



**TOWN OF MILLIKEN  
ORDINANCE NO. 2025-829**

**AN ORDINANCE OF THE TOWN OF MILLIKEN, COLORADO, APPROVING THE USE OF UTILITY TYPE VEHICLES ON CERTAIN ROADS AND STREETS WITHIN THE TOWN OF MILLIKEN**

**WHEREAS**, pursuant to section 33-14.5-110 of the Colorado Revised Statutes, the State of Colorado has authorized any county, city and county, city, or town to regulate the operation of off-highway vehicles on public lands, waters, and property under its jurisdiction; and

**WHEREAS**, the Board of Trustees of the Town of Milliken wishes to exercise such authority and allow and regulate the operation of certain off-highway vehicles within the Town of Milliken;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN, COLORADO, AS FOLLOWS:

Section 1. Chapter 8 of the Milliken Municipal Code shall be amended by the addition of a new Article V, which shall read in its entirety as set forth in Exhibit A.

Section 2. Chapter 8, Section 8-1-30, of the Milliken Municipal Code is amended by the addition of the following additions and modifications to the adopted Model Traffic Code:

Part 2, Section 236, subsection (1) is hereby amended by the addition of a new subsection (d) that reads in its entirety as follows:

(d) “UTV” means a utility type vehicle as defined in section 8-5-10 of the Milliken Municipal Code.

Part 2, Section 236, subsection (1)(a.5), is hereby amended by changing “permanently affixed to a motor vehicle” to “permanently affixed to a motor vehicle or UTV.”

Part 2, Section 236, subsection (1)(b), is hereby amended by changing “installed in a motor vehicle” to “installed in a motor vehicle or UTV.”

Part 2, Section 236, subsection (1)(c), is hereby amended by changing all instances of “motor vehicle” to “motor vehicle or UTV.”

Part 2, Section 236, subsection (2) (a) (I), is hereby amended by changing “child care center” to “child care center or in a UTV.”

Part 2, Section 236, subsection (2) (b), is hereby amended by changing “child care center” to “child care center or in a UTV.”

Part 2, Section 236, subsection (2)(c), is hereby amended by changing both instances of “motor vehicle” to “motor vehicle or UTV.”

Part 2, Section 236, subsection (3)(b), is hereby amended by changing “motor vehicle” to “motor vehicle or UTV.”

Part 2, Section 236, subsection (3)(d), is hereby amended by changing “motor vehicle” to “motor vehicle or UTV.”

Part 2, Section 237, subsection (1)(b) is hereby amended by changing “autocycle” to “autocycle or a UTV.”

Part 2, Section 237, subsection (1) is amended to add a new subsection (c) that reads in its entirety as follows:

(c) “UTV” means a utility type vehicle as defined in section 8-5-10 of the Milliken Municipal Code.

Section 237, subsection (2) is amended to read in its entirety as follows:

(2) Unless exempted pursuant to subsection (3) of this section, every driver of and every front seat passenger in a motor vehicle and every driver of and every passenger in a UTV or in an autocycle equipped with a safety belt system shall wear a fastened safety belt while the motor vehicle, autocycle, or UTV is being operated on a street or highway in this state.

Part 2, Section 237, subsection (4)(a) is hereby amended by changing “motor vehicle” to “motor vehicle or UTV.”

Part 2, Section 237, subsection (6)(a) is hereby amended by changing “motor vehicle” to “motor vehicle or UTV.”

Part 2, Section 237, subsection (7) is hereby amended by changing “motor vehicle” to “motor vehicle or UTV.”

Section 3. Effective Date. This ordinance shall take effect thirty days after publication as provided by law.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 22<sup>nd</sup> DAY OF October, 2025.

TOWN OF MILLIKEN, COLORADO

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Elizabeth Austin, MAYOR

ATTEST:

(SEAL)

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Caree Rinebarger, TOWN CLERK

## EXHIBIT A

### ARTICLE V UTILITY TYPE VEHICLES

#### 8-5-10. Definitions.

For the purposes of this article, the terms set forth in this section shall have the following definitions:

*Insurance* means a liability insurance policy, issued by an insurance carrier authorized to do business in the State of Colorado, which covers the operation of the UTV on public streets and provides legal liability coverage for bodily injury or death arising out of the use of the UTV to a limit, exclusive of interest and costs, of twenty-five thousand dollars to any one person in any one accident and fifty thousand dollars to all persons in any one accident and for property damage arising out of the use of the UTV to a limit, exclusive of interest and costs, of fifteen thousand dollars in any one accident.

*Private, non-commercial* means owned by an individual or entity and intended to be used by the owner or that owner's approved users without compensation. "Private, non-commercial" does not include anything purchased or owned with the intent to rent as part of a commercial enterprise or for profit.

*Public road* means any roadway except (a) where a prohibition against operation of UTVs is posted and (b) any roadway that is part of the state highway system, such as Colorado State Highway 60 and Colorado State Highway 257.

*Registered UTV* means a UTV that (a) is currently registered with Colorado Parks and Wildlife, and (b) displays the required CPW decals.

*Roadway* means any road, street, alley, avenue, thoroughfare, or public right of way within the Town, but the term does not include any Town trail or any part of the Town's trail system or any park or open space.

*Utility type vehicle (UTV)* means any private, non-commercial "off highway vehicle," as such term is defined in section 33-14.5-101(3), C.R.S., as that provision may from time to time be amended or recodified that:

- (1) Travels on four (4) or more low-pressure tires;
- (2) Has a width of thirty (30) to seventy (70) inches;
- (3) Has a seat height of twenty-five (25) to forty (40) inches when measured at the forward edge of the seat bottom;
- (4) Has a minimum of 350 cubic centimeter engine; and
- (5) Has side-by-side seating with a steering wheel for control.

#### **8-5-20. Operation of UTVs Permitted.**

- (a) It shall be lawful for licensed drivers who are at least twenty-one (21) years of age to operate registered UTVs on public roads, which are hereby established as lawful UTV routes, provided that the operation and registration of the UTV fully complies with the provisions of this article.
- (b) Operation of a UTV is not lawful on any roadway that is part of the state highway system, but it shall be lawful to cross such a roadway if the crossing is made at a ninety (90) degree angle to the roadway and only after coming to a complete stop, following all traffic rules, yielding to vehicles and pedestrians which constitute an immediate hazard to such crossing, and crossing a divided highway only at an intersection of the highway with another road or highway.

#### **8-5-30. Rules for Operation of UTVs.**

An operator of a UTV on a public road shall be responsible at all times to ensure compliance with the following rules:

- (a) The operator of the UTV must be at least 21 years of age and have a valid driver's license.
- (b) A UTV shall only be operated on a public road between the hours of 7:00 a.m. to 10:00 p.m.
- (c) Proof of current insurance must be kept in the UTV at all times when it is operated on any public road.
- (d) Except as specified in this subsection, a person operating a UTV upon a roadway where UTV travel is permitted shall be granted all of the rights and shall be subject to all of the duties and penalties applicable to the driver of a vehicle as set forth in the Model Traffic Code for Colorado as adopted by the Town of Milliken ("MTC") except those provisions of this Code that, by their very nature, can have no application. Part 2 of the MTC shall not apply to UTVs except that sections 236 and 237 shall apply. In the event of any conflict between the provisions of this article and the provisions of the MTC, the provisions of this article shall control.
- (e) A UTV operator may not exceed the lesser of the posted speed limit or 35 miles per hour.
- (f) A seatbelt is required to be used by each occupant of a UTV.
- (g) Anyone under the age of 18 who is riding as a passenger in a UTV must wear a helmet conforming to the design and specifications set forth in section 42-4-1502(4.5)(b), C.R.S., as that provision may from time to time be amended or recodified, that is secured properly on the person's head with a chin strap while the UTV is in motion.
- (h) It is the operator's responsibility to ensure that operation of the UTV on the particular roadway is lawful.

#### **8-5-40. Equipment Requirements.**

To be operated on a public road, a UTV must at all times be equipped with the following equipment:

- (a) If the UTV has a windshield, it must have operational wipers. If the UTV has no windshield, the operator must wear eye protection with lenses made of safety glass or plastic unless the person is wearing a helmet containing eye protection made of safety glass or plastic.
- (b) Lamps in the front and rear for the purpose of indicating an intention to turn either to the right or left visible from not less than one hundred (100) feet ahead or from the rear under normal atmospheric conditions.
- (c) At least one (1) headlamp having minimum candlepower of sufficient intensity to reveal persons or objects at a distance of at least one hundred (100) feet ahead under normal atmospheric conditions. Such headlamp shall be aimed so that glaring rays are not projected into the eyes of operators in oncoming vehicles when operated on a straight level surface.
- (d) At least one (1) red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of five hundred (500) feet to the rear under normal atmospheric conditions, with a brighter brake light that is actuated upon application of the foot brake.
- (e) Suitable rear reflectors, which may be incorporated into or part of the tail lamp.
- (f) Brakes and a functioning muffler in compliance with the requirements of Colorado Parks and Wildlife.
- (g) A functional horn or other audible warning device that may be easily and quickly actuated by the driver.
- (h) At least one functioning rear view mirror.

#### **8-5-50. Violations.**

- (a) Operation of a UTV on a public road in violation of any provision of this article shall be unlawful.
- (b) Operation of a UTV on any Town trail or any portion of the Town trail system shall be unlawful.
- (c) Operation of a UTV that is not a registered UTV on a public road shall be unlawful.
- (d) It shall be unlawful for any person to allow, authorize, suffer or permit a UTV owned or belonging to him or her, or that is under his or her control, to be operated by any person in violation of this chapter.

- (e) Any person in violation of the Model Traffic Code for Colorado as adopted by the Town of Milliken is to be ticketed in accordance with such violations.
- (f) Notwithstanding any other provision in this article to the contrary, nothing in this article shall be interpreted to restrict in any way activities that are lawfully permitted by state law pursuant to subsections (1)(a), (1)(d), (1)(e), and (1)(g) to (1)(i), of section 33-14.5-108, C.R.S., as such provisions may from time to time be amended or recodified.

**8-5-60. Penalty.**

Any person upon being found guilty of operating a UTV in violation of this article shall be punished in accordance with the provisions of Section 1-4-20 of this Code.



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- (e) Any person in violation of the Model Traffic Code for Colorado as adopted by the Town of Milliken is to be ticketed in accordance with such violations.
- (f) Notwithstanding any other provision in this article to the contrary, nothing in this article shall be interpreted to restrict in any way activities that are lawfully permitted by state law pursuant to subsections (1)(a), (1)(d), (1)(e), and (1)(g) to (1)(i), of section 33-14.5-108, C.R.S., as such provisions may from time to time be amended or recodified.

**8-5-60. Penalty.**

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