

Background for HB16-1039. Winter Traction Requirements on I-70 Mountain Corridor

HB16-1039 requires that noncommercial motor vehicles be appropriately equipped when driving on the I-70 Mountain Corridor during winter storm conditions.

Even though CDOT and CSP are doing an excellent job educating the public and enforcing current Code 15 pertaining to passenger vehicles on the I-70 Mountain Corridor, **under current statute there is still great confusion for passenger vehicle drivers** resulting in major traffic delays, accidents, and closures due to unequipped passenger vehicles sliding out, creating dangerous conditions for other drivers, for law enforcement officers, and emergency responders.

These public safety concerns are created by gaps in current statute that were solved for commercial vehicles in 2009. This bill is designed to help solve these problems for passenger vehicles. Both CDOT and CSP have requested this bill and support it, as do many other organizations and businesses. The bill is the product of stakeholder meetings that began in July 2014.

Problem:

Under current statute **CDOT cannot state that adequate tires or traction devices are required, and CSP cannot enforce this requirement until AFTER a code 15** is in effect, even if conditions are known to be dangerous and deteriorating. That **time gap results in public safety problems for which this bill provides solutions:**

1. Time Lag: During this time lag when no traction equipment is officially required is when many passenger vehicles lose control and block the interstate. Current statute prevents CDOT from stating on signage or any other means that adequate tires, chains, or traction devices are **required** for safe mountain driving.

This results in:

- **Many drivers do not realize that under current law**, if they proceed up I-70 before a code 15 is called, not realizing how the system works, and a code 15 is called while they are in route, if they cause an accident or close the road now, they are **currently subject to citations and fines up to over \$500.00**
- CDOT being **unable to proactively educate drivers** and requires them to use language like “you may encounter” or “adequate tires recommended”. Drivers remain confused about, or even unaware of, the traction laws and the inherent dangers of winter driving on mountain highways. Even responsible drivers who want to be prepared are not sure what is required.

This time lag between when conditions deteriorate and Code 15 is invoked makes prevention impossible for CSP or local law enforcement, causing more accidents and closures. CSP Sergeant David Hall stated: **"By the time CDOT can declare an emergency, it's too late to prevent anything.** This bill allows law enforcement to begin enforcing the equipment requirements as soon as there is snow on the road, thereby hopefully getting some of the vehicles off the road (or directing them to where they can get the required equipment) before they cause a significant problem."

A similar problem existed for commercial vehicles prior to 2009, when then-current statute required chains or snow tires for commercial vehicles *only after* a Code 17 (CMV "chain law") had been officially put in place. Thus, many truckers were not aware of the requirements because the wording made it difficult for CMCA and CDOT to provide clear education. Trucks without proper equipment **caused numerous accidents and closures BEFORE CDOT and CSP could get a code 17 into effect.**

The **2009 statute specified mile markers and dates within which trucks had to have traction equipment, thus alleviating confusion** caused by the then existing statute. It provided certainty to truckers so they knew exactly what was required, and it enabled the CMCA, CDOT, and CSP to proactively educate about traction requirements.

Since then, **CDOT data show that closures of I-70 due to commercial vehicles with inadequate traction equipment have declined, while closures due to inadequately equipped passenger vehicles have increased significantly since 2010.**

2. Winter closures caused by passenger vehicles not equipped with either adequate tires, or chains, or alternative traction devices cause:

- Severe problems for mountain community workers who do drive properly equipped vehicles commuting to their jobs and for local public transit bringing employees to work along the mountain corridor. They cannot get to work on time even though they are responsible drivers with proper equipment. Missing even a few hours pay is a family emergency for them.
- Economic losses for communities along Interstate 70 and for the entire state estimated at \$800,000 per hour of closure
- Public safety risks for all drivers, law enforcement, and emergency responders.
- A very significant competitive disadvantage for Colorado businesses who rely on goods and people moving across the mountains on I70

According to CDOT's Andy Karsian: "CDOT has gone as far as the Department can in helping motorists understand the importance of driving safely along this corridor during the winter. Unless passenger vehicles are required by law, prior to coming into the mountains, to have traction control devices, the state will continue to see them spinning out, blocking traffic and causing delays that impact the economics of this state. The end result of this bill is the same as any other driving safety bill passed by the legislature, safer roads for all.

The Bill: HB16-1039 requires that all passenger vehicles have **adequate tires**, as currently defined in statute and rule, **OR chains, OR alternative traction devices** (defined in the bill) from MM 133-MM239 of I-70 (same MM as for truckers) whenever snow packed, icy conditions exist. An amendment will be offered that stipulates it is not the intent or effect of this bill to establish checkpoints.