

DEPARTMENT OF NATURAL RESOURCES

Colorado Parks and Wildlife

PARKS AND OUTDOOR RECREATION

2 CCR 405-1

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

CHAPTER 1 - PARKS AND OUTDOOR RECREATION LANDS

ARTICLE 1 - GENERAL PROVISIONS RELATING TO PARKS AND OUTDOOR RECREATION LANDS AND WATERS

#100 - PARKS AND OUTDOOR RECREATION LANDS

- a. "Parks and Outdoor Recreation Lands" shall mean, whenever used throughout these regulations, all lands and waters under the administration and jurisdiction of the Division of Parks and Outdoor Recreation.
- b. It shall be prohibited:
 1. To enter, use or occupy Parks and Outdoor Recreation Lands when same are posted against such entry, use or occupancy. (Access to Division of Parks and Outdoor Recreation lands and waters is generally allowed between 5:00 a.m. and 10:00 p.m. daily. Restricted access generally will be allowed during other hours for camping and fishing.)
 2. To remove, destroy, mutilate, modify or deface any structure, water control device, poster, notice, sign or marker, tree, shrub or other plant or vegetation, including dead timber and forest litter, or any object of archaeological, geological, historical, zoological or natural/environmental value or interest on Parks and Outdoor Recreation Lands. (This regulation does not include removal of firewood from designated firewood areas, noxious weeds as defined by statute, or recreational gold mining within the Arkansas Headwaters Recreation Area, except where prohibited as indicated by posted signs.)
 3. To remove, destroy or harass any wildlife or livestock on Division of Parks and Outdoor Recreation Lands. (Hunting will be allowed in areas designated by the Division of Parks and Outdoor Recreation during hunting seasons as established by the Division of Wildlife.)

CAMPING

4. To camp or to park a motor vehicle, trailer or camper on Parks and Outdoor Recreation Lands with the intention (or for the purpose) of camping other than on areas designated for camping; or to leave a set-up camp, motor vehicle, trailer or camper unattended for more than twenty-four (24) hours, unless otherwise posted.
 - (a) No person may camp or park a motor vehicle, trailer or camper on a state park for more than fourteen (14) days in any forty-five (45) day period, except that extensions totaling no more than a maximum of fourteen (14) additional days may be permitted.

LITTERING

5. To leave fish or fish entrails or debris in or on the ice-covered or open waters of lakes, reservoirs or streams located within Parks and Outdoor Recreation Lands.
6. To leave any residentially or commercially generated garbage or trash or any other litter generated outside a park or recreation area anywhere within a park or recreation area.

FIRES

7. To build or tend fires within Parks and Outdoor Recreation Lands, except in fully enclosed vehicles; or in designated sites in Division-furnished grills or fireplaces; or in hibachis, charcoal grills, stoves and other metal containers, unless otherwise prohibited by these regulations.
8. To allow a fire to burn in a careless manner; to leave any fire unattended; or to fail to completely extinguish any fire on Division of Parks and Outdoor Recreation Lands.
9. To discharge or use fireworks of any kind or nature within Parks and Outdoor Recreation Lands (except special displays approved by the Director; subject to provisions of local political subdivision regulations).

COMMERCIAL USE

10. To use Parks and Outdoor Recreation Lands for a commercial purpose, except:
 - (a) Special resource use which shall be authorized by the Board on a case-by-case basis at a public meeting of the Board (i.e., mining, timber cutting, grazing, haying, and other similar uses.)
 - (b) Uses authorized pursuant to concession contracts issued in accordance with state procurement and fiscal rules; or
 - (c) Pursuant to a cooperative agreement with the Division in connection with a special activity as provided for in Regulation No. 101.

Commercial use which conflicts with area management plans will not be approved.

BOAT DOCKS

11. To fish from boat ramps or boat docks located within Parks and Outdoor Recreation Lands or to otherwise use such ramps or docks in a manner contrary to the intended use.

GLASSWARE

12. For any person to carry or possess any glassware within the confines of a public swimming area, bathing area or designated water skiing beach.

NIGHT ACTIVITY

13. To occupy a parking site with a motorized vehicle between the hours of 10:00 p.m. and 5:00 a.m., unless such person and all other occupants arriving in such vehicle are actively engaged in fishing or boating.

SWIM BEACH

14. For any person:

- (a) To swim or bathe in any waters under the control of the Division of Parks and Outdoor Recreation, except in areas designated for such use.
- (b) To build or tend any kind of fire on any swim beach.
- (c) To fish from any swim beach.
- (d) To allow any child under the age of 12 years to be on a swim beach unless accompanied by an adult.
- (e) Definitions as used in this regulation, unless the context requires otherwise:
 - (1) "Swim Beach" - For the purpose of this regulation, "swim beach" means a portion of a natural or impounded body of water designated for swimming, recreational bathing or wading.

AIRCRAFT

15. To land or take off with any type of aircraft on any lands and waters under the control of the Division of Parks and Outdoor Recreation, except as specifically authorized by these regulations or in case of emergency. "Aircraft" means any device or equipment that is used or intended to be used for manned flight or to otherwise hold humans aloft for any period of time, including powerless flight, and specifically includes, but is not limited to, airplanes, helicopters, gliders, hot air balloons, hang gliders, parachutes, parasails, kite boards, kite tubes, zip lines and other similar devices or equipment.

ANIMALS/PETS

16. To allow any dog or other pet on Parks and Outdoor Recreation Lands, unless the same shall be under control and on a leash not exceeding six (6) feet in length. This requirement for dogs or other pets to be on a six foot leash shall not apply when the animal is confined in a vehicle or vessel or within the boundaries of the designated dog off leash area at Chatfield State Park or the designated dog off leash area at Cherry Creek State Park. Further, it shall be unlawful to allow a dog or other pet within any area used as a swimming or water-ski beach. Any person having a dog or other pet creating a nuisance or disturbance or who fails to properly control a dog or other pet may be evicted from the park or recreation area. This provision shall not apply to dogs while being used in hunting, field trials, or while being trained on lands open to such use.
17. To bring horses, mules, donkeys or burros into or allow same on Parks and Outdoor Recreation Lands, except on areas or trails designated for such use.
18. To turn livestock onto or allow grazing on Parks and Outdoor Recreation Lands without permission from the Board.
19. For any handler of any dog to fail to immediately collect, remove, and properly dispose of all dog or pet feces from, or near, any developed park sites including campgrounds, picnic area, dog training areas, and designated trails.

DUMP STATIONS/OTHER UTILITIES

20. To empty wastewater holding tanks, fill water holding tanks or otherwise use any parks and outdoor recreation dump station or utility without a valid park pass and valid camping

permit or camping reservation.

c. The following water and land-use restrictions are in consideration of the Division's leases with the Denver Water Department and the City of Aurora and shall apply to Eleven Mile State Recreation Area and Spinney Mountain State Recreation Area, located in Park County:

1. It shall be unlawful, except by law enforcement officers on official duty, to operate or park snowmobiles on land or on the frozen water surface of the reservoir, unless otherwise posted at the park entrances. (Eleven Mile S.R.A. and Spinney Mountain S.R.A.)
2. It shall be unlawful to operate or occupy boats on the surface of the reservoir from one-half hour after sunset until one-half hour before sunrise. (Eleven Mile S.R.A. and Spinney Mountain S.R.A.)
3. It shall be unlawful to enter upon, use or occupy the islands on the reservoir. (Eleven Mile S.R.A. and Spinney Mountain S.R.A.)
4. It shall be unlawful to enter, use or occupy the lands or waters of Eleven Mile State Recreation Area lying to the east of the restrictive buoy line. (Eleven Mile S.R.A.)
5. It shall be unlawful to enter, use or occupy the lands or waters of Spinney Mountain State Recreation Area between November 16 and April 30, unless the reservoir is ice-free and the area is otherwise posted as open for public use. (Spinney Mountain S.R.A.)
6. It shall be unlawful to enter, use or occupy the lands or waters of Spinney Mountain State Recreation Area between the hours of one hour after sunset and one-half hour before sunrise, or as otherwise posted. (Spinney Mountain S.R.A.)

PARK SPECIFIC RESTRICTIONS

d. In addition to the general land and water regulations, the following restrictions shall also apply:

1. Barr Lake State Park

- (a) No dogs or other pets shall be permitted in the wildlife refuge area.
- (b) Visitors shall be required to remain on designated trails and boardwalks in the wildlife refuge area.
- (c) No fishing or boating shall be permitted in the wildlife refuge area.
- (d) Visitors shall be required to remain on the designated trails on Barr Lake Dam.
- (e) No horses shall be permitted on the Barr Lake Dam.

2. Highline Canal State Trail

- (a) No swimming, tubing or rafting shall be permitted.
- (b) No fires shall be permitted.

3. Roxborough State Park

- (a) No dogs or other pets shall be permitted.

(b) No fires shall be permitted.

(c) It shall be unlawful to climb, traverse or rappel on or from rock formations.

4. Chatfield State Recreation Area

(a) A valid permit is required to launch or land any hot-air balloon.

5. Harvey Gap State Recreation Area

(a) No dogs or other pets shall be permitted except when used for hunting during the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day.

6. Bonny State Recreation Area

(a) No public access, hunting, fishing or boating shall be permitted in the North Cove Waterfowl Refuge Area from the first day in November through the last day in January.

7. Mueller State Park and Wildlife Area

(a) No dogs or other pets shall be permitted outside of the developed facilities area.

(b) It shall be unlawful, except by law enforcement officers on official duty, to operate snowmobiles.

(c) Where necessary to prevent or address bear/human interactions or related issues, the park manager may designate all or a portion of a park area where: food, trash and equipment used to cook or store food must be kept sealed in a hard-sided vehicle, in a camping unit that is constructed of solid, non-pliable material, or in a food storage box provided by the park for those persons entering the park in something other than a hard-sided vehicle or an appropriate camping unit. This restriction does not apply to food that is being transported, consumed, or prepared for consumption.

A hard sided vehicle is defined as: the trunk of an automobile, the cab of a pickup truck, the interior of a motor home, fifth wheel, camping trailer or pickup camper. A hard-sided vehicle does not include any type of tent, pop-up campers or pickup campers with nylon, canvas or other pliable material, car top carriers or camper shells on the back of pickup trucks.

8. James M. Robb - Colorado River State Park - Colorado River Wildlife Area

(a) In accordance with applicable management plans, no dogs or other pets shall be permitted, except on designated trails.

(b) No fires shall be permitted.

(c) No swimming shall be permitted.

(d) In accordance with applicable management plans, public access is restricted to designated roads and trails from March 15 to May 30 of each year.

9. Ridgway State Park

- (a) No boats, rafts, or other floating devices shall be permitted on any waters within the Pa-Co-Chu-Puk Recreation Site, below Ridgway Dam.

10. Arkansas Headwaters Recreation Area

- (a) Except in established campgrounds where toilet facilities are provided, all overnight campers must provide and use a portable toilet device capable of carrying human waste out of the Arkansas Headwaters Recreation Area. Contents of the portable toilet must be emptied in compliance with law and may not be deposited within the Arkansas Headwaters Recreation Area, unless at a facility specifically designated by the Arkansas Headwaters Recreation Area.
- (b) Building or tending fires is allowed pursuant to regulation #100b.7., except at the Arkansas Headwaters Recreation Area fire containers must have at least a two inch rigid side. Fire containers must be elevated up off the ground.
- (c) Swimming is permitted in the Arkansas River from the confluence of the East Fork/Lake Fork of the Arkansas within the boundaries of the Arkansas Headwaters Recreation Area. All persons under the age of 13 swimming in the Arkansas River within the Arkansas Headwaters Recreation Area must wear a properly fitting U.S. Coast Guard approved type I, III or V personal flotation device.

11. John Martin Reservoir State Recreation Area

- (a) No public access shall be permitted on the north shore area of John Martin Reservoir State Recreation Area from the first day of November through March 15 of every year or as posted except to retrieve downed waterfowl.

12. Cheyenne Mountain State Park

- (a) No dogs or other pets shall be permitted outside of the developed facilities area.
- (b) Smoking shall be limited to developed areas only and shall not be permitted in the backcountry or on the trail system.
- (c) Where necessary to prevent or address bear/human interactions or related issues, the park manager may designate all or a portion of a park area where: food, trash and equipment used to cook or store food must be kept sealed in a hard-sided vehicle, in a camping unit that is constructed of solid, non-pliable material, or in a food storage box provided by the park for those persons entering the park in something other than a hard-sided vehicle or appropriate camping unit. This restriction does not apply to food that is being transported, consumed, or prepared for consumption. A hard-sided vehicle is defined as: the trunk of an automobile, the cab of a pickup truck, the interior of a motor home, fifth wheel, camping trailer or pickup camper. A hard-sided vehicle does not include any type of tent, pop-up campers or pickup campers with nylon, canvas, or other pliable materials, car top carriers or camper shells on the back of pickup trucks.
- (d) Hunting shall be prohibited.
- (e) It shall be unlawful to climb, traverse or rappel on or from rock formations.

13. Castlewood Canyon State Park

- (a) No dogs or other pets shall be permitted in the East Canyon area.
- (b) No horses shall be permitted in the east canyon area.
- (c) It shall be unlawful to climb, traverse, or rappel, on or from rock formations in the East Canyon area.
- (d) Visitors shall be required to remain on the designated trails in the East Canyon area.

14. Rifle Falls State Park

- (a) It shall be unlawful to climb, traverse, or rappel on or from rock formations.

15. Chatfield State Park

- (a) Entrance to and exit from the dog off leash areas are permitted only at designated access points.
- (b) A handler may bring a maximum of three dogs at one time into the designated dog off leash area.
- (c) Handlers must possess a leash and at least one waste bag for each dog in the designated dog off leash area.
- (d) Sport dog trainers shall obtain a special use permit to access and use the designated upland and flat-water sport dog training areas.
- (e) Handlers in the dog off leash area and the sport dog training areas must have a visible and valid dog off leash annual pass or dog off leash daily pass.

16. Cherry Creek State Park

- (a) Entrance to and exit from the dog off leash areas is permitted only at designated access points.
- (b) A handler may bring a maximum of three dogs at one time into the designated dog off leash area.
- (c) Handlers must possess a leash and at least one waste bag for each dog in the designated dog off leash area.
- (d) Sport dog trainers shall obtain a special use permit to access and use the designated upland sport dog training area.
- (e) Handlers in the dog off leash area and the sport dog training area must have a visible and valid dog off leash annual pass or dog off leash daily pass.

17. Golden Gate Canyon State Park

- (a) Where necessary to prevent or address bear/human interactions or related issues, the park manager may designate all or a portion of a park area where: food, trash and equipment used to cook or store food must be kept sealed in a hard-sided vehicle, in a camping unit that is constructed of solid, non-pliable material, or in a food storage box provided by the park for those persons entering the park in something other than a hard-sided vehicle or appropriate camping unit. This

restriction does not apply to food that is being transported, consumed, or prepared for consumption. A hard-sided vehicle is defined as: the trunk of an automobile, the cab of a pickup truck, the interior of a motor home, fifth wheel, camping trailer or pickup camper. A hard-sided vehicle does not include any type of tent, pop-up campers or pickup campers with nylon, canvas, or other pliable materials, car top carriers or camper shells on the back of pickup trucks.

QUIET HOURS

- e. Quiet hours will be enforced from 10:00 p.m. until 6:00 a.m.; and all generators, loud radios or other loud noises that may disturb the peace are prohibited during these hours.

ABANDONED PROPERTY

- f. It shall be unlawful to leave any personal property unattended on land or water under the control of the Division of Parks and Outdoor Recreation for more than twenty-four (24) hours.
 - 1. If such property is left unattended for more than twenty-four (24) hours, it will be considered abandoned.
 - 2. Removal and storage will be at the expense of the owner.
 - 3. All abandoned personal property, other than motor vehicles, which is not claimed within six months shall be sold for cash to the highest bidder at a public auction, notice of which (including time, place, and a brief description of such property) shall be published at least once in a newspaper of general circulation in the county wherein said public auction is to be held at least ten days prior to such auction. All funds generated shall be deposited in the Parks Cash Fund.
 - 4. Abandoned motor vehicles will be handled in accordance with Article 4, Part, 18 of Title 42, C.R.S.

MODELS

- g. It shall be unlawful to operate radio-controlled and/or fuel-propelled models, except in designated areas.

CLIMBING HARDWARE

- h. It shall be unlawful to place fixed or permanent rock climbing hardware, unless the climber first obtains a special-activities permit from the park manager. Removal of previously placed fixed or permanent climbing hardware is prohibited.

#101 – SPECIAL ACTIVITIES REQUIRING PERMITS

- a. “Special activities” means those events which have the potential for a significant adverse impact on park values or the health, safety or welfare of park visitors or which may otherwise require special planning/scheduling for proper management. Special activities shall require prior approval in the form of a special-activities permit. The application process for a special-activities permit is described in regulation #703.
- b. Public or nonprofit search and rescue organizations shall be permitted to conduct official, sanctioned training activities on state park lands upon completion of a search and rescue training permit application and written park manager approval of the application.

1. The search and rescue training permit application shall include the following information.
 - (a) Organization name and address;
 - (b) Organization representative contact information including name and phone number;
 - (c) Date, time and specific park location of proposed training activities;
 - (d) Roster of participants;
 - (e) Number of vehicles and associated license plate numbers;
 - (f) Training agenda, lesson plan, or other description of proposed activity.
2. The training permit application shall be submitted to the park manager at least 14 day prior to the start of the event.
3. Upon request from park staff, participants shall identify themselves as part of the training activity.
4. Upon approval of the search and rescue training permit application, the park manager may close that portion of the park or recreation area used for the training activity for the duration of the training to the public.
5. Participants of such training activities shall be allowed free entrance to any state park or recreation area while engaged in the training activity.

#102 - AUTHORITY TO CLOSE PARKS LANDS AND WATERS

CLOSURES

- a. Any Parks and Outdoor Recreation officer shall have the authority to close any waters on Parks and Outdoor Recreation Lands to any or all users or to limit the number of boats on any such body of water when he deems it necessary for the safety, protection and welfare of the public. Further, it shall be unlawful for any person to violate such closure.

CAPACITY

- b. The Director may establish for each area under the control of the Division of Parks and Outdoor Recreation, according to facilities, design and/or staffing levels, the number of individuals and/or vehicles or boats allowed in any area or structure at any given time or period. No person shall enter into any area or facility or bring in, or cause to be brought in, any vehicle or boat and/or persons which exceed the capacity established by the Director or when the individual is informed either by signs or by Park staff that such capacity has been met.

ARTICLE II -WATER RESTRICTIONS: USE OF BOATS AND OTHER FLOATING DEVICES AND OTHER USES ON DIVISION-CONTROLLED WATERS

#103

- a. No boats, rafts or other floating devices of any kind shall be permitted on lakes within:
 1. Golden Gate Canyon State Park, except as part of an organized class in canoeing sponsored by the Division of Parks and Outdoor Recreation.

2. The State Forest, except that wakeless boating shall be allowed on North Michigan Reservoir.
 3. Mueller State Park and Wildlife Area.
 4. James M. Robb – Colorado River State Park – Pear Park Section between 30 Road and 29 Road
 5. James M. Robb – Colorado River State Park - Colorado River Wildlife Area.
- b. No motorboats shall be permitted on the Arkansas River from the confluence of the East Fork/Lake Fork of the Arkansas to the west end of Pueblo Reservoir.
- c. Only hand-propelled craft, sailboats and boats with electric motors shall be permitted on the following lakes and reservoirs:
1. All waters within James M. Robb – Colorado River State Park – Island Acres section except Swimmin' Hole
 2. Mack Mesa Reservoir – Highline Lake State Recreation Area
 3. St. Vrain State Recreation Area
 4. Sylvan Lake State Recreation Area
 5. All waters within James M. Robb – Colorado River State Park – Connected Lakes section
 6. All waters within James M. Robb – Colorado River State Park – Fruita section
 7. Lake Hasty at John Martin Reservoir State Recreation Area
 8. James M. Robb – Colorado River State Park – Corn Lake section.
- d. Only hand-propelled craft, sailboats and boats with electric trolling motors or gasoline motors of 10 horsepower or less shall be permitted on Barr Lake.
- e. Only hand-propelled craft, sailboats, boats with electric trolling motors and boats with gasoline motors operated at a wakeless speed shall be permitted on the following lakes and reservoirs:
1. North Michigan Reservoir
 2. Mancos Reservoir
 3. Pearl Lake
- f. Only hand-propelled craft, sailboats and boats with electric trolling motors or gasoline motors of 20 horsepower or less shall be permitted on the following lakes and reservoirs:
1. Harvey Gap Reservoir
- g. No unauthorized boats, rafts, or other floating devices of any kind shall be permitted on any waters:
1. Within the Pa-Co-Chu-Puk Recreation Site at Ridgway State Park
 2. On the waters below John Martin Dam to the Arkansas River bridge at John Martin Reservoir State Recreation Area

h. All Division-controlled waters are open to boating during migratory waterfowl seasons, except as follows:

1. Boating closures during migratory waterfowl season - Specific exceptions:

Boats shall be prohibited on the following lakes, reservoirs and ponds from the first Monday in November through the last day of migratory waterfowl seasons, except as posted and except that hand-propelled craft may be used to set out and pick up decoys and retrieve downed waterfowl on the areas of such lakes open to hunting of migratory waterfowl:

(a) Horseshoe Reservoir within Lathrop State Park

(b) Jackson Reservoir

(c) North Sterling Reservoir

2. Boats shall be prohibited on Highline Lake from the first day in October through the last day in February, except that hand-propelled craft may be used to set out and pick up decoys and retrieve downed waterfowl in the area open to hunting.

3. No public access shall be permitted at John Martin Reservoir State Recreation Area east of the waterfowl closure line to the dam from the first day of November through March 15 of every year or as posted except to retrieve downed waterfowl.

VESSELS

i. It shall be unlawful:

UNATTENDED

1. To anchor or beach boats and leave them unattended overnight within Parks and Outdoor Recreation Lands in areas other than those designated or posted.

LAUNCHING

2. To launch or load within Parks and Outdoor Recreation Lands any boat from a trailer, car, truck or other conveyance, except at an established launch area if the same is provided.

WATER SKIING RESTRICTIONS

j. Water skiing shall not be permitted on the following lakes or reservoirs:

1. Eleven Mile Reservoir

2. Spinney Mountain Reservoir

3. Pearl Lake

4. Horseshoe Lake within Lathrop State Park

5. Harvey Gap Reservoir

6. Mancos Reservoir

7. Sylvan Lake

8. North Michigan Reservoir

TAKE-OFF/DROP OFF

k. No person, while operating any vessel, shall park, moor, anchor, stop or operate said vessel so as to be considered a hazard in any area marked as a water ski take-off or drop zone.

l. Use of air-inflated floating devices:

1. It shall be unlawful to use any air-inflated floating device on waters located on Parks and Outdoor Recreation Lands, except as follows:

(a) Innertubes, air mattresses and similar devices may be used in designated swimming areas only, except as follows:

(1) Innertubes, air mattresses and similar devices are permitted, below the dam on that part of the Arkansas River within the boundaries of Pueblo State Recreation Area. All occupants of these devices must wear a U.S. Coast Guard approved Type I, II, or III personal flotation device.

(2) Inflatable fishing waders may be used as an aid to fishing.

(3) Innertubes, air mattresses, and similar devices are permitted on the Arkansas River from the confluence of the East Fork/Lake Fork of the Arkansas within the boundaries of the Arkansas Headwaters Recreation Area. All occupants of these devices must wear a U.S. Coast Guard approved type I, III, or V personal flotation device.

(b) All other air-inflated devices capable of being used as a means of transportation on the water shall be of separate multi-compartment construction so as to prohibit air from escaping from one compartment to another. Such devices with a motor attached shall have a rigid motor mount.

LIVING ABOARD VESSELS

m. It shall be unlawful to live aboard any vessel on lands or waters under the control of the Division of Parks and Outdoor Recreation. For the purpose of this regulation, a "live aboard" is defined as any vessel located within State Parks boundaries used for over -night accommodations between the hours of 10:00 p.m. and 5:00 a.m. for more than fourteen (14) days within a forty-five day (45) period. Upon written request from any marina concessionaire, the Director of the Division of Parks and Outdoor Recreation may allow one, or more, "live aboard(s)" occupied by the marina's managerial or supervisory staff, if the Director determines it would be advantageous for the safety and security of the marina's operations.

AQUATIC NUISANCE SPECIES (ANS)

n.

1. All vessels and other floating devices of any kind, including their contents, motors, trailers and other associated equipment are subject to inspection in accordance with inspection procedures established by the division prior to launch onto, operation on or departure from any division controlled waters or vessel staging areas.

2. Any nonnative or exotic plant material and any aquatic wildlife species listed in division of wildlife regulation #012-C, 2 CCR 406-0, (collectively referred to herein as “aquatic nuisance species”) found during an inspection shall be removed and properly disposed of in accordance with removal and disposal procedures established by the division before said vessel or other floating device will be allowed to launch onto, operate on or depart from any division controlled waters or vessel staging areas.
3. Compliance with the above aquatic nuisance species inspection and removal and disposal requirements is an express condition of operation of any vessel or other floating device on division controlled waters. Any person who refuses to permit inspection of their vessel or other floating device, including their contents, motor, trailer, and other associated equipment or to complete any required removal and disposal of aquatic nuisance species shall be prohibited from launching onto or operating the vessel or other floating device on any division controlled water. Further, the vessel or other floating device of any person that refuses to allow inspection or to complete any required removal and disposal of aquatic nuisance species prior to departure from any division controlled water or vessel staging area is subject to quarantine until compliance with said aquatic nuisance species inspection and removal and disposal requirements is completed.
4. Any person operating a vessel or other floating device may be ordered to remove the vessel or device from any division controlled water by any authorized agent of the division if the agent reasonably believes the vessel or other floating device was not properly inspected prior to launch or may otherwise contain aquatic nuisance species. Once removed from the water, the vessel or other floating device, including its contents, motor, trailer and associated equipment shall be subject to inspection for, and the removal and disposal of aquatic nuisance species.
5. It is unlawful for any person to, or to attempt to, launch onto, operate on or remove from any division controlled water or vessel staging area any vessel or other floating device without first submitting the same, including their contents, motors, trailers and other associated equipment to an inspection for aquatic nuisance species, and completing said inspection, if such an inspection is requested by any authorized agent of the division or required by any sign posted by the division. Further, it is unlawful for any person to fail to complete the removal and disposal of aquatic nuisance species if such removal and disposal is requested by an authorized agent of the division or required by any sign posted by the division.
6. It is unlawful for any person to, or to attempt to, launch onto, operate on or remove from any division controlled water or vessel staging area any vessel or other floating device if they know the vessel or other floating device, including their contents, motors, trailers, or other associated equipment contain any aquatic nuisance species.

ARTICLE IV - RESTRICTIONS RELATING TO HUNTING, TRAPPING AND THE DISCHARGE OF FIREARMS AND OTHER WEAPONS ON PARKS AND OUTDOOR RECREATION LANDS

#106

a. It shall be unlawful:

WEAPONS, FIREARMS, AND FIREWORKS

1. To possess, carry, or discharge explosives, firearms and/or other weapons on parks and outdoor recreation lands or waters in any manner that violates Title 18, C.R.S., or any other applicable law. The lawful carry of concealed handguns by persons in possession of a valid concealed handgun permit, together with valid photo identification, is permitted.

The possession or discharge of fireworks is prohibited. The lawful possession and/or discharge of firearms on designated shooting ranges is permitted. Other exceptions pertaining to the possession and/or discharge of firearms on parks and outdoor recreation lands or waters are as follows:

HUNTING/DOG TRAINING

- (a) Shotguns loaded with birdshot or pistols loaded with blank charges may be used during authorized regattas and field trials or during the training of dogs on designated dog-training areas, except as follows:
 - (1) Only pistols or other mechanisms incapable of discharging live ammunition may be used at the dog training areas at Chatfield State Park and at Cherry Creek State Park.
 - (2) The use of live birds during the training of dogs is prohibited unless approved by the Division of Parks and Outdoor Recreation through the Special-Activities Permit.

BOW FISHING (Archery) and Spearfishing:

- (b) Bows and arrows may be used on designated archery ranges or as a method of fishing in accordance with regulations issued by the Division of Wildlife. Underwater spearfishing may be used as a method of fishing in accordance with regulations issued by the Division of Wildlife. Underwater spearfishing is prohibited within 100 feet of any marina, boat ramp, swim beach or dam infrastructure.

HUNT AREAS

- (c) The following designated methods of hunting may be used in the following areas during hunting seasons that are authorized by the Wildlife Commission:
 - (1) During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use, on:
 - (i) Boyd Lake State Recreation Area
 - (ii) Jackson State Recreation Area
 - (iii) Lothrop State Park west from a north-south line corresponding with the existing barbed-wire fence between Horseshoe Lake and Martin Lake.
 - (iv) Pueblo State Recreation Area
 - (v) Stagecoach Reservoir State Recreation Area, western half of the reservoir
 - (vi) Sweitzer State Recreation Area
 - (vii) Highline Lake State Recreation Area

(viii) Trinidad State Recreation Area

(ix) Harvey Gap State Recreation Area

(x) Eldorado Canyon State Park, western portion known as crescent meadows from the Tuesday after Labor Day through March 31, using a hand-held bow and shotguns loaded with birdshot.

(xi) North Sterling Reservoir State Park

(xii) Vega State Recreation Area

(2) Only shotguns loaded with birdshot may be used for waterfowl hunting during the regular waterfowl hunting seasons, in the areas and at the times posted, at Barr Lake State Park and at Corn Lake and Island Acres at James M. Robb State Park.

(i) All hunters must register prior to beginning hunting and check out at the conclusion of hunting, at the hunter registration area.

(3) During deer and elk seasons, any lawful method of hunting may be used for hunting such big game; and, during the period stated in section # 106a.1. (c)(1), above any lawful method of hunting may be used during hunting seasons for small game, in areas not posted as prohibiting such use or uses, on:

(i) The portion of Golden Gate Canyon State Park located in Jefferson County, excluding the 160-acre parcel known as the Vigil Ranch and the posted strip of land along Gilpin County Road 2. Provided further that hunters must visit the designated check station to check in prior to hunting and check out after hunting.

(ii) Lory State Park; except that hunting is not permitted on Saturdays and Sundays.

(iii) Steamboat Lake State Park (including Pearl Lake).

(iv) Ridgway State Park, all lands open to the public access east of Highway 550.

(v) Bonny State Recreation Area.

(4) During deer and elk seasons that are in the period described in 106-a.1. (c) (1), any lawful method of hunting deer and elk may be used in areas not posted as prohibiting such use in that portion of Golden Gate Canyon State Park located in Gilpin County, otherwise known as the Green Ranch. Only hunters selected through a special drawing prior to the beginning of big game seasons are permitted to hunt the Green Ranch portion of Golden Gate Canyon State Park.

(5) During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use on:

(i) Crawford State Recreation Area

- (ii) Eleven Mile State Recreation Area
- (iii) Navajo State Recreation Area
- (iv) Paonia State Recreation Area
- (v) Rifle Gap State Recreation Area
- (vi) State Forest State Park
- (vii) Spinney Mountain State Recreation Area
- (viii) Sylvan Lake State Recreation Area
- (ix) Arkansas Headwaters Recreation Area
- (x) Mueller State Park
- (xi) San Luis State Park

- (6) During the period described in 106-a.1.(c)(1)(X), only primitive weapons (hand-held bow and muzzle-loading rifles) may be used to hunt big game animals, as defined by the Division of Wildlife, in the western portion of Eldorado Canyon State Park known as Crescent Meadows.
- (7) During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, any lawful method of controlled hunting may be used, during hunting seasons, in areas not prohibiting such use on Mueller State Park. Hunters may access the posted hunting area only from Trail 5 at the Visitor Center, Trail 11 at the Livery parking lot or Lost Pond Picnic Area and Trail 13 at the group campground. All weapons must be unloaded when the hunter is outside the posted hunting area boundary.
- (8) During any authorized hunting season from October 1 to April 30 of each year, and any approved special season, any lawful method of hunting may be used in the following areas:
 - (i) All lands at Ridgway State Park open to public access west of Ridgway Reservoir, except that the area bounded by Dallas Creek on the south and the site closure signs on the north shall be closed to all hunting.
- (9) During any authorized waterfowl hunting season from October 1 to April 30 of each year, and any approved special season, waterfowl hunting shall be permitted within the Dallas Creek Recreation Site at Ridgway State Park; except that hunting shall be prohibited between the park road and U.S. Highway 550 and in other areas posted as prohibiting such use.
- (10) During approved special seasons, any lawful method of hunting may be used in the following areas (or special hunting zones) as defined:
 - (i) (Zone 1) Elk Ridge Mesa, including the closed Elk Ridge Campground, and

(ii) (Zone 2) That area bounded by a distance of 100 yards south of park headquarters, on the north; Ridgway Reservoir on the west; ¼ mile from Colorado Highway 550 on the south; and ¼ mile from the main park road on the east and,

(iii) That area bounded by Ridgway reservoir's main cove on the north; ¼ mile from the Elk Ridge road on the west; the intersection of the Elk Ridge and main park roads on the south; and ¼ mile from the main park road on the east at Ridgway State Park and,

(iv) The Pa-Co-Chu-Puk Recreation site at Ridgway State Park.

(11) During any authorized big game hunting season, any lawful method of hunting deer, elk, and bear may be used in areas not posted as prohibiting such use in Lone Mesa State Park. Only hunters who possess a valid Lone Mesa State Park hunting permit are permitted to hunt.

(12) During the spring turkey hunt at Lory State Park, it shall be permitted to hunt turkey by legal methods on Mondays and Tuesdays only. All other days of the week shall be closed to spring turkey hunting.

(13) During the period described in 106.a.1.(c)(1) only bows and arrows and shotguns loaded with birdshot may be used for hunting in areas not prohibiting such use on North Sterling State Park, except as follows:

(i) Hunting is prohibited from the dam, and

(ii) Hunting is prohibited from the frozen surface of the lake.

(d) Park Managers may post an area on a park or recreation area as being closed to hunting due to public safety considerations or sound park management practices.

1. To discharge explosives, firearms, and/or other weapons within 100 yards of any designated campground, picnic area, boat ramp, swimming or water skiing beach or nature trail and study area, except as may be otherwise posted.

2. To discharge explosives, firearms, and/or other weapons from any location so that projectiles are caused to cross over or fall upon Parks and Outdoor Recreation Lands.

TRAPPING

3. To place or set traps on Parks and Outdoor Recreation Lands and Waters, except as authorized by Division of Wildlife regulations and with a valid Division of Parks and Outdoor Recreation Special-Activities Permit.

RAPTOR HUNTING

4. To hunt by the use of raptors on Parks and Outdoor Recreation Lands and Waters, except as authorized by the Division of Wildlife regulations and with a valid Division of Parks and Outdoor Recreation Special-Activities Permit.

CHAPTER 2 - BOATING

#200 - REGISTRATION INFORMATION REQUIRED ON APPLICATION FOR VESSEL NUMBER

1. Persons applying to the Division for vessel number must provide the following registration information:

- a. Name and address of owner, including zip code
- b. Date of birth of owner
- c. State in which the vessel is or will be principally used
- d. Present registration number (if any)
- e. If vessel is registered in another state, give previous registration number and state
- f. Hull material: wood, metal, fiberglass, inflatable, or other
- g. Type of propulsion: inboard, outboard, inboard- outdrive, sail, or other
- h. Type of fuel: gasoline, diesel, electric, or other
- i. Length of vessel
- j. Make and model of vessel
- k. State as to use: pleasure, rent, dealer, manufacturer, or commercial: carrying passengers for hire, fishing, or other
- l. Proof of ownership or a valid transfer registration
- m. Signature of owner
- n. Hull identification number (if any)
- o. Type of vessel: open, cabin, house, or other
- p. Model year

2. Additional information set forth on registration certificate:

- a. Number awarded to vessel
- b. Expiration date of certificate

#201 - DEALER LICENSES

The numbering requirements prescribed by law shall apply to motorboats and sailboats operated by manufacturers and dealers. The description of the motorboat or sailboat will be omitted from the certificate of number since the numbers and the certificate of number awarded may be transferred from one motorboat or sailboat to another. In lieu of the description, the word "manufacturer" or "dealer", as appropriate, will be plainly marked on each certificate. Dealers and manufacturers shall display the numbers on a detachable plate as set forth in 33-13-104, C.R.S.

#202 - EXPIRATION DATE DECAL

In addition to the identification number, there shall be issued an expiration date decal which shall be attached to each side of the bow or the forward half of the vessel two inches to the left of the letter C of the identification number.

#203 - TEMPORARY BOAT PERMIT

Pending issuance of a number certificate, possession on the person of a dated bill of sale permits the operator of a newly purchased boat to operate the boat on the waters of the State of Colorado for a period not to exceed thirty (30) days from date of purchase.

#204 - NON-RESIDENT RACING BOATS

Non-resident racing boats which are not required to be registered in their home state shall be exempt from the numbering requirements of Article 13 on the day before and the day of and at the site of a Division authorized race.

#205 - CLASSIFICATION

1. Vessels subject to these provisions shall be divided into four classes as follows:
 - a. Class A - Vessels less than sixteen feet in length;
 - b. Class 1 - Vessels sixteen feet (4.87 meters) or over and less than twenty-six feet (7.92 meters) in length;
 - c. Class 2 - Vessels twenty-six feet (7.92 meters) or over and less than forty feet (12.19 meters) in length;
 - d. Class 3 - Vessels forty feet (12.19 meters) to not more than sixty-five feet (19.18 meters) in length.

#206 - MEASURING FOR CLASSIFICATION

For determining "class", the length of a boat is from end to end over the deck excluding sheer. It means a straight line measurement of the overall length from the foremost part of the vessel measuring parallel to the centerline. Bowsprits, bumpkins, rudders, outboard motors and brackets, and similar fittings or attachments are not to be included in the measurement. Length shall be stated in feet and inches or meters.

#207 - LIGHTS

1. Every vessel, except hand-propelled vessels when on whitewater, in all weather from sunset to sunrise shall carry and exhibit the lights required in this regulation when underway or moored in other than a designated mooring area. During such times, no other lights shall be exhibited, except such lights as cannot be mistaken for the lights specified in these regulations or do not impair their visibility or distinctive character, or interfere with the keeping of a proper lookout.
2. All vessels complying with the lighting requirements of the International Regulations for Preventing Collisions at Sea, 1972, or the Inland Navigational Rules Act of 1980 are considered in compliance with these regulations.
3. Every hand-propelled vessel, except when on whitewater, shall have a lantern or flashlight on hand to show one white light in time to prevent a collision.
4. Every vessel less than 20 meters (65' 8") in length must display one all-round white light when at anchor.
5. Flashing red or blue lights are prohibited on all vessels, except emergency or law enforcement vessels of the United States operating within federal authority, or of the State and its political subdivisions.

6. Terms used:

- a. "Masthead light" means a white light placed over the fore and aft centerline of the vessel showing an unbroken light over an arc of the horizon of 225 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on either side of the vessel, except that on a vessel of less than 12 meters (39' 5") in length the masthead light shall be placed as nearly as practicable to the fore and aft centerline of the vessel.
- b. "Sidelights" means a green light on the starboard side and a red light on the port side each showing an unbroken light over an arc of the horizon of 112.5 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on its respective side. On a vessel less than 20 meters (65' 8") in length the side lights may be combined in one lantern carried on the fore and aft centerline of the vessel, except that on a vessel of less than 12 meters (39' 5") in length the sidelights when combined in one lantern shall be placed as nearly as practicable to the fore and aft centerline of the vessel.
- c. "Sternlight" means a white light placed as nearly as practicable at the stern showing an unbroken light over an arc of the horizon of 135 degrees and so fixed as to show the light 67.5 degrees from right aft on each side of the vessel.

7. The lights prescribed in these regulations shall have an intensity so as to be visible at the following minimum ranges:

a. In a vessel of 12 meters (39' 5") or more in length:

A masthead light, 5 miles; except that where the length of the vessel is less than 20 meters (65' 8"), 3 miles;

A sidelight, 2 miles;

A sternlight, 2 miles;

A white, red, or green all-round light, 2 miles.

b. In a vessel of less than 12 meters (39' 5") in length:

A masthead light, 2 miles;

A sidelight, 1 mile;

A sternlight, 2 miles;

A white, red, or green all-round light, 2 miles.

c. In an inconspicuous, partly submerged vessel or object being towed:

A white all-round light, 3 miles.

8. a. A motorboat underway shall exhibit:

(1) A masthead light forward; except that a vessel of less than 20 meters (65' 8") in length need not exhibit this light forward of amidships but shall exhibit it as far forward as is practicable;

(2) Sidelights; and

- (3) A sternlight.
- b. A motorboat of less than 12 meters (39' 5") in length may, in lieu of the lights prescribed in paragraph a. of this regulation, exhibit an all-round white light and sidelights.
- 9. a. A sailing vessel underway shall exhibit:
 - (1) Sidelights; and
 - (2) A sternlight.
- b. In a sailing vessel of less than 20 meters (65' 8") in length the lights prescribed in paragraph a. of this regulation may be combined in one lantern carried at or near the top of the mast where it can best be seen.
- c. A sailing vessel underway may, in addition to the lights prescribed in paragraph a. of this regulation, exhibit at or near the top of the mast, where they can best be seen, two all-round lights in a vertical line, the upper being red and the lower green, but these lights shall not be exhibited in conjunction with the combined lantern permitted by paragraph b. of this regulation.
- d.
 - (1) A sailing vessel of less than 7 meters (22' 9") in length shall, if practicable, exhibit the lights prescribed in paragraph a. or b. of this regulation, but if not, the operator shall have ready at hand a flashlight or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.
 - (2) A vessel under oars may exhibit the lights prescribed in this regulation for sailing vessels, but if not, the operator shall have ready at hand a flashlight or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.

#208 - SOUND-PRODUCING DEVICES

- 1. Every vessel, except hand-propelled vessels when on whitewater, of Class A, 1, or 2, must have on board a sound-producing device for signaling. Such device may be operated by mouth, hand, or power, and it must be able to produce the navigational signals under rules of the road.
- 2. Every vessel of Class 3 must have on board a sound-producing device, which may be operated by mouth, hand, or power. Such device shall be audible for a distance of at least one-half mile.
- 3. Every motorboat of Class 2 must have on board a sound-producing device, which may be operated by hand or power. Such device shall be audible for a distance of at least one mile.
- 4. Every motorboat of Class 3 must have on board a power operated sound-producing device, which shall be audible for a distance of at least one mile.
- 5. Every motorboat of Class 2 or 3 must have on board a bell which, when struck, produces a clear, bell-like tone of full round characteristics.
- 6. Sirens, except those which produce a continuous pitch, are prohibited on all vessels, except emergency or law enforcement vessels of the United States operating within federal authority or of the State and its political subdivisions.

#209 - VENTILATION - TANK AND ENGINE SPACES

1. All motorboats, using a fuel having a flashpoint of 110 degrees F or less, except those of open construction, shall have at least 2 ventilator ducts, fitted with cowls or their equivalent, for the efficient removal of explosive or flammable gases from the bilges of every engine and fuel tank compartment. There shall be at least one rear facing cowl, or its equivalent, with exhaust duct installed so as to extend from the open atmosphere to the lower portion of the bilge and at least one forward facing cowl or its equivalent with intake duct installed so as to extend to a point at least midway to the bilge or at least below the level of the carburetor air intake. The cowls or equivalent to cowls shall be located and trimmed for maximum effectiveness and in such a manner so as to prevent displaced fumes from being recirculated.
2. As used above, the term "open construction" means those motorboats wherein all engine and fuel tank compartments, along with other spaces to which explosive or flammable gases and vapors may flow, are open to the atmosphere and so arranged as to prevent the entrapment of such gases and vapors within the vessel.
3. Power ventilation systems are preferable over natural ventilation systems. Exhaust blowers shall be of the sealed or arcless type and if located within the compartment being ventilated be as high as possible. Blower fan blades or impellers shall be non-sparking and if installed on the exhaust duct of the natural system shall not interfere with the functioning of the ducts as natural ventilators.
4. Motorboats built after July 31, 1979, are exempt from the requirements of #209 - 1 for fuel tank compartments that contain fuel tanks that vent to the outside of the vessel if the fuel tank compartment does not contain an electrical source of ignition.
5. Every motorboat built after July 31, 1980, that utilized gasoline engines for electrical or mechanical power as propulsion must comply with U.S. Coast Guard ventilation standards. The operator must maintain the ventilation system in working order.

#210 - BACKFIRE FLAME CONTROL

1. Every gasoline engine Installed in a motorboat shall be equipped with an acceptable means of backfire flame control. The following are acceptable means of backfire flame control:
 - a. A backfire flame arrester that is permanently and legibly marked or labeled by the manufacturer with the phrase "complies with UL 1111 per tests by (name of testing facility)" or the words "SAE J-1928, Marine" and the manufacturers name, suitably secured to the air intake with A flametight connection.
 - b. An engine air and fuel induction system, that may include a reed valve assembly, that is permanently and legibly marked or labeled by the manufacturer with the words "SAE-J 1928, Marine" and the manufacturers name.
 - c. Any attachment to the carburetor or location of the engine air induction system by means of which flame caused by engine backfire will be dispersed to the atmosphere outside the vessel in such a manner that the flame will not endanger the vessel, or persons on board. All attachments shall be of metallic construction with flametight connections and firmly secured to withstand vibration, shock, and engine backfire.
 - d. Gasoline engine installations consisting of backfire flame arresters bearing U.S. Coast Guard approval numbers 162.016 or 162.041 or engine air and fuel induction systems bearing U.S. Coast Guard approval numbers 162.015 or 162.042 may be used as long as they are serviceable and in good condition.

#211 - FIRE EXTINGUISHERS

1. Each item of fire extinguishing equipment required by this section must be Coast Guard approved, be fully charged and in good and serviceable condition, stowed away from the potential hazard area and readily accessible. Dry chemical stored pressure types must be fitted with pressure gauges or indicating devices and vaporizing liquid types containing carbon tetrachloride, chlorobromomethene or other toxic vaporizing liquids are prohibited.
2. Extinguishers approved for use on motorboats are hand portable of either B-I or B-II classification. "B" type is for gasoline, oil, and grease fires. "I" and "II" denotes size as listed below:

Type-Size	Classification		
	Foam (Minimum Gallons)	Carbon Dioxide (Minimum Pounds)	Dry Chemical (Minimum Pounds)
B-I	1-1/4	4	2
B-II	2-1/2	15	10

Class	Fire Extinguisher Required	
	Number and Size	
A	1 B-I	
1	1 B-I	
2	2 B-I or 1 B-II	
3	3 B-I or 1 B-II & 1 B-I	

3. When the engine compartment is equipped with a fixed extinguishing system of approved type, one less B-I extinguisher is required.
4. Outboard motorboats less than twenty-six feet in length, of open construction, not carrying passengers for hire, are exempt from these requirements, although one B-I fire extinguisher for personal fire protection and to assist other boaters is recommended.
5. The motorboat is not considered "of open construction" if any one or more of the following conditions exist:
 - a. Closed compartment under thwarts (motor well) and seats wherein portable fuel tanks may be stored.
 - b. Double bottoms not sealed to the hull or which are not completely filled with flotation material.
 - c. Closed living spaces.
 - d. Closed stowage compartments in which combustible or flammable materials are stored.
 - e. Permanently installed fuel tanks.

#212 - PERSONAL FLOTATION DEVICES (PFD's)

1. No person may operate or give permission to operate a vessel less than sixteen feet in length unless at least one Type I Life Preserver, Type II Buoyant Vest, or Type III Special Purpose Water Safety Buoyant Device is on board for each person. For sailboards, an operator may elect to wear a wet suit in lieu of carrying any type of personal flotation device, so long as the wetsuit meets the

requirements of paragraph 6, of this regulation. For vessels used in river running activities, no person may operate or give permission to operate a vessel for the purpose of river running unless at least one Type I Life Preserver, Type II Buoyant Vest, Type III Special Purpose Water Safety Buoyant Device, or Type V Whitewater River Running Buoyant Vest is on board for each person.

2. No person may operate or give permission to operate a vessel sixteen feet or more in length unless at least one Type I Life Preserver, Type II Buoyant Vest or Type III Special Purpose Water Safety Buoyant Device is on board for each person, plus at least one Type IV Buoyant Cushion or Ring Life Buoy, which is immediately available as a throwable device. For vessels used in river running activities, that portion of this regulation requiring a Type IV throwable device does not apply. No person may operate or give permission to operate a vessel for the purpose of river running unless at least one Type I Life Preserver, Type II Buoyant Vest, Type III Special Purpose Water Safety Buoyant Device, or Type V Whitewater River Running Buoyant Vest is on board for each person.
3. No person may operate or give permission to operate a vessel carrying passengers for hire on any reservoir or lake unless at least one Type I Life Preserver is on board for each person and they are being worn when required. For vessels used during commercial river running trips conducted by river outfitters, the personal flotation device requirements are contained in regulation #305.
4. The operator shall require each person who is surfing or being towed on water skis, aquaplane, innertube or similar device, to wear a properly fitting flotation device. A Type I Life Preserver, Type II Buoyant Vest or Type III Special Purpose Water Safety Buoyant Device is recommended, but a ski belt (preferably with at least 2 straps and buckles), water sports jacket or foam wetsuit jacket will be accepted if there is an extra personal flotation device aboard for each person as required above.
5. No person may operate or give permission to operate a recreational vessel unless each Type I, II, III, IV, or V (only for river running) personal flotation device required is readily accessible and is legibly marked with the U.S. Coast Guard approval number and is of appropriate size for the person wearing it or for whom it is intended.
6. Sailboard operators may elect to wear, at their own risk, in lieu of carrying a U.S. Coast Guard approved personal flotation device, a wetsuit constructed of nylon covered neoprene or similar material that covers the full torso of the wearer. The wetsuit shall be capable of providing flotation to the wearer, when at rest on the surface of the water.
7. All equipment shall be in good and serviceable condition.

#213 - DISPLAY OF CAPACITY INFORMATION AND MANUFACTURER CERTIFICATION OF COMPLIANCE

1. Every monohull vessel less than twenty feet in length, except sailboats, canoes, kayaks, and inflatable boats, the construction of which began after October 31, 1972, sold in the State of Colorado, shall have a permanent writing affixed to the vessel which sets forth:
 - a. For outboard boats:
 - (1) The maximum motor horsepower, the maximum persons capacity, and the maximum weight capacity in pounds.
 - b. For inboard and inboard-outdrive boats:
 - (1) The maximum persons capacity and the maximum weight capacity in pounds.
 - c. For boats rated for manual propulsion:

- (1) The maximum persons capacity and the maximum weight capacity in pounds.
2. The required capacity information must be permanently displayed on a label or plate which is legible and clearly visible to the operator when getting underway.
3. Every vessel that is subject to U.S. Coast Guard manufacturing safety standards must have a permanently displayed certification label or plate. The certification label may be displayed anywhere on the boat.
4. The capacity information may be combined with the certification label or plate. The entire combined label must be permanently displayed where it is legible and clearly visible to the operator when getting underway.
5. It is unlawful for any person to remove, alter, or tamper with the required capacity information or certification label or plate.
6. Any monohull vessel which is home built for personal recreational use and not for the purposes of sale is exempt from capacity information and certification label or plate display requirements.

#214 - MARINE SANITARY DEVICES

No person shall maintain or operate upon the waters of this state any vessel which is equipped with marine sanitary device unless such water closet is self-contained and incapable of discharging directly into the water. It is unlawful to deposit or discharge human waste or other refuse into the water.

#215 - BUOYS

1. Any of the waters of this state limited to a specific use shall be marked by buoys which utilize the following uniform marking system:

- a. Regulatory Symbols - International orange on a white background.

An orange cross within an orange diamond (on end) means: "Boats Keep Out" .

An orange circle means: "Controlled Area" .

- b. Other Symbols.

An orange diamond (on end) without a cross means: "Danger" .

An orange square or rectangle is informational.

Descriptive wording within or accompanying the symbols shall be black.

When the symbols are displayed on a buoy, an orange band should encircle the buoy near the water line and near the top.

- c. Channel Markers.

White buoys with black vertical stripes mark the center of a channel and may be lettered alphabetically from downstream to upstream.

Black can buoys (odd numbers) mark the left side, and red nun buoys (even numbers) mark the right side of a channel when proceeding upstream or returning from the main body of water.

A white buoy with a red top means pass to the south or west of the buoy.

A white buoy with a black top means pass to the north or east of the buoy.

d. Obstruction Buoy

A white buoy with red vertical stripes indicates an obstruction between it and the nearest shore.

e. Mooring Buoy

A mooring buoy is colored white and is designated with a blue band which is at least 3 feet wide and encircles the buoy halfway between the water line and the top.

2. No person shall operate a vessel in an area which has been marked by the use of buoys as a bathing, swimming, or otherwise access prohibited area. Every person operating a vessel in an area which has been marked by the use of buoys as a controlled area shall comply with the restrictions and requirements indicated on the buoys. The provisions of this regulation shall not apply to patrol boats or emergency vessels or in any emergency situation.
3. No person shall moor, attach, or hold in any manner, a vessel to any buoy, other than a mooring buoy, or any other aid to navigation placed in the water by proper authority as aids to navigation or to mark restricted areas. No person shall remove, destroy, or damage any marker or buoy.

#216 – SCUBA DIVING

1. Every person in the water, outside a designated swimming area, using an underwater breathing device often known as scuba gear, shall display a diver's flag, having one diagonal white stripe on a red background and capable of being identified at a distance of not less than one hundred yards. Such flag shall be placed at or near the point of submergence, and shall constitute a warning that a diver is submerged and may be within a radius of one hundred feet from such a flag. Vessels shall keep a distance of one hundred feet from the diver's flag. Scuba divers shall keep a distance of one hundred feet from dam outlet structures.
2. If a vessel is engaged in diving operations and as a consequence is restricted in its ability to maneuver, a rigid replica of the international code flag "A" or Alpha Flag shall be displayed. The flag must be not less than one meter in height and the flag must be blue and white in color.
3. The requirement that the Alpha Flag be displayed from a vessel restricted in its ability to maneuver does not relieve the requirement that the diver's flag also be displayed at or near the point of submergence.

#217 – RIVER USE RESTRICTIONS

1. As used in this regulation:
 - a. "Public Advisement" means a formal statement publicly issued or announced for the purpose of informing the public. A public advisement shall not prohibit the use of vessels, whitewater canoes, single-chambered air-inflated devices, or kayaks. A public advisement may include a recommendation that, in addition to any safety equipment required by law, additional items of safety equipment and additional safety precautions are recommended. Such additional safety precautions may include the recommendation that inexperienced or inadequately prepared individuals should postpone the river trip or seek the professional services of state licensed river outfitters.

- b. "Partial Use Restriction" means any order issued prohibiting the operation of single-chambered air-inflated devices on any waters of the state. A partial use restriction shall not prohibit the use of vessels, whitewater canoes, or kayaks.
 - c. "Use Restriction" means any order issued prohibiting the operation of vessels and single-chambered air-inflated devices on any waters of the state and requiring the removal of vessels and single-chambered air-inflated devices from any waters when such operation constitutes, or may constitute, a hazard to human life or safety. A use restriction order shall apply to whitewater canoes or kayaks.
 - d. "Peace Officer" means a sheriff, undersheriff, deputy sheriff, police officer, Colorado State Patrol officer, or marshal, a district attorney, assistant district attorney, deputy district attorney, or special deputy district attorney, an authorized investigator of a district attorney, an agent of the Colorado Bureau of Investigation, a district wildlife manager or special district wildlife manager, or a parks and recreation officer.
 - e. "Single-Chambered Air-Inflated Device" means an air-inflated device that has only one air compartment, such as innertube and certain types of air mattresses and small inflatable rafts.
 - f. "Vessel" Is defined in 33-13-102 (5) C.R.S.
- 2. A public advisement or partial use restriction order may be issued by a peace officer whenever the peace officer determines that normal or above average runoff or water levels or other circumstances or conditions may increase incidences of water recreation accidents or injuries within the peace officer's jurisdiction.
 - 3. A use restriction order shall be issued by a peace officer whenever the peace officer determines that a hazard to human life and safety exists within his jurisdiction.
 - a. For the purpose of issuing a use restriction order, a peace officer may deem a hazard to human life and safety to exist whenever one or more of the following circumstances or conditions exists:
 - (1) A state of disaster emergency has been declared to exist pursuant to 24-32-2104 or 24-32-2109, C.R.S.
 - (2) Disaster relief efforts, which may include debris removal, are underway.
 - (3) An accident or other emergency occurs in or immediately adjacent to the waterbody.
 - (4) Rescue efforts for victims are actively underway and such efforts would be hindered by additional waterway traffic, or
 - (5) Active construction or transportation projects authorized under state or federal law.
 - b. A hazard to human life and safety shall not be deemed to exist based solely upon the river's flow rate, which is usually measured in cubic feet per second.
 - c. The partial use restriction or use restriction order shall specify the beginning and ending sections of the water body closed, the proposed duration of the order, and the facts establishing the basis for the partial use restriction or use restriction order.
 - d. The use restriction order shall prohibit the operation of and order the removal of vessels and single-chambered air-inflated devices.

- e. The law enforcement agency issuing the partial use restriction or use restriction order shall prominently post closure signs at all commonly used boating and floating access sites along the closed section.
4. Following the issuance of a public advisement, a partial use restriction, or use restriction, the law enforcement agency issuing the advisement or order shall immediately contact the Division of Parks and Outdoor Recreation and advise the Division of the existence of the advisement or order. Further, the law enforcement agency issuing the advisement or order shall file with the Division a report. Such report shall be on forms furnished by the Division.
5. The penalty for operating a vessel, as defined in subsection 1.f. of this regulation, in violation of use restriction order is specified in 33-13-111(3), C.R.S. The penalty for operating or using a single-chambered air-inflated device, as defined in subsection 1.e. of this regulation, in violation of a use restriction order or partial use restriction order specifically prohibiting their use is specified in 33-13-110(2)(d), C.R.S.

#218 - PROHIBITED OPERATION

1. The term "wake" means a movement of the water created by a boat underway, great enough to disturb a boat at rest, but under no circumstances shall a boat underway exceed five (5) miles per hour while in a posted wakeless area. The term "above a wakeless speed" means operating a vessel at such a speed as to create a wake. No person shall operate any vessel in such a manner as to create a wake, when such waters or parts thereof are posted by signs or marked by buoys prohibiting a wake.
2. Persons operating vessels which pass within one hundred fifty feet of any swimming area, moored vessel, person on shore engaged in fishing, or person in a vessel engaged in servicing buoys or markings shall reduce the speed of the vessels in order to prevent the wash or wake of the vessel from causing damage or inconvenience.
3. No person shall operate a motorboat with any person riding or sitting on either the starboard or port gunwales thereof, or on the decking over the bow, or in any other unsafe position, except when the boat is being moored or anchored.
4. No person shall operate or offer for rent any vessel which is overloaded, or unseaworthy, taking into consideration rated capacities, weather, type of construction, and other existing conditions.
5. No person shall operate or anchor a vessel within one hundred fifty feet of any person on shore engaged in fishing, except where narrow passages or coves make such operation restrictions impractical.

#219 -NAVIGATION AND RULES OF THE ROAD

1. These regulations apply to all vessel operators boating upon waters of Colorado, except they do not apply to hand-propelled vessels when on whitewater.
2. Nothing in these regulations shall exonerate any vessel, operator, or crew from the consequences of any neglect to comply with these regulations or of the neglect of any precaution which may be required by the ordinary practice of boaters, or by the special circumstances of the case.
3. In construing and complying with these regulations due regard shall be had to all dangers of navigation and collision and to any special circumstances, including the limitations of the vessels involved, which may make a departure from these regulations necessary to avoid immediate danger.
4. Terms used:

- a. "Vessel not under command" means a vessel which through some exceptional circumstance is unable to maneuver as required by these regulations and is therefore unable to keep out of the way of another vessel;
- b. "Vessel restricted in its ability to maneuver" means a vessel which from the nature of its work is restricted in its ability to maneuver as required by these regulations and is therefore unable to keep out of the way of another vessel; vessels restricted in their ability to maneuver include, but are not limited to:
 - (1) A vessel engaged in laying, servicing, or picking up a navigation mark;
 - (2) A vessel engaged in underwater operations;
 - (3) A vessel engaged in a towing operation such as severely restricts the towing vessel and its tow in their ability to deviate from their course.
- c. "Underway" means that a vessel is not at anchor, or made fast to the shore, or aground;
- d. Vessels shall be deemed to be in sight of one another only when one can be observed visually from the other;
- e. "Restricted visibility" means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms, or any other similar causes;

5. Look-out:

Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.

6. Safe speed:

- a. Every vessel shall at all times proceed at a safe speed so that proper and effective action can be taken to avoid collision and so that the vessel may be stopped within a distance appropriate to the prevailing circumstances and conditions.
- b. In determining a safe speed the following factors shall be among those taken into account by all vessels:
 - (1) The state of visibility;
 - (2) The traffic density including concentration of fishing vessels or any other vessels;
 - (3) The maneuverability of the vessel with special reference to stopping distance and turning ability in the prevailing conditions;
 - (4) At night the presence of background light such as from shores lights or from back scatter of its own lights;
 - (5) The state of wind, sea, and current, and the proximity of navigational hazards;
 - (6) The draft in relation to the available depth of water.
- c. No vessel shall, under any condition or in any manner, exceed forty (40) miles per hour, except during authorized race events and patrol vessels operating in emergencies.

7. Risk of collision:

- a. Every vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists. If there is any doubt such risk shall be deemed to exist.
- b. In determining if risk of collision exists the following considerations shall be among those taken into account:
 - (1) Such risk shall be deemed to exist if the compass bearing of an approaching vessel does not appreciably change; and
 - (2) Such risk may sometimes exist even when an appreciable bearing change is evident, particularly when approaching a very large vessel or a tow or when approaching a vessel at close range.

8. Action or avoid collision:

- a. Any action taken to avoid collision shall, if the circumstances of the case admit, be positive, made in ample time and with due regard to the observance of good boating.
- b. Any alteration of course or speed to avoid collision shall, if the circumstances of the case admit, be large enough to be readily apparent to another vessel observing visually; a succession of small alterations of course or speed should be avoided.
- c. If there is sufficient surface water space, alteration of course alone may be the most effective action to avoid a close-quarters situation provided that it is made in good time, is substantial and does not result in another close-quarters situation.
- d. Action taken to avoid collision with another vessel shall be such as to result in passing at a safe distance. The effectiveness of the action shall be carefully checked until the other vessel is finally past and clear.
- e. If necessary to avoid collision or allow more time to assess the situation, a vessel shall slacken speed or take all way off by stopping or reversing the means of propulsion.

9. Narrow passages:

- a. A vessel proceeding along the course of a narrow passage shall keep as near to the outer limit of the passage which lies on the starboard side as is safe and practicable.
- b. A vessel engaged in fishing shall not impede the passage of any other vessel navigation within a narrow passage.
- c. A vessel shall not cross a narrow passage if such crossing impedes a vessel which can safely navigate only within that passage. The latter vessel shall use the danger signal if in doubt as to the intention of the crossing vessel.
- d. In a narrow passage when overtaking, the vessel intending to overtake shall indicate its intention by sounding the appropriate signal and take steps to permit safe passing. The overtaken vessel, if in agreement, shall sound the same signal. If in doubt the overtaken vessel shall sound the danger signal.
 - (1) This regulation does not relieve the overtaking vessel of its obligation.

e. A vessel nearing a bend or an area of a narrow passage where other vessels may be obscured by an intervening obstruction shall navigate with particular alertness and caution and shall sound the appropriate signal.

f. No vessel shall be anchored so as to block movement of other vessels through narrow passages.

10. Vessel traffic patterns:

Each vessel required by law to participate in a vessel traffic pattern shall comply with the applicable law.

The following regulations apply to vessels in sight of one another :

11. Sailing vessels:

a. When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:

(1) When each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other;

(2) When both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward; and

(3) If a vessel with the wind on the port side sees a vessel to windward and cannot determine with certainty whether the other vessel has the wind on the port or on the starboard side, it shall keep out of the way of the other.

b. For the purpose of this regulation the windward side shall be deemed to be the side opposite to that on which the mainsail is carried.

12. Overtaking:

a. Notwithstanding anything contained in these regulations, any vessel overtaking any other shall keep out of the way of the vessel being overtaken.

b. A vessel shall be deemed to be overtaking when coming up with another vessel from a direction more than 22.5 degrees abaft the beam; that is, in such a position with reference to the vessel being overtaken that at night only the stern light, but neither of the side lights, of the vessel being overtaken would be visible.

c. When in any doubt as to whether another vessel is being overtaken, the assumption shall be made that this is the case and the overtaking vessel shall act accordingly.

d. Any subsequent alteration of the bearing between the two vessels shall not make the overtaking vessel a crossing vessel within the meaning of these regulations or relieve the overtaking vessel of the duty of keeping clear of the overtaken vessel until past and clear.

13. Head-on situation:

a. When two motorboats are meeting on reciprocal or nearly reciprocal courses so as to involve risk of collision each shall alter course to starboard so that each shall pass on the port side of the other.

- b. Such a situation shall be deemed to exist when a vessel sees the other ahead or nearly ahead and by night sees the masthead lights of the other in a line or nearly in a line or both sidelights and by day observes the corresponding aspect of the other vessel.
- c. When in any doubt as to whether a head-on situation exists, the assumption shall be made that it does exist and vessels shall act accordingly.

14. Crossing situation:

- a. When two motorboats are crossing so as to involve risk of collision, the vessel which has the other on the starboard side shall keep out of the way and shall, if the circumstances of the case admit, avoid crossing ahead of the other vessel.
- b. A vessel crossing a river shall keep out of the way of a motorboat ascending or descending the river.

15. Action by give-way vessel:

Every vessel which is directed to keep out of the way of another vessel shall, so far as possible, take early and substantial action to keep well clear.

16. Action by stand-on vessel:

- a. Where one of two vessels is to keep out of the way, the other shall keep its course and speed.
- b. The stand-on vessel may, however, take action to avoid collision by maneuver alone, as soon as it becomes apparent that the vessel required to keep out of the way is not taking appropriate action in compliance with these regulations.
- c. When, from any cause, the vessel required to keep its course and speed finds itself so close that collision cannot be avoided by the action of the give-way vessel alone, the stand-on vessel shall take such action as will best aid to avoid collision.
- d. A motorboat which takes action in a crossing situation in accordance with these regulation to avoid collision with another motorboat shall, if the circumstances of the case admit, not alter course to port for a vessel on its port side.
- e. This regulation does not relieve the give-way vessel of the obligation to keep out of the way.

17. Responsibilities between vessels:

Except where regulations #219 - 9, #219 - 10, and #219 - 12 otherwise require:

- a. A motorboat underway shall keep out of the way of:
 - (1) A vessel not under command;
 - (2) A vessel restricted in its ability to maneuver; and
 - (3) A sailing vessel.
- b. A sailing vessel underway shall keep out of the way of:
 - (1) A vessel not under command; and

(2) A vessel restricted in its ability to maneuver.

- c. A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, seaplanes shall comply with these regulations.

The following regulation applies to vessels in restricted visibility :

18. Conduct of vessels in restricted visibility and not in sight of one another:

- a. Every vessel shall proceed at a safe speed adapted to prevailing circumstances and conditions of restricted visibility. A motorboat shall have the engines ready for immediate maneuver.
- b. Every vessel shall have due regard to the prevailing circumstances and conditions of restricted visibility when complying with regulations #219 - 5 through #219 - 10.
- c. Except where it has been determined that a risk of collision does not exist, every vessel which hears apparently forward of its beam another vessel, or which cannot avoid a close-quarters situation with another vessel forward of its beam, shall reduce speed to the minimum of which the vessel can be kept on course or shall take engines all the way off. In any event, vessels shall navigate with extreme caution until danger of collision is over.

#220 - MUFFLING AND SOUND LEVEL

- 1. Except in case of a motorboat competing in a sanctioned race or regatta, it is unlawful to use a vessel propelled in whole or in part by gas, gasoline, or naphtha unless the vessel is provided with a stock factory muffler underwater or other device capable of adequately muffling the sounds of the exhaust of the engine. The phrase "adequate muffling" means that the motor's exhaust at all times is so muffled or suppressed as not to create excessive noise.
- 2. No person shall operate a vessel upon waters of this state under any condition or in any manner that the vessel emits a sound level in excess of 86 decibels on "A" weighted scale when measured from a distance of 50 feet or more from the vessel. The operator of such vessel may be ordered off the water upon failure to submit to sound level testing procedures.

#221 - MANEUVERING AND WARNING SIGNALS

- 1. Terms used:
 - a. "Short blast" means a blast of about one second's duration sounded when motorboats are at a close quarters distance so as to involve the risk of collision.
 - b. "Prolonged blast" means a blast of from four to six seconds' duration sounded when motorboats are at a close quarters distance so as to involve the risk of collision.
 - c. "Danger signal" means five or more short blasts.
- 2. When motorboats are in sight of one another and meeting or crossing at a close quarters distance so as to involve the risk of collision, each motorboat underway, when maneuvering as authorized or required by the rules of the road shall indicate that maneuver by the following signals from the sound-producing device:
 - a. One short blast to mean "I intend to leave you on my port side."

- b. Two short blasts to mean "I intend to leave you on my starboard side."
 - c. Three short blasts to mean "I am operating astern propulsion."
 - d. Upon hearing the one or two blast signal, the other shall, if in agreement, sound the same signal and take the steps necessary to effect a safe passing. If, however, from any cause, the motorboat doubts the safety of the proposed maneuver, then the danger signal shall be sounded and each vessel shall take appropriate precautionary action until a safe passing agreement is made.
3. When motorboats are in sight of one another and one motorboat is intending to overtake another at a close quarters distance so as to involve the risk of collision, the overtaking vessel shall indicate intentions by the following signals from the sound-producing device:
- a. One short blast to mean "I intend to overtake you on your starboard side."
 - b. Two short blasts to mean "I intend to overtake you on your port side."
 - c. Upon hearing the one or two blast signal of the other, the motorboat this is being overtaken shall, if in agreement, sound the same signal. If in doubt, the vessel being overtaken shall sound the danger signal.
4. When vessels, other than hand-propelled vessels when on whitewater, are in sight of one another and are approaching each other and from any cause either vessel fails to understand the intentions or actions of the other, or is in doubt whether sufficient action is being taken by the other to avoid collision, the vessel in doubt shall immediately indicate such doubt by giving at least five short and rapid blasts from the sound-producing device. The danger signal may be supplemented by a light signal of at least five short and rapid flashes.
5. When a motorboat is leaving a dock or berth and vessel traffic is heavy, one prolonged blast may be sounded.
6. If necessary to attract the attention of another vessel, any vessel may light or sound signals that cannot be mistaken for any signal authorized elsewhere in these regulations, or may direct the beam of a light in the direction of danger.
7. When a vessel is in distress, the following signals used or exhibited either together or separately, indicate distress and need of assistance:
- a. A continuous sounding with any signalling device;
 - b. A signal made by any signalling method consisting of S.O.S. in the Morse Code;
 - c. Slowly and repeatedly raising and lowering arms outstretched to each side;
 - d. An orange distress flag with either a black square and circle or other appropriate symbol;
 - e. A high intensity white flashing light flashing at regular intervals from 50 to 70 times per minute.
 - f. The use or exhibition of any of the foregoing signals except for the purpose of indicating distress and need of assistance is prohibited.

#222 - COLLISIONS, ACCIDENTS, AND CASUALTIES

1. In the case of an accident involving a vessel, the operator thereof, shall file with the Division a full

report concerning the accident. A vessel is considered to be involved in a boating accident whenever the occurrence results in damage, in excess of five hundred dollars, by or to the vessel or its equipment, in injury or loss of life to any person, or in the disappearance of any person from on board under circumstances which indicate the possibility of death or injury. Such boating accident includes, but is not limited to, capsizing, collision, foundering, flooding, fire, explosion, and the disappearance of a boat other than by theft. Accidents for the purpose of the report are only those which occur on the water.

2. Reports required under subsection 1 of this section shall contain the following information:
 - a. The number assigned to each vessel involved;
 - b. The locality, time and date of the accident;
 - c. The weather conditions existing at the time of the accident;
 - d. The name, address, and age of each operator of a vessel involved in the accident;
 - e. The name and address of the owner of each vessel involved in the accident;
 - f. the name and address of any person who is injured or killed as the result of the accident;
 - g. The nature and extent of injury to any person;
 - h. A description of any property damage;
 - i. A description of how the accident occurred;
 - j. The type of vessel that is the subject of the report;
 - k. The name and address, if known, of any witness to the accident.
3. All reports required to be submitted under this section shall be submitted to the Law Enforcement Unit at 13787 South Highway 85, Littleton, Colorado 80125 of the Division within five days after the date of the accident.

#223 - WATER SKIS, AQUAPLANES, SURFBOARDS, INNERTUBE, AND SIMILAR DEVICES

1. No person shall operate a vessel on any waters of this state for towing any person on water skis, aquaplanes, surfboards, innertubes, or any similar devices, unless there is in such vessel a person, in addition to the operator, in a position to observe the progress of the person being towed, and capable of relaying messages to the operator.
2. No person shall operate a vessel on any waters of this state towing any person on water skis, aquaplanes, surfboards, innertubes, or any similar devices, nor shall any person engage in water skiing, surfboarding, or similar activity at any time between the hours from sunset to sunrise.
3. Any person on water skis, aquaplanes, surfboards, innertubes, or similar devices, while being pulled or towed by a vessel, shall wear a flotation device as required in subsection 4 of section #212 - Personal Flotation Devices.
4. All motorized vessels in designated water ski areas shall travel in a counter clockwise direction, except in picking up a downed skier the tow boat shall encircle the skier in such a manner as to keep him in view of the driver of the boat at all times.

5. No person shall engage in water skiing, surfboarding, or similar activity within one hundred fifty feet of any harbor, swimming beach, or mooring area or any areas which are designated by posting or otherwise as being closed to water skiing except in areas designated as a ski take-off or landing area.
6. Whenever a water skier, surfboarder, or person engaged in a similar activity or associated equipment is down in the water, the operator or observer of the tow boat shall display in a clearly visible manner an orange or red flag of a size not less than 12 inches square. When the towed person is actively being towed and is not down in the water, and the associated equipment has been retrieved, the flag shall not be displayed.

#224 - HULL IDENTIFICATION NUMBER

1. After August 1, 1984, every person who builds or imports a monohull vessel for personal recreational use and not for the purposes of sale, must identify that boat with two hull identification numbers that meet the requirements of this regulation.
2. Following application for assignment of a Colorado hull identification number, a hull identification number may be assigned by the Division if the applicant declares on the application that Colorado will be the state of principal use.
3. Following assignment of a Colorado hull identification number, a person as described in #224 - 1 must identify the boat with two hull identification numbers that meet the following requirements:
 - a. A primary hull identification number affixed as herein prescribed:
 - (1) On boats with transoms, to the starboard side of the transom within two inches of the top of the transom, gunwale, or hull/deck joint, whichever is lowest.
 - (2) On boats without transoms or on boats on which it would be impractical to use the transom, to the starboard outboard side of the hull, aft, within one foot of the stern and within two inches of the top of the hull side, gunwale, or hull/deck joint, whichever is lowest.
 - (3) On catamarans and pontoon boats which have readily replaceable hulls, to the aft crossbeam within one foot of the starboard hull attachment.
 - (4) If the hull identification number would not be visible, because of rails, fittings, or other accessories, the number must be affixed as near as possible to the location specified in regulation #224 - 3 a (1).
 - b. A duplicate hull identification number must be affixed in an unexposed location on the interior of the boat or beneath a fitting or item of hardware.
 - c. Each hull identification number must be carved, burned, stamped, embossed, molded, bonded, or otherwise permanently affixed to the boat so that alteration, removal, or replacement would be obvious. If the number is on a separate plate, the plate must be fastened in such a manner that its removal would normally cause some scarring of or damage to the surrounding hull area. A hull identification number must not be attached to parts of the boat that are removable.
 - d. The characters of each hull identification number must be no less than one-fourth of an inch high.

CHAPTER 3 - RIVER OUTFITTERS

300 - LICENSE APPLICATION AND ISSUANCE

1. An individual, sole proprietorship, partnership, corporation, nonprofit corporation or organization as defined in section 13-21-115.5 (3), C.R.S., limited liability company, firm, association, or other legal entity either located within or outside of this state may apply for a river outfitter license. The application shall bear notice to the effect that any false statements made therein are punishable by law. All application signatures shall be made under oath that all information furnished is true and correct. The position held by the individual who signs the application shall be stated on the application. All applications submitted shall bear an original signature.
 - a. If the applicant is a partnership, any general partner may sign the application.
 - b. Any unincorporated legal entity, other than a partnership, consisting of more than one individual shall designate one of its members to sign and submit an application.
 - c. If the applicant is a corporation, the president or other authorized executive officer of the corporation shall sign the application and the secretary of the corporation shall attest the signature.
2. A corporation shall be incorporated pursuant to the laws of this state or shall be duly qualified to do business in this state. To be duly qualified to do business in this state, an out-of-state corporation that transacts business in the State of Colorado must show evidence that it has procured a current and valid certificate of authority from the Colorado Department of State. A copy of a current and valid certificate of authority shall be submitted with the license application.
3. No person shall outfit under a business name until the licensee has notified the division of the business name. Such notice must be submitted in writing at least ten business days prior to soliciting for or providing river outfitting services under the business name.
4. Any licensee using a d/b/a (doing business as) must list any and all d/b/a's. Should new d/b/a's be formed, the licensee must notify the division, in writing, within ten days of the action.
5.
 - a. A copy of a current and valid certificate of liability insurance shall be submitted with the license application. A certificate of insurance shall be accepted by the division as evidence that the applicant has qualifying liability insurance if the certificate states:
 - (1) That the type of insurance is "CGL" , meaning either "comprehensive general liability" or "commercial general liability" business insurance; or that the type of insurance is "watercraft liability" . As used herein, "watercraft liability" policy means liability insurance covering commercial exposure for property damage and personal injury which may result from a river outfitter's use or operation of vessels, including shore-side activities such as passenger loading and unloading. Such liability insurance shall provide coverage for all vessels used by the insured for commercial purpose, to include newly acquired vessels and vessels borrowed from other persons for the insured's use.
 - (2) A minimum amount of coverage of three hundred thousand dollars combined single limit per occurrence for any combination of property damage, death, and bodily injury;
 - (3) That the insured's name and address stated on the certificate of insurance is the same as the primary business name used by the applicant on the license application;

- (4) The name, address, and phone number of the issuing insurance agent;
 - (5) A policy number;
 - (6) The beginning and ending dates of coverage and is currently in effect;
 - (7) That the division is a certificate holder;
 - (8) That the division will be given at least forty-five days written notice by certified mail prior to any modification, termination, or cancellation of the policy;
 - (9) That every insurance company affording coverage is listed with an indication as to which company or companies is/are providing which insurance; and
 - (10) That every insurance company affording coverage is licensed in the State of Colorado, or is currently listed on the approved surplus lines listing for Colorado and is offering coverage in compliance with the requirements of the Colorado Surplus Lines Insurance Act, Article 5 for Title 10, C.R.S., or is a risk retention group qualified under the Federal "Liability Risk Retention Act of 1986" , 15 U.S.C., Sections 3901 Et Seq., as amended in 1986. If coverage is provided by a purchasing group qualified under the Federal "Liability Risk Retention Act of 1986" , then the name and address of the group must be identified on the certificate.
- b. The liability insurance policy shall insure the river outfitter against all claims occasioned by acts or omissions of the outfitter in carrying out the activities and operations authorized by the license.
- c. A qualifying liability insurance policy shall be maintained so as to continue in full force and effect for the duration of time that the river outfitter is licensed. If any claims reduce the remaining annual aggregate amount below three hundred thousand dollars of comprehensive or commercial general liability business insurance, which must be written on an occurrence basis, then the licensee must purchase additional insurance such that a minimum amount of coverage of three hundred thousand dollars combined single limit per occurrence for any combination of property damage, death, and bodily injury is continued in full force and effect for the duration of time that the river outfitter is licensed. Any expiration, termination, or cancellation of the required policy or, if an annual aggregate amount is a condition of the coverage, any claims that reduce the amount of coverage below the three hundred thousand dollar minimum shall cause the license to become invalid. The licensee shall ensure that a current and valid certificate of insurance is on file with the division at all times.
6. Licenses are not transferable. If a business is sold or transferred, a new license application shall be submitted by the new owner(s).
7. All licenses shall be valid, unless suspended, revoked or otherwise invalidated, from the date of issue until the date of expiration as printed on the license, except that if a river outfitter has made timely and sufficient application for renewal, then the existing license shall not expire until the application has been finally acted upon by the board.
8. A river outfitter shall maintain a regular place of business at which mail and phone calls can be received. The river outfitter's license shall be prominently displayed at the regular place of business. The address or physical location and the business telephone number shall be stated on the application. The address or physical location identified for the regular place of business will be printed on the license. Any change of the mailing address, physical location, or telephone number

shall be reported to the division in writing within ten days of such change. If the physical location has changed, then the division shall issue an amended license at no cost.

9. The division shall accept applications during the period from November 1 through December 31 of the year preceding the calendar year for which application is made and during the period of January 1 through January 31 of the calendar year for which application is made. An application filed after January 31 of the calendar year for which application is made shall be considered a late application and a late filing fee shall be charged in addition to the license fee.
10. Applications shall be accompanied by the full payment of the license fee. Incomplete applications will be returned and a refiling fee will be charged.
11. All licenses shall be issued within a reasonable time period, not to exceed ninety days, after the division receives an eligible and complete application. Licenses will be sent certified mail, return receipt requested, to the licensee's mailing address.
12. River outfitters who initiate regulated trips in Colorado on specified river segments are eligible for a limited use license, given that these trips are conducted primarily on the waters of an adjoining state. A limited use license shall entitle the holder to use only the following river segments in Colorado:
 - a. North Platte River - Northgate Canyon
 - b. Green River - Within Dinosaur National Monument
 - c. Yampa River - Within Dinosaur National Monument
 - d. Colorado River - Ruby Canyon
 - e. Dolores River - Gateway Canyon
13. Effective November 1, 1995, the river outfitter licensing fee schedule shall be as follows:

a.	Original and renewal license application fee	\$400.00
b.	Late application filing fee	\$100.00
c.	Application refiling fee	\$ 25.00
d.	Limited use original and renewal license fee	\$100.00

301 - REGULATED TRIPS, PASSENGER ORIENTATION, AND TRIP LOGS

1. A single regulated trip may include one or more vessels and one or more guides provided by a single river outfitter. All vessels participating in a regulated trip shall remain in reasonably close proximity with one another. "Reasonably close proximity" means that all vessels on the regulated trip will be close enough to one another to give assistance, whenever needed, without unnecessary delay.
2. A river trip's sole purpose that is to provide an educational or instructional voyage in order to teach canoeing or kayaking skills is not a regulated trip, so long as the trip is promoted and conducted only as a canoeing or kayaking class.
3. At least one qualified guide shall be aboard each vessel which carries, or is designed for and capable of carrying, three or more passengers.

4. A trip leader, assigned by the river outfitter, shall accompany every regulated trip. The trip leader shall ensure that a commercial passenger orientation is provided.
5. A commercial passenger orientation shall include basic orientation for all commercial passengers on a regulated trip. Topics that must be explained during orientation prior to embarking on a regulated trip are:
 - a. The conditions of weather, river, terrain, equipment, travel, housing and vessels that commercial passengers may expect to encounter;
 - b. The personal equipment, clothing and gear that commercial passengers should have for the trip;
 - c. The proper fit, wearing, and use of personal flotation devices;
 - d. Passenger riding and positioning in the vessel;
 - e. Safety procedures for swimming through river rapids and getting back into the vessel;
 - f. Instructions on what to do in the event of a vessel accident; and
 - g. Sanitation, litter prevention and human refuse disposal.
6.
 - a. A river outfitter shall maintain an accurate and complete trip log for every regulated trip. The trip log shall include:
 - (1) The name of the assigned trip leader;
 - (2) The names of all guides who operated or guided vessels carrying commercial passengers;
 - (3) The trip departure and completion dates and times; and
 - (4) The location of vessel launch and take-out.
 - (5) A river outfitter shall maintain the name, address, and telephone number for every passenger on a regulated trip, except in the case of groups. For groups, the river outfitter shall maintain, at a minimum, the name of each person in the group, and the address and telephone number for a contact person for the group. Release forms and booking lists will suffice so long as the required information is present.
 - b. A river outfitter shall maintain all trip logs and other records required by this regulation # 301-6. for a period of three years. These required records shall be maintained at the river outfitter's designated place of business. The river outfitter, or any employee having access to the trip logs and other required records, shall provide such trip logs and records at all reasonable times to any peace officer enforcing the provisions of Article 32 of Title 33, C.R.S., and these regulations, upon request.

302 - GUIDE, TRIP LEADER, AND GUIDE INSTRUCTOR TRAINING AND QUALIFICATION RECORDS

- 1.

- a. A guide shall have a minimum of fifty hours of on-river training utilizing paddles and/or oars, and any other equipment that the guide will be using on regulated trips. Of this fifty hours, thirty hours shall be with a qualified guide instructor aboard the same vessel with the trainee. The remaining twenty hours shall be with a qualified guide instructor on the same training trip. Twenty hours of training shall occur on the river on which the guide will be guiding regulated trips or on a river section of comparable difficulty.
 - b. Minimum guide training shall include the following areas of instruction:
 - (1) Rigging and maneuvering the vessel;
 - (2) River currents, eddies, and waves;
 - (3) River hazards;
 - (4) Types and causes of river rapids;
 - (5) Scouting and running rapids;
 - (6) River rescue and emergency procedures;
 - (7) Minimizing outdoor recreation resource impacts; and
 - (8) Proper fit, wearing and use of personal flotation devices.
 - c. Guides who have worked commercially out-of-state as a river guide must furnish the in-state river outfitter with written documentation that they have received this required minimum guide training, or its equivalent. The river outfitter shall ensure that the documented out-of-state training is adequate to meet the minimum guide training requirements.
2. Prior to guiding a regulated trip, each guide shall have:
 - a. Completed the required training identified in # 302-1.; and
 - b. Operated a commercial vessel at least once over the course of each section of river that will be guided.
3. During each guide's first regulated trip, a qualified guide instructor must be aboard the same vessel with the guide.
4. A river outfitter shall maintain a qualification record for each guide, including subcontractors, employed. Such record shall include:
 - a. The guide's full legal name and date of birth;
 - b. Evidence of successful completion of a standard first-aid course, which shall include training in cardiopulmonary resuscitation. The following documents shall be accepted by the division as evidence that the guide has qualifying emergency medical care training:
 - (1) A photocopy of the front and back of the guide's valid standard first-aid card or certificate issued by any institution recognized as a provider of emergency medical care training, for example, the American Red Cross, the National Safety Council, or hospitals. If the first-aid course did not include training in cardiopulmonary resuscitation, then additionally required is a photocopy of the front and back of the guide's valid cardiopulmonary resuscitation card or

certificate issued by any institution recognized as a provider of cardiopulmonary resuscitation training, for example, the American Red Cross or the American Heart Association; or

- (2) In lieu of the required card(s) or certificate(s), a copy of a dated letter signed by the instructor(s) stating that the guide has successfully completed the emergency medical care training required, and stating the instructor's address and telephone number;

c. Written documentation that the guide is qualified by meeting the minimum training requirements established in this regulation. Such documentation shall include:

- (1) Dates and beginning and ending times of training;
- (2) Identification of the training site, including a description of beginning and ending locations for on-river training and a location description or address for classroom training;
- (3) The name(s) of the guide instructor(s) who provided the instruction and training; and
- (4) The signature(s) of the guide instructor(s) attesting that the minimum guide training requirements established in this regulation have been met.

5. A river outfitter shall maintain a qualification record for each trip leader and guide instructor, including subcontractors, employed. Such record shall include:

- a. The trip leader's or guide instructor's full legal name and date of birth;
- b. Evidence of successful completion of a standard first-aid course, which shall include training in cardiopulmonary resuscitation, as specified in #302-4.b.(1) or (2);
- c. For guide instructors, written documentation that the individual has logged a total of at least fifteen hundred river miles, of which at least seven hundred fifty of those river miles were logged while acting as a guide, and has served as a trip leader on at least five regulated trips. For trip leaders, written documentation that the individual has logged a total of at least five hundred river miles as a qualified guide. Such documentation shall consist of a log that includes:
 - (1) Dates and beginning and ending locations of river trips;
 - (2) The total number of river miles covered during each recorded trip and for guide instructors, identification of the trip as either private or commercial; and
 - (3) Identification of all trips during which the individual served as a trip leader.

6. Guide qualification records, trip leader qualification records, and guide instructor qualification records shall be maintained by the primary employer at that river outfitter's designated place of business. In the case of a river outfitter who temporarily hires the services of a guide, trip leader, or guide instructor who is primarily employed by a different river outfitter, the following regulations apply:

- a. A river outfitter who temporarily uses the services of a guide or trip leader who is primarily employed by a different river outfitter shall identify in the applicable trip log(s) the river outfitter that maintains the guide qualification record for the guide or trip leader.
- b. A river outfitter who temporarily uses the services of a guide instructor who is primarily

employed by a different river outfitter shall identify, in each guide's qualification record for all guides trained by the instructor, the river outfitter that maintains the guide instructor qualification record.

- c. River outfitters may only use the services of guides, trip leaders and guide instructors who are primarily employed by different river outfitters if the other river outfitters are licensed in the State of Colorado and maintain their place of business in the State of Colorado.
 - d. A river outfitter shall not provide any guide, trip leader, or guide instructor to another river outfitter unless the employee is qualified for the position requested.
7. A river outfitter shall maintain all guide, trip leader, and guide instructor qualification records during the period of such employees employment and for a period of three years after his/her termination. These required records shall be maintained at the river outfitter's designated place of business. The river outfitter, or any employee having access to such records, shall provide them at all reasonable times to any peace officer enforcing the provisions of Article 32 of Title 33, C.R.S., and these regulations, upon request.

303 - DRINKING WATER AND SANITATION

- 1. If a river outfitter provides drinking water during a regulated trip, the water containers shall have a closed top, be tightly sealed, and have a smooth, cleanable interior surface. If river water or water from an untreated, untested source is used, then a reliable method of treating the water must be used and the regulated trip shall be equipped in order to do so. Boiling, commercial filters, water purification tablets, chlorine bleach and a tester for chlorine residual, and tincture of iodine or an iodine purification kit are all acceptable methods for purifying drinking water if proper procedures are used.
- 2. In order to help ensure that there are no violations of the littering statute, 18-4-511, C.R.S., outfitters shall be required to provide sufficient containers for containment and removal of refuse, trash, ashes, garbage and solid human waste.

304 - PERSONAL FLOTATION DEVICES

- 1. A river outfitter shall ensure that each commercial passenger participating in a regulated trip is provided with a personal flotation device that is in good and serviceable condition and of the proper size for the intended wearer and is:
 - a. U.S. Coast Guard approved Type I, Type III, or Type V - whitewater non-inflatable, except that:
 - (1) If the person weighs fifty pounds or less, a Type II- non-inflatable personal flotation device may be worn in lieu of a Type I, Type III, or Type V- whitewater non-inflatable device, provided it is a vest style designed with a crotch strap and an additional flotation collar.
 - b. All Type III personal flotation devices must have a minimum of 2 adjustable straps on the side, 1 adjustable waist strap and adjustable shoulder straps, capable of retaining the wearer in swift water conditions. Type III personal flotation devices must be intended for paddling or kayak use by the U.S. Coast Guard and labeled accordingly.
- 2. Each guide shall require that every commercial passenger wears and has tied or otherwise securely fastened his or her assigned personal flotation device at all times while on or in a river, except during regulated trips operating on designated flatwater where passengers thirteen years of age or older may be permitted to remove or loosen the personal flotation device at the discretion of the guide or trip leader.

3. Every river outfitter, guide, guide in training, guide instructor, and trip leader shall at all times while participating in a regulated trip or guide training trip, except on designated flatwater, wear a securely tied or fastened U.S. Coast Guard approved personal flotation device of Type I, III-non-inflatable, or V-whitewater non-inflatable. The personal flotation device shall be in good and serviceable condition and shall be of the proper size for the intended wearer.
4. Designated flatwater means:
 - a. The Colorado River- from the Loma boat launch in Mesa County to the Utah/Colorado state line; and
 - b. The Gunnison River in Delta County -from the Smith Fork to the North Fork.
 - c. The Yampa River from the Hayden Station Pump Station in Routt County to the Juniper Canyon Access Site in Mofatt County and from the Maybell Bridge at Highway 40 in Mofatt County to the Cross Mountain River Access Site in Mofatt County.
5. The trip leader shall ensure that at least one spare U.S. Coast Guard approved personal flotation device of the type required by #304-1.a. is carried per regulated trip that includes one or more rafts, dories, or motorboats. All required spare personal flotation devices shall be in good and serviceable condition.

305 - VESSELS AND EQUIPMENT

1. A river outfitter shall provide all vessels and associated equipment required during all regulated trips. When equipment is lost, damaged, or used during a bona fide on-the-river emergency, then the river outfitter shall ensure that every vessel is reequipped as required prior to use of the vessel on any successive trip.
2. All vessels used during a regulated trip shall be marked with the vessel owner's name, current address, and telephone number in a legible, clearly visible and durable fashion.
3. The trip leader shall ensure that every regulated trip carries aboard at least one of the vessels a first-aid kit which shall be immediately available for emergency use. The first-aid kit shall contain, at a minimum, adhesive bandages, sterile pads, flexible gauze bandages, first-aid tape, antiseptic or soap and triangular bandages in quantities sufficient to meet the size and needs of the regulated trip. These supplies shall be maintained in a clean and dry condition in a durable container suitable for river use.
4. The trip leader shall ensure that every regulated trip carries aboard at least one of the vessels a throwbag containing a minimum of fifty feet of rope. The throwbag shall be in a serviceable condition and shall be stored so as to be readily accessible in an emergency.
5. River outfitters shall not provide, use, operate or permit the use or operation of innertubes, air mattresses, or any other single-chambered air-inflated devices during any regulated trip.
6. If an inflatable raft or dory is used during a regulated trip, then each such vessel shall:
 - a. Display the river outfitter's company name or logo or abbreviation, which shall read from left to right in characters of good proportion, a minimum of four inches in height above waterline, of a color which contrasts with the color of the background, and be maintained so as to be clearly visible and legible from a distance of one hundred and fifty feet.
 - b. Be equipped with a rope attached to the bow or stern, which shall be a minimum of ten feet long and suitable for tying up and securely holding the vessel to the shore of the waters

being traveled. All loose ropes not in use shall be stored and secured so as not to present a danger of entanglement in case of an accident.

- c. Be equipped with at least one suitable container of sufficient size for bailing water out of the vessel, except that self-bailing vessels are exempt from this requirement.
 - d. Be adequately equipped with durable and substantially undamaged oars or paddles and spares, taking into consideration the size of the vessel and river conditions.
 - (1) For oar-controlled and powered vessels or combination oar and paddle-controlled and powered vessels, there shall be a minimum of two oars and one spare oar aboard each such vessel.
 - (2) For paddle-controlled and powered vessels, there shall be a minimum of one spare paddle per vessel. The spare paddle(s) may be carried in another vessel on the same trip so long as the spare(s) is/are readily accessible. A spare paddle is one in addition to one paddle per participating adult.
7. If an inflatable raft, inflatable kayak, or other multi-chambered air inflated device is used during a regulated trip, then:
- a. Every inflatable raft, inflatable kayak, or other inflated type vessel shall be multi-chambered, containing a minimum of two separate air chambers.
 - b. Every regulated trip including one or more inflatable rafts, inflatable kayaks, or other inflated vessel type shall have immediately available a minimum of one patch/repair kit and one air pump. Both the kit and the air pump must be adequate to meet the size and needs of the trip and they must be compatible with the vessel(s) in use. The kit shall be maintained in good and serviceable condition and stored in a durable container suitable for river use.
8. If a canoe, whitewater or decked canoe, hard shell kayak, inflatable kayak, or sit-on-top kayak is used during a regulated trip, then a minimum of one spare paddle per every five such vessels shall be readily accessible aboard one of the vessels on the trip. In addition:
- a. For canoes, whitewater canoes, and hard shell kayaks, every such vessel shall be equipped with flotation bags securely fixed in the vessel so as to provide enough flotation that when the fully equipped vessel is full of water, it will remain afloat.
 - b. Every river outfitter, guide, guide in training, guide instructor, trip leader, and commercial passenger aboard a whitewater or decked canoe or hard shell kayak shall wear a securely fastened crash helmet at all times while on the river.
9. If a motorboat, as defined in 33-13-102 (1), C.R.S., is used during a regulated trip, all State boating statutes and regulations pertaining to motorboat registration, use, operation and required equipment apply, except that the personal flotation device requirement shall be as stated in regulation # 304. In addition to the equipment otherwise required by law, each motorboat used during a regulated trip shall also:
- a. Display the river outfitter's company name, logo, or abbreviation, as specified in # 305-6.a.;
 - b. Be equipped with one spare motor or adequate alternate means of propulsion and control;
 - c. Be equipped with a rope, a minimum of ten feet long, attached to the bow and stored when not in use as specified in # 305-6.b.;

- d. Be equipped with a bailing device as specified in # 305-6.c., except that self-bailing vessels are exempt from this requirement; and
- 9. e. Be equipped with one suitable size ladder, capable of accommodating persons boarding from the water and stored so as to be readily accessible.

306 - VESSEL LOADING CAPACITY

1. No river outfitter, guide, or trip leader shall operate, or provide for the operation of any vessel which is overloaded, taking into consideration rated capacities, weather, type of construction, river conditions, weight and bulk of gear/load and any other existing conditions, except as may be required in emergency situations.
2. No river outfitter, guide, or trip leader shall operate, or provide for the operation of any inflatable raft which carries more than the maximum allowable number of individuals, including the river outfitter, guide or trip leader, as specified by the following formula:
 - a. The maximum allowable number of individuals/inflatable raft = $[(\text{length of vessel, rounded to the nearest foot}) \div (2)] + 2 + 1 \text{ guide}$.
 - b. The length of a vessel is a straight-line measurement from the foremost part of the bow to the aftmost part of the stern, measuring parallel to the centerline. The length shall exclude sheer and any attachment or fittings on either the bow or stern.
 - c. The maximum allowable number of individuals calculated by this formula is acceptable only for normal river conditions. The circumstances described in # 306-1. must be considered in calculating a prudent passenger load.

307 - BOAT ACCIDENTS

1. The guide of a vessel involved in a collision, casualty or other accident shall, so far as the guide can do so without serious danger to the guide's own vessel, crew, and passengers, render to other persons affected by the collision, casualty or other accident such assistance as may be practicable and necessary in order to save them from, or to minimize, any danger caused by the collision, casualty or other accident. The guide shall give his/her name, address, and identification of the vessel he/she is guiding, including the name and address of the river outfitter for whom he/she is guiding, in writing to any person involved in the collision, casualty or other accident.
2. A river outfitter shall be responsible for reporting any boating accidents occurring during a regulated trip that directly involve the outfitter's vessels, passengers, guides, or trip leaders.
 - a. A vessel participating in a regulated trip is considered to be involved in a reportable boating accident whenever the occurrence results in unconsciousness, an injury requiring a physician's attention, or loss of life to any person; or the disappearance of any person from on-board under circumstances which indicate the possibility of death or injury. Boating accidents, for the purpose of the boat accident reporting requirement, are only those which occur on the river during regulated trips.
 - b. Any death, or injury or disappearance under circumstances which indicate the possibility of death, of any person from on-board a vessel during a regulated trip, shall be immediately reported by telephone or other means to the local law enforcement agency having jurisdiction. Such accident shall also be reported to the division by telephone or other means as soon as is practicable.
 - c. Blank boat accident report forms will be provided to all licensees by the division. Additional

forms shall be available from the division, upon request.

- d. A full and complete written boat accident report shall be submitted by the river outfitter to the division at the division's address identified on the form. In order for a report to be considered full and complete, all information requested on the form shall be disclosed and provided. If any information requested is unknown, it shall be so stated on the form.

- (1) For any accident involving any death, or injury or disappearance under circumstances which indicate the possibility of death, of any person from on-board a vessel during a regulated trip, the river outfitter shall submit the report to the division within five days of the date of the accident. All such reports that are mailed to the division shall be postmarked within five days of the date of the accident.

- (2) All other boat accident reports shall be submitted by the river outfitter to the division within ten days of the date of the accident.

CHAPTER 4 - SNOWMOBILE REGULATIONS

ARTICLE I - Pursuant to the authority vested in the Parks and Outdoor Recreation Board by Article 14 of Title 33, C.R.S., the following regulations concerning required equipment and the registration of snowmobiles are hereby adopted.

#400 - Registration Information Required on Application

a. Information to be furnished by applicant:

1. Snowmobile make
2. Snowmobile model
3. Snowmobile frame number
4. Model year
5. Cubic centimeters displacement
6. Date purchased
7. Proof of ownership or valid transfer registration certificate
8. Name and address of applicant
9. Date of birth
10. How machine is used

b. Additional information set forth on the registration certificate:

1. Registration number
2. Expiration date of registration
3. Notice to owner of procedure to follow when owner changes address

4. Notice to owner of procedure to follow when machine is transferred, destroyed, abandoned, or permanently removed from the state.
 5. Notice to owner that the operator must carry the certificate of registration while operating the snowmobile.
- c. Pending registration of a snowmobile, a temporary registration of possession on the person of a notarized and dated bill of sale permits the operator of the newly purchased snowmobile to operate the snowmobile in the State of Colorado for a period not to exceed thirty (30) days from date of purchase.

#401 - Display of Validation Decal

- a. The validation decals shall be permanently affixed on each side of the upper half of the cowling of the machine.
- b. Dealers and manufacturers may obtain up to 25 sets of validation decals and shall permanently affix them on each side of the upper half of the cowling of the machine.

#402 - Safety Equipment

- a. Except as provided by law, every snowmobile operating in this state shall be equipped with a muffler in good working order which conforms to the standards set forth in C.R.S. 1973, 42-4-222, as amended.
- b. No snowmobile shall be operated between the hours of sunset and sunrise unless it is equipped with at least one head lamp having a minimum candlepower of sufficient intensity to reveal persons and objects at a distance of at least 100 feet ahead under normal atmospheric conditions. Such head lamp shall be so aimed that glaring rays are not projected into the eyes of operators in oncoming vehicles.
- c. No snowmobile shall be operated between the hours of sunset and sunrise unless it is equipped with at least one red tail lamp, having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear under normal atmospheric conditions.
- d. No snowmobile shall be operated unless it is equipped with brakes adequate to control the movement of, to stop, and to hold the snowmobile under any conditions of operations.

CHAPTER 5 – OFF-HIGHWAY VEHICLE REGULATIONS

ARTICLE I - Pursuant to the authority vested in the Parks and Outdoor Recreation Board by Article 14.5 of Title 33, C.R.S., the following regulations concerning required equipment, off-highway use permits, and the registration of off-highway vehicles are hereby adopted:

#500 - Registration information required on the application:

- a. Information to be furnished by the applicant:
 1. Vehicle make
 2. Vehicle model
 3. Vehicle identification number
 4. Model year

5. Cubic centimeters displacement
6. Date purchased
7. Proof of ownership or valid transfer registration certificate
8. Name and address of applicant
9. Date of birth
10. How the machine is used

b. Additional information set forth on the registration certificate:

1. Registration number
2. Expiration date of registration
3. Notice to owner of procedure to follow when owner changes address
4. Notice to owner of procedure to follow when the machine is transferred, destroyed, abandoned or permanently removed from the state
5. Notice to owner that the operator must carry the certificate of registration while operating the off-highway vehicle.

c. Pending registration of an off-highway vehicle, a temporary registration or possession of a dated bill of sale on the person permits the operator of the newly purchased off-highway vehicle to operate in the State of Colorado for a period not to exceed thirty (30) days from the date of purchase.

#501 - Display of validation decals

- a. Validation decals shall be permanently affixed in a location on the upper forward half of the off-highway vehicle to assure good visibility of the decals.
- b. Dealers and manufacturers may display validation decals on a detachable plate.
- c. Prior to issuing validation decals, the distinctive registration number assigned by the Division shall be permanently marked upon the validation decal.

#502 - Display of Off-Highway Use Permits

- A. When owners or operators of vehicles identified in C.R.S. 33-14.5-112 are required to obtain and display off-highway use permits, such permits shall be displayed as follows:
 1. Off-highway use permits shall be permanently affixed to the extreme lower right-hand corner of the windshield of the vehicle in a position where the permit may be observed and identified.
 2. Any vehicle without a windshield shall be treated as a special case and the operator of such vehicle shall have on his person or in the vehicle the off-highway use permit and shall, upon demand of any peace officer authorized to enforce this law, produce the off-highway use permit for inspection.

#503 - Safety Equipment

- A. Except as provided in section 33-14.5-109 C.R.S., no person shall operate an off-highway vehicle upon public land in this state unless the off-highway vehicle is equipped with a muffler in constant operation and properly maintained. A muffler is a device consisting of a series of chamber or baffle plates or other mechanical design for the purpose of receiving exhaust gas from an internal combustion engine and is effective in reducing noise.
- B. Except as provided in section 33-14.5-109 C.R.S., no person shall operate an off-highway vehicle upon public land in this state unless the off-highway vehicle is equipped with a spark arrestor in good working order which has been approved by the U.S. Forest Service as evidenced by the bona fide permanent marking of "qualified" or "approved" on the spark arrestor. A spark arrestor is a device which traps or pulverizes exhaust particles as they are expelled from an internal combustion engine exhaust system and is effective in reducing exhaust sparks and protecting against exhaust spark fires.
- C. No off-highway vehicle shall be operated upon public land in this state between the hours of sunset and sunrise unless it is equipped with at least one headlamp having minimum candlepower of sufficient intensity to reveal persons or objects at a distance of at least 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. No off-highway vehicle shall be operated upon public land in this state between the hours of sunset and sunrise unless it is equipped with at least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear under normal atmospheric conditions.
- E. Except as provided in section 33-14.5-109 C.R.S., no person shall operate any off-highway vehicle upon public land in this state unless the off-highway vehicle is equipped with a braking system that may be operated by hand or foot, capable of producing deceleration of 14 feet per second on level ground at a speed of 20 miles per hour. The braking system must be adequate to control the movement of, and to stop and to hold the off-highway vehicle stationary on any grade upon which operated.

#504 - Operation of Off-Highway Vehicles

- A. Where the State, the United States, or any agency thereof, has designated any public street, road, or highway of this state open to off-highway vehicles or where local political subdivisions have authorized by ordinance or resolution the establishment of off-highway vehicle routes to permit the operation of off-highway vehicles on city streets or county roads pursuant to the authority granted in C.R.S. 33-14.5-108(1), or upon public land in this state, no person shall operate an off-highway vehicle while carrying any person or riding in any position that will interfere with the operation or control of an off-highway vehicle or the view of the operator.
- B. Where the State, the United States, or any agency thereof, has designated any public street, road, or highway of this state open to off-highway vehicles or where local political subdivisions have authorized by ordinance or resolution the establishment of off-highway vehicle routes to permit the operation of off-highway vehicles on city streets or county roads pursuant to the authority granted in C.R.S. 33-14.5-108(1), no person under the age of ten years may operate an off-highway vehicle on such public street, road, or highway of this state or on such city street or county road. No person ten years of age or older may operate an off-highway vehicle on such public street, road, or highway of this state or on such city street or county road unless:
 - 1. The person has in his possession a valid driver's license issued by the State of Colorado or another state; or

2. The person is accompanied by and under the immediate supervision of a person who has in his possession a valid driver's license issued by the State of Colorado or another state. The phrase "under immediate supervision" shall mean that, at a minimum, the unlicensed operator is within direct visual contact of the licensed supervisor.

CHAPTER 6 - PROCEDURAL RULES

600 - DECLARATORY ORDERS

1. Any person may petition the board for a declaratory order to terminate controversies or to remove uncertainties as to the applicability to the petitioner of any statutory provision or of any regulation of the board.
2. The board will determine, in its discretion, whether to act upon such a petition. The board shall promptly notify the petitioner of its decision and the reasons for the decision.
3. In determining whether to rule upon a petition filed pursuant to this regulation, the board will consider the following matters, among others:
 - a. Whether a ruling on the petition will terminate a controversy or remove uncertainties as to the applicability to the petitioner of any statutory provision or of any regulation of the board.
 - b. Whether the petition involves any subject, question or issue which is the subject of a formal or informal matter or investigation currently pending before the board or a court involving one or more of the petitioners.
 - c. Whether the petition involves any subject, question or issue which is the subject of a formal or informal matter or investigation currently pending before the board or a court but not involving the petitioner.
 - d. Whether the petition seeks a ruling on a moot or hypothetical question or will result in an advisory ruling or opinion.
 - e. Whether the petitioner has some other adequate legal remedy, other than an action for declaratory relief pursuant to Rule 57, Colorado R. Civ. P., which will terminate the controversy or remove any uncertainty as to the applicability to the petitioner of the statute, regulation, or order in question.
4. Any petition filed pursuant to this regulation shall set forth the following:
 - a. The name and address of the petitioner and whether the petitioner is licensed pursuant to Article 32 of Title 33, C.R.S., as amended, or holds any permits, passes, or registrations issued pursuant to Articles 10 through 15 of Title 33, C.R.S., as amended.
 - b. The statute, regulation, or order to which the petition relates.
 - c. A concise statement of all of the facts necessary to show the nature of the controversy or uncertainty and the manner in which the statute, regulation, or order in question applies or potentially applies to the petitioner.
5. If the board determines that it will rule on the petition, the following procedure will apply:
 - a. The board may rule upon the petition based solely upon the facts presented in the petition. In such a case:

- (1) Any ruling of the board will apply only to the extent of the facts presented in the petition and any amendment to the petition.
 - (2) The board may order the petitioner to file a written brief, memorandum or statement of position.
 - (3) The board may set the petition, upon due notice to petitioner, for a non-evidentiary hearing.
 - (4) The board may dispose of the petition on the sole basis of the matters set forth in the petition.
 - (5) The board may request the petitioner to submit additional facts in writing. In such event, such additional facts will be considered as an amendment to the petition.
 - (6) The board may take administrative notice of the facts pursuant to the State Administrative Procedure Act and may utilize available experience, technical competence and specialized knowledge in the disposition of the petition.
 - (7) If the board rules upon the petition without a hearing, it shall promptly notify the petitioner of its decision.
- b. The board may, in its discretion, set the petition for hearing, upon due notice to the petitioner, for the purpose of obtaining additional facts or information or to determine the truth of any facts set forth in the petition or to hear oral argument on the petition. The notice to the petitioner setting such hearing shall set forth, to the extent known, the factual or other matters into which the board intends to inquire. For the purpose of such a hearing, to the extent necessary, the petitioner shall have the burden of proving all of the facts stated in the petition, all of the facts necessary to show the nature of the controversy or uncertainty and the manner in which the statute, regulation, or order in question applies or potentially applies to the petitioner and any other facts the petitioner desires the board to consider.
6. The parties to any proceeding pursuant to this regulation shall be the division and the petitioner. Any other person may seek leave of the board to intervene in such a proceeding, and leave to intervene will be granted at the sole discretion of the board. A petition to intervene shall set the same matters as required by # 600-4. Any reference to "petitioner" in this regulation also refers to any person who has been granted leave to intervene by the board.
7. Any declaratory order or other order disposing of a petition pursuant to this regulation shall constitute final agency action subject to judicial review pursuant to section 24-4-106, C.R.S.

#601 - Lone Mesa Hunting Special Use Permit

1. Purpose: This Hunting Management Plan is designed to establish administration of hunting activities on Lone Mesa State Park.
2. Special Use Permit Procedure
 - a. Permit Numbers
 - (1) The Division of Parks and Outdoor Recreation (DPOR), in consultation with the Colorado Division of Wildlife (DOW), deems hunting activities on Lone Mesa State Park as those which currently require "special planning and/or scheduling for proper management." Therefore, the DPOR necessitates the issuance of a special use permit to visitors wishing to engage in hunting use of the park.

- (2) The maximum number of approved Lone Mesa Hunting Special Use Permits (HUPs) on the park at any one time during six of the big game seasons is as follows:

Archery: Twenty (20) permits

Muzzleloading: Twelve (12)

1st Separate Elk Rifle: Fifteen (15)

2nd Combined Deer/Elk Rifle: Twenty-five (25)

3rd Combined Deer/Elk Rifle: Thirty-five (35)

4th Combined Deer/Elk Rifle: Thirty-five (35)

- (3) The number of hunting HUPs allocated in each of subsequent years, if applicable, will be determined jointly by the DPOR and the DOW after evaluating harvest and other data at the close of each year's hunting.

b. Permit Fees

- (1) Successful permit applicants shall pay the fee associated with their Special Use Permit (see fee schedule section b.5) at least thirty (30) days prior to any access to Lone Mesa State Park.
- (2) Upon payment of the fee and attendance of the mandatory orientation session, a Special Use Permit shall be issued to the applicant.
- (3) If an applicant who is successful in the drawing (see section c.7.) fails to pay the Special Use Permit fee, a permit will not be issued them. The next qualified applicant on the Drawing Log (see section c. 8.), or the next first-come, first-served applicant will be offered a HUP.
- (4) If, at a later date, an applicant's payment of the HUP fee is found to be insufficient due to payment stops, insufficient funds or any other reason, a hunting Special Use Permit will not be issued to them. And, if an HUP had been issued prior to DPOR discovering the insufficient payment, that permit will be voided.
- (5) The schedule of fees associated with the HUP is as follows:
- (a) The fee for the HUP allowing Colorado residents access to Lone Mesa State Park to hunt during archery season, \$100.
 - (b) The fee for the HUP allowing Colorado non-residents access to Lone Mesa State Park to hunt during archery season, \$200.
 - (c) The fee for the HUP allowing Colorado residents access to Lone Mesa State Park to hunt antlerless elk and/or antlerless deer during muzzleloading season, \$100.
 - (d) The fee for the HUP allowing Colorado residents access to Lone Mesa State Park to hunt antlered elk and/or antlered deer during muzzleloading season, \$200.
 - (e) The fee for the HUP allowing Colorado non-residents access to Lone Mesa

State Park to hunt antlerless elk and/or antlerless deer during muzzleloading season, \$200.

- (f) The fee for the HUP allowing Colorado non-residents access to Lone Mesa State Park to hunt antlered elk and/or antlered deer during muzzleloading season, \$300.
- (g) The fee for the HUP allowing Colorado residents access to Lone Mesa State Park to hunt elk during the first elk-only rifle season, \$150.
- (h) The fee for the HUP allowing Colorado non-residents access to Lone Mesa State Park to hunt elk during the first elk-only rifle season, \$250.
- (i) The fee for the HUP allowing Colorado residents access to Lone Mesa State Park to hunt antlerless elk and/or antlerless deer during the second, third, or fourth combined elk/deer rifle season, \$100.
- (j) The fee for the HUP allowing Colorado non-residents access to Lone Mesa State Park to hunt antlerless elk and/or antlerless deer during the second, third, or fourth combined elk/deer rifle season, \$200.
- (k) The fee for the HUP allowing Colorado residents access to Lone Mesa State Park to hunt antlered elk and/or antlered deer during the second, third, or fourth combined elk/deer rifle season, \$200.
- (l) The fee for the HUP allowing Colorado non-residents access to Lone Mesa State Park to hunt antlered elk and/or antlered deer during the second, third, or fourth combined elk/deer rifle season, \$300.

c. Allocation of Permits

- (1) Advertising: it shall be the responsibility of the Park Manager or his/her designee to advertise the availability of Lone Mesa Hunting Special Use Permits through normal media and internet formats.
- (2) Application requests: requests for the application for the Lone Mesa State Park Hunting Special Use Permit can be made by contacting the Lone Mesa State Park office: 1321 Railroad Ave, PO Box 1047, Dolores, Colorado 81323, Phone/Fax: 970-882-2213, e-mail: **lone.mesa.park@state.co.us**
- (3) Requests for permit applications shall be acted upon promptly, and an application for permit shall be mailed, faxed or e-mailed to the prospective permittee within five days of receiving the request.
- (4) Permit applications must be mailed, e-mailed, or faxed to the Lone Mesa State Park office at the above address prior to the application deadline.
- (5) Permit applications will be secured, by the Park Manager or his/her designee until the scheduled public drawing to be held at the Lone Mesa State Park office at least 60 days prior to the opening of the archery season. The public opening of applications will be advertised locally and to the applicants.
- (6) Once opened, the HUP applications will be checked for completeness, logged by applicant name, season desired, and application number, and a drawing "chip" - reflecting the application number- will be created for each complete and legible

qualifying application.

- (7) Drawing: after applications are opened and logged in the Application Log, the drawing for successful applicants will take place. There will be drawings for each of the six big game seasons for which hunting will be permitted on Lone Mesa: archery, muzzleloading, 1st separate limited elk, 2nd combined deer and elk, 3rd combined deer and elk, and 4th combined deer and elk. Permits will be issued in the numbers outlined in this regulation, section 2.a.
- (8) The drawing will continue until all “chips” are drawn, and a Drawing Log will be completed which will list the applicants in the order drawn. The Drawing Log will be used to facilitate fair re-allocation of permits per the re-allocation of unused permits protocol (see section 3.c.).
- (9) Successful applicants will be notified of their success by mail via a Letter of Successful Application, which shall include a summary of rules associated with the HUP (a complete list to be provided with the Permit during the required Orientation and information for remittance of the Special Use Permit fee.

d. Reporting and Filing

- (1) All files pertaining to the Lone Mesa Hunting Special Use Permit will be stored at the Lone Mesa State Park office.
- (2) The Park Manager or designee will include a summary of hunting activity under permit on the Park Manager Monthly Report.
- (3) Revenues derived from the HUP fee will be deposited in the Parks Cash Fund and reflected on the Consignment Usage/Revenue Report for the month such fees are deposited.

3. Field Enforcement Procedure

a. Possession of Permit

- (1) Copies of the Permittee Log will be made available to commissioned DPOR officers and the officers of other cooperating agencies in the interest of maintaining compliance with this plan.
- (2) It shall be the permittee's responsibility to adequately identify themselves as a permit holder when contacted while hunting in Lone Mesa State Park.

b. Statute and Regulation Compliance

- (1) Permit holders will be supplied a list of rules associated with the Hunting Special Use Permit upon issuance of the permit. Failure to comply with the rules of the permit may result in permit revocation.
- (2) Nothing in this Hunting Management Plan or in the rules of the Special Use Permit shall imply or be construed to imply that HUP holders are exempt from any statute or regulation governing hunting, motor vehicle operation, conduct on a state park, or other activity in which the permit holder may engage while performing the activities allowed under the permit. These statutes and regulations include, but are not limited to:

- (a) Permit holders must possess a valid license issued by the Colorado Division of Wildlife (CDOW) for the Game Management Unit, species, and season hunted.
- (b) Vehicles involved in hunting use of the park are required to display a valid Colorado State Parks pass, unless the vehicle displays a Disabled Veteran license plate.

c. Reallocation of Permits

- (1) Permit re-allocations may take place in the event a permittee is unable to engage in the activities of the permit for any reason, including sickness, death, hunting license revocation, permit revocation, park eviction, or simple changes in plans.
- (2) Re-allocations of hunting Special Use Permits will be conducted following this procedure:
 - (a) The Park Manager or designee will attempt to contact the next individual on the drawing log by phone.
 - (b) If the next individual is unable to be contacted upon the first call, the Park Manager or designee will continue down the Drawing Log until an individual can be contacted and notified of the availability of a Lone Mesa Hunting Special Use Permit.
 - (c) If no hunter on the Drawing Log can be contacted, no applicant is qualified, or none is available to hunt the remainder of the season, the availability of the Special Use Permit will be advertised by the Park Manager or designee and the permit may be allocated on a first-come, first-served basis.
 - (d) Hunters who are contacted via the Drawing Log and who obtain or decline a Lone Mesa HUP will have their name removed from the Drawing Log.
- (3) Re-allocated permits shall not be valid until payment of the Hunting Special Use Permit fee and attendance of the hunter orientation by the new permittee.

#602 - GOLDEN GATE CANYON STATE PARK HUNTING SPECIAL USE PERMIT

1. Purpose: this hunting management plan is designed to establish administration of hunting activities on the Green Ranch portion of Golden Gate Canyon State Park.

2. Special use permit procedure

A. Permit numbers

- (1) The Division of Parks and Outdoor Recreation (DPOR), in consultation with the Colorado Division of Wildlife (DOW), deems hunting activities on the Green Ranch portion of Golden Gate Canyon State Park as those which currently require "special planning and/or scheduling for proper management." Therefore, the DPOR necessitates the issuance of a special use permit to visitors wishing to engage in hunting use of the Green Ranch portion of the park.
- (2) The maximum number of approved Green Ranch hunting special use permits (HUPs) on the park at any one time during the 2003 big game season is as follows:

Archery: twenty (20)

Muzzleloading: ten (10)

1st separate elk rifle: ten (10)

2nd combined deer/elk: ten (10)

3rd combined deer/elk: ten (10)

4th combined deer/elk: ten (10)

- (3) The number of hunting HUPs allocated in each of the subsequent years, will be jointly determined by the DPOR and the DOW after evaluating harvest and other data at the close of each year's hunting.

B. Application and permit fees

- (1) Each applicant shall submit a \$10.00 application fee for each application submitted. This must be received with the application.
- (2) Successful permit applications shall pay a special use permit fee of \$100, which must be received by Golden Gate Canyon State Park (address below) prior to any access to the Green Ranch.
- (3) Upon payment of the fee, a special use permit shall be issued to the applicant.
- (4) If an applicant who is successful in the drawing (see section c.7) fails to pay the special use permit fee within 10 days prior to Labor Day, a permit will not be issued to them. The next qualified applicant on the alternate list (see section c.8) will be offered a HUP.
- (5) If, at a later date, an applicant's payment of the HUP fee is found to be insufficient due to payment stops, insufficient funds or any other reason, a hunting special use permit will not be issued to them. If an HUP had been issued prior to DPOR discovering the insufficient payment, that permit will be voided.

C. Allocation of permits

- (1) Advertising: it shall be the responsibility of the park manager or his/her designee to advertise the availability of the Green Ranch hunting special use permits through normal media and internet formats.
- (2) Application requests: requests for the application for the Green Ranch hunting special use permit can be made by sending a self-addressed stamped envelope (SASE) to Golden Gate Canyon State Park, Attn: Green Ranch Hunt: 3873 Highway 46, Golden, Colorado 80403, phone: 303 582-3707. Applications may also be accessed via the internet at www.parks.state.co.us
- (3) Requests for permit applications shall be acted upon promptly, and an application for permit shall be mailed to the prospective applicant within five days of receiving the SASE.
- (4) Permit applications must be mailed to Golden Gate Canyon State Park at the above address and clearly marked "Green Ranch Hunt" on the envelope. All

applications must be received by July 31st for the upcoming big game season.

- (5) Permit applications will be checked for completeness, accuracy and a copy of the hunting license, if applicable (for limited licenses.) All complete and correct permit applications will be logged into a database by applicant name, season desired and application number.
- (6) If clarification or additional information is needed to process the permit application, the park manager or his/her designee will make reasonable attempts to contact the applicant to rectify the application.
- (7) Drawing: the drawing will be held on the first Sunday in August. There will be one random drawing for each of the seven slots on the green ranch: archery, muzzleloading, archery, 1st separate limited elk, 2nd combined deer and elk, 3rd combined deer and elk, and 4th combined deer and elk. Permits will be issued in the numbers outlined in this regulation, section 2.a.
- (8) Fourteen names will be drawn for each of the hunting slots; ten for the "hunter list" and four "alternates" for each slot. If one of the hunters drawn does not wish to accept the HUP, an alternate will be contacted in the consecutive order that they were drawn.
- (9) Successful applicants will be notified of their success by mail via a letter of successful application, which shall include a summary of rules associated with the HUP (a complete list to be provided with the permit during the required orientation) and information for remittance of the special use permit fee.

D. Reporting and filing

- (1) All files pertaining to the Golden Gate Canyon State Park hunting special use permit will be stored at the Golden Gate Canyon State Park office.
- (2) The park manager or his/her designee will include a summary of hunting activity under permit on the park manager monthly report.
- (3) Revenues derived from the HUP and application fee will be deposited in the parks cash fund and reflected on the consignment usage/revenue report for the month such fees are deposited.

3. Field enforcement procedure

A. Possession of permit

- (1) Copies of the "hunter list" will be made available to commissioned DPOR officers and the officers of other cooperating agencies in the interest of maintaining compliance with this plan.
- (2) It shall be the permittee's responsibility to carry the access permit with them while hunting in the green ranch portion of Golden Gate Canyon State Park.

B. Statute and regulation compliance

- (1) Permit holders will be supplied a list of rules associated with the hunting special use permit upon issuance of the permit. Failure to comply with rules of the permit may result in permit revocation.

- (2) Nothing in this hunting management plan or in the rules of the special use permit shall imply or be construed to imply that HUP holders are exempt from any statute or regulation governing hunting, motor vehicle operation, conduct on a state park, or other activity in which the permit holder may engage while performing the activities allowed under the permit. These statutes and regulations include, but are not limited to:
 - (a) Permit holders must possess a valid hunting license issued by the DOW for the game management unit, species and season hunted.
 - (b) Vehicle involved in hunting use on the Green Ranch are required to display a valid Colorado State Parks pass, unless the vehicle displays a disabled veteran license plate.

C. "Alternate" system

- (1) Alternate hunters may be contacted in the event a permittee is unable to engage in the activities of the permit for any reason, including sickness, death, hunting license revocation, permit revocation, park eviction or simple changes in plans.
- (2) Alternates will be contacted in the following manner:
 - (a) The park manager or his/her designee will attempt to contact the next individual on the alternate list by phone.
 - (b) If the next individual is unable to be contacted upon the first call, the park manager or his/her designee will continue down the alternate list until an individual can be contacted and notified of the availability of a Green Ranch special use permit.
 - (c) If no hunter on the alternate list can be contacted, the park manager or his/her designee will return to the applicant pool of the individual slot and randomly draw four more alternates. This process will be continued until the hunting slot is filled by a qualified applicant.
 - (d) If no hunter can be contacted, no applicant is qualified, or none is available to hunt the remainder of the season, the availability of the special use permit will be advertised by the park manager or his/her designee and the permit may be issued on a first-come, first-served basis.
 - (e) Hunters who are contacted via the hunting list or alternate list and who obtain or decline a Green Ranch HUP will have their name removed from the applicant pool.
- (2) Alternate permits shall not be valid until payment of the hunting special use permit fee and application fee by the new permittee.

D. Refund policy

- (1) Refunds will only be provided by relinquishing the Green Ranch special use permit before the opening day of the slot for which the permit is valid.

CHAPTER 7 - PASSES, PERMITS AND REGISTRATIONS

ARTICLE I - GENERAL PROVISIONS AND FEES RELATING TO PASSES, PERMITS AND

REGISTRATIONS

VEHICLE PASSES

#700 - VEHICLE PASS

1. Except as otherwise provided in these regulations or by Colorado Revised Statutes, no motor vehicle shall be brought onto any Parks and Outdoor Recreation lands unless a valid pass issued by the Division is properly attached. Passes that are designed to be affixed to the windshield shall be attached to the extreme lower right-hand corner of the vehicle's windshield in a position so that the pass may be observed and identified. For an annual vehicle pass, including an aspen leaf annual pass to be properly attached to a windshield it must be permanently affixed. Any vehicle without a windshield shall be treated as a special case, but evidence of a pass shall be required. Other types of passes, such as hang tag passes, shall be continuously displayed in the motor vehicle in the manner described on the pass while the motor vehicle is operated or parked on Division properties.
2. No vehicle pass shall be required for:
 - a. Any snowmobile as defined in section 33-14-101, C.R.S.;
 - b. Any off-highway vehicle as defined in section 33-14.5-101(3), C.R.S.;
 - c. Any government-owned vehicle, emergency vehicle, or law enforcement vehicle on official business;
 - d. Any commercial delivery vehicle delivering goods to the park or a park concessionaire when the goods are directly related to the operation of the park or concession;
 - e. Any resident's vehicle displaying a Colorado disabled veteran's license plate pursuant to section 42-3-134(3)(a), C.R.S., and as provided for in section 33-12-106(1), C.R.S.;
 - f. Any vehicle bringing a qualified holder of a transferable Columbine or a Centennial annual pass into a park;
 - g. Any vehicle that is not required to have a vehicle pass pursuant to the special activity regulation #703;
 - h. Any vehicle entering a park on Colorado day;
 - i. Any vehicle that is exclusively towed; or
 - j. Any vehicle occupied by a current, reserve or honorably discharged member of any United States military service, on the State observance of Veteran's Day. At least one form of past or present military identification shall be presented at the Park entrance. Acceptable forms of military identification include:
 - DD214;
 - Active, retired or veteran military cards;
 - The display of military license plates.
3. The types of annual vehicle passes available from the Division are as follows:

- a. An Aspen Leaf annual pass as provided for in section 33-12-103, C.R.S.; and
 - b. An annual vehicle pass, which is available for any vehicle except passenger vans and buses operated by a commercial business.
 - (1) Commercial passenger vans and buses are eligible to purchase daily, but not annual, vehicle passes.
 - (2) School buses on official school outings, passenger vans and buses operated by a nonprofit corporation or organization as defined in 13-21-115.5 (3), C.R.S., and passenger vans and buses operated by any government agency are eligible for either daily or annual vehicle passes.
4. Daily vehicle passes are as follows:
- a. A fee of \$7.00 per vehicle for any vehicle except for:
 - (1) Passenger vans and buses operated by a commercial business;
 - (2) A \$1.00 per vehicle capacity fee will be added to the cost of daily vehicle passes at Cherry Creek, Chatfield, and Boyd Lake State Recreation Areas, and Eldorado Canyon State Park.
 - b. School buses on official school outings, passenger vans and buses operated by a nonprofit corporation or organization as defined in 13-21-115.5 (3), C.R.S., and passenger vans and buses operated by any government agency are eligible to purchase a daily vehicle pass.
 - c. For passenger vans and buses operated by a commercial business, the daily vehicle pass fee will be based upon the number of passengers on-board. The fee shall be \$10.00 for up to fifteen passengers on-board, \$40.00 for sixteen to thirty passengers on-board, and \$50.00 for more than thirty passengers on-board.
5. An annual vehicle pass shall be issued and, by appropriate language, authorize entrance by motor vehicle to all state recreation areas and state parks during the period beginning on the date of purchase through the last day of the same month in the following year. Such authorization shall apply to the user and all passengers in the motor vehicle to which the pass is affixed. One pass shall cover all state recreation areas and state parks.
6. Additional annual vehicle passes may be issued to an owner or to the owner's immediate family members. Additional annual vehicle passes authorize entrance by motor vehicle to all state recreation areas and state parks during the period beginning on the date of purchase of the additional pass through the expiration date of the associated original full-priced annual pass. Owners of school buses, passenger vans and buses owned by a nonprofit corporation or organization as defined in 13-21-115.5 (3), C.R.S., and passenger vans and buses owned by any government agency are limited to purchasing no more than two additional annual vehicle passes at a reduced fee per each annual vehicle pass purchased at the full fee. For the purpose of this regulation, "immediate family members" are defined as spouses and children with valid driver's licenses living at the same address. "Owner" is defined as the person whose name appears on the registration of both the original vehicle for which an annual pass was purchased and the additional vehicle, or a person who can provide proof of ownership of the original and the additional vehicle at a designated Division office.
7. If the motor vehicle for which an annual vehicle pass or additional vehicle pass was issued is sold or traded, or if the pass is lost or destroyed during the period in which it is valid, the person to whom

the pass was issued may obtain a duplicate thereof, upon signing an affidavit reciting where and by whom it was issued and the circumstances under which it was lost or traded. Upon payment of a fee of \$5.00, a new pass effective for the remainder of the period that the lost or destroyed pass would have been valid may be issued only by the Division to the original owner of such pass.

8. A daily park pass, valid for one day only, shall authorize entrance by motor vehicle to the state recreation areas and state parks by the user and all passengers in the motor vehicle to which the pass is affixed during the day used and until 12:00 P.M. (noon) the following day.
9. A no fee pass shall be issued to any vehicle towed or carried in by a motor home if a camping permit or proof of a campsite reservation is presented at an attended visitor center, office or entrance station. The no fee pass, valid for the same time period as the camping permit or camping reservation, shall authorize entrance by motor vehicle to the state recreation areas and state parks by the user and all passengers in the motor vehicle to which the pass is affixed. For the purpose of this regulation, motor home means a vehicle designed to provide temporary living quarters and which is built into, as an integral part of or a permanent attachment to, a motor vehicle chassis or van.

INDIVIDUAL PASSES

#701 - INDIVIDUAL PASSES

1. Individuals entering state recreation areas and state parks by means other than a motor vehicle, such as on foot, bicycle, horseback, etc., may enter without purchasing a parks pass, except as otherwise required by these regulations. No individual pass shall be required under the circumstances identified in regulation # 700-2.a. through # 700-2.e. and # 700-2.g. through # 700-2.i.
2. A disabled resident may obtain a Columbine annual pass pursuant to 33-12-103.5, C.R.S. A resident who qualifies for a Centennial annual pass may obtain such pass as provided for in this regulation. The Columbine and the Centennial annual passes are transferable and are valid whenever temporarily affixed to any vehicle used to bring the pass holder into a park.
3. A Columbine or a Centennial annual pass shall authorize entrance by motor vehicle, when and where motor vehicle access is permitted, to all state recreation areas and state parks. Such authorization shall apply to the holder of the Columbine or the Centennial annual pass and all the passengers in, and the driver of, the motor vehicle carrying the holder of such annual pass. Such annual parks pass must be continuously displayed in the manner described on the pass while the motor vehicle transporting the holder of the pass is operated or parked on division properties. Additional fees may be required at some facilities such as campgrounds, group picnic areas and swim beaches.
4. A Columbine or a Centennial annual parks pass shall be issued following the Division's receipt of a completed application from a qualified resident of the state and the payment of the necessary fee.
5. In order to qualify for a Columbine annual parks pass, a resident must provide written proof to the Division:
 - a. That he or she has been determined to be totally and permanently disabled by the Social Security Administration; or
 - b. That he or she has been determined to be totally and permanently disabled by the Division of Workers' Compensation; or
 - c. That he or she has been determined by a physician to have a physical or mental impairment

which prevents gainful employment and is reasonably certain to continue throughout the person's lifetime.

6. In order to qualify for a Centennial annual parks pass, a resident must show a photo identification card and provide written proof, in the form of a federal income tax return from the immediately preceding calendar year, that the federal total annual income of such individual is at or below the threshold amount, based on the number of dependents, for a state parks Centennial annual pass.

The federal total annual income amounts, based on the number of dependents, cannot be greater than those listed in the poverty guidelines set forth in the *Federal Register Volume 77, Number 17* (January 26, 2012) issued by the U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, Room 404E, Humphrey Building, Department of Health and Human Services, Washington, DC 20201 under the authority of 42 U.S.C. 9902(2). This federal guideline, but not later amendments to or editions thereof, has been incorporated by reference and can be viewed and copies obtained as set forth in Regulation No. 020.F of the Wildlife Regulations (2 CCR 406-0).

If the individual's income is at a level where he or she was not required to file a federal income tax return for the immediately preceding calendar year, such individual shall sign a statement under penalty of perjury in the second degree to such effect. No such affidavit shall be required to be notarized.

7. The Columbine and the Centennial annual parks pass application shall be on a form provided by the Division. Blank applications shall be available, during regular business hours, at the Divisions' regional offices, Denver offices, and service centers.
8. Individuals applying to the Division for a Columbine or a Centennial annual parks pass must provide the following information:
 - a. Full name and address, including city, county, state and zip code; and
 - b. Phone number, unless the phone number is unlisted or non-published; and
 - c. Date of birth and age; and
 - d. Physical description, including sex, height, weight, hair and eye color; and
 - e. Applicant's signature and date of application; and
 - f. If applying for a Columbine annual parks, information concerning the nature of the applicant's disability, together with supporting evidence of the same.
 - g. If applying for a Centennial annual parks pass, information concerning the applicant's total annual income and number of dependents together with supporting evidence of the same.
9. The Columbine and the Centennial annual parks pass application form shall contain language explaining that the completed and signed application, once submitted to the Division, will be treated in all respects as a sworn statement. The form shall also contain an oath that includes an affirmation attesting to the truth of that which is stated, the applicant is aware that statements made are intended to be represented as true and correct statements, and that false statements are punishable by law.
10. At the time that an application for a Columbine or a Centennial annual parks pass is submitted to the Division, the appropriate fee shall also be paid.

11. Pending the issuance of a Columbine or a Centennial annual parks pass, possession on the applicant of a bona fide copy of the application permits the applicant and others in the motor vehicle carrying the applicant entrance by motor vehicle to all state parks and state recreation areas, when and where motor vehicle access is permitted, for a period of thirty days following the date of filing the application with the Division or until receipt of notice from the Division either granting or denying the application request, whichever period of time is shorter.
12. Within 15 days of the Division's receipt of a completed Columbine or Centennial annual parks pass application and the appropriate fee payment, the Division shall review and approve or deny the application.
 - a. Completed applications shall be approved if the minimum qualifications set forth in this regulation are met.
 - b. Conversely, if the minimum qualifications are not met, then the application shall be denied. The applicant shall be notified in writing within five working days upon denial of a request. Such written notification shall include an explanation of the basis for denial and a refund of any fee paid.
 - c. The applicant may appeal this decision to the Division Director by notifying the Director in writing within sixty days of the Division's mailing of the denial notice. A faster appeal will be necessary when the calendar year will end prior to the expiration of the sixty-day appeal period.
 - d. The address utilized by the Division for all mailings associated with the processing of a Columbine or Centennial annual parks pass application shall be the address indicated on the application.
13. If a Columbine or a Centennial annual pass is lost or destroyed during the period of time that it would otherwise would have been valid, the person to whom the pass was issued may obtain a duplicate thereof, upon signing an affidavit reciting where and by whom it was issued and circumstances under which it was lost. Upon payment of a fee of \$5.00, a new pass may be issued only by the Division to the original owner of such Columbine or Centennial annual pass.
14. The receipt for the annual vehicle pass shall be used as an annual walk-in pass for visitors entering Eldorado Canyon State Park, Lory State Park, Colorado State Forest State Park, Arkansas Headwaters Recreation Area.
15. Individual daily pass fees are as follows:
 - a. A fee of \$3.00 per person for any person of the age of sixteen or more years shall be charged for a daily pass for all visitors entering Eldorado Canyon, Colorado State Forest, and Lory State Parks, except those entering the park in a motor vehicle with a valid parks pass.
 - b. A fee of \$3.00 per person for any person of the age of sixteen or more years shall be charged for a daily pass for all visitors entering the developed and posted fee sites of Arkansas Headwaters Recreation Area, except those entering the park in a motor vehicle with a valid parks pass.
16. Volunteers for the division of parks and outdoor recreation are eligible for a volunteer park pass while serving in accordance with a signed individual volunteer agreement and after donating a minimum of 48 hours of approved volunteer service within a previous consecutive 12-month period.
 - a. A valid volunteer pass shall be accepted in lieu of a fee assessed for a park pass.

- b. The volunteer park pass is valid for one year from the date of issue.
 - c. The volunteer park pass is transferable and valid whenever temporarily affixed to any vehicle used to bring the pass holder into a park, or for walk-in use, when in possession of the eligible pass holder.
17. Volunteers for the Division of Parks and Outdoor Recreation who are 64 years of age or older, regardless of their state of residence, are eligible for the senior volunteer park pass while serving in accordance with a signed individual volunteer agreement and after donating a minimum of 48 hours of approved volunteer service within a previous consecutive 12 month period.
- a. A valid senior volunteer pass shall be accepted in lieu of a fee assessed for a park pass.
 - b. The senior volunteer park pass is valid for one year from the date of issue.
 - c. The senior volunteer park pass is transferable and valid whenever temporarily affixed to any vehicle used to bring the pass holder into a park, or for walk-in use, when in the possession of the eligible pass holder.
 - d. Senior volunteer pass holders shall receive campground use permits at a reduced rate equal to the current aspen leaf pass holder camping permit rate, as specified in regulation #705. This reduced rate applies to all days of the year when such areas are open, except weekends and holiday. For the purpose of determining reduced rate campground permit eligibility, "weekend" means the time period beginning at noon on Friday through 12 noon on Sunday, and "holiday" shall mean the time period beginning at noon on the day prior to the legal holiday through 12 midnight on the legal holiday. The camping permit reduced fees associated with the senior volunteer pass are identified in regulation #708.

#702 - BOARD AUTHORITY

1. The Board may waive the requirement for a park pass, or it may close any state park or state recreation area, or portions thereof, whenever it finds the action necessary to protect and promote the health, safety and general welfare of the people of this state.

SPECIAL ACTIVITIES

#703 - SPECIAL ACTIVITIES REQUIRING PERMITS

1. "Special activities" means those events which have the potential for a significant adverse impact on park values or health, safety or welfare of park visitors or which may otherwise require special planning/scheduling for proper management. Special activities shall require prior approval in the form of a special-activities permit. Applications thereof generally shall be made to the Park Manager at least ninety (90) days prior to the event. Such application must be accompanied by the appropriate application filing fee. This requirement for an application to be filed ninety days prior to an event will be waived in rare circumstances where arrangements can be made in a shorter time without putting undue administrative burden on the Park Manager or when no special arrangements are necessary.
2. The decision of whether to approve special activity permits will be made by the Park Manager when it is determined that the special activities will not involve the use of a park or recreation area by a group of persons totaling more than the park or recreation area's established carrying capacity. Otherwise, the Regional Manager shall make the decision of whether to approve the permits. The decision of whether to approve special activities permits will be based on the impact on park values and/or the health, safety and welfare of park visitors and other affected persons, and also will be based on:

- a. The nature of the park or recreation area and the types of recreational opportunities/resources it is intended to provide the public
 - b. The carrying capacity of the facility or facilities to be utilized during the special activity compared to:
 - (1) The total number of park visitors (including participants and spectators in the special activity) expected to utilize such facilities; and
 - (2) The total number of vehicles, vessels or persons expected to participate in or be attracted to such activities.
 - c. The extent to which the special activity will contribute to the variety of outdoor recreational opportunities available to the people of this state and its visitors.
 - d. The extent to which the activity places an administrative burden on the staff of the park area.
3. Permits will be denied when a proposed special activity would have significant adverse impact on park values, pose significant threats to the health, safety or welfare of park visitors or other person, be inconsistent with area management plans or intended facility use, or place an unreasonable administrative burden on park staff.
4. Whenever it is determined that any special activity will involve the use of a park or recreation area by a group of persons totaling more than the park's or recreation area's established carrying capacity a thirty day written public comment period and a public meeting shall be required prior to the granting of a permit. The Park Manager shall publish notice of both the written comment period and the meeting at least once in a newspaper of general circulation in the county or counties wherein said park or recreation area is located. The meeting shall be conducted by the Division representative responsible for the permit issuance decision and shall be held either at the park or recreation area, or within a county in which the park or recreation area is located. Such public meeting is not intended to be an adjudicatory licensing hearing under the provisions of the Colorado Administrative Procedures Act, but only as an opportunity for public comment.
5. An application for a permit shall be acted upon promptly, and the applicant shall be notified immediately after the taking of action on the application. If the application is denied, the applicant shall be notified in writing within five working days of such action. Such written notification shall include the basis for the denial. The applicant may submit a written appeal of a denial to the Division Director within sixty days of receipt of the denial, requesting a hearing pursuant to section 24-2-104(9), C.R.S., If the date of the proposed special activity is to occur within the sixty day appeal period, then the applicant shall submit any written appeal as soon as practicable so as to allow a reasonable time for the Director to act upon the appeal. Absent special circumstances justifying a later submittal and depending upon the nature of the proposed special activity and the amount of preparation required on the part of the Division for such activity, generally an appeal submitted less than twenty-five days prior to the proposed special activity will be deemed untimely.
6. Upon written request, the Division shall waive the requirement for a parks pass for those vehicles when all the occupants are entering parks and outdoor recreation areas for the purpose of administering permitted special activities and not for the purpose of their own recreation.
7. For special activities where the Division representative responsible for the permit issuance decision determines it will be a greater administrative ease for the Division to administer the activity, an alternative fee of \$2.00 per person per day may be charged for admission of persons attending or participating in the special activity. This permission shall apply only to groups of twenty or more persons.

CAMPGROUND USE PERMITS

704 - CAMPGROUND USE PERMITS AND GROUP CAMPGROUND USE PERMITS

1. No person shall camp in designated campgrounds or use any campground facilities of any park or recreation area unless such use is by authority of a valid campground-use permit issued by the Division of Parks and Outdoor Recreation.
2. In order to obtain a campground-use permit, a member of the camping party must be present with the camping unit, ready to make immediate occupancy of the campsite, or a reservation must be made through the approved campsite reservation system. No person may reserve or hold a campsite for another party by purchasing a campground-use permit for an additional site.
3. Possession of a valid campground-use permit visibly displayed at a place provided at each campsite shall authorize a single camping unit (tent, camper, etc.) occupied by a single family unit, or a maximum of six (6) persons to camp in a campsite until 12:00 P.M. (noon) the following day. No person shall remove a valid campground-use permit or reservation card from the place provided for display prior to the expiration of such permit or card and/or occupy any campsite displaying such a permit or card or otherwise posted as already occupied by another party in accordance with these regulations.
4. A valid vehicle or individual pass, as required by regulations # 700 and # 701 respectively, shall be required for each motor vehicle for each night of camping.
5. Definitions as used in these regulations, unless the context requires otherwise:
 - a. "Full-Hookup Campground" means those with highly developed facilities. Individual campsites will be designated and include a high-use pad with table, grill and/or fire ring and individual pressurized water, sewer and/or electrical connections. Flush toilets, lavatory and shower facilities, and trash receptacles will be available. Grocery store, food-service facilities, sanitary dump station, laundry facilities, or other developed amenities may be available.
 - b. "Electrical Campground" means those with fairly developed facilities. Individual campsites will be designated and include a high-use pad, picnic table, grill and/or fire ring and individual electrical connections.
 - c. "Basic Campground" includes those campgrounds providing basic facilities and improvements. Individual campsites shall be designated and include a table, grill and/or fire ring.
 - d. "Primitive Campground" includes those campgrounds where only limited facilities or improvements are provided. Individual campsites may not be designated and may not include individual tables, grills or fire rings. Centrally located vault toilets and trash receptacles may be provided; however, drinking water generally will not be available.
 - e. Notwithstanding the established campground fees, the Board delegates to the Division Director the authority to lower a campground's classification by one class, and consequently lower the campground fee, when the Division Director determines that it is necessary to do so based upon one or more of the following criteria:
 - (1) A significant increase in the vacancy rate for the campground exists.
 - (2) A significant need to rehabilitate the campground facilities exists.

- (3) A temporary closure of campground facilities is necessary in order to implement repairs.

Upon a determination by the Division Director that the cause for lowering the campground classification has been abated, the original campground classification will be reinstated.

6. For the following facilities all camping reservations shall be for a minimum of two nights:

- a. From May 1 - November 30:

- (1) All yurts at Pearl Lake State Park.
- (2) All cabins at Mueller State Park.
- (3) Large cabin #1 at Sylvan Lake State Park.

- b. Year-round:

- (1) All facilities at Harmsen Ranch and Works Ranch at Golden Gate Canyon State Park.

7. The cancellation fee for group camping reservations at all group camping sites in the system shall be equal to the amount of the first night's fee if the cancellation is made within fourteen days of the first reserved date.

#705 - ASPEN LEAF ANNUAL PASSHOLDERS

1. A resident of this state who is sixty-four years of age or older may obtain an Aspen Leaf annual pass. The fee for an Aspen Leaf annual pass is identified in regulation #708.
2. Individuals possessing a valid Aspen Leaf annual pass shall receive campground use permits at a reduced rate all days of the year when such areas are open, except weekends and holidays. For the purpose of determining reduced rate campground permit eligibility, "weekend" means the time period beginning at 12 noon on Friday through 12 noon on Sunday, and "Holiday" shall mean the time period beginning at 12 noon on the day prior to the legal holiday through 12 midnight of the legal holiday. The camping permit reduced fees associated with the Aspen Leaf annual pass are identified in regulation # 708.
3. The aspen Leaf Annual pass holder must own in whole or in part any vehicle to which the Aspen Leaf annual pass is affixed and used to enter a park area.
4. A resident of this state who is sixty-four years of age or older may obtain an Aspen Leaf Lifetime Pass, valid from the date the pass is purchased through the lifetime of the pass holder. An Aspen Leaf Lifetime Passholder may obtain a free Aspen Leaf annual pass for a single vehicle the holder owns in whole or in part. The free Aspen Leaf annual pass shall be affixed to such vehicle owned by the passholder. Additional passes may be purchased pursuant no. 708(1)(e)(2).

#706 - GROUP PICNIC AREA PERMITS

1. No person shall use any facility of any group picnic area unless such use is by authority of a valid permit issued by the Division of Parks and Outdoor Recreation.
2. All permits and reservations must be received in advance. The group picnic area cancellation fee for all group picnic sites within the system shall be equal to 25% of the base fee if the cancellation is made more than fourteen days prior to the reserved date. If the cancellation is made within

fourteen days of the reserved date, then the cancellation fee shall be 100% of the base fee.

3. Definitions as used in these regulations, unless the context requires otherwise:

- a. "Class A – Deluxe Group Picnic Area" means those with highly developed facilities. The picnic area will be designated and include a covered shelter, picnic tables, a grill, and electrical connections. Restroom facilities, trash receptacles, water and lighting will be available.
- b. "Class B – Improved Group Picnic Area" means those with fairly developed facilities. The picnic area will be designated and include picnic tables and a grill. Trash receptacles and water will be available.
- c. "Class C – Basic Group Picnic Area" means those providing basic facilities. The picnic area will be designated and include picnic tables and a grill. Sanitary facilities shall generally consist of vault-type toilets.

#707 - SWIM BEACH PASSES – "Reserved"

- 1. A daily or annual swimbeach pass shall be required for a person to enter the Rock Canyon swim beach within Pueblo State Recreation Area.

#708 - PASS AND PERMIT FEE SCHEDULE

- 1. The fees for the types of vehicle passes issued by the Division are as follows.

- a. Aspen leaf annual pass.....\$60.00
- b. Aspen Leaf Lifetime Pass.....\$300.00
- c. Annual vehicle pass.....\$70.00
- d. Annual vehicle passes purchased in large quantities during a single sale, transaction will be discounted as follows.
 - (1) Twenty or more passes, but less than fifty.....20% discount
 - (2) Fifty or more passes, but less than one hundred.....25% discount
 - (3) One hundred passes or more.....30% discount
- e. (1) Each additional annual vehicle pass for noncommercial vehicles.....\$35.00
 - (2) Each additional Aspen Leaf vehicle pass for noncommercial vehicles.....\$30.00
- f. Each replacement annual vehicle pass.....\$5.00
- g. Each daily vehicle pass (exceptions follow).....\$7.00
 - (1) At Cherry Creek, Chatfield, and Boyd Lake State Recreation Areas, and Eldorado Canyon State Park.....\$8.00
- h. Each daily vehicle pass for a passenger van or bus operated by a commercial business:
 - (1) carrying up to fifteen passengers.....\$10.00

- (2) carrying sixteen to thirty passengers.....\$40.00
 - (3) carrying more than thirty passengers.....\$50.00
- 2. The fees for the types of individual passes issued by the Division are as follows. Eligibility requirements are stated in regulation #701.
 - a. Columbine or Centennial annual pass.....\$14.00
 - b. Each replacement Columbine or Centennial annual pass.....\$5.00
 - c. Individual daily passes (applies to persons sixteen years of age or older) for Eldorado Canyon, Colorado State Forest, Lory State Parks and Arkansas Headwaters Recreation Area.....\$3.00
- 3. The fees associated with special activities, as provided for in regulation # 703 are:
 - a. Special activity alternate individual fee (applies to groups of twenty or more people in size).....\$2.00
 - b. Special activity application filing fee.....\$20.00
- 4. The fees for the type of campground-use permits issued by the Division are as follows. Campground classes are defined in regulation #704.
 - a. Campground-use permit for "Full Hookup Campgrounds"\$24.00/night
 - b. Campground-use permit for "Electrical Campgrounds"\$20.00/night
 - c. Campground-use permit for "Basic Campgrounds"\$16.00/night
 - d. Campground-use permit for "Primitive Campgrounds"\$10.00/night
 - e. From May 1 through September 30 at Chatfield, Cherry Creek, Cheyenne Mountain, Golden Gate, Highline, Mueller, Pearl Lake, Rifle Falls, Ridgway, St. Vrain, Steamboat and Sylvan Lake the camping fees shall be:
 - (1) Campground-use permit for "full hookup campgrounds"\$26.00/night
 - (2) Campground-use permit for "electrical campgrounds"\$22.00/night
 - (3) Campground-use permit for "basic campgrounds"\$18.00/night
 - (4) Campground-use permit for "primitive campgrounds"\$12.00/night
- 5. The fees for reduced rate Aspen Leaf and senior volunteer park pass campground-use permits issued by the Division are as follows. Eligibility requirements are stated in regulation #701 and regulation #705. Reduced rates are offered all days of the year when the campground is open, except weekends and holidays.
 - a. Campground-use permit for "Full Hookup Campgrounds"\$21.00/night
 - b. Campground-use permit for "Electrical Campgrounds"\$17.00/night
 - c. Campground-use permit for "Basic Campgrounds"\$13.00/night

d. Campground-use permit for "Primitive Campgrounds"\$7.00/night

e. From May 1 through September 30 at Chatfield, Cherry Creek, Cheyenne Mountain, Golden Gate, Highline, Mueller, Pearl Lake, Rifle Falls, Ridgway, St. Vrain, Steamboat and Sylvan Lake the camping fees for reduced rate Aspen Leaf and senior volunteer pass campground-use permits shall be:

(1) Campground-use permit for "full hookup campgrounds"\$23.00/night

(2) Campground-use permit for "electrical campgrounds"\$19.00/night

(3) Campground-use permit for "basic campgrounds"\$15.00/night

(4) Campground-use permit for "primitive campgrounds"\$9.00/night

6. The fees for types of campground-use areas are as follows. Campground classes are defined in regulation #704.

a. In group camp areas of "Full Hookup Campgrounds," the fee shall be \$24.00 per night per campsite assigned to such group area.

b. In group camp areas of "Electrical Campgrounds," the fee shall be \$20.00 per night per campsite assigned to such group area.

c. In group camp areas of "Basic Campgrounds," the fee shall be \$16.00 per night per campsite assigned to such group area.

d. In group camp areas of "Primitive Campgrounds," the fee shall be \$10.00 per night per campsite assigned to such group area.

e. From May 1 through September 30 at Chatfield, Cherry Creek, Cheyenne Mountain, Golden Gate, Highline, Mueller, Pearl Lake, Rifle Falls, Ridgway, St. Vrain, Steamboat and Sylvan Lake the camping fees for group camp areas shall be:

(1) Campground-use permit for "Full Hookup Campgrounds"
\$26.00/night

(2) Campground-use permit for "Electrical Campgrounds"
\$22.00/night

(3) Campground-use permit for "Basic Campgrounds"
\$18.00/night

(4) Campground-use permit for "Primitive Campgrounds"
\$12.00/night

7. The fees for types of cabins and yurts are as follows:

a. For small cabins and yurts that may accommodate a maximum of six people:

(1) Standard.....\$70.00/night

(2) Premium.....\$100.00/night

b. For large cabins and yurts that may accommodate seven or more people:

- (1) Standard.....\$100.00/night
- (2) Premium two bedroom.....\$130.00/night
- (3) Premium three bedroom.....\$170.00/night
- (4) Premium four bedroom.....\$230.00/night
- (5) Each additional premium bedroom over four bedrooms.....\$60.00/night

c. For Mueller State Park Cabins and Harmsen Ranch at Golden Gate Canyon State Park:

- (1) Premium two bedroom.....\$140.00/night
- (2) Premium three bedroom.....\$200.00/night
- (3) Premium four bedroom.....\$260.00/night

d. The maximum occupancy shall be posted in each cabin and yurt.

e. There shall be an additional fee of \$10.00/night for pets where pets are allowed. For barn and corral facilities, there shall be a boarding fee of \$10.00/animal/night.

f. Premium facilities contain showers and flush toilets.

g. Notwithstanding the established cabin and yurt fees, the board delegates to the division director the authority to lower a cabin or yurt fee by twenty-five percent when the division director determines that it is necessary to do so based upon one or more of the following criteria:

- (1) A significant increase in the vacancy rate for the cabin or yurt exists.
- (2) A significant need to rehabilitate the cabin or yurt facilities exists.
- (3) A temporary closure of facilities is necessary in order to implement repairs.

Upon a determination by the division director that the cause for lowering the cabin or yurt fee has been abated, the original fee will be reinstated.

8. The fees associated with the reservation system are as follows:

a. Campsite, cabin and yurt reservation fee.....\$10.00/campsite, cabin or yurt

b. Each reservation change or cancellation.....\$6.00/each

- (1) For cancellations made fourteen days or more prior to the beginning date of the reservation, the campsite reservation fee will be retained and the cancellation fee will be charged.
- (2) For cancellations made less than fourteen days prior to the beginning date of the reservation, the campsite reservation fee will be retained and the first night's camping fee will be charged.

c. On-park facility reservation fee.....\$10.00/facility

- (1) For group camping areas, group picnic areas, and event facilities, the cancellation fees shall be as described in regulations #704, #706, and #708, respectively.

9. The group picnic area permit fees for the permits issued by the Division are as follows. Group picnic area classes are defined in regulation #706.

- a. Permit for "Class A - Deluxe Group Picnic Area"\$90.00
- b. Permit for "Class B - Improved Group Picnic Area"\$60.00
- c. Permit for "Class C - Basic Group Picnic Area"\$30.00

10. Event facility permit fees are as follows.

- a. For Bridge Canyon Overlook and Pikes Peak Amphitheater at Castlewood Canyon State Park, Panorama Point and Golden Gate Canyon State Park, and Soldier Canyon Shelter at Lory State Park:

(1) Monday through Friday.....\$150.00/2 HOURS

(2) Saturday and Sunday.....\$300.00/2 HOURS

- b. For event facilities numbers 1 and 3 at Castlewood Canyon State Park, Lyons Overlook at Roxborough State Park and Timber Event Facility at Lory State Park:

(1) Monday through Friday.....\$100.00

(2) Saturday and Sunday.....\$150.00

- c. For event facility number 2 at Castlewood Canyon State Park, Fountain Valley Overlook at Roxborough State Park and South Eltuck Event Facility at Lory State Park:

(1) Monday through Friday.....\$75.00

(2) Saturday and Sunday.....\$125.00

- d. For the Red Barn at Golden Gate Canyon State Park:

(1) Monday through Friday.....\$150.00

(2) Saturday and Sunday.....\$200.00

- e. For Mariner Point at Boyd Lake State Park:

(1) Monday through Friday.....\$90.00

(2) Saturday, Sunday, and holidays.....\$180.00

- f. For Prairie Skipper event facility at Cheyenne Mountain State Park:

(1) Monday through Friday\$150.00/DAY

(2) Saturday and Sunday.....\$200.00/DAY

- g. For Prairie Falcon event facility at Cheyenne Mountain State Park:

- (1) Fridays and Saturdays from the first weekend in May through the last weekend in September\$300.00/2 HOURS
 - (2) Fridays and Saturdays October through April...\$150.00/2 HOURS
 - (3) Sunday through Thursday year round.....\$150.00/2 HOURS
- h. For PA-CO-CHU-PUK event facilities at Ridgway State Park:
 - (1) single event shelter A or B:
 - (a) Monday through Thursday.....\$125.00/DAY
 - (b) Friday through Sunday and holidays\$150.00/DAY
 - (2) Shelters and A and B combined:
 - (a) Monday through Thursday.....\$235.00/DAY
 - (b) Friday through Sunday and holidays.....\$275.00/DAY
- i. Conference and/or meeting rooms.....\$100.00/DAY
- j. Cancellation fees for event facility reservations are equal to 25% of the base fee if the cancellation is made more than fourteen days prior to the reserved date. If a cancellation is made within fourteen days prior to the event, the cancellation fee shall be 100% of the total event permit fee.
- k. The maximum occupancy and hours of operation shall be posted at each event facility.
- 11. The fees associated with dog off leash areas at Chatfield State Park and Cherry Creek State Park, as provided for in regulation #100 are:
 - a. Dog off leash annual pass.....\$20.00
 - b. Dog off leash daily pass.....\$2.00
- 12. The fee associated with the mandatory youth education course for motorboat operators...\$15.00
- 13. The fees associated with the Lone Mesa State Park Hunting Special Use Permits are as follows:
 - a. Resident archery.....\$100.00
 - b. Non-resident archery.....\$200.00
 - c. Resident antlerless muzzleloading.....\$100.00
 - d. Resident antlered muzzleloading.....\$200.00
 - e. Non-resident antlerless muzzleloading.....\$200.00
 - f. Non-resident antlered muzzleloading.....\$300.00
 - g. Resident either sex elk only first season.....\$150.00

- h. Non-resident either sex elk only first season.....\$250.00
 - i. Resident antlerless second, third or fourth season.....\$100.00
 - j. Resident antlered second, third, or fourth season.....\$200.00
 - k. Non-resident antlerless second, third, or fourth season.....\$200.00
 - l. Non-resident antlered second, third, or fourth season.....\$300.00
14. It is unlawful for any person to transfer, sell, or assign any permit issued by the Division of Parks and Outdoor Recreation, including special activity permits, campground use permits, and group picnic area permits.
15. The fees associated with the Golden Gate Canyon State Park hunting special use permit are as follows:
- a. Application filing fee \$10.00 per application
 - b. Resident and non-resident archery, muzzleloading, antlered, antlerless, or either sex, for first, second, third or fourth season permit \$100.00.

#709 – REGISTRATION FEE SCHEDULE

1. The fees for types of vessel registrations issued by the Division are as follows:
- a. Vessel registration (including annual resident registration and each rental vessel registration):
 - (1) For vessels less than twenty feet in length.....\$35.00
 - (2) For vessels twenty feet to less than thirty feet in length.....\$45.00
 - (3) For vessels thirty feet or more in length.....\$75.00
 - (a) Dealer registration for all vessels owned by dealer which are operated for research, testing, experimentation, or demonstration purposes only:
 - (i) When the dealer sells twenty-five or fewer vessels within the preceding year.....\$45.00
 - (ii) When the dealer sells more than twenty-five vessels within the preceding year.....\$75.00
 - (b) Manufacturer registration for all vessels owned by a manufacturer which are operated for demonstration or testing purposes only.....\$25.00
 - (c) Nonresident annual vessel registration for a person from a state or country where registration is not permitted.....\$50.00
2. The fees for the types of snowmobile registrations issued by the Division are as follows:
- a. Snowmobile registration (including annual resident registration and each rental snowmobile).....\$30.00

- b. Dealer registration for all snowmobiles owned by a snowmobile dealer which are operated for demonstration or testing purposes only:
 - (1) When the dealer sells twenty-five or fewer snowmobiles within the preceding year.....\$35.00
 - (2) When the dealer sells more than twenty-five snowmobiles within the preceding year.....\$60.00
 - c. Manufacturer registration for all snowmobiles owned by a manufacturer which are operated for research, testing, experimentation or demonstration purposes only.....\$35.00
 - d. Nonresident annual snowmobile permit.....\$30.00
3. The fees for the types of off-highway vehicle registrations issued by the Division are as follows:
- a. Off-highway vehicle registration and nonresident off-highway vehicle permit.....\$25.00
 - b. Dealer registration for all off-highway vehicles owned by an off-highway vehicle dealer and operated for demonstration or testing purposes only:
 - (1) When the dealer sells twenty-five or less off-highway vehicles within the preceding year.....\$35.00
 - (2) When the dealer sells more than twenty-five off- highway vehicles within the preceding year.....\$60.00
 - c. Manufacturer registration for off-highway vehicles owned by a manufacturer which are operated solely for research, testing, experimentation, or demonstration purposes.....\$35.00
 - d. Registration for off-highway vehicles owned by a lessor for rental purposes only:
 - (1) When the lessor owns ten or less off-highway vehicles within the preceding year.....\$35.00
 - (2) When the lessor owns more than ten off-highway vehicles within the preceding year.....\$60.00
4. A duplicate vessel, snowmobile, or off-highway vehicle registration.....\$5.00

ARTICLE II - PASS OR REGISTRATION AGENTS

#710 - PASS OR REGISTRATION AGENTS

1. Pass or registration agents will be established and authorized to sell designated passes or registrations stipulated under C.R.S., 33-12-104 (1) and the following regulations shall apply.
2. An applicant for a pass or registration agent shall meet the following requirements:
 - a. Be a business, i.e., a sole proprietorship, a partnership, or a corporation, located at a specific permanent location(s) within the State of Colorado.
 - b. Provide an approved instrument of financial surety as required by C.R.S., 11-35-101(1), 11-35-

101.5(1), as amended, 33-12-104(1) and section #713 of these regulations or purchase passes or registrations for cash as provided by section #715-1.a. of these regulations; for the purpose of these regulations, an approved instrument of financial surety shall include a surety bond, a savings account, a certificate of deposit or an irrevocable letter of credit.

3. Consolidated Agencies

- a. A business which owns two or more outlet stores may apply for establishment of a consolidated agency. Consolidated agencies must report to the Division from only one office and receive passes or registrations from the Division at only one address. Passes or registrations may be shifted from one outlet to another within the consolidated agency as needed. Internal shifting of passes or registrations is not to be reported to the Division. However, the consolidated agency is responsible for all passes or registrations consigned to it.

4. Succession of pass and registration agents

- a. The pass or registration agent shall notify the Division in advance of the sale, lease or transfer of any business at which the passes and registrations are sold.
- b. The termination procedure for financially secured pass or registration agents shall include having the agent:
 - (1) File the final quarterly report;
 - (2) Account for and pay the Division all monies due and owing the state;
 - (3) Turn over to the Division or its representative all unsold passes or registrations consigned to the agent by the appropriate due date.
- c. The termination procedures for pass or registration agents who purchase passes or registrations for cash shall include having the agent:
 - (1) Turn over to the Division or its representative all unsold passes or registrations.
- d. One or more outlets (stores) of a consolidated agency may be suspended or cancelled in accordance with the provisions of these regulations without suspension or cancellation of the entire agency.

#711 - PASS AND REGISTRATION AGENT REQUIREMENTS

1. Pass or registration agents shall meet the following general requirements:

- a. Keep accurate records of all sales of passes or registrations;
- b. Keep all passes or registrations in a safe place in their place of business;
- c. Sell passes or registrations only at the permanent business location;
- d. Fill out all passes or registrations completely, legibly, and truthfully;
- e. Display and distribute all public information provided by the Division;
- f. Immediately report the pass or registration numbers of all stolen or lost passes or registrations to the Division with written documentation of the circumstances;

- g. Sell passes or registrations only for the face value of each pass and registration;
 - h. Keep all monies received from the sale of passes or registrations not acquired by the agent from the Division on a cash sale basis pursuant to 33-10-104(9), C.R.S., in a safe place and separate and apart from any other funds;
 - i. Comply with all rules and regulations of the Parks Board;
 - j. Submit final payment and return all unused passes by no later than November 15. Registrations may be carried over from year to year unless otherwise notified by the Division, in which case instructions will be given as to return/payment deadlines;
 - k. Follow all directives of the Director.
2. Financially secured pass or registration agents shall also meet the following additional requirements:
- a. Provide financial surety in the amount required by subsection #714-1.a. of these regulations;
 - b. Provide financial surety renewal notification no later than one month prior to the time of expiration of the previous instrument.

#712 - DELINQUENCY, SUSPENSION AND CANCELLATION OF PASS AGENTS

- 1. Failure of a pass agent to comply with C.R.S., 33-12-104, applicable rules and regulations of the Parks Board or any lawful directives of the Director of the Division of Parks and Outdoor Recreation shall be grounds for an agent being declared delinquent, or for the suspension or cancellation of the pass agent.
- 2. Any proceeding to suspend or cancel a pass agent shall be in accordance with C.R.S., 24-4-104 and 24-4-105.
- 3. Delinquency - failure of an agent to provide quarterly reports and/or all monies due and owing the State on the first due date, notice of financial surety renewal, or failure to timely comply with pass agent performance standards as required by these regulations shall result in that agent being declared delinquent. Until the required conditions have been met, no further pass consignments shall be made to that agent. If the conditions of delinquency are not resolved within (30) days from the due date, the agent will be suspended immediately with a notice of hearing issued concurrently.
- 4. Deliberate and willful failure of an agent to provide either quarterly reports, and/or all monies due and owing the State or financial surety as required by any of these regulations or correct conditions of delinquency shall result in summary suspension of the pass agent and may include the following:
 - a. No consignment of additional passes to the agent until the agent is reinstated;
 - b. Upon demand by the Director or an authorized representative, the agent may be required to return all passes and account for all monies due and owing the State, or may be required to furnish an inventory of all passes in the possession of the agent.
 - c. Initiation of cancellation proceedings in accordance with C.R.S., 24-4-104 and 24-4-105.

#713 - PROCEDURES FOR FINANCIAL RESPONSIBILITY OF AGENTS

- 1. All instruments of financial surety and renewals thereof shall be submitted to the Division of Parks and Outdoor Recreation. These instruments shall include:

- a. Surety bond - from an insurance company of the agent's choice licensed to do business in the State of Colorado, having a resident representative and maintaining an active claims department in the state; or
- b. Any of the following methods which may be satisfied by a deposit in or issuance by a state or national bank doing business in this state or a state or federal savings and loan association doing business in this state:
 - (1) Irrevocable letter of credit - Division of Parks and Outdoor Recreation listed as beneficiary with original letter being retained by the Division.
 - (2) Certificate of deposit - assigned to the Division of Parks and Outdoor Recreation and certificate held by State Treasury. Interest to be paid to the agent.
 - (3) Savings account - in the name of the Division of Parks and Outdoor Recreation only at the bank of the agent's choice. Interest to be paid to the agent.

#714 - STANDARDS OF FINANCIAL SURETY FOR AGENTS

1. Amount of surety

- a. The amount of financial surety required of each agent shall be sufficient to insure payment to the Division for all passes and registrations consigned to the agent, less amounts allowed for commissions.
- b. No pass or registration will be consigned until surety is provided to the Division to cover the agent's obligations. The initiation and expiration dates of the surety coverage must be stated on the surety or the renewal thereof.
- c. The outstanding value of consignments of passes or registrations shall not exceed the amount of the financial surety set by the Division for that agent in section #714-1.a.
- d. Failure of any agent to provide the minimum financial surety shall be grounds for suspension or cancellation of the pass or registration agency.

2. Periods of financial surety responsibility

- a. Surety coverage shall be provided for a 12 month period, or multiples of 12 month periods, i.e., periods of 24 or 36 month duration.
- b. A continuation certificate issued by a bonding company or financial institution or evidence of current method of financial surety shall be required for renewal of the pass or registration agency for each successive 12 month period.

3. Settlement of delinquent accounts

- a. The surety provided by the agent shall guarantee that upon written notice from the Division to the institution providing financial surety that reason exists to cancel the agent as provided in section #712-3, the institution providing financial surety for the pass or registration agent being canceled will pay the amount of the proven loss in the delinquent account, plus interest, within 60 days following notice from the Division of Parks and Outdoor Recreation.

#715 - CASH PURCHASE IN LIEU OF FINANCIAL GUARANTY

1. Except for agents exempted from surety requirements in accordance with C.R.S., 33-12-104(9), when cash sales are made to financially secured license agents they shall be subject to the following conditions:
 - a. Purchase shall be made at the Littleton Office Center of the Colorado Division of Parks and Outdoor Recreation, 13787 S. Hwy 85, Littleton, Colorado 80125 or by submitting funds by mail. Funds submitted for purchase must be in the exact amount of the State's share for the number of passes or registration;
 - b. All mail orders will be placed on order forms supplied by the Division.
2. Redemption of unsold licenses may be made at the Littleton Office Center of the Division of Parks and Outdoor Recreation, 13787 S. Hwy 85, Littleton, Colorado 80125 by submitting unsold passes or registrations to the Division by mail.

CHAPTER 8 – AQUATIC NUISANCE SPECIES (ANS) [Eff. 04/01/2009]

ARTICLE 1 - GENERAL PROVISIONS

#800 - DEFINITIONS

Also see 33-10.5-102, C.R.S, for other applicable definitions.

A. Aquatic Nuisance Species (ANS)

1. Aquatic nuisance species means exotic or nonnative aquatic wildlife or any plant species that have been determined by the board to pose a significant threat to the aquatic resources or water infrastructure of the state, including, but not limited to, the following:

Animals:

Common Name	Scientific Name
Crayfish, rusty	Orconectes rusticus
Mussel, quagga	Dreissena bugensis
Mussel, zebra	Dreissena polymorpha
New Zealand mudsnail	Potamopyrgus antipodarum
Waterflea	Daphnia lumholtzii
Waterflea, fishhook	Cercopagis pengoi
Waterflea, spiny	Bythotrephes longimanus (also known as Bythotrephes cederstroemi)

Plants:

Common Name	Scientific Name
African elodea	Lagarosiphon major
Brazilian elodea	Egeria densa
Eurasian watermilfoil	Myriophyllum spicatum
Giant salvinia	Salvinia molesta

Hyacinth, water	<i>Eichornia crassipes</i>
Hydrilla	<i>Hydrilla verticillata</i>
Parrotfeather	<i>Myriophyllum aquaticum</i>
Yellow floating heart	<i>Nymphoides peltata</i>

2. In addition to these species, the Directors may jointly and temporarily designate a species as an aquatic nuisance species for a period not to exceed nine months when they determine that a species not listed herein poses a significant threat to Colorado's aquatic resources. Whenever such species are so designated, public notice shall be given, including posting at all watercraft inspection and decontamination facilities and the posting of any lands or waters where the designated species is known by the Divisions to be present.
- B. "Authorized location" means a location or an address where watercraft inspection and decontamination (WID) procedures are authorized and certified by the Divisions including, but not limited to, Division offices, government field stations, or non-governmental facilities as designated by the Divisions.
- C. "Directors" means the Director of the Division of Parks and Outdoor Recreation and the Director of the Division of Wildlife.
- D. "Private inspector and/or decontaminator" means a person employed by a business who is certified by the Divisions to provide services in the form of inspections only or both inspections and decontaminations.
- E. "Vessels or other floating device" means watercraft of any and all kinds including their motors, trailers, compartments, and any other associated equipment or containers that routinely or reasonably could be expected to contain or have come into contact with water. The term does not include hand-launched rafts, kayaks, belly boats, float tubes, canoes, windsurfer boards, sail boards or inner tubes.
- F. "WID procedures" means Watercraft Inspection and Decontamination procedures, as set forth in these chapter 8 regulations.
- G. "WID seals" means Watercraft Inspection and Decontamination devices or markers that are intended to verify that vessels or other floating devices have successfully passed inspections and, when required, decontaminations.

#801 – POSSESSION OF AQUATIC NUISANCE SPECIES

- A. It shall be unlawful for any person to possess, import, export, ship, transport, release, place, plant, or cause to be released, placed, or planted into the waters of the state any aquatic nuisance species.
- B. It is unlawful for any person to, or to attempt to, launch onto, operate on or remove from any water of the state or vessel staging area any vessel or other floating device without first submitting the same to an inspection for aquatic nuisance species, and completing said inspection, if such an inspection is requested by any qualified peace officer or authorized agent. Further, it is unlawful for any person to fail to complete the removal and disposal of aquatic nuisance species if such removal and disposal is requested by any qualified peace officer.
- C. It is unlawful for any person to, or to attempt to, launch onto, operate on or remove from any water of the state or vessel staging area any vessel or other floating device if they know the vessel or other floating device contains any aquatic nuisance species.

#802 – PRIVATE INSPECTORS, AUTHORIZED AGENTS, TRAINING, CERTIFICATION, AND QUALITY ASSURANCE

- A. The Divisions may certify private inspectors and/or decontaminators. Such persons shall not be authorized to stop, detain, impound a vessel or other floating device, or order a vessel or other floating device decontaminated or quarantined. Such persons, once certified, are only authorized to provide inspections and/or decontaminations in accordance with WID procedures to persons transporting vessel or other floating device who voluntarily request their services.
- B. Authorized agents shall be certified by the Divisions prior to providing any inspection or decontamination services. A description of training stages and certification requirements is available from the Divisions. After receiving proper training and certification from the Divisions, authorized agents may stop, detain and inspect vessel or other floating device. Authorized agents do not have any authority to order vessel or other floating device decontaminated, nor do they have the authority to impound or order the quarantine of any vessel or other floating device. Authorized agents shall be authorized to perform decontaminations at the direction of a qualified peace officer or at the voluntary request of any person transporting a vessel or other floating device.
- C. Prior to providing any inspection and/or decontamination services, authorized agents and private inspectors and/or decontaminators must successfully complete the Divisions' training course, must maintain active certification and must comply with all quality assurance requirements as listed herein.
- D. Any authorized agent or private inspector and/or decontaminator may be certified by the Divisions to perform inspections and/or decontaminations based on the person's training and the equipment available at the authorized location.
- E. The Divisions shall conduct quality assurance checks at all authorized locations, including but not limited to, inspection of facilities and records, and interviewing authorized location personnel to verify proper procedures are being utilized.
 - 1. If the Divisions document quality assurance violations, including, but not limited to, improper facilities, maintenance, equipment, records or failures to use proper WID procedures, then the Divisions may, at their discretion, issue a written warning notice, disallow aquatic nuisance species inspections, decontaminations, and/or training at the specific location or by the applicable agent or private inspector/decontaminator until the Divisions have documented compliance with all quality assurance checks, or decertify the applicable agent(s), private inspector(s)/decontaminator(s), location(s) or trainer(s) until they have been recertified in accordance with these regulations.

#803 – INSPECTIONS

- A. Inspections may be conducted by:
 - 1. Any qualified peace officer;
 - 2. Any authorized agent or private inspector and/or decontaminator who has been properly trained as required by the Divisions, who holds a valid, active certification and who is in good standing with the Divisions' quality assurance checks.
- B. All persons transporting a vessel or other floating device from a water of the state known to be infested, as determined in regulation #806 D, must be inspected prior to leaving the infested water, or if state authorized inspection facilities are not open or otherwise available, must be inspected prior to launch in any other water of the state. All waters determined to be infested shall

be posted and a list of infested waters will also be available from the Divisions.

- C. All persons transporting a vessel or other floating device must go to a state authorized inspection location and submit to and receive documentation of an inspection prior to launching in any water of the state if the vessel or other floating device has been in another state's waters in the last 30 days, or if they are not registered in Colorado.
- D. Inspectors will determine if there is a reasonable belief that aquatic nuisance species are present by interviewing the person transporting the vessel or other floating device and using visual and/or tactile inspection methods and using appropriate forms supplied by the Divisions.
- E. All vessels or other floating devices of any kind, are subject to inspection in accordance with WID procedures prior to launch onto, operation on or departure from any waters of the state or vessel staging areas. All compartments, equipment and containers that may hold water, including, but not limited to, live wells and ballast and bilge areas shall be drained as part of all inspections.
- F. Any vessel or other floating device found or reasonably believed to contain aquatic nuisance species shall be decontaminated using WID procedures before said vessel or other floating device will be allowed to launch onto, operate on or depart from any waters of the state or vessel staging areas.
- G. Compliance with the above aquatic nuisance species inspection and removal and disposal requirements is an express condition of operation of any vessel or other floating device on waters of the state. Any person who refuses to permit inspection of their vessel or other floating device or to complete any required removal and disposal of aquatic nuisance species shall be prohibited from launching onto or operating the vessel or other floating device on any water of the state. Further, the vessel or other floating device of any person that refuses to allow inspection or to complete any required removal and disposal of aquatic nuisance species prior to departure from any water of the state or vessel staging area where any aquatic nuisance species is known to be present is subject to impoundment until said aquatic nuisance species inspection and/or decontamination is completed.
- H. Any person operating a vessel or other floating device may be ordered to remove the vessel or device from any water of the state by any qualified peace officer or authorized agent if they reasonably believe the vessel or other floating device was not properly inspected prior to launch or may otherwise contain aquatic nuisance species. Once removed from the water, the vessel or other floating device shall be subject to inspection for, and the removal and disposal of aquatic nuisance species.
- I. Any authorized agent or private inspector or private decontaminator who, through the course of an inspection, determines there is a reasonable belief that aquatic nuisance species are present shall document the inspection, including but not limited to, type and number of aquatic nuisance species suspected and/or detected and identification of the vessel or other floating device, including license plate numbers and hull and/or vehicle identification numbers, if available. Further, the authorized agent or private inspector/decontaminator shall advise the operator that the vessel or other floating device is suspected of possessing aquatic nuisance species and that it must be decontaminated according to WID procedures as soon as possible. Only qualified peace officers have the authority to order decontamination, impound or quarantine of a vessel or other floating device.
- J. Once a vessel or other floating device is inspected and/or decontaminated, a WID seal may be attached to the vessel or other floating device by a qualified peace officer, authorized agent, or private inspector/decontaminator. A receipt using the Divisions' form shall accompany all WID seals. WID seals shall be attached to a vessel or other floating device as specified by the Divisions. A WID seal, once properly attached to a vessel or other floating device by a qualified peace officer, authorized agent, or a private inspector/decontaminator, and when accompanied by the proper receipt, documents a proper inspection or decontamination procedure.

- K. If a vessel or other floating device contains bait in water, then the owner or operator will be required to produce a receipt for the bait from a Colorado bait dealer with a date clearly printed on the receipt and the date is no more than 7 days previous. If the owner or operator does not have such a receipt, then they will be required to transfer such bait into a temporary holding container. The bait will be removed from the vessel's or other floating device's live well or container and placed into the holding container using a net while attempting to minimize as much as possible any transference of water from the live well. The live well or container will then be drained and decontaminated using proper WID procedures before restocking with the bait can occur. Whenever possible, water from the water body that the vessel is going to be launched into should be used for restocking the bait.

#804 – DECONTAMINATION

- A. The Divisions will only recognize the decontamination methods listed herein that are recognized as proper WID procedures. All treatments will be employed following all applicable laws, disposal methods, recommended safety precautions, and safety equipment and procedures.
- B. To decontaminate water compartments, equipment or containers in a vessel or other floating device to address potential presence of larvae or waterborne aquatic nuisance species, the only acceptable methods will be rinsing and flushing with water of 140 degrees F or hotter.
- C. To decontaminate the exterior of a vessel or other floating device, remove or destroy attached aquatic nuisance species, all visible mud, plants, and organisms. The entire exterior of the vessel or other floating device and all intakes will be thoroughly washed with hot water (140 degrees F or hotter) and as necessary use scrubbing or high pressure water (a minimum of 250 psi). All compartments, equipment and containers that may hold water including, but not limited to live wells, ballast and bilge areas, will be flushed with hot water (140 degrees F or hotter) but not at high pressure. If a bilge pump is present, then it will be run until the bilge appears to be empty. The lower unit of the engine will be thoroughly flushed with hot water (140 degrees F or hotter).
- D. After decontamination, authorized agents, private decontaminators, or qualified peace officers must re-inspect the vessel or other floating device to ensure complete decontamination prior to the release of the vessel or other floating device.
- E. Proof of decontamination will consist of a receipt using the form "ANS Documentation and Vessel Decontamination Form" provided by the Divisions. Such forms shall document the reasons for the decontamination, any aquatic nuisance species found, the date and location of the decontamination, and the method(s) of decontamination used. Authorized agents, private decontaminators, or qualified peace officers may also apply a WID seal to document the decontamination procedure.

#805 – IMPOUNDMENT

- A. All vessels or other floating devices are subject to impoundment if the person in charge of the vessel or other floating device:
1. Refuses to allow an inspection of the vessel or other floating device to be conducted by an authorized agent or qualified peace officer.
 2. Refuses to allow a decontamination of the vessel or other floating device when decontamination is ordered by a qualified peace officer.
- B. If the person in charge of the vessel or other floating device is not the registered owner then the registered owner shall be notified by mail, return receipt requested, within ten days of the location of the impounded vessel or other floating device. Such notification must also include contact

information for the qualified peace officer ordering the impoundment. If the registered owner is present when the vessel or other floating device is ordered impounded, then the same information shall be provided to the registered owner at the time the order is issued.

- C. All vessels or other floating devices will be held in impound at the risk and expense of the owner. A vessel or other floating device under impound for non-compliance with aquatic nuisance species laws may be released only after a qualified peace officer is satisfied by inspection or quarantine that the vessel or other floating device is no longer a threat to the aquatic resources and water infrastructure of the state. Only a qualified peace officer may authorize the release of the vessel or other floating device.
- D. No vessel or other floating device impounded may be moved or released until an impound release form is signed and executed by a qualified peace officer. The Divisions will provide impound release forms.

#806 – MONITORING AND IDENTIFICATION

- A. All aquatic nuisance species sampling and monitoring will be coordinated with the Divisions.
- B. Aquatic nuisance species sampling equipment, vessels or other floating devices, and gear will be decontaminated at the conclusion of sampling in compliance with WID procedures.
- C. Aquatic nuisance species sampling and specimen collection for plankton tows, substrate sampling, or shoreline surveys will be conducted using standards and procedures approved in writing by the Divisions.
- D. To initially identify waters infested with aquatic nuisance species, the following standards will be applied before notifying the public of the existence of these aquatic nuisance species:
 - 1. Zebra and quagga mussel veligers. A multi-phase testing process involving both visual and molecular identification methods will be completed in accordance with the procedural checklist "Multi-Phase Identification of Zebra/Quagga Veligers" available from the Divisions.
 - 2. Zebra and quagga mussel adults or New Zealand mudsnails. Concurring identification by two or more mollusk identification experts.
 - 3. Rusty crayfish. Concurring identification by two or more crustacean identification experts.
 - 4. Waterfleas. Concurring identification by two or more plankton identification experts.
 - 5. Aquatic nuisance species plants. Concurring identification by two or more aquatic botanical experts.

#807 – REPORTING AND FINDINGS

- A. Identification of an aquatic nuisance species through sampling and monitoring procedures at a location where that species has not been known to exist will be reported immediately to the Divisions.
- B. If an aquatic nuisance species is suspected, but the identity is not known, for example a plant of unknown identity or organic material resembling juvenile mollusks, then the Divisions shall be contacted within 48 hours and collected samples will be submitted as stated in regulation #806C.
- C. Any person that becomes aware that an aquatic nuisance species is present at a specific location

shall report the aquatic nuisance species presence to an authorized agent or a qualified peace officer of the Divisions, or to the Division of Wildlife Invasive Species Program, 6060 Broadway, Denver, CO 80216. Aquatic nuisance species reports should include the date and time of the detection of the aquatic nuisance species, the exact location of sighting (water body and specific location on the water body), the suspected species, and the name and contact information of the reporter.

D. Aquatic nuisance species or suspected aquatic nuisance species may be reported by:

1. Telephone: 1-877-STOP-ANS or 1-303-293-6531
2. Email: ReportANS@state.co.us
3. Website: <http://www.colorado.gov/wildlife/>

Editor's Notes

History

Sections 106.a.1.c.5, 700.4, 703.2, 704.4, 704.8, 708.1, 708.7, 708.8, 708.10, 708.14 eff. 09/01/2007.

Section 709.2 eff. 10/1/2007; Delete Section 403 eff. 10/01/2007.

Sections 700.5, 700.6, 700.7, 708.1 eff. 11/15/2007.

Section 103.n emer. rule eff. 02/22/2008.

Section 709.3 eff. 04/01/2008.

Section 103.n emer. rule eff. 05/20/2008.

Section 103.n eff. 07/01/2008

Chapter 8 eff. 04/01/2009.

Sections 100.b.15, 101.b, 700.9, 701.16 - 17, 704.6, 705.2, 707, 708, 709.1.a eff. 10/30/2009.

Section 801 eff. 05/01/2010.

Sections 100.b.16, 100.b.20, 100.d.15 - 16, 700.4.a, 700.9, 705.4, 708.1, 708.2.a, 708.4.e, 708.5.e, 708.6.e, 708.7.a - c, 708.10.b - c, 708.11, eff. 11/01/2010.

Section 708.4 – 708.7 eff. 03/02/2011.

Sections 100.d.10; 106.a.1(a-c2) eff. 04/30/2011.

Sections 708.1 – 708.5 eff. 06/30/2011.

Sections 304.1.a-b, 305.4 eff. 12/30/2011.

Section 700.2 eff. 07/01/2012.