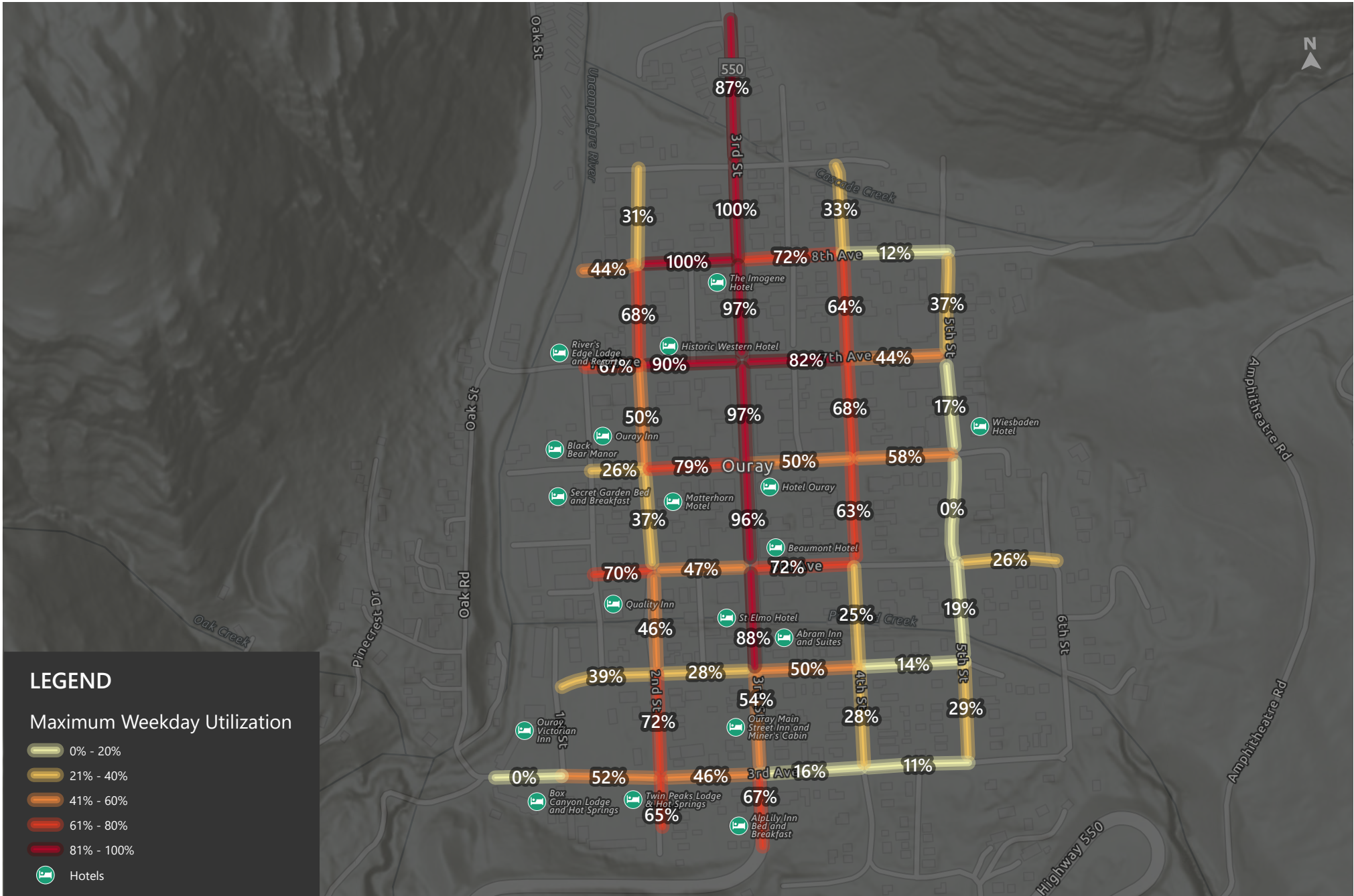


Figure 3

Maximum Weekday Parking Utilization

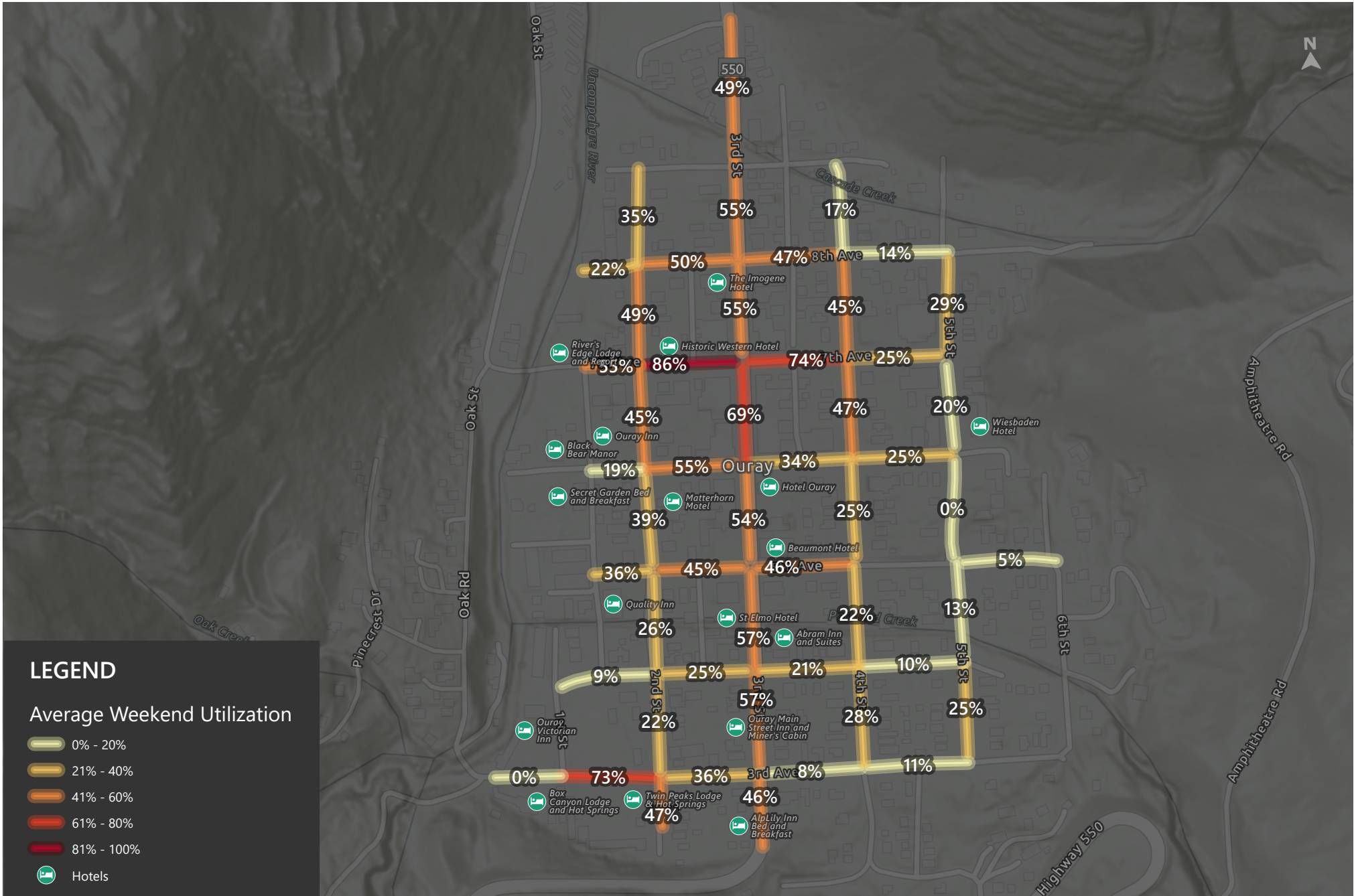


Figure 4

Average Weekend Parking Utilization

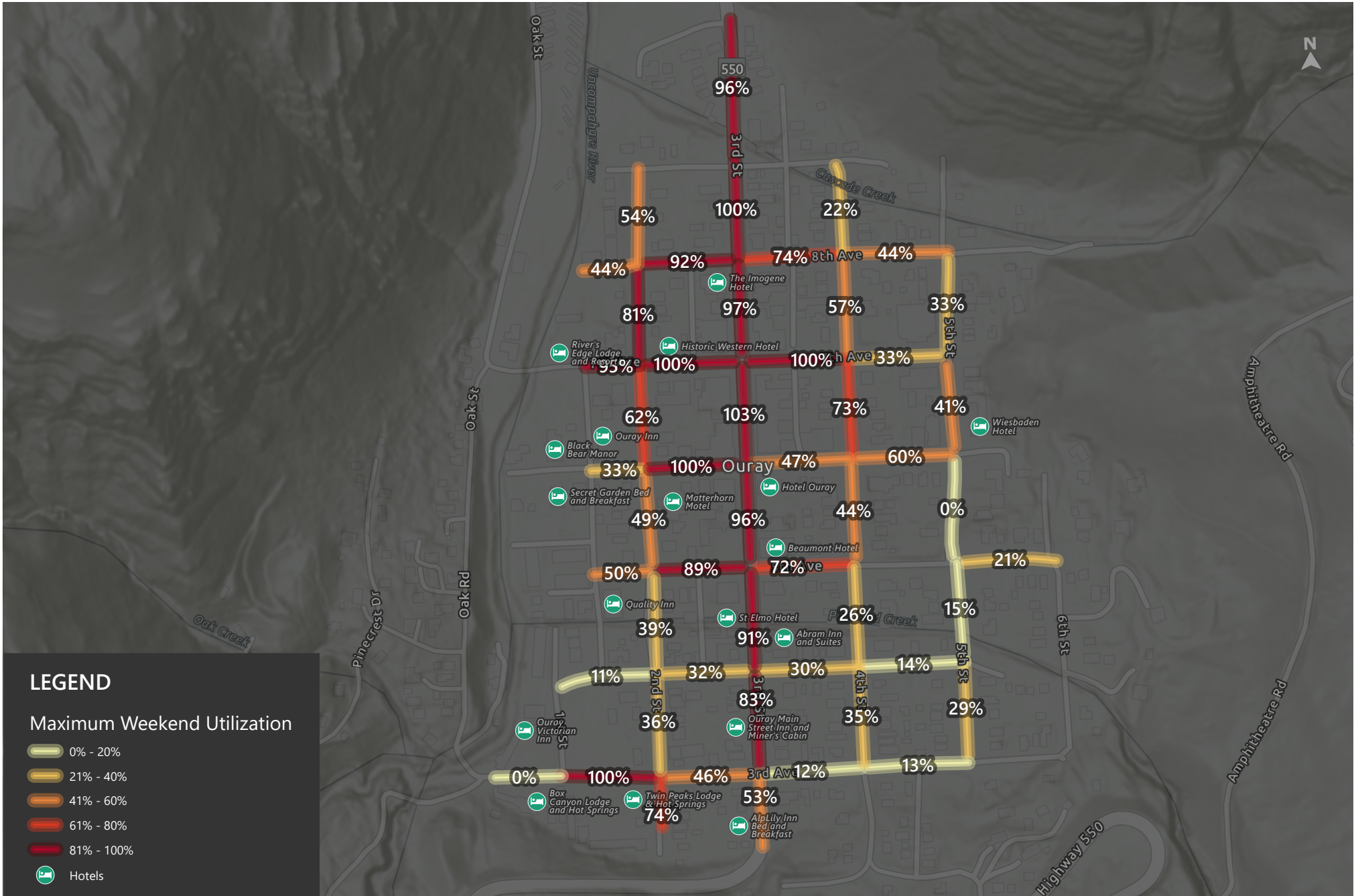


Figure 5

Maximum Weekend Parking Utilization

Parking Management Recommendations

Recommendations for better managing parking in Ouray are separated into primary and secondary strategies. In combination, primary strategies should be pursued more immediately to address surplus parking demand if City leadership are eager to do so. Secondary strategies are likely longer-term or less likely to affect parking utilization in Ouray's context.

All strategies should be considered both in terms of possible benefits and costs, bearing in mind that any displaced parking demand along Main Street is likely to affect adjacent streets. Parking management strategies should not stop visitors from spending time in Ouray, but it could affect where and how they interact with Ouray itself.

Primary Strategies

Static Signage

Signage is key to the efficiently and effectively directing motorists to use of available parking resources upon entry into Ouray and the downtown area. It can direct users to parking facilities they might have been unaware of and also help fill up parking resources more evenly.

Pros: A relatively simple solution for increasing the efficiency of existing parking facilities.

Cons: Static signs are limited to what can be placed on them. Changes to parking facilities may require the installation of new signage.

Reasons for Recommendation: In Ouray, signage could inform users of other parking facilities they might not have considered, clarifying where parking is or is not permitted, particularly near Main Street.

Activating Time Limits & Restrictions

Time-based parking restrictions prohibit parking for certain periods to save parking resources for particular user groups and also result in better turnover of parking spaces at high-demand locations. In residential areas adjacent to commercial areas, parking time limits are used to discourage long-term parking by commercial employees. In commercial areas, typically by petition of the business/property owners, time limits are used to encourage turnover of parking spaces to provide short-term customer parking and to also discourage business employees from using the convenient parking stalls near business frontages.

Pros: One of the simplest ways to manage longer duration parking demand.

Cons: This strategy requires enforcement to be effective, which increases operating costs for the City.

Reason for Recommendation: Activating existing time limits in Ouray can shift demand to underutilized facilities, especially when paired with updated signage and enforcement options. Limiting parking in the busiest areas to two hours or less, with the option to further limit duration at key stalls where quick turnover is needed should be considered.

Parking Enforcement

Description: Parking enforcement usually involves a non-peace officer writing and issuing parking citations relating to the violation of codes, laws, regulations, and validation programs pertaining to parking on city streets. If a city intends to stringently enforce time limits, sufficient public notice should be provided prior to initiating enforcement.

Pros: Ensures that other strategies, such as assigning parking locations and enforcing time limits, are effective.

Cons: Entails administrative and operation costs.

Reason for Recommendation: If Ouray implements other promising strategies in certain areas, such as updating signage and implementing time limits, providing additional enforcement in those areas will ensure the success of those strategies.



Updating parking signage with time limits and restrictions and enforcing it is one of the simplest ways of managing parking demand.

Secondary Strategies

Charging for Parking

Description: Charging for parking is a key element in encouraging drivers to use parking efficiently, by directing long-term parking to less convenient spaces and gaining the most productivity from the most desirable spaces. There are many alternatives for collecting parking charges, including traditional parking meters, centralized parking machines, and debit card systems.

Charging for parking should be considered for parking facilities that experience parking demand utilization above 80% - 90% for most of the hours the parking facility is operating. Parking charges should be set to maintain the 80% - 90% parking utilization in the facilities. If charging for parking shifts parking demand to a nearby facility, then charges should be considered at that facility when parking demand utilization is above 80% - 90% for most of the hours the parking facility is operating.

Some paid parking strategies place parking costs on business owners rather than customers. See the summaries below regarding these options.

- *Merchant Programs:* Some cities or counties run merchant discount parking programs that allow merchants to purchase parking coupons to issue to customers who patronize their establishment. These validation programs can be arranged in various ways to meet the validation needs of interested merchants. Merchants who participate in the programs typically display a sign in the window to inform potential customers that coupons are available with purchases.
- *Parking Benefit Districts:* This strategy is a variation of an on-street parking charge scheme for residential areas. Instead of prohibiting non-resident parking in neighborhoods, as occurs with a residential permit parking program, non-resident parking is allowed for a charge. The charge could be collected with meters, pay-boxes, or monthly passes. Revenues from the fee can flow back to the community, for neighborhood or transportation improvements.
- *Access Control:* Access to off-street parking can be controlled through both charging and non-charging strategies. An example of a charging strategy is using gate arm controls and requiring payment to exit a facility. Examples of non-charging strategies creating hang tag or sticker systems for employee parking, and using validation systems that ensure that users are those that the facility is intended for.

Pros: Charging for parking is an effective method to deter the concentration of parking demand in select areas. It can also encourage alternative transportation use.

Cons: Charging for parking is often a highly contested issue that may receive pushback from the public and should only be pursued if other, less controversial methods are proving insufficient in managing demand.

Reason for Recommendation: While charging for parking is unpopular, it is an effective method for managing parking supply. If charging for parking is considered, then it should be applied to an entire parking facility or street segment to avoid circulation in search of free parking. The strategy can be applied to parking facilities that experience consistent high parking utilization or to an entire region of downtown. Improving pedestrian facilities should also be considered as part of this strategy as some people will search for free parking further from their destination.

Improving Facility Design

Enhancing the design of existing parking facilities can provide additional parking. For instance, changing the layout and orientation of parking stalls can increase parking supply and improve flow through parking facilities.

Pros: Potentially alleviates demand without building new parking facilities.

Cons: The cost of redesigning streets and tradeoffs that are required to allow for additional parking supply might not outweigh benefits of additional capacity.

Reason for Recommendation: Improving the design of existing facilities can result in more parking availability and decrease the need to build more facilities. This recommendation could be beneficial for Ouray side streets that are currently gravel and might appear off-limits to visitors, or through restriping portions of Main Street.

Permit Parking Programs

Description: Cities often implement preferential parking districts or permit parking street segments in residential areas to protect these neighborhoods from parking intrusion by employees and customers of nearby businesses. Preferential or permit parking districts restrict parking for all motorists, but area residents and their guests are exempt from the restrictions if they acquire and display permits. Permit parking can also be applied to on-street parking in commercial districts to provide unrestricted parking for residents and employees who work in a parking district.

Pros: Minimizes commercial or spillover parking in residential neighborhoods.

Cons: The cost of implementing and managing the permitted parking program would fall on the City, and require additional enforcement.

Reason for Recommendation: The proximity of residential areas to commercial uses in Ouray could lead to spillover parking if aggressive management strategies are implemented along Main Street; a residential permit program might support existing neighborhood character.

Implementation and Next Steps

Parking in Ouray is essential to the City's thriving economy, and ensuring that there is available parking along Main Street is key to its ongoing success. The data collected as part of this study shows that the northern blocks of Main Street do see very high demand for parking during peak periods. However, the data also shows that there is often parking available a short distance from Main Street. Additional measures can be taken to encourage turnover on Main Street and incentivize longer duration parking on side streets.

All of the recommendations above will require additional administrative effort and come with at least some cost – that should not be minimized. Further, any cost considerations should take into account the likelihood of public opposition to any measures that be seen as burdensome to residents or business owners. While these user groups are likely beneficiaries of making parking more available through enhanced management options, they may also be among the users who are most set in their ways regarding parking in Ouray.

Near-Term Actions

The following steps should be taken if additional parking management is deemed desirable:

Engage With Stakeholders

Any change to parking management in Ouray will be felt by the entire community, and more input from community members should be gathered to help weigh the potential benefits and costs of any new management strategies. City staff, the City Police, business owners, residents, and employees should all be asked to provide input on their understanding of parking challenges in Ouray and possible management solutions. While it is unlikely that a single opinion will pervade through the community, a variety of perspectives will lead to better outcomes for Ouray.

Identify Areas for New Management Strategies

Not all parking in Ouray requires the same level of management, and different strategies should be considered for different areas of the city. These geographies should be informed by data collected as part of this study and by the understanding gathered via engagement earlier in this process. At a high level, Main Street could be managed as one zone, blocks immediately east and west of Main Street could be a second zone, and residential areas that are more removed from Main Street could be a third zone.

Update Signage If and Where Appropriate

If new parking regulations are implemented throughout Ouray, that needs to be made extremely clear to visitors. Time-limited parking on Main Street, clarification of locations where parking is or is not permitted, and head-in as opposed to parallel parking are all appropriate options for updated signage.

Develop Enforcement Capacity

Updated parking regulations will only have meaningful impact on parking utilization if they are paired with enforcement measures pursued by the City. The scope and scale of enforcement will depend on the geographic extent of parking regulations that are updated, seasonality, and hours of activity. This will be the primary ongoing cost in enacting new parking management options in Ouray, and must be thoroughly vetted as part of this process. If the scope of parking enforcement is sufficiently constrained, it could be incorporated into workloads of other staff. However, if additional staff capacity is needed, anticipate the need for one or two full-time equivalents being devoted to parking enforcement. Initial parking enforcement could begin with courtesy notices to establish habits before pursuing full citations.

Mid-Term Actions

Following the measures above, additional actions could be pursued if needed:

Redesign and Update Facilities

The gravel streets of Ouray are certainly part of its charm, but their condition might turn visitors away from using them as parking alternatives, particularly in inclement weather. If additional parking capacity is critical to managing parking demand in Ouray, making parking on side streets more appealing could help alleviate demand.

Residential Parking Permit Program

If parking management on Main Street is effective to the extent that it is pushing parking demand to elsewhere in Ouray, a residential parking permit program could be implemented to ensure non-local traffic is parking away from residential areas. The administrative effort required to implement and manage such programs is substantial and should only be pursued if excess demand is persistent and affecting residential areas.

Paid Parking

Charging for parking is an extremely effective method for managing parking demand, but it is also an aggressive tactic that is very likely to meet resistance from community members. Paid parking should only be considered after other options have been tested and proven inadequate, and

any entity responsible for implementing such a program should pursue this strategy cautiously. Paid parking programs are rarely cashflow positive due to the substantial startup and maintenance costs, and a paid parking program should not be pursued as a revenue generator for Ouray.

Conclusion

Ultimately, parking demand in Ouray is an indication of its economic vitality in a tourism-driven economy. The primary task for decision makers in Ouray is to strike the right balance between maintaining its economic engine and ensuring that quality of life stays at or above current standards. Towns with an excess of parking supply are often sleepy and dull, whereas towns that do not have adequate parking for residents, visitors, and workers can suffer to stay active and attractive. Ouray's active downtown is key to its appeal, and that will continue under a balanced approach to parking management in the coming years.

If a different approach to managing parking in Ouray is pursued, it will need to be an iterative process that relies on gathering regular feedback from all users to inform any adjustments to parking in Ouray in the future. Fully considering the total benefits and costs of any changes to parking management in Ouray should be fundamental to any decision regarding changes in parking management.

West's Colorado Revised Statutes Annotated
Title 42. Vehicles and Traffic (Refs & Annos)
Regulation of Vehicles and Traffic
Article 4. Regulation of Vehicles and Traffic (Refs & Annos)
Part 2. Equipment (Refs & Annos)

C.R.S.A. § 42-4-221

§ 42-4-221. Bicycle, electric scooter, and personal mobility device equipment

Currentness

- (1) No other provision of this part 2 and no provision of part 3 of this article 4 applies to a bicycle, electrical assisted bicycle, electric scooter, or EPAMD or to equipment for use on a bicycle, electrical assisted bicycle, electric scooter, or EPAMD except those provisions in this article 4 made specifically applicable to such a vehicle.
- (2) Every bicycle, electrical assisted bicycle, electric scooter, or EPAMD in use at the times described in [section 42-4-204](#) shall be equipped with a lamp on the front emitting a white light visible from a distance of at least five hundred feet to the front.
- (3) Every bicycle, electrical assisted bicycle, electric scooter, or EPAMD shall be equipped with a red reflector of a type approved by the department, which shall be visible for six hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle.
- (4) Every bicycle, electrical assisted bicycle, electric scooter, or EPAMD when in use at the times described in [section 42-4-204](#) shall be equipped with reflective material of sufficient size and reflectivity to be visible from both sides for six hundred feet when directly in front of lawful lower beams of head lamps on a motor vehicle or, in lieu of such reflective material, with a lighted lamp visible from both sides from a distance of at least five hundred feet.
- (5) A bicycle, electrical assisted bicycle, electric scooter, or EPAMD or its rider may be equipped with lights or reflectors in addition to those required by subsections (2) to (4) of this section.
- (6) A bicycle, electrical assisted bicycle, or electric scooter shall not be equipped with, nor shall any person use upon a bicycle, electrical assisted bicycle, or electric scooter, any siren or whistle.
- (7) Every bicycle, electrical assisted bicycle, or electric scooter shall be equipped with a brake or brakes that will enable its rider to stop the bicycle, electrical assisted bicycle, or electric scooter within twenty-five feet from a speed of ten miles per hour on dry, level, clean pavement.
- (8) A person engaged in the business of selling bicycles, electrical assisted bicycles, or electric scooters at retail shall not sell any bicycle, electrical assisted bicycle, or electric scooter unless the bicycle, electrical assisted bicycle, or electric scooter has an identifying number permanently stamped or cast on its frame.

(8.5) A local government may regulate the operation of an electric scooter in a manner that is no more restrictive than the manner in which the local government may regulate the operation of a class 1 electrical assisted bicycle.

(9)(a) On or after January 1, 2018, every manufacturer or distributor of new electrical assisted bicycles intended for sale or distribution in this state shall permanently affix to each electrical assisted bicycle, in a prominent location, a label that contains the classification number, top assisted speed, and motor wattage of the electrical assisted bicycle. The label must be printed in the arial font in at least nine-point type.

(b) A person shall not knowingly modify an electrical assisted bicycle so as to change the speed capability or motor engagement of the electrical assisted bicycle without also appropriately replacing, or causing to be replaced, the label indicating the classification required by subsection (9)(a) of this section.

(10)(a) An electrical assisted bicycle must comply with the equipment and manufacturing requirements for bicycles adopted by the United States consumer product safety commission and codified at 16 CFR 1512 or its successor regulation.

(b) A class 2 electrical assisted bicycle must operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied. Class 1 and class 3 electrical assisted bicycles must be equipped with a mechanism or circuit that cannot be bypassed and that causes the electric motor to disengage or cease to function when the rider stops pedaling.

(c) A class 3 electrical assisted bicycle must be equipped with a speedometer that displays, in miles per hour, the speed the electrical assisted bicycle is traveling.

(11) A person who violates this section commits a class B traffic infraction.

Credits

Added by [Laws 1994, S.B.94-1, § 1, eff. Jan. 1, 1995](#). Amended by [Laws 2009, Ch. 281, § 45, eff. Oct. 1, 2009](#); [Laws 2017, Ch. 98, § 4, eff. Aug. 9, 2017](#); [Laws 2019, Ch. 271 \(H.B. 19-1221\), § 5, eff. May 23, 2019](#).

C. R. S. A. § 42-4-221, CO ST § 42-4-221

Current through legislation effective May 20, 2025 of the First Regular Session, 75th General Assembly (2025). Some statute sections may be more current. See credits for details.

West's Colorado Revised Statutes Annotated
Title 42. Vehicles and Traffic (Refs & Annos)
Regulation of Vehicles and Traffic
Article 4. Regulation of Vehicles and Traffic (Refs & Annos)
Part 14. Other Offenses (Refs & Annos)

C.R.S.A. § 42-4-1412

§ 42-4-1412. Operation of bicycles, electric scooters, and other human-powered vehicles

Currentness

(1) A person riding a bicycle, electrical assisted bicycle, or electric scooter has all of the rights and duties applicable to the driver of any other vehicle under this article 4, except as to special regulations in this article 4, except as provided in [section 42-4-1412.5](#), and except as to those provisions that by their nature can have no application. Bicycle, electrical assisted bicycle, or electric scooter riders shall comply with the rules set forth in this section and [section 42-4-221](#), and, when using streets and highways within incorporated cities and towns, are subject to local ordinances regulating the operation of bicycles, electrical assisted bicycles, and electric scooters as provided in [section 42-4-111](#). Notwithstanding any contrary provision in this article 4, when a county or municipality has adopted an ordinance or resolution that regulates the operation of bicycles, electrical assisted bicycles, and electric scooters at controlled intersections, as defined in [section 42-4-1412.5\(4\)\(a\)](#), and that does not conflict with [section 42-4-1412.5](#), riders are subject to the local ordinance or resolution.

(2) It is the intent of the general assembly that nothing contained in House Bill No. 1246, enacted at the second regular session of the fifty-sixth general assembly, shall in any way be construed to modify or increase the duty of the department of transportation or any political subdivision to sign or maintain highways or sidewalks or to affect or increase the liability of the state of Colorado or any political subdivision under the “Colorado Governmental Immunity Act”, article 10 of title 24, C.R.S.

(3) A bicycle, electrical assisted bicycle, or electric scooter shall not be used to carry more persons at one time than the number for which it is designed or equipped.

(4) A person riding upon a bicycle, electrical assisted bicycle, or electric scooter shall not attach the vehicle or the rider to any motor vehicle upon a roadway.

(5)(a) Any person operating a bicycle, electrical assisted bicycle, or electric scooter upon a roadway at less than the normal speed of traffic shall ride in the right-hand lane, subject to the following conditions:

(I) If the right-hand lane then available for traffic is wide enough to be safely shared with overtaking vehicles, a bicyclist shall ride far enough to the right as judged safe by the bicyclist to facilitate the movement of such overtaking vehicles unless other conditions make it unsafe to do so.

(II) A bicyclist may use a lane other than the right-hand lane when:

(A) Preparing for a left turn at an intersection or into a private roadway or driveway;

(B) Overtaking a slower vehicle; or

(C) Taking reasonably necessary precautions to avoid hazards or road conditions.

(III) Upon approaching an intersection where right turns are permitted and there is a dedicated right-turn lane, a bicyclist may ride on the left-hand portion of the dedicated right-turn lane even if the bicyclist does not intend to turn right.

(b) A bicyclist shall not be expected or required to:

(I) Ride over or through hazards at the edge of a roadway, including but not limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes; or

(II) Ride without a reasonable safety margin on the right-hand side of the roadway.

(c) A person operating a bicycle, electrical assisted bicycle, or electric scooter upon a one-way roadway with two or more marked traffic lanes may ride as near to the left-hand curb or edge of the roadway as judged safe by the rider, subject to the following conditions:

(I) If the left-hand lane then available for traffic is wide enough to be safely shared with overtaking vehicles, a bicyclist shall ride far enough to the left as judged safe by the bicyclist to facilitate the movement of such overtaking vehicles unless other conditions make it unsafe to do so.

(II) A bicyclist shall not be expected or required to:

(A) Ride over or through hazards at the edge of a roadway, including but not limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes; or

(B) Ride without a reasonable safety margin on the left-hand side of the roadway.

(6)(a) Persons riding bicycles, electrical assisted bicycles, or electric scooters upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles and electric scooters.

(b) Persons riding bicycles, electrical assisted bicycles, or electric scooters two abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.

(7) A person operating a bicycle, electrical assisted bicycle, or electric scooter shall keep at least one hand on the handlebars at all times.

(8)(a) A person riding a bicycle, electrical assisted bicycle, or electric scooter intending to turn left shall follow a course described in [sections 42-4-901\(1\), 42-4-903, and 42-4-1007](#) or may make a left turn in the manner prescribed in subsection (8)(b) of this section.

(b) A person riding a bicycle, electrical assisted bicycle, or electric scooter intending to turn left shall approach the turn as closely as practicable to the right-hand curb or edge of the roadway. After proceeding across the intersecting roadway to the far corner of the curb or intersection of the roadway edges, the rider shall stop, as much as practicable, out of the way of traffic. After stopping, the rider shall yield to any traffic proceeding in either direction along the roadway that the rider had been using. After yielding and complying with any official traffic control device or police officer regulating traffic on the highway along which the rider intends to proceed, the rider may proceed in the new direction.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this subsection (8), the transportation commission and local authorities in their respective jurisdictions may cause official traffic control devices to be placed on roadways and thereby require and direct that a specific course be traveled.

(9)(a) Except as otherwise provided in this subsection (9), every person riding a bicycle, electrical assisted bicycle, or electric scooter shall signal the intention to turn or stop in accordance with [section 42-4-903](#); except that a person riding a bicycle, electrical assisted bicycle, or electric scooter may signal a right turn with the right arm extended horizontally.

(b) A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred feet traveled by the bicycle, electrical assisted bicycle, or electric scooter before turning and shall be given while the bicycle, electrical assisted bicycle, or electric scooter is stopped waiting to turn. A signal by hand and arm need not be given continuously if the hand is needed in the control or operation of the bicycle, electrical assisted bicycle, or electric scooter.

(10)(a) A person riding a bicycle, electrical assisted bicycle, or electric scooter upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing the pedestrian. A person riding a bicycle, electrical assisted bicycle, or electric scooter in a crosswalk shall do so in a manner that is safe for pedestrians.

(b) A person shall not ride a bicycle, electrical assisted bicycle, or electric scooter upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk where the use of bicycles, electrical assisted bicycles, or electric scooters is prohibited by official traffic control devices or local ordinances. A person riding a bicycle, electrical assisted bicycle, or electric scooter shall dismount before entering any crosswalk where required by official traffic control devices or local ordinances.

(c) A person riding or walking a bicycle, electrical assisted bicycle, or electric scooter upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk has all the rights and duties applicable to a pedestrian under the same circumstances, including the rights and duties granted and required by [section 42-4-802](#).

(d) Deleted by [Laws 2005, Ch. 301, § 1, eff. July 1, 2005](#).

(11)(a) A person may park a bicycle, electrical assisted bicycle, or electric scooter on a sidewalk unless prohibited or restricted by an official traffic control device or local ordinance.

(b) A bicycle, electrical assisted bicycle, or electric scooter parked on a sidewalk must not impede the normal and reasonable movement of pedestrian or other traffic.

(c) A bicycle, electrical assisted bicycle, or electric scooter may be parked on the road at any angle to the curb or edge of the road at any location where parking is allowed.

(d) A bicycle, electrical assisted bicycle, or electric scooter may be parked on the road abreast of one or more bicycles or electric scooters near the side of the road or any location where parking is allowed in such a manner as does not impede the normal and reasonable movement of traffic.

(e) In all other respects, bicycles, electrical assisted bicycles, or electric scooters parked anywhere on a highway must conform to the provisions of part 12 of this article 4 regulating the parking of vehicles.

(12)(a) Any person who violates any provision of this section commits a class 2 misdemeanor traffic offense; except that [section 42-2-127](#) shall not apply.

(b) If any person riding a bicycle, electrical assisted bicycle, or electric scooter violates any provision of this article 4 other than this section that is applicable to such a vehicle and for which a penalty is specified, the person is subject to the same specified penalty as any other vehicle; except that [section 42-2-127](#) does not apply.

(13) Upon request, the law enforcement agency having jurisdiction shall complete a report concerning an injury or death incident that involves a bicycle, electrical assisted bicycle, or electric scooter on the roadways of the state, even if the accident does not involve a motor vehicle.

(14)(a)(I) A person may ride a class 1 or class 2 electrical assisted bicycle on a bike or pedestrian path where bicycles are authorized to travel.

(II) A local authority may prohibit the operation of a class 1 or class 2 electrical assisted bicycle on a bike or pedestrian path under its jurisdiction.

(b) A person shall not ride a class 3 electrical assisted bicycle on a bike or pedestrian path unless:

(I) The path is within a street or highway; or

(II) The local authority permits the operation of a class 3 electrical assisted bicycle on a path under its jurisdiction.

(15)(a) A person under sixteen years of age shall not ride a class 3 electrical assisted bicycle upon any street, highway, or bike or pedestrian path; except that a person under sixteen years of age may ride as a passenger on a class 3 electrical assisted bicycle that is designed to accommodate passengers.

(b) A person shall not operate or ride as a passenger on a class 3 electrical assisted bicycle unless:

(I) Each person under eighteen years of age is wearing a protective helmet of a type and design manufactured for use by operators of bicycles;

(II) The protective helmet conforms to the design and specifications set forth by the United States consumer product safety commission or the American Society for Testing and Materials; and

(III) The protective helmet is secured properly on the person's head with a chin strap while the class 3 electrical assisted bicycle is in motion.

(c) A violation of subsection (15)(b) of this section does not constitute negligence or negligence per se in the context of any civil personal injury claim or lawsuit seeking damages.

Credits

Added by [Laws 1994, S.B.94-1, § 1, eff. Jan. 1, 1995](#). Amended by [Laws 2005, Ch. 301, § 1, eff. July 1, 2005](#); [Laws 2009, Ch. 239, § 6, eff. Aug. 5, 2009](#); [Laws 2009, Ch. 281, §§ 61, 62, eff. Oct. 1, 2009](#); [Laws 2009, Ch. 369, § 139, eff. Oct. 1, 2009](#); [Laws 2017, Ch. 98, § 5, eff. Aug. 9, 2017](#); [Laws 2018, Ch. 193, § 2, eff. May 3, 2018](#); [Laws 2019, Ch. 271 \(H.B. 19-1221\), § 14, eff. May 23, 2019](#); [Laws 2022, Ch. 96 \(H.B. 22-1028\), § 1, eff. April 13, 2022](#).

C. R. S. A. § 42-4-1412, CO ST § 42-4-1412

Current through legislation effective May 20, 2025 of the First Regular Session, 75th General Assembly (2025). Some statute sections may be more current. See credits for details.

2025 Colo. Legis. Serv. Ch. 279 (H.B. 25-1197) (WEST)

COLORADO 2025 LEGISLATIVE SERVICE

Seventy-Fifth General Assembly, First Regular Session

Additions are indicated by **Text**; deletions by ~~Text~~.

Vetoed material is indicated by ~~Text~~ ;
stricken material by ~~Text~~.

CHAPTER 279

H.B. 25-1197

AN ACT CONCERNING REQUIREMENTS RELATED TO ELECTRICAL ASSISTED BICYCLES OFFERED FOR SALE IN THE STATE.

Be it Enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 42-4-221, **amend** (11); and **add** (9)(c), (10)(d), (12), (13), and (14) as follows:

<< CO ST § 42-4-221 >>

42-4-221. Bicycle, electric scooter, and personal mobility device equipment—sale of electrical assisted bicycle equipment requirements—deceptive trade practice. (9)(c) On or after January 1, 2027, the label required by subsection (9)(a) of this section must, for a multiple mode electrical assisted bicycle, also identify the highest class or each of the classes in which the electrical assisted bicycle is capable of operation.

(10)(d) A multiple mode electrical assisted bicycle must meet all the requirements in this article 4 applicable to each respective class of electrical assisted bicycle for which the multiple mode electrical assisted bicycle provides for operation.

(11) A person ~~who~~ **that** violates **subsections (1) to (10) of** this section commits a class B traffic infraction.

(12)(a) A person shall not sell or offer to sell, in a store or online, a vehicle that is not an electrical assisted bicycle if the vehicle is falsely labeled as a class 1, class 2, class 3, or multiple mode electrical assisted bicycle.

(b) A person shall not advertise, offer for sale, or sell, in a store or online, a vehicle that is not an electrical assisted bicycle:

(I) By representing the vehicle as an electrical assisted bicycle; or

(II)(A) Using the words “electrical assisted bicycle”, “electric bike”, “e-bike”, or other similar terms without providing the following disclosure in clearly legible, written form: “This vehicle is not an electrical assisted bicycle as defined in state law pursuant to section 42-1-102, Colorado Revised Statutes. It is instead a type of motor vehicle and subject to applicable motor vehicle laws if used on public roads or public lands. Your insurance policies may not provide coverage for accidents involving the use of this vehicle. To determine coverage, you should contact your insurance company or agent.”

(B) The disclosure required pursuant to subsection (12)(b)(II)(A) of this section must be provided at the store where the vehicle is advertised or sold and, for a vehicle advertised or sold online, on the website for the vehicle and in any social media marketing for the vehicle. |

(c) A person that violates this subsection (12) commits a deceptive trade practice under the “Colorado Consumer Protection Act”, article 1 of title 6. |

(13) A seller of an electrical assisted bicycle shall disclose to the purchaser: |

(a) The motor power in watts of the electrical assisted bicycle; |

(b) The maximum speed of the electrical assisted bicycle; |

(c) Whether the electrical assisted bicycle is a class 1, class 2, class 3, or multiple mode electrical assisted bicycle; and |

(d) For a class 3 electrical assisted bicycle or multiple mode electrical assisted bicycle that is capable of operating as a class 3 electrical assisted bicycle, a statement that it is unlawful for an individual who is under sixteen years of age to operate a class 3 electrical assisted bicycle in Colorado. |

(14)(a) A person shall not manufacture, distribute, assemble, recondition, sell, offer to sell, lease, or rent a lithium-ion battery or a second-use lithium-ion battery as part of or intended for use in an electrical assisted bicycle unless the lithium-ion battery or second-use lithium-ion battery has been certified by an accredited testing laboratory for compliance with a battery standard referenced in UL 2849 or EN 15194, or another safety standard approved by the director of the division of fire prevention and control. |

(b)(I) If certification has been obtained pursuant to subsection (14)(a) of this section, the certification or the logo, wordmark, or name of the accredited testing laboratory that provided the certification must be displayed: |

(A) On the packaging or documentation for an electrical assisted bicycle or a lithium-ion battery or second-use lithium-ion battery intended for use in an electrical assisted bicycle at the time of sale; or |

(B) Directly on the electrical assisted bicycle or the lithium-ion battery or second-use lithium-ion battery intended for use in an electrical assisted bicycle at the time of sale. |

(II) The certification or the logo, wordmark, or name of the accredited testing laboratory that provided the certification need not be displayed for an electrical assisted bicycle that is being sold secondhand or rented. |

SECTION 2. In Colorado Revised Statutes, 42–1–102, **amend** (28.5); and **add** (1.5), (47.7), (60.2), and (88.7) as follows:

<< CO ST § 42–1–102 >>

42–1–102. Definitions. As used in articles 1 to 4 of this title 42, unless the context otherwise requires:

(1.5) “Accredited testing laboratory” means a testing laboratory that is recognized by the federal occupational safety and health administration or an independent laboratory that has been certified by an accrediting body to the standard ISO 17025 or standard ISO 17065 of the International Organization for Standardization. |

(28.5) **(a)** “Electrical assisted bicycle” means a vehicle having two or three wheels, fully operable pedals, and an electric motor not exceeding seven hundred fifty watts of power. Electrical assisted bicycles are further required to conform to ~~one of~~ **three** **certain** classes as follows:

(a) (I) “Class 1 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

(b) (II) “Class 2 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

(c) (III) “Class 3 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour.

(b) “Electrical assisted bicycle” does not include:

(I) A vehicle that is modified so that it no longer meets the requirements for any class of electrical assisted bicycle; or

(II) A vehicle that is designed, manufactured, or intended by the manufacturer or seller to be easily configured so as not to meet the requirements of an electrical assisted bicycle, whether by a mechanical switch or button, by changing a setting in software controlling the drive system, by use of an online application, or through other means intended by the manufacturer or seller.

(47.7) “Lithium-ion battery” means a rechargeable battery with an organic solvent electrolyte and positive and negative electrodes that utilize an intercalation compound in which lithium is stored.

(60.2) “Multiple mode electrical assisted bicycle” means an electrical assisted bicycle equipped with switchable or programmable modes that provide for operation as two or more of a class 1, class 2, or class 3 electrical assisted bicycle in conformance with the definition under this section for each respective class.

(88.7) “Second-use lithium-ion battery” means a lithium-ion battery that has been assembled, refurbished, repaired, repurposed, or reconditioned using cells removed from used batteries.

SECTION 3. In Colorado Revised Statutes, 6–1–105, **add** (1)(III) as follows:

<< CO ST § 6–1–105 >>

6–1–105. Unfair or deceptive trade practices—definitions. (1) A person engages in a deceptive trade practice when, in the course of the person's business, vocation, or occupation, the person:

(III) Violates section 42–4–221(12).

SECTION 4. **Act subject to petition—effective date—applicability.** (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1(3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to conduct occurring on or after the applicable effective date of this act.

Approved May 28, 2025.

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