

**CITY OF GRAND JUNCTION
MUNICIPAL COURT**

MUNICIPAL COURT JUDGE—CARE' MCINNIS

SENTENCING GUIDELINES - TRAFFIC

EFFECTIVE MARCH 1, 2011

COPY

MUNICIPAL COURT, CITY OF GRAND JUNCTION, COLORADO 250 N. 5 th Street Grand Junction, CO 81501	COURT USE ONLY
BY THE COURT	Division: TRAFFIC
SENTENCING GUIDELINES – TRAFFIC	

Consistent with the penalties adopted by the City Council, and pursuant to the powers set forth in the City Charter, C.R.S. 13-10-113, Rule 232, Colorado Municipal Court Rules, Title 10 of the Grand Junction Municipal Code, the Court hereby sets the following sentencing guidelines for the listed traffic offenses.

TRAFFIC REGULATIONS – GENERALLY

<u>Section No.</u>	<u>Description of offense</u>	<u>Fine/points</u>
106(3)	Exceeded maximum load limit	Court/0
107	Obedience to Police Officer	Court/3
109(2)	Improperly riding motorized bike	50/0
109(3)	Carrying more on a motorized bike than it is designed to carry	50/0
109(4)	Clinging to vehicle while on motorized bike, coaster, roller skates, sled or toy vehicle Same violation with accident	50/0 65+MAA/0
109(5)	Failing to ride motorized bicycle on the right side of road or not exercising due care when passing	50/0
109(6)	Failure to ride motorized bicycle single file	50/0
109(8)	Persons riding/leading animals with traffic	40/0
109(9)	Skis, sleds, roller skates, coaster, or toy vehicle ridden on streets/highways Same violation with accident	50/0 65+MAA/0
109.5	Operating neighborhood electric vehicle where prohibited	Court/0
114	Failure of property owner to remove traffic hazards	Court/0

EQUIPMENT

201(1)	View obstructed or driving interfered with due to load or more than three passengers in front seat	Court/0
201(2)	Driver allowed passenger to endanger safety of other(s)	Court/0
201(3)	Driver shall not be able to view television screen	Court/0
201(4)	Glass in vehicle did not permit vision	Court/0
201(5)	Passenger interfered with driver/obstructed view	Court/0
201(6)	Person hung on or otherwise attached self to outside of vehicle or driver allowed person to hang on outside vehicle	Court/0
202(1)	Drove an unsafe vehicle Same violation with accident	60/2 75+MAA/2
204(1)	Headlights to be lit Same violation with accident	60/2 75+MAA/2
205	Motor vehicle not equipped with required headlamps	60/1
206	Tail lamps and reflectors Same violation with accident	60/0 75+MAA/0
206(3)	License plate light	60/0
207	Failure to display clearance lamps and reflectors on vehicles used to transport property or persons	90/0
208(1)	No stop lamp on vehicle Same violation with accident	60/0 75+MAA/0
208(2)	Less than two stop lamps on motor vehicle manufactured after 01-01-58 Same violation with accident	60/0 75+MAA/0
208(3)	No turn signals on vehicle Same violation with accident	60/0 75+MAA/0
209	Lamp or flag on projecting load	50/0
211	Lamps on farm and other vehicles and equipment	50/0
212(1)	More than two spot lamps	60/0
212(2)	More than two fog lamps	60/0

212(3)&(4)	More than two auxiliary passing and driving lamps	60/0
215	Failing to equip or display stop lamp and/or turn signals as required Same violation with accident	60/0 75+MAA/0
217	Violation of use of multiple beam lights	60/0
218	Violation of use of single beam lights	60/0
219	Displayed more than 4 lamps/more than 300 candle power lamp Same violation with accident	60/0 75+MAA/0
220(1)(a)&(2)	Failure to use or unauthorized use of head lamps on motorized bicycles	60/0
220(1)(b)	No bell or other device on motorized bicycle	50/0
220(1)(c)	No brake on motorized bicycle	50/0
221(2)	No bicycle lamp	50/0
221(3)	No bicycle red reflector	50/0
221(4)	No reflective material on bicycle	50/0
221(6)	Prohibited use of siren or whistle on bicycle	50/0
221(7)	No brakes on bicycle	50/0
223(1)(a)	Brakes required on motor vehicle Same violation with accident	60/2 75+MAA/2
223(1)(b)	Brakes required on motorcycle & motorized bicycle Same violation with accident	60/2 75+MAA/2
223(1)(c)	Brakes required on trailer or semitrailer Same violation with accident	125/4 Court+MAA/4
223(1)(d)	Service brakes required	60/2
224(1)	Horns required Same violation with accident	60/0 75+MAA/0
224(3)	No siren or whistle permitted on motorized bicycle or bicycle	60/0

225	Defective/Improper/No muffler Same violation with accident	60/0 75+MAA/0
226	Failure to comply with mirror requirements	60/0
227(1)	Windows unobstructed/certain materials prohibited Same violation with accident	60/0 75 + MAA/0
227(2)	No/defective windshield wipers Same violation with accident	60/0 75 + MAA/0
228	Unsafe or prohibited tires Same violation with accident	60/0 75 + MAA/0
229(1)	Sale of new motor vehicle without safety glazing material on front windshield	Court/0
229(4)	Operation of motor vehicle without front windshield	60/0
230(1)	Operation of motor vehicle with truck license without emergency reflective triangles	125/0
230(2)-(4)	Failure to use emergency reflective triangles and warning lights when stopped on highway	75/0
231	Drove on highway with parking lights on	60/0
232(1)	Motorized driver/passenger required to have eye protection Same violation with accident	60/0 75+ MAA/0
232(2)	Motorcycle passenger foot rest required	60/0
233(1)	Prohibited alteration of suspension system	75/0
234	Emblem required for slow moving vehicles	60/0
235(2)	Failure of commercial vehicle to comply with rules and regulations of Department	60/0
236(2)	Failure to use child restraint Same violation with accident	125/0 Court+150 +MAA/0
	(a) Child < 4 years of age and weighs < 40 pounds (I) < 1 year of age and weights < 20 pounds must be restrained in a rear-facing restraint system (II) 1 year of age or older but < 4 years of age but at least 20 pounds must be restrained in a forward-facing child restraint system	

- (b) Child at least 4 years of age but < 16 years of age and weighs 40 pounds or greater
 - (I) Child is at least 4 years of age but < 6 years of age and < 55 inches tall must be restrained in a booster seat
 - (II) Child is at least 6 years of age but < 16 years of age and is 55 inches tall or greater must have a safety belt

236(4)	Failure to use safety belt or child restraint for child 16 years of age or younger which conforms to federal safety standards Same violation with accident	Court/0 Court+MAA/0
237(2)&(4)	Drove vehicle when seatbelt not in use Same violation with accident	65/0 80+MAA/0
238	Golf cart violation	Court/0

SIZE - WEIGHT - LOAD

501	Violation of size and weight provisions	50/0
502(1)	Exceeded maximum width of 102 inches Same violation with accident	75/0 90+MAA/0
502(2)	Load of hay exceeds allowed width Same violation with accident	75/0 90+MAA/0
502(3)	Unlawful dragging or projecting chain/rope/wire Same violation with accident	75/0 90+MAA/0
502(4)	Exceeded maximum width of buses and coaches 8'6"	75/0
502(5)(b)	Recreational vehicle with appurtenances exceeded 9'6" Same violation with accident	75/0 90+MAA/0
503	Load projected beyond left fender or six inches beyond right fender Same violation with accident	50/0 65+MAA/0
504(1)	Exceeded maximum height of 13' Same violation with accident	75/0 90+MAA/0
504(2)	Single vehicle length exceeded Same violation with accident	75/0 90+MAA/0
504(3)	Bus length and/or height exceeded	75/0
504(4)	Combination of vehicle length exceeded 4 vehicles or 70' Same violation with accident	75/0 90+MAA/0

504(4.5)	Certain vehicles exceed 75' in overall length Same violation with accident	75/0 90+MAA/0
504(5)	Load projected beyond front of vehicle four feet Same violation with accident	75/0 90+MAA/0
504(6)	Vehicle carrying steel, beams, trusses, etc. exceeded ten feet with rear projection Same violation with accident	75/0 90+MAA/0
506(1)	Unlawful drawbar Same violation with accident	50/0 65+MAA/0
506(2)	No towing flag Same violation with accident	50/0 65+MAA/0
506(3)	No safety chains/cable on towed vehicle Same violation with accident	50/0 65+MAA/0
507	Wheel/axle loads exceed specified limits Same violation with accident	50/0 65+MAA/0
508	Gross weight exceeded limit Same violation with accident	50/0 65+MAA/0
509(3)	Refused to stop for weighing	50/0
510	Failure to have permit or follow permit terms for weight/size/manufactured homes	50/0
512	Damage to highway	75/0

SIGNALS - SIGNS – MARKINGS

603(1)	Disregarded traffic control device including barricades Same violation with accident	100/4 115+MAA/4
604(1)(a)	Failure to yield with a green light indication when required Same violation with accident	100/4 115+MAA/4
604(1)(b)	With no pedestrian control signal, pedestrian entered crosswalk on a yellow indication Same violation with accident	100/0 115+MAA/0
604(1)(c)	Violation of red light indication Same violation with accident	100/4 115+MAA/4

(I) Steady red circular or light – stop not at marked line,
near side of crosswalk, or before entering intersection

- (A) Right turn on red where prohibited
- (B) Left turn on red to one-way where prohibited

(II) Pedestrian entered roadway on red circular light (no points)

(III) Steady red arrow signal – stop not at marked line, near side of crosswalk, or before entering intersection

(IV) Pedestrian entered roadway on red arrow signal (no points)

604(e)	Violation of lane control signals Same violation with accident	100/4 115+MAA/4
605	Violation of flashing signal light Same violation with accident	75/4 90+MAA/4
606	Display of unauthorized signs or devices Same violation with accident	60/0 75+MAA/0
607	Interference with official devices Same violation with accident	Court/0 Court+500 +MAA/0
608(1)	Failure to use turn signal Same violation with accident	70/2 85+MAA/2
608(2)	No turn signal on vehicle as required Same violation with accident	60/0 75+MAA/0
609	Improper hand signals Same violation with accident	50/2 65+MAA/2
610	Display of unauthorized insignia	90/0
611(2)	Use of disability flag when not disabled	90/0
612(1)	Failure to use caution at malfunctioning signal light Same violation with accident	75/4 90+MAA/4

RIGHTS OF WAY

701	Failed to yield right of way at intersection Same violation with accident	70/3 85+MAA/3
702	Turned left in front of approaching traffic Same violation with accident	70/3 85+MAA/3

703(3)	Disregard a stop sign Same violation with accident	75/4 90+MAA/4
703(3)	Failed to yield right of way at stop sign Same violation with accident	70/3 85+MAA/3
703(4)	Failed to yield at yield intersection Same violation with accident	70/3 85+MAA/3
704	Failed to yield to vehicle upon entering highway Same violation with accident	70/3 85+MAA/3
705	Driver failed to yield to emergency vehicle Same violation with accident	75/4 90+MAA/4
706(1)	Failed to stop at marked R/R crossing Same violation with accident	75/4 90+MAA/4
706(2)	Disregard R/R signal Same violation with accident	75/4 90+MAA/4
706(2)	Pedestrian disregard R/R signal Same violation with accident	50/0 65+MAA/0
707	School bus or vehicle carrying hazardous material failed to stop at R/R crossing Same violation with accident	75/4 90+MAA/4
708	Moving heavy equipment at R/R crossing Same violation with accident	35/0 50+MAA/0
709	Vehicle obstructed intersection, crosswalk, or R/R crossing Same violation with accident	70/3 75+MAA/3
710(1)&(2)	Failure to yield right of way to pedestrian upon emerging Same violation with accident	75/4 90+MAA/4
710(3)	Driving vehicle on sidewalk Same violation with accident	70/3 85+MAA/3
711	Driving on through defiles, canyons or mountain highways Same violation with accident	100/4 115+MAA/4
712	Failure to yield ROW to construction worker Same violation with accident	75/4 90+MAA/4

PEDESTRIANS

801(1)	Pedestrian disregarded traffic control device Same violation with accident	50/0 65+MAA/0
(For pedestrian failed to obey control signal see §604)		
802(1)	Driver failed to yield ROW to pedestrian in crosswalk where no traffic control signals are in place or not working Same violation with accident	75/4 90+MAA/4
802(3)	No pedestrian shall suddenly leave the curb Same violation with accident	50/0 65+MAA/0
802(4)	Passed vehicle stopped for pedestrian Same violation with accident	60/3 75+MAA/3
802(5)	Failure to yield ROW to pedestrian at "WALK" signal Same violation with accident	75/4 90+MAA/4
803(1)&(2)	Pedestrian failed to yield ROW to vehicle Same violation with accident	50/0 65+MAA/0
803(3)	Unlawful crossing of roadway by pedestrian (between adjacent intersections with traffic control signals) Same violation with accident	50/0 65+MAA/0
803(4)	Unlawful angle crossing of roadway at intersection by pedestrian Same violation with accident	50/0 65+MAA/0
805(1)	Pedestrian walking, or riding animal, or person traveling in a wheelchair on wrong side of highway	50/0
805(2)	Pedestrian solicited ride in roadway Same violation with accident	50/0 65+MAA/0
805(3)	Pedestrian or person riding animal on highway under influence of alcohol or drugs Same violation with accident	75/0 90+MAA/0
805(6)	Person solicited ride on interstate highway Same violation with accident	50/0 65+MAA/0
805(7)	Person endangered or impeded traffic while picking up pedestrian Same violation with accident	50/0 65+MAA/0

805(8)	Pedestrian failed to yield ROW to emergency vehicle Same violation with accident	50/0 65+MAA/0
806	Drove vehicle through safety zone Same violation with accident	70/3 85+MAA/3
807	Driver failed to exercise due care regarding pedestrian Same violation with accident	75/4 90+MAA/4
808	Drivers to yield to persons with disabilities Same violation with accident	Court/6 Court+250 + MAA/6
808	Pedestrians to yield to persons with disabilities	75/0

TURNING – STOPPING

901(1)(a)	Right turn from wrong lane/position Same violation with accident	70/3 85+MAA/3
901(1)(b)	Left turn from wrong lane/position Same violation with accident	70/3 85+MAA/3
901(1)(c)	Failure to turn from “turn only” lane Same violation with accident	70/3 85+MAA/3
901(2)	Made turn where prohibited Same violation with accident	100/3 115+MAA/3
902(1)	Made U turn on hill or curve Same violation with accident	70/3 85+MAA/3
902(2)	Made U turn unsafely by interfering or endangering other traffic Same violation with accident	70/3 85+MAA/3
902(3)	Made U turn where prohibited Same violation with accident	70/3 85+MAA/3
903(1)	Vehicle not in proper position for turning, not made with reasonable safety, or no appropriate turning signal Same violation with accident	70/3 85+MAA/3
(Failed to signal or improper hand signal see §608 & §609)		
903(2)	Failure to signal within required number of feet Same violation with accident	70/2 85+MAA/2
903(3)	Failure to signal for stop Same violation with accident	70/2 85+MAA/2

903(4)	Improper use of signal Same violation with accident	70/2 85+MAA/2
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DRIVING - OVERTAKING – PASSING

1001(1)	Driving on wrong side of road Same violation with accident	75/4 90+MAA/4
1001(2)	Vehicle traveling at less than the normal speed failed to be driven in the right hand lane Same violation with accident	75/4 90+MAA /4
1001(3)	Driving left of center on a four lane or more roadway for two way movement of traffic Same violation with accident	75/4 90+MAA/4
1002	Improper passing (vehicles traveling in opposite directions not on right or not giving at least one-half of the lane) Same violation with accident	100/4 115+MAA/4
1003(1)(a)	Improper passing (vehicles traveling in same direction) Same violation with accident	100/4 115+MAA/4
1003(1)(b)	Driver failed to give way when overtaken Same violation with accident	100/3 115+MAA/3
1004	Improper passing (overtaking vehicle on right where not permitted) Same violation with accident	100/4 115+MAA/4
1005(1)	Passed vehicle on left when not clear to traffic Same violation with accident	100/4 115+MAA/4
1005(2)(a)	Passed when view obstructed Same violation with accident	100/4 115+MAA/4
1005(2)(b)	Passed while crossing or within 100' of intersection of railroad crossing Same violation with accident	100/4 115+MAA/4
1005(2)(c)	Passed within 100' of bridge/tunnel/viaduct when view obstructed Same violation with accident	100/4 115+MAA/4
1005(3)	Passed on left when prohibited by signs or markers Same violation with accident	100/4 115+MAA/4
1006	Drove wrong way on one-way street, alley or in rotary island Same violation with accident	70/3 85+MAA/3

1007(1)(a)	Failed to remain within single lane when practical, and/or movement out of lane was not made safely Same violation with accident	100/3 115+MAA/3
1007(1)(b)	Improper use of center lane Same violation with accident	100/3 115+MAA /3
1007(1)(b)	Passed on shoulder on right of vehicle Same violation with accident	100/4 115+MAA/4
1007(1)(c)	Failure to obey direction of a traffic control device for a designated lane Same violation with accident	100/3 115+MAA/3
1007(1)(d)	Prohibited lane change Same violation with accident	100/3 115+MAA/3
1008(1)	Following too closely Same violation with accident	100/4 115+MAA /4
1008(2)	Unlawful following by vehicle drawing another vehicle Same violation with accident	100/4 115+MAA/4
1008(3)	Following too closely in motorcade Same violation with accident	100/4 115+MAA/4
1009(1)	Coasting (in neutral) on downgrade prohibited Same violation with accident	75/3 90+MAA/3
1009(2)	Coasting (clutch disengaged) truck or bus on downgrade prohibited Same violation with accident	75/3 90+MAA/3
1010(1)	Improper driving on divided streets Same violation with accident	70/3 85+MAA/3
1010(1)	Vehicle crossed roadway divider in unlawful manner Same violation with accident	70/3 85+MAA/3
1010(2)(a)	Improper entrance onto or exit from a divided highway Same violation with accident	70/3 85+MAA/3
1010(2)(b)&(c)	Improper use of (b) acceleration or (c) deceleration lane Same violation with accident	70/3 85+MAA/3
1011	Improper use of runaway vehicle ramp Same violation with accident	200/3 215+MAA/3

SPEED REGULATIONS

1101(1)	Too fast for existing conditions Same violation with accident	100/3 115+MAA/3
1101(2)	Speeding 1-4 MPH over the posted limit Same violation with accident	60/0 75+MAA/0
1101(2)	Speeding 1-4 MPH over posted limit in school or construction zone Same violation with accident	120/0 150+MAA/0
1101(2)	Speeding 5-9 MPH over the posted limit Same violation with accident	70/1 75 + MAA/1
1101(2)	Speeding 5-9 MPH over posted limit in school or construction zone Same violation with accident	140/1 150+MAA/1
1101(2)	Speeding 10-19 MPH over the posted limit Same violation with accident	135/4 150+MAA/4
1101(2)	Speeding 10-19 MPH over posted limit in school or construction zone Same violation with accident	270/4 300+MAA/4
1101(2)	Speeding 20-24 MPH over the posted limit Same violation with accident	200/6 300+MAA/6
1101(2)	Speeding 20+ MPH over posted limit in school or construction zone Same violation with accident	Court/6 Court+MAA/6
1101(2)	Speeding 25-39 MPH over the posted limit Same violation with accident	Court/6 Court+100 +MAA/6
1101(2)	Speeding 40 or more MPH over the posted limit Same violation with accident	Court/12 Court+125 +MAA/12
1101(3)	Special Hazards due to pedestrian, traffic, weather, or highway conditions (too fast for otherwise lawful speed) Same violation with accident	100/3 115+MAA/3
1103	Impeding normal flow of traffic Same violation with accident	60/3 75 + MAA/3

1105(1)	Speed and/or acceleration contests Same violation with accident	Court/12 Court+250 +MAA /12
1105(1)	Exhibition of speed Same violation with accident	150/5 Court+250 +MAA/5
1105(2)	Aid/abet speed and/or acceleration contest Same violation with accident	Court/12 Court+250 +MAA/12

OTHER OFFENSES

1401(1)	Reckless driving Same violation with accident	Court/8 Court+250 +MAA/8
1402(1)	Careless driving Same violation with accident	150/4 165+MAA/4
1402(2)	Careless driving with serious bodily injury or death	Court/4or12 Court+MAA /4or12
1403	Following too close to a fire apparatus Same violation with accident	75/3 90+MAA/3
1404	Crossing fire hose	60/0
1405	Riding in trailer	75/0
1406(1)(a)	Deposited foreign matter on street/highway likely to injure Same violation with accident	100/0 115+MAA/0
1406(1)(b)	Depositing lighted cigarette, cigar, match, or other burning material on street/highway Same violation with accident	100/0 115+MAA/0
1406(2)	Dropped or permitted to be dropped foreign matter or burning material and did not immediately have removed Same violation with accident	100/0 115+MAA/0
1406(3)	Failure to remove glass or other injurious substance while removing wrecked or damaged vehicle	100/0
1406(4)	Construction/excavation on highway prohibited without permit	Court/0

1407	Spilling loads on highway prohibited Same violation with accident	100/0 115+MAA/0
1407.5(2)	Vehicle driven on street or highway without required splash guards	Court/0
1409(1)	Operating or permitting operation of motor vehicle without insurance	Court/4
1409(2)	Failure to have policy or certificate of self-insurance in force and effect while operating a motor vehicle	Court/4
1409(3)	Failure to present evidence of insurance (No jurisdiction in Municipal Court if property damage or injury)	Court/4
1411	Use of earphones while driving	75/0
1412(3)	Carrying more persons than bicycle is designed to carry	50/0
1412(4)	Person(s) on bicycle attaching to vehicle on roadway Same violation with accident	50/0 65+MAA/0
1412(5)	Bicycle failed to ride in right hand lane	50/0
1412(6)	Failure to ride bicycles in single file	50/0
1412(7)	Failure to ride bicycle with at least one hand	50/0
1412(8)	Improper left turn while riding bicycle in roadway	50/0
1412(9)	Bicycle failure to signal	50/0
1412(10)(a)	Bicycle failure to yield and/or give audible signal to pedestrians on sidewalk, or crosswalk, or crossing roadway	50/0
1412(10)(b)	Riding bicycle on sidewalks where prohibited Same violation with accident	50/0 65+MAA/0
1412(10)(d)	Rider failed to dismount bicycle before entering roadway from a sidewalk	50/0
1412(11)	Improper parking of bicycle where impeding pedestrian or motor vehicle traffic	50/0
1413	Eluding or attempting to elude a police officer Same violation with accident	Court/12 Court+300 +MAA/12

1416	Limitations on backing (public & private property) Same violation with accident	60/2 75+MAA/2
1417	Opening and closing vehicle doors Same violation with accident	60/0 75+MAA/0
1418	Starting from a parked position when not safe Same violation with accident	60/3 75+MAA/3

MOTORCYCLES

1502	Improper riding on motorcycle Same violation with accident	60/3 75+MAA/3
1503(1)	Depriving motorcycle of full use of lane Same violation with accident	60/3 75+MAA/3
1503(2)&(3)	Motorcycle shall not pass vehicle in same lane or operate motorcycle between lanes of traffic Same violation with accident	60/3 75+MAA/3
1503(4)	Motorcycles operated more than 2 abreast in a single lane Same violation with accident	60/3 75+MAA/3
1503(6)	Riding motorcycle on other than street or roadway without permission	60/0
1504	Person on motorcycle clung to another vehicle Same violation with accident	60/3 75+MAA/3

PENALTIES AND PROCEDURES

1703	Aiding or abetting an offense Same violation with accident	Court/0 Court+300 +MAA/0
1704	Offenses by person(s) owning vehicle or employer directing unlawful use of vehicle	Court/0

SCHOOL BUSES

1902	Failure of school bus driver to complete training	Court/0
1903(1)(a)	Failure to stop for school bus Same violation with accident	Court/6 Court+ MAA/6
1903(2)(b)(I)	Failure of school bus to activate warning lights	Court/2

1903(5) Improper stopping of school bus 75/3

ADDITIONAL CITY VIOLATIONS

10.04.070 Parking on state highways during snow removal 50/0

10.04.110 Unattended motor vehicle 60/0

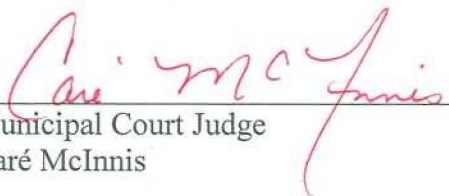
VIOLATION OF ANY SECTION OF THE MODEL TRAFFIC CODE THAT IS NOT LISTED SHALL RESULT IN A SUMMONS

Court costs (any case not paid before first court date)	\$15.00
Warrant costs	\$35.00
Outstanding Judgment Warrant	\$30.00
Trial costs (when defendant is found guilty)	\$32.00

*** The Municipal Court Judge may assess additional fees***

APPROVED THIS 1 day of February, 2011.

Effective date March 1, 2011 until amended.



Municipal Court Judge
Caré McInnis