

## MEMORANDUM

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**TO: THE TRANSPORTATION COMMISSION**  
**FROM: MIKE GOOLSBY, REGION 3 RTD**  
**DATE: MARCH 17, 2021**  
**SUBJECT: PROPOSED RESOLUTION #XX, OHV TRAVEL IN HINSDALE COUNTY**

### Purpose

Adopt a resolution in place of the previously approved #TC 18-07-17 that will reflect a time extension of the resolution with additional terms and conditions as agreed upon with Hinsdale County and the Town of Lake City.

### Action

TC 18-07-17 allowed CDOT to enter into an agreement with Lake City and Hinsdale County to allow OHV travel on a segment of SH 149. General terms of the agreement included:

- The route starts at MP 73.11 (Ocean Wave Dr) in Lake City and travels south to MP 69.85 (CR 30) with no deviations
- Total length of the project was about 3.26 miles
- The program lasted for the summer seasons (May through Sept) of 2019 and 2020
- A final report on the program was required of the applicants, Lake City and Hinsdale County

Hinsdale County and the Town of Lake City are requesting a time extension in this program for another three years of implementation. In addition to the time extension, several new special terms and conditions will be attached to the permit to address concerns raised by the TC, other stakeholders and citizens in Hinsdale County.

### Background

Over the course of the past several years, CDOT Region 3 has been working with the Town of Lake City and Hinsdale County to implement Resolution #TC 18-07-17 that allows CDOT to designate a section of state highway as open to OHV travel. Through this time period the group has worked closely on implementation details as well as public questions and concerns. At present, all parties agree that the program has been successfully implemented and has been conducted safely. However, all parties also agree that additional considerations should be taken to further enhance safety in the pilot program area and to address concerns raised by local stakeholders and citizens.

### Next Steps

Upon approval of this resolution, the Region is committed to continue to work with CSP, Hinsdale County and the Town of Lake City to refine the implementation of the program. The Region will also monitor and enforce the special terms and conditions included in the permit for this program.



## Attachments

Final report on the 2019-2020 program, as submitted by Hinsdale County and Lake City

Letter of request from Hinsdale County

Resolution from Hinsdale County supporting this project

Resolution from Lake City supporting this project

Letter of Commitment from Hinsdale County and Lake City



# **Hinsdale County/Town of Lake City**

## **2019-2020 OHV Pilot Project Report**

### **Background:**

For years, off highway vehicles (OHVs) have provided economic stimulus to regions around the state. Often, these areas are small, rural counties or municipalities that have state highways the OHVs must cross or travel along in order to connect to existing county roads that allow OHV travel.

The nationally renowned Alpine Loop in southwest Colorado is a perfect example of this type of situation. The Alpine Loop is a 65-mile circular route that navigates CR30 (Cinnamon Pass) and CR20 (Engineer Pass) in the San Juan Mountains. It connects the towns of Silverton and Ouray with Lake City and is open to travel by motorized vehicles including OHVs.

CDOT's Region 3 has been working with the Town of Lake City, Hinsdale County and Colorado State Patrol for the past 5+ years to implement a process that would allow OHVs on a short segment of State Highway 149 in order to travel the entire loop. Without the ability to operate on the state highway, OHV riders must disembark, put their OHV on a trailer and transport the vehicle a couple of miles up the highway. Riders have advocated for years to allow the OHVs to travel on or along state highways in order to make the trail connections more efficient.

Multiple legislative efforts to address this issue, and other OHV policy issues such as safety, insurance, licensing and age requirements for operating OHVs have been contentious, and limited in scope.

### **Pilot Project Proposal:**

Following the designation of the Alpine Loop as the only OHV trail in Governor Hickenlooper's "16 Trails in 2016" initiative, local governments and the CDOT region began examining the idea of a special permit to allow OHVs access to certain state highways. CDOT and State Patrol have worked with Lake City, Hinsdale County, local law enforcement and local stakeholders on refining a pilot project that would allow OHVs to travel on SH149 in order to connect between the two county roads on the Alpine Loop.

Lake City residents voted multiple times to allow OHVs within town limits. A vote in July of 2019 reaffirmed that OHVs would be allowed to travel on the town's roads. This facilitated the possibility of the pilot project route, which requires OHV riders to travel on one street within the town to access the highway. OHVs are currently allowed on all county roads by resolution.

The original route proposed was on SH149 from the 2nd St intersection (MP 72.11) in Lake City, south to the CR30 intersection (MP 71.44). The total distance is 2.26 miles. No other state highways were proposed to be included in the project.

**Recent Actions:**

The pilot project was implemented in Hinsdale County and Lake City through a Transportation Commission resolution and subsequent issuance of a Special Use Permit by CDOT. The permit allowed the pilot project to operate from May through September for both 2019 and 2020. The permit contains several special terms and conditions. Among them are requirements for highway signage and other safety improvements.

For the 2020 season, the pilot project route was extended following recommendations received from town and county and local law enforcement. The 2020 route was on SH149 from the CR30 intersection (MP 71.44) south of Lake City to the Ocean Wave Drive intersection (MP 73) in Lake City.

**Outcomes:**

As part of a process to review the two-year pilot project, Hinsdale County Board of Commissioners and Town of Lake City Trustees solicited public comment during the fall of 2020. More than 200 separate comments were submitted, both for and against. The comments addressed a range of issues related to the project, while some addressed issues outside of the use of OHVs on the state highway.

Specifically, of the 238 individual comments that were received during the public comment process, 179 respondents stated they were in favor of the pilot project and 59 were against. Many of the comments included recommendations to be considered if the project were to be continued.

In addition to the public comments, statistics from Hinsdale County Sheriff's Department, Colorado State Patrol and Colorado Parks and Wildlife on the 2019 and 2020 seasonal pilot project were collected as part of the review process.

**Economic Impacts:**

Based on the letters received through the public input process, 42 respondents identified themselves as business owners. Of those 42, 39 voted in favor of the pilot project. Of the 238 total letters received as part of the public input process, 43 mentioned either the project was good for the economics of Lake City and Hinsdale County, the project increased tourism in the region, or the project is a draw for new home sales.

Sales taxes in the town and county increased 39% during the period of the pilot project (June to October) from 2018 to 2020. Taxes on lodging sales increased 17% during the same time period.

### **Pilot Project Future:**

Based on statistics from local law enforcement relating to OHVs traveling on the state highway in 2019 and 2020 (which includes only one minor accident during both summers), and the outcome of the public comment process, the Town of Lake City Board of Trustees and the Hinsdale County Board of Commissioners began discussions on submitting an application for a future pilot project during two joint workshops that took place in November and December of 2020.

A list of considerations to be included in an application were discussed in the joint workshops. The considerations include:

1. Renewing the program for two or three years
2. Lowering the speed limit along the route to 25 mph
3. Extending the route along highway 149 to the north or south
4. Extending or reducing the time period the program would run during the year
5. Implementing data collection during the program

In addition to these specific considerations, other actions that were discussed if a new pilot project is approved by CDOT include increased public information regarding rules of OHV operations, increased signage, increased law enforcement, increased fines, noise abatement and parking. Specifically, the county has increased funding to the Sheriff's Department to hire an additional seasonal deputy in 2021. In addition, a local outreach group, Alpine Outdoor Association, set up check points in the summer of 2020 to provide information to OHV drivers. This volunteer-based effort will continue.

On December 16, 2020, the Town of Lake City Board of Trustees approved a resolution to participate in the CDOT OHV Pilot Project, for a three-year period including 2021, 2022 and 2023 from the Friday of Memorial Day weekend through September 30. The Hinsdale County Board of Commissioners will consider a resolution to participate in the CDOT OHV project at the board's January 6, 2021, meeting. If the county commissioners approve the resolution, both boards will move forward with working with CDOT to submit an application for a new pilot project.

### **Yearly Pilot Project Review:**

Following the seasonal end of the Pilot Program in 2019 and 2020, comments were collected during meetings with the County Administrator, Town Manager, County Sheriff, CSP Officers and Colorado Parks and Wildlife Officer. These calls were facilitated by CDOT Region 3 Traffic and Safety Program Manager Zane Znamenacek. Comments from these conversations follow.

### **2019 Pilot Project Comments**

Town of Lake City

- Mostly positive comments from public.

- Confusion observed on the north end of the program's limits. Either the limits should be extended to the north end of town, or enhanced signage needs installed.

#### Hinsdale County

- Most complaints received were for dust and noise, as well as for OHVs tearing up county owned gravel roads.
- Some residents to the south want the limits extended to their subdivision.
- Thinks extending the limits of the program north would be beneficial. If the limits aren't extended to the north, need to look at better signage.

#### Hinsdale County Sheriff

- Tickets issued in Lake City – 9; Warnings – 30.
- Tickets issued in County – 12; Warnings – 12.
- Of the warnings and tickets combined only 4 were considered “Hazardous Violations”.
- One accident occurred involving an OHV and an automobile. This accident involved an OHV crossing the highway and colliding with a car. While the OHV operator was at fault for not yielding the right of way, the #2 vehicle may also have been speeding. No injuries resulted from the collision.
- With the high volume of OHV traffic we had in our area this past season our enforcement contacts were not much higher. People seemed to understand that this was a trial project and the vast majority of people behaved in a way to not lose the opportunity.
- Extending the limits to the north end of town would be beneficial to simplify the approved routes and would be safer as to not require OHV's to cross the highway as much.

#### CPW

- Tickets issued in County – 2, for operating outside the pilot area; Warnings issued – 5.

#### CSP

- CSP had more presence in the area than in past years.
- 22 OHV contacts were made and 5 tickets were issued.
- Received mostly positive feedback from the public.
- Thinks it would be beneficial to extend the limits of the program to the north end of town.

#### CDOT (Zane)

- CDOT received about 40 comments at Headquarters in 2019. CDOT Region 3 also received about 40 comments during this same timeframe.

- Have had other communities ask for similar programs, but limiting this to Hinsdale County/Lake City at least until after next summer.

## 2020 Pilot Program Comments

### Town of Lake City

- Signage should be improved at each end of the open highway area.
- Felt that the move to allow OHVs on Hwy 149 was good and led to less OHV traffic on Town side streets.

### Hinsdale County

- Increased public education could benefit new OHV operators.
- Improved signage could help educate OHV operators on the parameters of the program.
- Liked the route change this year that allowed OHV traffic on 149 through town.

### Hinsdale County Sheriff

- County 33 warnings, 60 citations
- Town 41 warnings, 29 citations
- No recorded accidents this summer on the highway involving OHVs.
- Overall, issued far more citations this year than last for all vehicles.
- Most citations were written for "no insurance", "operating vehicle where prohibited", and "minor without helmet". Only one citation written for speeding.
- Felt that OHV operators were generally as compliant as operators of other motor vehicles, felt like the majority of OHV operators were responsible.
- Expressed overall safety concerns with OHV operation in a highway environment.
- Due to this massive increase in the number of users we saw this year, and the steady increase in years prior, it is unrealistic to expect the SO is able to adequately enforce OHV regulations in addition to all the other requirements of our duties. The unforeseeable results of allowing OHV traffic on the highway has led to the SO fighting a losing battle, both in public perception and in being able to keep up with the influx of traffic.
- Our local ordinances for fines are inadequate. If the Pilot program is to continue, I would ask the elected officials of the town and county to look at increasing the fine amounts for OHV infractions.
- There is also the issue of vehicle safety that needs to be addressed. OHVs are woefully underequipped to handle any type of collision on the highway with another motor vehicle. Given OHVs are not equipped nor designed to be operated on pavement I think CDOT, the Town of Lake City and Hinsdale County need to take a look at the risk versus reward of allowing the continued use of highway 149.

## CPW

- Involved more this year in enforcement of OHV rules on the highway, not just off-road.
- Issued several citations, mostly for driving/riding on the highway outside the program limits:
  - Tickets issued – 7, all for operating outside the pilot area
  - Warnings issued – 3, all for operating outside the pilot area
- Concerned about the lack of identifiers on OHVs, such as a number or license plate, that can be called into dispatch before making a contact. This as an officer safety issue.
- Feels clarification needs made on the program limits vs the limits of any "events" that take place in the community.
- Is concerned about the difficulty of enforcing some items that are vague or not addressed clearly in statute such as noise levels, unsafe vehicle, etc., since OHVs are not classified as "vehicles".
- Expressed concerns about OHVs operating on the highway very far outside the program area.
- I know based upon observed violations while off/on duty or even looking out my kitchen window, the number of citations I wrote is a minimal reflection of actual infractions.
- Because law enforcement resources are stretched really thin in this country, many violations (both state, county and town) slipped through the cracks. With very limited resources, the Sheriff's Office worked really hard at trying to address violations that were occurring everywhere. But the SO was outnumbered "10,000 to one". Traffic on the Alpine Loop, which the state highway is part of at this point, was up over 50% based on initial BLM traffic counters deployed this 2020 season.
- The highway component throws many more social/legal variables into the mix. Safety concerns increase due to higher speeds 25-35 miles per hour. OHV stability performance at those speeds on asphalt. Noise emitted from both tires and engines in excess of 95 decibels in residential/historic districts. Child safety concerns both as operators and as passengers.
- I'm not really sure how the OHV/ATV laws got overlooked in 2019 when CPW/DNR went to the legislature and got statutory changes done in Title 33. I will certainly continue to bring the topic up with my (CPW's) leadership to hopefully start addressing some of the issues our officers are encountering on highways and in the wilderness. Fixing some of the "legal inadequacies" will also greatly benefit Colorado State Patrol Troopers when they encounter more OHV issues in years to come.

## CSP

- Issued one citation for driving outside the program.
- Did not receive any complaints over the summer on the program.

## CDOT

- At CDOT Headquarters, approximately 80 comments were received in 2020. The bulk are opposed citing noise, safety, trash, and lack of enforcement and resources as their main objections.
- Within CDOT Region 3, over 210 individuals commented on the program. Approximately 160 of those were for the program, while about 55 were opposed.



311 N. Henson St. Lake City, Colorado 81235 970-944-2225 [www.hinsdalecountycolorado.us](http://www.hinsdalecountycolorado.us)

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January 15, 2021

Colorado Department of Transportation  
Attention: Herman Stockinger  
2829 W. Howard Pl.  
Denver, CO 80204

RE: Application to participate in OHV Pilot Program

Mr. Stockinger,

Please accept this letter as a formal application for the Colorado Department of Transportation (CDOT) OHV Pilot Program for Hinsdale County and Town of Lake City. Included with this letter are resolutions from both entities declaring participation in the program.

In 2019, Hinsdale County and the Town of Lake City together were granted a two-year Special Use Permit to allow Off Highway Vehicles (OHVs) and All-Terrain Vehicles (ATVs) to travel a designated distance on State Highway 149. This provided a way for OHVs to complete the Alpine Loop Backcountry Byway, a portion of which crosses through Hinsdale County adjacent to Lake City. Without access to SH 149, OHVs could not travel the entire Alpine Loop.

Following the seasonal end of the Pilot Program in 2019 and 2020, a report was submitted to CDOT detailing the outcome of the program. This report included comments and statistics from Hinsdale County, Town of Lake City, Hinsdale County Sheriff's Office, Colorado State Patrol, Colorado Parks and Wildlife, and CDOT.

The safety of highway travel associated with the Pilot Program is the number one priority for all partners involved. Only one accident has occurred during the two-years of the program that involved an OHV. This incident occurred in 2019 and was the result of an OHV attempting to use the shoulder of the highway to navigate an area inaccessible to OHV's. The Pilot Program route was altered in 2020 in order to address this specific situation.

The process of reviewing the program at the end of each year brings to light any safety concerns associated with OHVs traveling on the highway. Statistics from Hinsdale Sheriff and Colorado State Patrol give insight into any specific problem areas. The Pilot Program has increased the number of OHVs on the highway during the summer, but this is the busy season for Lake City and there is always an increase in traffic during this time. OHVs on the highway do not significantly impact the general flow of traffic, according to Hinsdale County Sheriff Chris Kambish, and, overall, OHV operators are as compliant with traffic laws as operators of other motor vehicles. Summer traffic slowdowns can be attributed to large recreational vehicles, trucks pulling trailers or boats, or groups of Jeeps or OHVs, but these conditions are not due to overwhelming numbers of vehicles of any one type.



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According to Sheriff Kambish, the Sheriff's Office is very proactive when enforcing traffic laws. Exponentially more traffic citations are written in the summer because there is overall more traffic, not because of unsafe conditions associated with the Pilot Program. Most citations written to OHV drivers in 2019 and 2020 were for driving where prohibited, minors without a helmet and no insurance. Few were written for "hazardous violations", according to Sheriff Kambish.

Despite requests to expand the route of the Pilot Program on Highway 149 to the north and south, Hinsdale County is requesting the route remain the same in order to keep OHV traffic to a minimum, and to provide consistency and avoid confusion. OHVs are allowed on the section of highway only far enough to access the Alpine Loop as well as gas and other services. Signage along the route will be increased to better inform OHV drivers of designated areas of travel and alert other vehicles to the presence of OHVs. Hinsdale County is also requesting a speed limit of 25 mph along the entirety of the Highway 149 route.

Overall, there were few unsafe traffic conditions on Highway 149 associated with the Pilot Program in 2019 and 2020. Safety concerns were addressed, and efforts to increase safety will continue as part of a new Pilot Program in Hinsdale County and Lake City. In addition, allowing OHV riders to complete the Alpine Loop is considered an economic benefit to the Town of Lake City and Hinsdale County, due to the increase in the number of visitors to the area.

The continued Pilot Program would stipulate:

- OHVs would be allowed on SH 149 from the CR30 intersection (MP 71.44) south of Lake City to the Ocean Wave Drive intersection (MP73) in Lake City -- approximately three miles on the highway -- reflecting the change made for safety in the 2020 season.
- Hinsdale County requests the lowering of the speed limit to 25 mph along the entire section of SH 149 included in the Pilot Program, for all traffic, during the seasonal duration of the program.
- OHVs would be required to follow the designated speed limit along the section of SH 149.
- OHVs would be required to follow Colorado traffic laws, Hinsdale County Ordinance No. 1, Series 2018, regulating the use of OHVs on public roads, and Town of Lake City's 2017 Ordinance, which was affirmed by voters in 2019 and allows for OHVs on Town streets and alleys and includes similar safety provisions.
- Additional signage will be posted along the SH 149 route according to a sign plan approved by CDOT.
- The program would continue for three years, beginning in May 2021 and concluding September 30, 2023. The program would limit OHVs traveling on the state highway between the Friday of Memorial Day weekend through September 30 of each year.
- An annual report will be submitted to CDOT at the end of each year of the program, detailing information on the Pilot Program.

Additional actions by Hinsdale County and Town of Lake City to continually provide for the most safe and efficient operation of the Pilot Program will include:



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- Revised and increased signage will clearly state the beginning and end of the route, speed limit, and dates when the program is in effect.
- Additional seasonal law enforcement resources, made possible through increased funding to the Hinsdale County Sheriff's Office by both the County and the Town.
- Increased fines for OHV infractions.
- Increased public education where appropriate, as well as maps and information about the program will continue to be made available at locations in Lake City.

As part of a process to review the previous two-year Pilot Program, Hinsdale County and Town of Lake City solicited public comment during the fall of 2020. More than 200 separate written comments were submitted. Of the 238 individual comments, 179 respondents stated they were in favor of the Pilot Program, and 59 were against. Some of the comments additionally addressed issues outside of OHVs operating on the highway. If the Transportation Commission is interested in viewing the letters, they are available on the Hinsdale County website, [www.hinsdalecountycolorado.us](http://www.hinsdalecountycolorado.us), under the Off Highway Vehicles tab at the top of the home page.

Thank you for your consideration of this application,

A handwritten signature in black ink that reads "Sandy Hines". The signature is written in a cursive, flowing style.

Sandy Hines  
Administrator, Hinsdale County

**BOARD OF COUNTY COMMISSIONERS OF  
HINSDALE COUNTY, COLORADO**

**RESOLUTION NO. 1  
SERIES 2021**

**A RESOLUTION DECLARING PARTICIPATION IN  
COLORADO DEPARTMENT OF TRANSPORTATION'S  
OFF-HIGHWAY VEHICLE (OHV) PILOT PROGRAM**

**WHEREAS**, pursuant to C.R.S. § 33-14.5-110, the Board of County Commissioners of Hinsdale County, Colorado ("Board) has the authority to regulate the operation of off-highway vehicles ("OHVs") on public lands, waters and property under its jurisdiction and on streets and highways within its boundaries; and

**WHEREAS**, C.R.S. § 33-14.5-108(1)(a) stipulates that the State of Colorado may designate a State road or highway open to off-highway vehicles;

**WHEREAS**, the Colorado Transportation Commission has authorized a pilot project that allows the Colorado Department of Transportation ("CDOT"), the Colorado State Patrol, and local governments to promote off-highway vehicle use in southwest Colorado; and

**WHEREAS**, this CDOT program is known as the "OHV Pilot Program," and

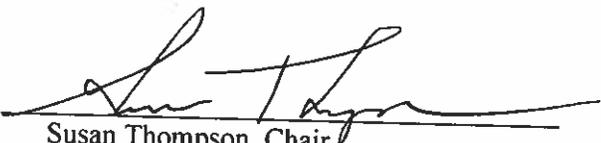
**WHEREAS**, CDOT and the Hinsdale County Board of County Commissioners agree that the portion of Colorado State Highway 149 (SH 149) that connects the OHV route commonly known as the "Alpine Loop" is an appropriate roadway for the OHV Pilot Program.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Hinsdale County, Colorado as follows:

1. The OHV Pilot Program offers an opportunity to gather data, to direct future policy discussions, provide additional resources for the safety of the travelling public, and make available other opportunities for economic growth and local collaboration with the State; and;
2. Hinsdale County shall submit the required CDOT Utility/Special Use Permit Application to participate in the OHV Pilot Program, which will run for a period of three years, including 2021, 2022 and 2023, beginning on the Friday of Memorial Day weekend through September 30 of each year, and include the route on SH149 from the CR30 intersection (MP 71.44) south of Lake City to the Ocean Wave Drive intersection (MP 73) in Lake City.

**INTRODUCED** by Commissioner Susan Thompson, seconded by Commissioner Kristie Borchers, and passed this 6<sup>th</sup> day of January, 2021.

**BOARD OF COUNTY COMMISSIONERS  
OF HINSDALE COUNTY, COLORADO**

By:   
Susan Thompson, Chair

**ATTEST:**

  
Joan Roberts, County Clerk & Recorder



**TOWN OF LAKE CITY, COLORADO  
RESOLUTION NO. 2020-1038\_**

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF LAKE CITY, COLORADO, AUTHORIZING IN THE COLORADO DEPARTMENT OF TRANSPORTATION REGION 3 OFF-HIGHWAY VEHICLE PILOT PROJECT.

WHEREAS, pursuant to C.R.S. § 33-14.5-110, the Town of Lake City may regulate the operation of off-highway vehicles on public lands, waters, and property under its jurisdiction and on streets and highways within its boundaries by resolution or ordinance of the Board of Trustees.

WHEREAS, pursuant to C.R.S. § 33-14.5-108, the State of Colorado or any agency thereof, may designate as open to use by off-highway vehicles, any street, road, or highway.

WHEREAS, the Colorado Transportation Commission has authorized a pilot project that will allow the Colorado Department of Transportation (CDOT), the Colorado State Patrol, and local governments to promote off-highway vehicle use in southwest Colorado.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Lake City, Colorado, that the Town may enter into agreements with the Colorado State Patrol, CDOT, and other local governments, and take such other action as may be necessary and property to participate in the CDOT off-highway vehicle pilot project. The pilot project would run for a three year period including 2021, 2022, and 2023 from the Friday of Memorial Day weekend through September 30<sup>th</sup>.

APPROVED AND ADOPTED by the Board of Trustees of the Town of Lake City, Colorado, this 16th day of December, 2020.

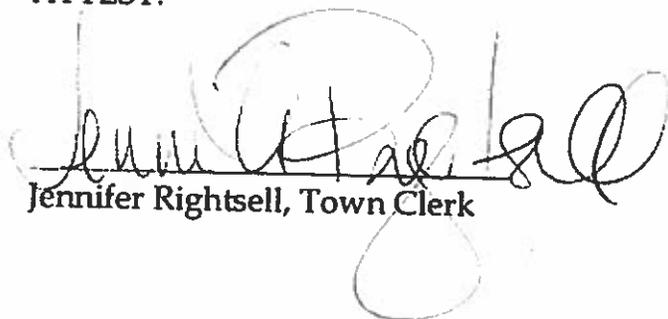
TOWN OF LAKE CITY, COLORADO

*Bruce Viorhella*

Bruce Vierheller, Mayor

I, Jennifer Rightsell, certify and attest that Resolution 2020-1038 was introduced and adopted by the Board of Trustees for the Town of Lake City at the regular meeting on the 16<sup>th</sup> day of December, 2020.

ATTEST:



Jennifer Rightsell, Town Clerk

**TOWN OF LAKE CITY, COLORADO**  
**RESOLUTION NO. 2020-1038\_**

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF LAKE CITY, COLORADO, AUTHORIZING IN THE COLORADO DEPARTMENT OF TRANSPORTATION REGION 3 OFF-HIGHWAY VEHICLE PILOT PROJECT.

WHEREAS, pursuant to C.R.S. § 33-14.5-110, the Town of Lake City may regulate the operation of off-highway vehicles on public lands, waters, and property under its jurisdiction and on streets and highways within its boundaries by resolution or ordinance of the Board of Trustees.

WHEREAS, pursuant to C.R.S. § 33-14.5-108, the State of Colorado or any agency thereof, may designate as open to use by off-highway vehicles, any street, road, or highway.

WHEREAS, the Colorado Transportation Commission has authorized a pilot project that will allow the Colorado Department of Transportation (CDOT), the Colorado State Patrol, and local governments to promote off-highway vehicle use in southwest Colorado.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Lake City, Colorado, that the Town may enter into agreements with the Colorado State Patrol, CDOT, and other local governments, and take such other action as may be necessary and property to participate in the CDOT off-highway vehicle pilot project. The pilot project would run for a three year period including 2021, 2022, and 2023 from the Friday of Memorial Day weekend through September 30<sup>th</sup>.

APPROVED AND ADOPTED by the Board of Trustees of the Town of Lake City, Colorado, this 16th day of December, 2020.

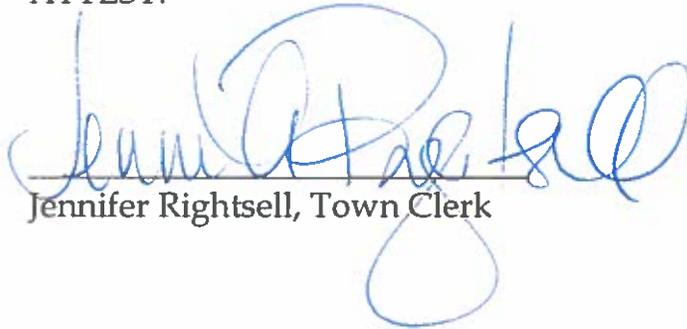
TOWN OF LAKE CITY, COLORADO

  
Bruce Viorhella

Bruce Vierheller, Mayor

I, Jennifer Rightsell, certify and attest that Resolution 2020-1038 was introduced and adopted by the Board of Trustees for the Town of Lake City at the regular meeting on the 16<sup>th</sup> day of December, 2020.

ATTEST:



Jennifer Rightsell, Town Clerk

# Hinsdale County – Town of Lake City

## OHV Pilot Program

### Process

In 2016, the Alpine Loop Backcountry Byway near Lake City was designated as the only OHV trail in Governor Hickenlooper’s “16 Trails in 2016” initiative to create a Statewide Trails Strategic Plan. However, OHV riders could not travel the entire 63-mile loop because of a short section of State Highway 149 and restrictions on OHVs in the Town of Lake City.

Following the Governor’s designation, CDOT’s Region 3 began working with the Town of Lake City, Hinsdale County and Colorado State Patrol to implement a process that would allow OHVs on this part of State Highway 149.

In 2018, an OHV Working Group made up of County and Town representatives and citizens met on several occasions to discuss possibilities for OHV riders to complete the Alpine Loop.

In 2019, the voters of Lake City approved allowing OHVs to travel on town streets.

In the same year, CDOT and State Patrol began working closely with Lake City, Hinsdale County, local law enforcement and local stakeholders on refining a pilot project that would allow OHVs to travel on SH149, which would be the final piece in allowing OHV riders to travel the entire Alpine Loop.

A two-year Pilot Program was approved in 2018, and took place in the summers of 2019 and 2020. At the conclusion of each summer, a report was filed with CDOT with comments from County, Town, Law Enforcement, CDOT, CSP and CPW, including specific statistics on number of accidents, warnings and tickets issued for OHV infractions.

In the fall of 2020, the County and Town began working with CDOT on a potential application for another Pilot Program. The topic was discussed in two County and Town joint public meetings, as well as two County public meetings.

Public comments on the Pilot Program were received throughout the review process, and more than 200 comments were received. These comments were made available on the Hinsdale County website.

### Safety considerations to be implemented for the Pilot Program:

- Pilot Program will run for a period of three years, including 2021, 2022, and 2023, beginning on the Friday before Memorial Day through September 30 each year, and include the route on SH 149 from the County Road 30 intersection (MP 69.85) south of Lake City to the Ocean Wave Drive intersection (MP 73.11) in Lake City.
- Revised and increased signage will indicate the beginning and end of the route, speed limit, and dates when the program is in effect in accordance to a sign plan approved by CDOT. Ownership and maintenance of the signs and posts shall be the responsibility of the permittee and

applicant. If at any time CDOT believes the program shall be terminated, the signs shall be removed and the permit will be revoked.

- If any portion of the Alpine Loop trail connection (within the City, County or Forest Service jurisdiction) is restricted to OHV access, this permit and pilot program will be terminated to not allow the OHV use on Hwy 149. This will require immediate removal of all signs and posts installed during this program.
- Permittee will work with CDOT to lower the speed limit for the portion of SH 149 included in the pilot project to 30 mph for all vehicles during the seasonal period of the program. Permittee will be required to maintain signs and traffic control representing this change during the season OHV's are allowed on SH 149.
- OHVs traveling along State Highway will be required to follow Colorado traffic laws, Hinsdale County Ordinance No. 1, Series 2018, regulating the use of OHVs on public roads, and Town of Lake City's 2017 Ordinance, which includes similar safety provisions.
- Hinsdale County Sheriff Department will hire additional seasonal law enforcement with a focus at enforcing Town/County Ordinances regarding OHV's.
- Hinsdale County will amend Ordinance 1, Series 2018, regulating the use of OHVs to increase penalties and fines for OHV infractions.
- Education efforts to inform OHV riders of rules and safety will include:
  - Volunteer-manned information stops in locations near either end of the portion of SH 149 included in the Pilot Program.
  - Maps of the Pilot Program route will be made available at locations throughout Lake City.
  - Informational brochures on OHV operation and the Pilot Program will be available at locations throughout Lake City.
  - Information on OHV operation and Pilot Program will be available on the Hinsdale County website and social media.

## **Pilot Program Evaluation**

In order to evaluate the safety of the Pilot Program, Permittee will:

- Provide CDOT a report on the pilot program at the end of each OHV season. This report will be due by Dec 2021, Dec 2022 and Dec 2023. CDOT will then pass the report along to the Transportation Commission for review. This report will include specific data from law enforcement, CSP and CPW on numbers of accidents involving OHVs on the highway, warnings issued to OHV drivers, tickets issued to OHV drivers.
- OHV counts on the portion of the highway included in the Pilot Program will take place eight times (twice per month) during the four-month duration of each year's program. This information will be included in the end-of-the-season report to CDOT.

## **Public Input**

In order to provide opportunity for citizens and business owners to comment on the pilot program, Hinsdale County will set up a link on the county website where the public can submit feedback/suggestions for the Pilot Program. This feedback will be incorporated into the annual end-of-season report to CDOT.