

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 25-0592.01 Jery Payne x2157

SENATE BILL 25-069

SENATE SPONSORSHIP

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HOUSE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING THE USE OF TRACTION DEVICES ON MOTOR VEHICLES ON**
102 **HIGHWAYS FOR WINTER CONDITIONS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates a permit that is issued by the department of transportation (department). The permit authorizes the holder to, for a fee, install or remove tire chains or alternate traction devices at a location designated in the permit.

The department may place conditions on the permit concerning the safe and orderly movement of traffic. The department is instructed to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
3rd Reading Unamended
April 21, 2025

SENATE
Amended 2nd Reading
April 17, 2025

avoid monopoly-type situations at specific locations.

The department may charge a fee to issue a permit to an applicant. The fee must be set in an amount to offset the direct and indirect costs of issuing these permits.

The department will adopt rules to implement the bill. The rules must include:

- The procedures for issuing a permit and the qualifications to be issued a permit; and
- A requirement that the individuals installing tire chains or alternate traction devices wear reflective clothing and use appropriate signs and traffic control devices.

A rental car company is required to notify its car renters of the requirements of and penalties for violating the chain law.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-106, **amend**
3 **(5)(a)(I)(B)** as follows:

4 **42-4-106. Who may restrict right to use highways - definitions**
5 **- rules. (5) (a) (I) (B) When icy or snow-packed conditions exist on the**
6 **highway, the department of transportation may restrict travel on or use of**
7 **any portion of a state highway by any A motor vehicle unless the motor**
8 **vehicle is equipped with the following: Tire chains or an alternate traction**
9 **device; four-wheel drive with tires that have a tread depth of at least three**
10 **sixteenths of an inch and that are adequate for the conditions IMPRINTED**
11 **BY A MANUFACTURER WITH A MOUNTAIN-SNOWFLAKE, "M&S", "M+S",**
12 **OR "M/S" SYMBOL OR THAT ARE ALL-WEATHER RATED BY THE**
13 **MANUFACTURER; OR all-wheel drive with tires that have a tread depth of**
14 **at least three sixteenths of an inch and that are adequate for the**
15 **conditions; or tires that are imprinted by a manufacturer with a**
16 **mountain-snowflake, "M&S", "M+S", or "M/S" symbol or that are**
17 **all-weather rated by the manufacturer. and that have a tread depth of at**
18 **least three sixteenths of an inch.**

1 **SECTION 2.** In Colorado Revised Statutes, **amend** 43-2-150 as
2 follows:

3 **43-2-150. Roadside chain service - rules - permits - fees -**
4 **liability - definition.** (1) The department may contract with OR ISSUE
5 PERMITS TO one or more entities to provide roadside assistance, BY selling
6 or applying chains or other equipment to commercial vehicles, necessary
7 to enable compliance with section 42-4-106. ~~C.R.S.~~ The department may
8 authorize, by rule, PERMIT, or contract, the entity to receive a reasonable
9 fee for services provided.

10 (2) (a) THE DEPARTMENT SHALL ISSUE A PERMIT TO A QUALIFIED
11 APPLICANT. THE PERMIT AUTHORIZES ITS HOLDER TO INSTALL OR REMOVE
12 TIRE CHAINS OR ALTERNATE TRACTION DEVICES ON MOTOR VEHICLES FOR
13 A FEE PAID BY THE DRIVER OF THE MOTOR VEHICLE SUBJECT TO THE
14 FOLLOWING:

15 (I) THE TIRE CHAINS OR ALTERNATE TRACTION DEVICES MUST BE
16 INSTALLED OR REMOVED AT LOCATIONS DESIGNATED IN THE PERMIT;

17 (II) PERMIT HOLDERS MUST COMPLY WITH THE CONDITIONS IN THE
18 PERMIT; AND

19 (III) A PERMIT MUST NOT DESIGNATE LOCATIONS WITHIN A
20 MUNICIPALITY WITHOUT THE APPROVAL OF THE MUNICIPALITY UNLESS THE
21 LOCATION IS A DESIGNATED CHAIN STATION OR IS WITHIN AN INTERSTATE
22 HIGHWAY.

23 (b) THE DEPARTMENT MAY PLACE CONDITIONS ON THE PERMIT
24 CONCERNING THE SAFE AND ORDERLY MOVEMENT OF TRAFFIC.

25 (c) THE DEPARTMENT SHALL ISSUE SUFFICIENT PERMITS FOR THE
26 INSTALLATION OR REMOVAL OF TIRE CHAINS OR ALTERNATE TRACTION
27 DEVICES THAT ARE NECESSARY TO ACCOMMODATE THE DEMAND FOR

1 THOSE SERVICES CONSISTENT WITH THE MAXIMUM CONVENIENCE AND
2 SAFETY OF TRAFFIC. IN ISSUING THE PERMITS, THE DEPARTMENT SHALL
3 ENSURE THAT:

4 (I) THE MAXIMUM PRACTICABLE NUMBER OF DIFFERENT PERSONS
5 RECEIVE PERMITS; AND

6 (II) NO ONE PERSON, TO THE EXTENT PRACTICABLE, IS THE SOLE
7 PERMIT HOLDER FOR A PARTICULAR LOCATION.

8 (d) THE DEPARTMENT MAY CHARGE A FEE TO ISSUE A PERMIT TO
9 AN APPLICANT. THE FEE MUST BE SET IN AN AMOUNT TO OFFSET THE
10 DIRECT AND INDIRECT COSTS OF ISSUING PERMITS UNDER THIS SUBSECTION
11 (2). THE STATE TREASURER SHALL CREDIT THE FEES TO THE HIGHWAY
12 USERS TAX FUND CREATED IN SECTION 43-4-201.

13 (e) IN ISSUING A PERMIT, THE DEPARTMENT ASSUMES NO
14 RESPONSIBILITY FOR THE ACTIONS, INACTIONS, OR COMPETENCE OF THE
15 PERMIT HOLDER IN PERFORMING SERVICES UNDER THE PERMIT. THE
16 DEPARTMENT IS NOT LIABLE FOR DAMAGES RELATING TO ACTS OR
17 OMISSIONS OF THE PERMIT HOLDER.

18 (f) THE DEPARTMENT SHALL ADOPT RULES TO IMPLEMENT THIS
19 SECTION. THE RULES MUST INCLUDE:

20 (I) THE PROCEDURES FOR ISSUING A PERMIT AND THE APPLICANT
21 QUALIFICATIONS TO BE ISSUED A PERMIT;

22 (II) THE PROCEDURES FOR REVOKING A PERMIT; AND

23 (III) A REQUIREMENT THAT THE INDIVIDUALS INSTALLING TIRE
24 CHAINS OR ALTERNATE TRACTION DEVICES WEAR REFLECTIVE CLOTHING
25 AND USE APPROPRIATE SIGNS AND TRAFFIC CONTROL DEVICES.

26 (3) AS USED IN THIS SECTION:

27 (a) "ALTERNATE TRACTION DEVICE" HAS THE MEANING SET FORTH

1 IN SECTION 42-4-106 (5)(c)(I).

2 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF
3 TRANSPORTATION.

4 **SECTION 3.** In Colorado Revised Statutes, **add** 6-1-208 as
5 follows:

6 **6-1-208. Notification of chain laws.** DURING SEPTEMBER 1
7 THROUGH MAY 31 OF EACH YEAR, A LESSOR SHALL NOTIFY, AT THE TIME
8 OF RENTAL, A LESSEE OF THE REQUIREMENTS OF, DUTIES IN, AND THE
9 PENALTY FOR VIOLATING SECTION 42-4-106 (5) AND WHETHER THE
10 RENTAL MOTOR VEHICLE COMPLIES WITH SECTION 42-4-106 (5). THE
11 NOTIFICATION MUST BE MADE IN A CLEAR AND CONSPICUOUS MANNER
12 ORALLY, UPON THE LESSOR'S ELECTRONIC PLATFORM, OR BY A SIGN WITHIN
13 THE LESSOR'S BUSINESS.

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