

AGENDA ITEM SUMMARY

City Council



STAFF

David Lindsay, Police Sergeant, FCPS Traffic Unit
David Kaes, Police Officer, FCPS Traffic Unit
Eric Keselburg, Sr. Manager, Parking Services

SUBJECT

Items Relating to Traffic Code Updates.

EXECUTIVE SUMMARY

- A. First Reading of Ordinance No. 016, 2026, Amending Section 236 of the Fort Collins Traffic Code Relating to Child Restraint Systems.
- B. First Reading of Ordinance No. 017, 2026, Amending Section 214 and Section 224 of the Fort Collins Traffic Code Relating to Snowplows.
- C. First Reading of Ordinance No. 018, 2026, Adding a New Section 1412.5 of the Fort Collins Traffic Code Relating to Certain Persons Approaching Intersections who are not Operating Motor Vehicles.
- D. First Reading of Ordinance No. 019, 2026, Amending Section 1503 of the Fort Collins Traffic Code Relating to Lane Filtering and Passing.
- E. First Reading of Ordinance No. 020, 2026, Amending Section 239 of the Fort Collins Traffic Code Relating to Misuse of a Mobile Electronic Device.
- F. First Reading of Ordinance No. 021, 2026 Adding a New Section 1418 of the Fort Collins Traffic Code Relating to Driving without a Current Driver's License.
- G. First Reading of Ordinance No. 022, 2026, Amending Section 1209 and Sections 1221 through 1227 of the Fort Collins Traffic Code Relating to Parking Enforcement Procedures.

The purpose of this item is to present recommended changes to the Fort Collins Traffic Code to address changes made by the Colorado State Legislature and to modernize outdated language to more clearly reflect current Parking Services policies and protocols related to enforcing parking violations and fee requirements in parking garages and surface lots.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinances on First Reading.

BACKGROUND / DISCUSSION

Over the past several legislative sessions, the Colorado State Legislature has enacted laws that have made substantive changes to Colorado traffic laws. In reviewing these legislative changes, it was identified that some of these changes needed to be added to the Fort Collins Traffic Code in order to avoid inconsistencies between the state law and municipal code. The adoption of these changes will rectify inconsistency between the two codes and will provide Fort Collins Police Services with the ability to cite violators of specific infractions into Municipal Court.

Below are the specific updates proposed for adoption with a brief description:

Ordinance No. 016, 2026: Child Restraint Systems (Section 236 Municipal Traffic Code)

The recommendation is to update section 236-Child Restraint Systems Required to match the Colorado House Bill 2024-1055 which was enacted in 2024. This update would change the requirements for rear-facing child restraint if the child is less than two years of age and the child weighs less than 40 pounds or in a forward or rear-facing child restraint system if the child weighs over 40 pounds in a rear seat of the vehicle, if a rear seat is available. This change would also require a child that is two years of age but less than four years of age and weighs at least 20 pounds to be properly restrained in a rear-facing or forward-facing child restraint system and in the rear seat of a vehicle, if a rear seat is available. In addition, the modification would require a child 4 years of age or older but less than 9 years of age and weighs at least 40 pounds to be restrained in a child restraint system or booster seat and in the rear seat of the vehicle if a rear seat is available.

Ordinance No. 017, 2026: Snowplows (Section 214 Municipal Traffic Code)

The recommendation is to adopt the language to define “Echelon Formation” as a formation in which snowplows are arranged diagonally, with each unit stationed behind and to the right, or behind and to the left, of the unit ahead. This Code modification also creates an infraction if the person passes an authorized service vehicle snowplow that is operated by a state, county, or local government, displaying lights as authorized, and performing its service function in echelon formation with one or more other such snowplows. This recommendation would match the legislation passed by the Colorado General Assembly as part of House Bill 2019-1265, which was signed into law by the Governor.

Ordinance No. 018, 2026: Certain Persons Approaching Intersections Who are not Operating Motor Vehicles (New Section 1412.5 Municipal Traffic Code)

The recommendation is to add a section in the City’s Traffic Code specifically addressing persons approaching intersections who are not operating motor vehicles. In 2022, the Colorado General Assembly passed, and the Governor signed, House Bill 2022-1028. The current Traffic Code does not distinguish between motor vehicles and low-speed conveyances regarding certain traffic control devices, specifically stop signs and signalized intersections. This Ordinance would include the following changes, in order to bring the Fort Collins Traffic Code into alignment with the state laws:

1. Provide that a person who is fifteen years of age or older or who is under fifteen years of age and accompanied by an adult and who is operating a low-speed conveyance and approaching a controlled intersection with a stop sign shall slow down and, if required for safety, stop before entering the intersection. If a stop is not required for safety, the person operating a low-speed conveyance shall slow to a reasonable speed and yield the right-of-way to any traffic or pedestrian in or approaching the intersection. After the person operating a low-speed conveyance has slowed to a reasonable speed and yielded the right-of-way if required, the pedestrian or person operating a low-speed conveyance may cautiously make a turn or proceed through the intersection without stopping. For this section, a reasonable speed is ten miles per hour or less.
2. Provide that a person who is fifteen years of age or older or who is under fifteen years of age and is accompanied by an adult and who is operating a low-speed conveyance and approaching a controlled intersection with an illuminated red traffic control signal shall stop before entering the intersection and shall yield to all other traffic and pedestrians. Once the person operating a low-speed conveyance has

yielded, the person operating a low-speed conveyance may cautiously proceed in the same direction through the intersection or make a right-hand turn. When a red traffic control signal is illuminated, a person operating a low-speed conveyance shall not proceed through the intersection or turn right if an oncoming vehicle is turning or preparing to turn left in front of the person operating a low-speed conveyance.

3. Provide that a person who is fifteen years of age or older or who is under fifteen years of age and is accompanied by an adult and who is operating a low-speed conveyance approaching an intersection of a roadway with an illuminated red traffic control signal may make a left-hand turn only if turning onto a one-way street and only after stopping and yielding to other traffic and pedestrians. However, a person operating a low-speed conveyance shall not turn left if an oncoming vehicle is turning or preparing to turn right.

Ordinance No. 019, 2026: Lane Filtering and Passing (Section 1503 Municipal Traffic Code)

The recommendation is to add a section to the City’s Traffic Code specifically addressing the operation of motorcycles on roadways laned for traffic. In 2024, the Colorado General Assembly passed, and the Governor signed, Senate Bill 2024-079 which allows motorcycles to “Lane Filter” on roadways laned for traffic. The change to the Traffic Code would allow the driver of a two wheeled motorcycle to overtake or pass another motor vehicle in the same lane as the motorcycle is the following conditions are meet: the overtaken or passed motor vehicle is stopped; the motor vehicles in the adjacent lanes, if the lanes are for the same direction of travel as the lane occupied by the two-wheeled motorcycle, are stopped; the driver of the two-wheeled motorcycle is on a road with lanes wide enough to pass safely; the passing motorcycle is driving at 15 miles per hour or less; and conditions permit prudent operation of the motorcycle while overtaking or passing. When the motor vehicles that are being overtaken or passed by the two-wheeled motorcycle begin moving, the driver of the motorcycle shall cease overtaking or passing a motor vehicle pursuant to this section. The adoption of these changes brings the Fort Collins Traffic Code into alignment with Colorado Revised Statutes.

Ordinance No. 020, 2026: Misuse of a Mobile Electronic Device (Section 239 Municipal Traffic Code)

The recommendation is to modify the City’s Traffic Code regarding the use of Mobile Electronic Devices. In 2024, the Colorado General Assembly passed, and the Governor signed, Senate Bill 2024-065, amending the Colorado traffic laws to regulate the use of electronic mobile devices for all drivers, not just drivers under the age of 18 years old. The adoption of these changes brings the Fort Collins Traffic Code into alignment with applicable Colorado Revised Statutes. The change would provide new definitions for “operation of a motor vehicle” and “emergency”. This change would also require that the operator (driver) utilize a hands-free accessory while using the mobile electronic device and the vehicle at the same time. The new language would also require that a law enforcement officer cite an operator when they witness the operator use a mobile electronic device in a manner prohibited under this new provision, and in a manner that caused the operator to drive in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic, and use of the streets and highways and all other attendant circumstances, as prohibited by Section 1402 of the Fort Collins Municipal Traffic Code.

Ordinance No. 021, 2026: Driving without a Current Driver’s License (New Section 1418 Municipal Traffic Code)

The recommendation is to add to the Traffic Code the requirement of a valid driver’s license when operating a motor vehicle on a highway in the City. This change will allow enforcement to be contained in the Municipal Traffic Code and not require the change in venue that occurs when a citation for this is issued under state law, which is then adjudicated in the Larimer County Courts. In provision requires that all operators of motor vehicles have a valid driver’s license and that the operators have that license in their possession at the time of operation. Adoption of this Ordinance would align the Fort Collins Traffic Code and the applicable Colorado Revised Statute, 42-2-101.

Ordinance No. 022, 2026: Parking Enforcement Procedures (Sections 1209 and 1221 through 1227 Municipal Traffic Code)

The recommendation is to modify the City's Traffic Code regarding parking violation procedures and paid parking requirements in parking garages and surface lots.

Currently, Section 1209 of the Traffic Code references a "Handicap Parking Enforcement Program." This change would remove this reference, as the City no longer participates in this program. The changes to Section 1209 would also clarify the liability of rental car companies for parking violation penalties and would clean up verbiage to align with the rest of the Traffic Code.

Sections 1221 through 1227 of the Traffic Code provide unclear and outdated language related to parking fees, which do not reflect modern technology or procedures utilized by Parking Services. For instance, the current requirements applicable to parking fees in parking garages and surface lots provide that parking fees must be paid in "coins" or "authorized tokens." The City no longer relies solely on coin-operated parking meters. Payments may now be made via online or mobile apps and various modern forms of payment are accepted. This change would expand the requirements applicable to paid parking garages and surface lots to allow for any available means and forms of payment. This change would also clarify the requirements around initiating a parking session.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance No. 016, 2026
2. Ordinance No. 017, 2026
3. Ordinance No. 018, 2026
4. Ordinance No. 019, 2026
5. Ordinance No. 020, 2026
6. Ordinance No. 021, 2026
7. Ordinance No. 022, 2026