

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

INTRODUCED

LLS NO. 25-0592.01 Jery Payne x2157

SENATE BILL 25-069

SENATE SPONSORSHIP

Catlin and Roberts,

HOUSE SPONSORSHIP

Lukens and Velasco, McCluskie, Taggart

Senate Committees

Transportation & Energy

House Committees

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.

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, **amend** 43-2-150 as
3 follows:

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

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

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

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

1 PERMIT.

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

4 (c) THE DEPARTMENT SHALL ISSUE SUFFICIENT PERMITS FOR THE
5 INSTALLATION OR REMOVAL OF TIRE CHAINS OR ALTERNATE TRACTION
6 DEVICES THAT ARE NECESSARY TO ACCOMMODATE THE DEMAND FOR
7 THOSE SERVICES CONSISTENT WITH THE MAXIMUM CONVENIENCE AND
8 SAFETY OF TRAFFIC. IN ISSUING THE PERMITS, THE DEPARTMENT SHALL
9 ENSURE THAT:

10 (I) THE MAXIMUM PRACTICABLE NUMBER OF DIFFERENT PERSONS
11 RECEIVE PERMITS; AND

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

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

19 (e) IN ISSUING A PERMIT, THE DEPARTMENT ASSUMES NO
20 RESPONSIBILITY FOR THE ACTIONS, INACTIONS, OR COMPETENCE OF THE
21 PERMIT HOLDER IN PERFORMING SERVICES UNDER THE PERMIT. THE
22 DEPARTMENT IS NOT LIABLE FOR DAMAGES RELATING TO ACTS OR
23 OMISSIONS OF THE PERMIT HOLDER.

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

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

1 (II) A REQUIREMENT THAT THE INDIVIDUALS INSTALLING TIRE
2 CHAINS OR ALTERNATE TRACTION DEVICES WEAR REFLECTIVE CLOTHING
3 AND USE APPROPRIATE SIGNS AND TRAFFIC CONTROL DEVICES.

4 (3) AS USED IN THIS SECTION:

5 (a) "ALTERNATE TRACTION DEVICE" HAS THE MEANING SET FORTH
6 IN SECTION 42-4-106 (5)(c)(I).

7 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF
8 TRANSPORTATION.

9 **SECTION 2.** In Colorado Revised Statutes, **add** 6-1-208 as
10 follows:

11 **6-1-208. Notification of chain laws.** A LESSOR SHALL NOTIFY A
12 LESSEE OF THE REQUIREMENTS OF, DUTIES IN, AND THE PENALTY FOR
13 VIOLATING SECTION 42-4-106 (5).

14 **SECTION 3. 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.