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C.R.S. 43-5-308

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Statutes current through Chapter 122 of the 2022 Regular Session and effective on or before April 22, 2022. The inclusion of the 2022 legislation is not final. It will be final later in 2022 after reconciliation with the official statutes, produced by the Colorado Office of Legislative Legal Services.

[Colorado Revised Statutes Annotated](#) > [Title 43. Transportation \(§§ 43-1-101 – 43-10-117\)](#) > [Highway Safety \(Arts. 5 – 6\)](#) > [Article 5. Highway Safety \(Pts. 1 – 5\)](#) > [Part 3. Offenses \(§§ 43-5-301 – 43-5-308\)](#)

43-5-308. Flagpersons - definition - penalty.

(1)

(a) A person shall not fail or refuse to obey the visible instructions, signals, or direction displayed or given by a flagperson. A person who violates this subsection (1)(a) commits a class a traffic infraction.

(b) If a driver fails to comply with the flagperson's instructions, the flagperson or any other person with information as to the identity of the driver or the license plate number of the driver's vehicle may, and if practicable shall, promptly relay the information to the appropriate law enforcement agency.

(2)

(a) Only a trained person may provide temporary traffic control or direction within any highway, road, or street maintenance or construction work area as a flagperson.

(b) The department shall authorize public and private entities to conduct flagperson certification training and shall develop and provide, at cost, examination and training materials that authorized entities must use in conducting flagperson certification.

(c) While directing traffic, a flagperson shall wear high-visibility garments and display an official hand signal device prescribed in the state traffic control manual adopted by the department pursuant to section 42-4-104, C.R.S., or its supplement.

(d) A flagperson shall abide by the Colorado manual of uniform traffic control devices and shall not use any device that might distract the flagperson's vision, hearing, or attention while directing traffic.

(3) As used in this section, "flagperson" means a person:

(a) Eighteen years of age or older;

(b) Trained by an entity authorized by the department;

(c) Employed by the department, a department contractor, a political subdivision of the state, or a contractor of a political subdivision; and

(d) Acting in his or her official capacity while performing work within a temporary traffic control





enforcement duties.

History

SOURCE:

Source: **L. 2014:**Entire section added,(SB 14-060), ch. 70, p. 298, § 2, effective July 1. **L. 2021:**(1)(a) amended,(SB 21-271), ch. 462, p. 3327, § 782, effective March 1, 2022.; **L. 2022:** (HB1229), ch. 68, § 45, effective March 1, 2022.

▼ Annotations

Research References & Practice Aids

Hierarchy Notes:

C.R.S. Title 43, Art. 5, Pt. 3

State Notes

Notes

Editor's note:

Section 803(2) of chapter 462 (SB 21-271), Session Laws of Colorado 2021, provides that the act changing this section applies to offenses committed on or after March 1, 2022.





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