

THE EQUESTRIAN ZONE BILL - SB25-149
COMMONLY ASKED QUESTIONS AND ANSWERS
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GENERAL

Q: Why is this bill necessary?

A: Our outreach indicates that most equestrians feel increasingly unsafe when using public roads especially in urban and suburban areas as Colorado continues to grow and develop. Roads that were easily and safely crossed even 5 years ago pose significant safety challenges. Equestrians typically use public roads only to get from one equestrian area to another and have indicated that they no longer feel safe to do this due to increasing traffic and lack of knowledge of equine behavior of most drivers. Many have simply quit riding across or on roads and have lost access to equestrian amenities. Many have sold their horses or moved out of the congested area. Not only have these equestrians lost their community or safe riding assets, but also the community has lost the beneficial presence of equines. This has particularly impacted youth riders who can't trailer to more equine friendly locations. They need to ride to trailheads and public arenas crossing public roads or riding along the side of public roads.

Q: How severe and frequent is the concern?

A: Our outreach indicates it is quite severe in some areas that are experiencing an increase in development but still have equestrian properties and the severity of the concern is also increasing. Areas that are not currently experiencing significant equine/motor vehicle issues at this time are likely to in the future. This bill provides guidance to the communities that will experience this issue in the future.

Q: How would this bill be funded?

A: The funding, if needed, primarily would be at the local levels of communities and only in the equestrian zones identified by those communities. It is expected to be minimal and many of the recommendations only involve incorporating the equestrian safety recommendations in future projects, and community maps which can be worked in via the regular budgeting processes.

Q: How are the penalties for failure to comply with this bill determined?

A: There are no penalties in the bill. The signage would be advisory-warning signs, as already designed for road use, to raise the awareness of drivers that equestrians may be in the area and the appropriate driver behavior to keep both the equestrian and the vehicle occupants safe.

Q: How, as a statewide mandate, will differences between urban, suburban, rural or mountain areas be determined?

A: The bill is intended to provide guidance to counties and municipalities to promote uniform equestrian safety on public roads. We support home rule and realize that one size does not fit all. Urban, Suburban and Rural communities may decide which portions are appropriate for their circumstances.

Q: How might this discourage municipalities from wanting to promote equestrian activities?

A: Raising awareness of equestrians and equestrian facilities in municipalities may actually raise the awareness of the community and thus encourage more involvement with equines. It seems for too many years that equines and equestrians that have so much to offer, have almost intentionally opted to remain as invisible as possible. The result is that equines are vanishing from any communities. Surveys indicate that most people feel positively toward equines and enjoy having them around even if they don't own them or participate in equestrian activities. The land used to house horses creates an open space feel in communities that most enjoy.

Q: How are numbers of people, horses, locations, facility size, and distances determined?

A: The bill is intended to provide guidance to counties and municipalities to promote equestrian safety on public roads. We support home rule and realize that one size does not fit all. Urban, Suburban and Rural communities may decide which portions are appropriate for their circumstances.

Q: How are public, services, regular use, and necessary infrastructure defined?

A: Public refers to facilities and trails that are open to the public along with public boarding facilities where individuals keep equines. If services mean equine services, these are services for equines such as veterinarians, farriers, equine massage, acupuncture, chiropractic, training, and other services related to the care of equines. Regular uses are areas that equestrians have access to and utilize on a consistent basis. The wording in the bill has modified infrastructure to be more specific.

Q: How can this be a substitute for the free market when it comes to horses?

A: This bill has no impact on the free market when it comes to horses. Equines and the goods and services related to them and their owners will continue as they do now.

EDUCATION

Q: Who is responsible for educating law enforcement officials about the new road signage and what drivers should do when encountering an equestrian on the road?

A: The Colorado State Patrol and Department of Motor Vehicles is tasked with this responsibility.

Q: Are there any plans to educate the equestrian community and the public about this bill?

A: Equestrian groups are encouraged to work with local law enforcement, park districts, and other road and trail user groups to organize events publicizing the bill and its benefits.

IMPACT ON DEVELOPMENT

Q: Any requirements for development of equestrian egress in equestrian zones like in Europe?

A: This bill is not asking for any additional easements in local governments or private property owners. We respect Land rights / property rights.

Q: Does development in equestrian areas require that equestrian trails be included as part of the development plan to allow for continued equestrian access?

A: This bill is not requiring specific build out for equestrians for new developments. By adding equestrian zones to areas this would give the planning department, the developer and elected officials the visibility to understand the equestrians in the community, and perhaps ask about this option.

IMPACT ON COMPREHENSIVE MASTER PLANS

Q: When does this bill require counties and municipalities to identify and incorporate Equestrian Zones in the Comprehensive Master Plans?

A: The bill requests, not requires, that counties and municipalities consider including Equestrian Zones when Comprehensive Master Plans are revised in whole or part when the partial revision involves an area with significant equestrian activity. This can be part of regular community outreach.

SIGNAGE AND ROAD CROSSINGS

Q: Does the bill require additional equestrian warning signs be posted in Equestrian Zones?

A: The bill does not require additional signage be posted for equestrians. It asks that as Equestrian Zones are identified, the signs in the Zone be evaluated. If an equestrian warning sign currently exists the addition of a smaller Pass Wide and Slow sign below the warning sign could be added. If additional warning signs are needed for the safety of the equestrian and also the motor vehicle driver, they could be phased in as the budget allows with consideration also for 'signage clutter.'

Q: Does this bill require the replacement of trailhead signs for all multi-use trails (pedestrians, bicycles, and equestrians) where the current signage only has the pedestrians and bicycles?

A: As signage is replaced at multi-user trailheads, all user group symbols should be on the sign as this lets users know the user group that is allowed on the trail and also the other user groups that might be encountered.

Q: Are light-controlled road crossing and road crossing in general designed for equestrian safety to be used only by equestrians?

A: Absolutely not. All road crossing including light controlled road crossing should be designed so all road user groups can use them safely. This bill is not requesting that all road crossings are equestrian friendly, but only crossings with regular equestrian use. When new road crossings are being designed in Equestrian Zones that will be regularly used by equestrians, equestrian safety should be considered in the new design. When existing crossings are redesign/improved and have equestrian usage make them more user friendly, equestrians should be considered, which could be as simple as adding an additional control button at equestrian level.

Q: Would identification of equestrian roadway crossings follow current pedestrian crossing thresholds, resulting in no enhancements unless other user volumes warrant improvements?

A: We are suggesting to 'piggyback' on pedestrian crossings in equestrian zones and crossings outside equestrian zones if deemed appropriate. We have found in discussions with bicycle groups and also neighborhood groups, that we share common concerns in many areas.

Q: Will the same calculation be used to determine equestrian usage at road crossing as it currently is for pedestrians? For example, measuring the number of equestrian crossings at an intersection over a 1-3 hour period at various times of day. How does a jurisdiction determine if an intersection is 'regularly' used by equestrians?

A: We appreciate the rationale behind 'thresholds' and recognize equestrian 'traffic' is probably relatively small. Equestrian friendly intersections will typically lie in Equestrian Zones. Once these zones are identified the intersections within those zones can be reviewed to determine if consistent use by Equestrian occurs. The best mechanism for gathering this data is likely to involve a discussion between the jurisdiction involved and the equestrians / equestrian groups in the area.

Q: Current state law informs that pedestrians must wait to cross a roadway until a safe gap is identified. Is the intent of this bill to consider equestrians similarly or does it imply drivers would have additional obligations to stop and give only equestrians the right of Way?

A: It has come to our attention lately that even with flashing lights at pedestrian crossings the burden is on the pedestrian and not the motor vehicle driver. There is no penalty if the driver fails to yield to the flashing warning lights and could give the pedestrian a false sense of security. The state might wish to reconsider this, but this bill is not addressing this law. As

equestrians, we are fine with following the current rule, just as other pedestrian sub-groups, taking responsibility not to cross until they are sure the traffic has stopped and it is safe. It is interesting to note in another state law that vehicles are required to yield to vulnerable road users which is contradictory to other statutes.

Q: Might the bill give a false sense of security to equestrians when first responders and road workers also get injured or killed despite laws, signage, flashing lights?

A: This bill in no way guarantees the safety of an equestrian. Just like all user groups of public roads, parks and facilities, the user is wise to use due caution to keep themselves out of harm and in the case of equestrians this includes their equine partner. Raising awareness of the presence of equestrians in an area and providing guidance on safe behavior (wide and slow) will help to mitigate the potential for accidents.

PASS WIDE AND SLOW

Q: Is it an enforceable regulation that a driver of a motor vehicle must slow to 10 mph and stay 6 feet away when passing an equestrian on a road. No other roadway user is accommodated in this fashion and this instead highlights the hazard equestrians pose to those traveling in the public right-of-way?

A: This is a key educational provision of the Bill. There is no enforcement nor penalties for not following this guideline in the bill. The signage being proposed is a 'warning' sign not a 'enforceable sign.' We acknowledge that there is probably not a high volume of Equestrian traffic on any road at any time. It is not unreasonable to request that drivers be advised for their safety as well as the equestrians to slow down to 10 mph and leave 6 feet of clearance when possible. Equestrians do not go out for a 'road' ride on a busy road, but typically use urban/suburban roads as a way to get from one equestrian area to another, usually from the place the equine lives to a trail or arena. This signage communication to drivers in equestrian zones seems prudent similar to school zones although the speed limit in school zones is enforced. To slow down to 10 mph is less than a minute of decreased speed and a not huge disruption to the driver's travel time unlike school zones which cover several blocks. This does not seem likely to be an extreme inconvenience to the motor vehicle driver and the safety of both should outweigh it.

Q: Isn't it ethically questionable to give equestrians preferential treatment as an infrequent recreational road user, when this region and nation have a growing epidemic of fatal crashes for our most vulnerable roadway users, which are bicyclists and pedestrians? Shouldn't the priority be on providing additional protections and infrastructure for bicyclists and pedestrians who use public infrastructure to travel to work, shopping, appointments and other necessary trips vs the equestrian who is simply a recreational user?

A: The ethical question is doing what is reasonable to keep all segments of our society safe. While some bicyclists and pedestrians utilize the trails and roadways similar to vehicle users—to get to work, the store, run errands, etc., the majority are recreational users similar to equestrians. Appropriate consideration needs to be made to keep vulnerable ‘commuter’ users as well as recreational users safe.

Q: Won’t the posting of ‘Wide and Slow’ signage increase motor vehicle hostility toward equestrians and result in more accidents?

A: While it is impossible to know the reaction each individual driver will have to the ‘Wide and Slow’ signage, we believe the majority of drivers will appreciate some guidance on what is needed to safely pass equestrians encountered on a road. Many if not most drivers have little or no knowledge of equine behavior and don’t realize the importance of slowing down and giving distance between themselves and the equestrian which provides better safety for all involved. Similar to wildlife warning signs drivers should be cautious while in that area as both wildlife and horses when struck can cause considerable damage to drivers and their vehicles, and life threatening injuries to wildlife, horses and their riders.

EQUESTRIAN PARKING AT TRAILHEADS

Q: Does this bill require counties, municipalities, and park districts to redo the parking lots at multi-user trail heads and multi-use parks to accommodate horse trailer parking and staging?

A: This bill does not require any parking areas be redone. It is requesting that when new parking areas are being designed or when existing parking areas are being redesigned the parking needs of the equestrian be considered in the design. Many equestrians have stopped going to parks that have excellent horse trails due to parking space issues. Preparing for a trail ride with a horse is a little more complicated than planning a hike or bike excursion. Parking issues should not disallow an entire user group access to public parks and trails which is currently the case at many trailheads.

Q: Is this bill requesting horse trailer parking have ADA-level parking requirements?

A: It is not. It is requesting parking for equestrians as a public trail user groups be considered when parking lot design is being done at trailheads that have ‘horse’ trails.

ADDITIONAL BUDGETARY CONCERNS

Q: Does this bill require municipalities require additional road access such as easements along roads for equestrian use and other equestrian specific infrastructure?

A: This bill is not intended to cause any more costs than already considered for pedestrians and bicycles for future projects. The bill does not ask for additional easements or land. Just the

awareness for safety. We anticipate adding a small Pass Wide and Slow rectangle sign to existing horse warning signs and perhaps new signage, if warranted, in an equestrian zone. Some counties and municipalities may want to consider equestrian friendly development in the future to preserve Colorado's western heritage, but also provide neighborhood diversity of use. The cost of this type of development is borne by the developer and allows additional trails and open space not only for equestrians but other groups and the community in general.

Q: Does this bill require additional resources be set aside for equestrian recreational facilities at the expense of other critical infrastructure needs such as implementing infrastructure for modes of transportation?

A: The bill does not include anything about equestrian recreation facilities. It only requests that equestrian parking and room for staging be considered when either new parking or redesign of parking is being planned. Equestrians as a user group of public trails should not be excluded by inability to park at trailheads with horse trails.

Q: How often will these mandates need to be updated to allow for changes in population for the number of both people and horses?

A: First, there are no mandates in the bill. Comprehensive Master Plans are typically revised every 10-20 years. However, portions of Master Plans are revised more frequently and on an as needed basis. The jurisdiction should take its equestrian segment into consideration at these times and request equestrian input when changes impact this segment of the community.

Q: How often will the maps need to be updated?

A: There is no specific rule. Various county and municipality maps are updated as changes occur and the timing varies. The Equestrian segment when applicable should be considered when these updates are made. Equestrian groups also need to partner with jurisdictions to provide updated information on their uses on public assets.

EQUESTRIANS AS A PEDESTRIAN USER GROUP

Q: Why should equestrian be given special consideration with additional regulations? Aren't they just a sub-group of the pedestrian user group? If equestrians are given special consideration doesn't this open the door to other pedestrian sub-groups like roller bladers or scooter operators to ask for special accommodation also?

A: We understand that in some areas of the state equestrians are not considered a mode of travel and we are not requesting the same access to roads that vehicles and bicycles have. While equestrians are considered part of the pedestrian user group, little or no consideration has been given to the design of the pedestrian network to accommodate equestrians as a pedestrian subgroup. We are not requesting that equestrian accommodation be made for the entire pedestrian network. We would like consideration going forward where appropriate (in

identified equestrian zones) in the design of the pedestrian network. We are requesting some simple accommodations to enhance the safety of equestrians and other user groups and start to educate the public.

EXISTING REGULATIONS

Q: Isn't this already covered in Colorado Revised Statute 42 relating to vulnerable road users?

A: This statute defines individuals riding, leading or driving an animal as a vulnerable road user as it does bicyclists among a number of other users. Just as the bicyclist community has found the protection afforded in this statute was inadequate resulting in additional legislation specific to their user group, the equestrian community has similar concerns. This bill will begin to bring forward the concerns of the equestrian community.

LOCAL VS STATE

Q: Can all this simply be handled at the local level?

A: We have found in working with various equestrian groups across the state that there are both successes and failures at the local level. In some cases, there is significant resistance which is oftentimes due to lack of understanding. This bill is intended as an educational tool to draw attention to the needs of equestrians throughout the state and provide the equestrian community a tool when working with local jurisdictions.

LIABILITY AND ADDITIONAL REGULATIONS

Q: Does this bill increase the equestrian's liability? How are equestrian themselves going to be held responsible?

A: There is nothing in this bill that increases the equestrian's liability nor adds additional responsibility to equestrians.

Q: Does this bill require equestrians to wear protective helmets, reflective vests, or have specific tack when riding on the side of a road or crossing a road?

A: There is nothing in this bill recommending any of these.