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ADVANCE SHEET HEADNOTE  
May 26, 2026

2026 CO 34

**No. 24SC778, *Sandoval v. City of Colo. Springs* – Colorado Governmental Immunity Act – Waiver – Conflicting Directions.**

The supreme court granted certiorari to review whether the court of appeals properly interpreted section 24-10-106(1)(a)(II), C.R.S. (2024), which waives sovereign immunity when a public entity fails to repair a traffic control signal displaying “conflicting directions,” causing a dangerous condition. The circumstances here involved one driver facing a blank, inoperative traffic light and the perpendicular driver facing a green light at an intersection in the City of Colorado Springs.

The supreme court holds that under these circumstances, the traffic control signals displayed conflicting directions, causing a dangerous condition. As a result, Colorado Springs waived its sovereign immunity. Accordingly, the supreme court reverses the judgment of the court of appeals and remands the case for further proceedings consistent with this opinion.

**The Supreme Court of the State of Colorado**  
2 East 14th Avenue • Denver, Colorado 80203

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**2026 CO 34**

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**Supreme Court Case No. 24SC778**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 24CA198

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**Petitioner:**

Bernard E. Sandoval,

v.

**Respondent:**

City of Colorado Springs.

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**Judgment Reversed**

*en banc*

May 26, 2026

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**JUSTICE BOATRIGHT** delivered the Opinion of the Court, in which **CHIEF JUSTICE MÁRQUEZ, JUSTICE HOOD, JUSTICE GABRIEL, JUSTICE SAMOUR, JUSTICE BERKENKOTTER,** and **JUSTICE BLANCO** joined.

JUSTICE BOATRRIGHT delivered the Opinion of the Court.

¶1 As Bernard E. Sandoval was driving in Colorado Springs, he approached an intersection where his traffic signal was inoperative. After stopping at the unilluminated light and treating the intersection as a four-way stop, Sandoval entered the intersection, not realizing that the crossing lane had a green light. Corey Kinzy, traveling in that lane, drove through the intersection, striking Sandoval's car.

¶2 Sandoval sued the City of Colorado Springs for negligence. In response, Colorado Springs moved to dismiss for lack of subject matter jurisdiction, relying on the Colorado Governmental Immunity Act ("CGIA"). The CGIA typically immunizes public entities from tort claims and liabilities. § 24-10-106(1), C.R.S. (2025). However, a public entity waives this immunity when it "fail[s] to repair a traffic control signal on which conflicting directions are displayed," and the failure "cause[s]" a "dangerous condition." § 24-10-106(1)(d)(II). Colorado Springs argued that the traffic signals were not "conflicting" at the time of the collision, meaning it had not waived sovereign immunity under the CGIA. The district court denied the motion, finding that "the traffic signals were not properly functioning and displayed conflicting signals to drivers approaching the intersection."

¶3 Colorado Springs appealed, and a division of the court of appeals reversed. *Sandoval v. City of Colo. Springs*, No. 24CA198, ¶ 1 (Oct. 31, 2024). The division held that the signals were not conflicting because Sandoval could have stopped at the inoperative light and only proceeded when safe, while Kinzy could have driven through his operative, green light. *Id.* at ¶ 15. It rejected Sandoval’s argument that he permissibly treated the intersection as a four-way stop, noting instead that applicable traffic codes require a driver to treat an inoperative traffic signal “as a stop sign and yield to vehicles in or approaching the intersection.” *Id.* at ¶¶ 16–17. We granted Sandoval’s petition for certiorari review.<sup>1</sup>

¶4 We hold that under the circumstances, the traffic control signals displayed conflicting directions, causing a dangerous condition. As a result, Colorado Springs waived its sovereign immunity under the CGIA. Accordingly, we reverse the judgment of the court of appeals and remand the case for further proceedings consistent with this opinion.

### **I. Facts and Procedural History**

¶5 While driving northbound on South Tejon Street in Colorado Springs, Sandoval encountered an inoperative traffic signal at the intersection with East

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<sup>1</sup> We granted certiorari to review the following issue:

Whether the division of the court of appeals correctly interpreted section 24-10-106(1)(d)(II), C.R.S. (2024).

Costilla Street. The inoperative light was unilluminated, and there was no other signal to direct his course of action. Sandoval stopped at the intersection. Unaware that the eastbound light on Costilla Street was still operating and properly cycling, Sandoval treated the intersection as a four-way stop and proceeded when he thought it was clear for his turn. Kinzy, driving eastbound on Costilla Street with a green light at the intersection, then struck Sandoval's car, injuring him.

¶6 Sandoval filed negligence claims against, inter alia, the City of Colorado Springs. Citing section 24-10-106(1)(d)(II), Sandoval asserted that Colorado Springs had waived its immunity under the CGIA because of its "failure to repair a traffic control signal on which conflicting directions are displayed."

¶7 Colorado Springs moved to dismiss for lack of subject matter jurisdiction, arguing that the inoperative northbound signal was not in conflict with the functioning eastbound signal. Colorado Springs contended that since motorists must treat an inoperative signal as a stop sign entering a through street, Sandoval was required to stop and yield the right-of-way. *See* § 42-4-612(1)(a), C.R.S. (2025); § 42-4-703(3), C.R.S. (2025); City of Colo. Springs, Colo., City Code, ch. 10, arts. 3, 17, §§ 10.3.101(A), 10.17.109(A). Thus, Colorado Springs argued that Sandoval did not face conflicting directions because his only instruction was to stop and yield until it was safe to proceed.

¶8 The district court denied the motion to dismiss. The court found that because the north-south light was inoperative but the east-west light was properly functioning, the traffic signals displayed conflicting directions, creating a dangerous condition. As a result, the court concluded that the CGIA waiver applied.

¶9 Colorado Springs appealed, and a division of the court of appeals reversed, holding that the signals did not display conflicting directions. *Sandoval*, ¶ 15. The division reasoned that “the inoperative traffic signal directed Sandoval to *stop and then go when safe*, while the green light directed Kinzy to *go without stopping*.” *Id.* Therefore, “[b]ecause Sandoval and Kinzy could have followed these directions simultaneously without issue,” the division determined that “the signals were not incompatible.” *Id.* Additionally, the division stated that Sandoval’s assumption—to treat the intersection as a four-way stop—was unsupported by any legal authority and contradicted the stop-sign conditions imposed by state and local traffic laws. *Id.* at ¶ 17.

¶10 We granted Sandoval’s petition for certiorari.

## II. Analysis

¶11 We begin by stating the applicable standard of review. Next, we explain the CGIA’s sovereign immunity waiver and principles of statutory construction. We then address when “conflicting directions are displayed” on a “traffic control

signal.” § 24-10-106(1)(d)(II). Finally, we assess how the law, including relevant traffic laws, applies to the circumstances presented here.

¶12 We hold that under the circumstances, the traffic control signals displayed conflicting directions, causing a dangerous condition. As a result, Colorado Springs waived its sovereign immunity under the CGIA. Accordingly, we reverse the judgment of the court of appeals and remand the case for further proceedings consistent with this opinion.

### **A. Standard of Review**

¶13 “Whether a claim is barred on grounds of immunity under the CGIA is a question of subject matter jurisdiction.” *Douglas v. City & Cnty. of Denv.*, 203 P.3d 615, 617 (Colo. App. 2008) (citing *Fogg v. Macaluso*, 892 P.2d 271, 276 (Colo. 1995)); see also *City & Cnty. of Denv. v. Dennis*, 2018 CO 37, ¶ 10, 418 P.3d 489, 494 (“Because the CGIA protects the government from suit, the district court must necessarily make factual findings to ensure that the court has jurisdiction to hear the case.”). We review a court’s jurisdictional finding as a question of law when the underlying facts are uncontested. *Douglas*, 203 P.3d at 618 (citing *Medina v. State*, 35 P.3d 443, 452–53 (Colo. 2001)).

### **B. Sovereign Immunity Under the CGIA and Principles of Statutory Construction**

¶14 The CGIA provides public entities immunity from tort claims and liabilities. § 24-10-106(1). Such immunity is waived under certain circumstances, including,

as relevant here, when a public entity “fail[s] to repair a traffic control signal on which conflicting directions are displayed,” and the failure “cause[s]” a “dangerous condition.”<sup>2</sup> § 24-10-106(1)(d)(II). Because we construe statutes so that a singular term includes its plural, the sovereign immunity waiver applies to *signals*, not just one traffic signal. *DeForrest v. City of Cherry Hills Vill.*, 990 P.2d 1139, 1144 (Colo. App. 1999) (citing § 2-4-102, C.R.S. (2025)).

¶15 We strictly construe immunity provisions since they are in derogation of the common law, and we broadly construe waiver provisions. *Springer v. City & Cnty. of Denv.*, 13 P.3d 794, 798 (Colo. 2000) (citing *Corsentino v. Cordova*, 4 P.3d 1082, 1086 (Colo. 2000)). This broad construction principle is based “in the interest of compensating victims of governmental negligence.” *Douglas*, 203 P.3d at 617-18 (citing *Corsentino*, 4 P.3d at 1086). And a “plaintiff is afforded the reasonable inferences from [their] undisputed evidence” in proving that the government waived its immunity. *Dennis*, ¶ 11, 418 P.3d at 494 (citing *Tidwell ex rel. Tidwell v. City & Cnty. of Denv.*, 83 P.3d 75, 85-86 (Colo. 2003)).

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<sup>2</sup> The CGIA defines a dangerous condition as

a physical condition of a facility or the use thereof that constitutes an unreasonable risk to the health or safety of the public, which is known to exist or which in the exercise of reasonable care should have been known to exist and which condition is proximately caused by the negligent act or omission of the public entity.

§ 24-10-103(1.3), C.R.S. (2025).

¶16 When interpreting the CGIA, “our goal is to give effect to the intent of the General Assembly,” primarily by looking to the “plain and ordinary meaning of the terms used.” *Lyons v. City of Aurora*, 987 P.2d 900, 903 (Colo. App. 1999) (citing *Fogg*, 892 P.2d at 274). Determining legislative intent requires that “we construe the statute as a whole, giving consistent, harmonious, and sensible effect to all of its parts.” *Smokebrush Found. v. City of Colo. Springs*, 2018 CO 10, ¶ 18, 410 P.3d 1236, 1240 (citing *St. Vrain Valley Sch. Dist. RE-1J v. Loveland ex rel. Loveland*, 2017 CO 54, ¶ 11, 395 P.3d 751, 754). If the statute’s plain language is unambiguous, we effectuate its ordinary meaning without further analysis. *See, e.g., id.* However, “strained or forced interpretation of a statutory term should not be adopted.” *Lyons*, 987 P.2d at 903 (citing *State v. Hartsough*, 790 P.2d 836, 838 (Colo. 1990)).

### **C. Understanding “Conflicting Directions” in the CGIA’s Sovereign Immunity Waiver**

¶17 The CGIA does not define “conflicting.” In *Lyons*, a division of the court of appeals explained that the term is generally defined as “being in conflict, collision, [or] opposition.” *Id.* (quoting *Conflicting*, Webster’s Third New International Dictionary (1986)). The division further pointed out that the verb “conflict” means “to show variance, incompatibility, irreconcilability, or opposition.” *Id.* (quoting *Conflict*, Webster’s Third New International Dictionary (1986)). In that case, the plaintiff claimed that the directions were conflicting when the pedestrian signal failed to give her enough time to cross six lanes of traffic *before* the traffic light

turned green, causing her to be struck by a car. *Id.* at 901–02. The division disagreed and held that the city had not waived its immunity because nothing suggested that the traffic signals “were in fact *simultaneously* showing conflicting directions.” *Id.* at 903 (emphasis added).

¶18 That same year, another division examined this concept of simultaneous incompatibility in *DeForrest*. There, a driver approached an intersection and encountered both an operating traffic signal, which was red, and a temporary stop sign. *DeForrest*, 990 P.2d at 1141. The driver stopped and then entered the intersection, colliding with another driver, who had proceeded through a green light in the cross traffic. *Id.* The division concluded that these circumstances created “conflicting signals” under section 24-10-106(1)(d)(II), reasoning that a motorist in this situation “might reasonably assume that the temporary stop sign controlled over the direction displayed on the traffic light.” *DeForrest*, 990 P.2d at 1144.

¶19 Colorado Springs points out that the division in *DeForrest* focused on conflicting signals facing one driver, not perpendicular drivers. But the division in that case also recognized that because the first driver faced both a traffic light and a temporary stop sign, whereas the perpendicular driver faced only a traffic light, “motorists in opposing traffic lanes were controlled by different types of signals . . . [which] contributed to the display of ‘conflicting directions.’” *Id.*

(quoting § 24-10-106(1)(d)(II)). Consequently, *DeForrest* demonstrates that “conflicting directions” can involve perpendicular drivers facing different signal types.

## D. Application

¶20 We now turn to Sandoval’s circumstances. The relevant facts are undisputed.<sup>3</sup> Both Sandoval and Colorado Springs submit that the unambiguous plain meaning of “conflicting directions” supports their respective positions.

### 1. Traffic Laws

¶21 In analyzing whether traffic signals simultaneously display “conflicting directions,” we must consider traffic laws and how they may apply to the scenario at hand. When a driver faces an intersection where the traffic control signal is inoperative, the motorist must comply with right-of-way rules for entering a through street as if there were a stop sign. § 42-4-612(1)(a). Those rules include stopping and yielding the right-of-way to any vehicle in or so closely approaching the intersection that it constitutes an immediate safety hazard. § 42-4-703(3).

¶22 Based on these traffic laws, Sandoval maintains that he reasonably treated the intersection as a four-way stop because motorists must treat an inoperative

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<sup>3</sup> Colorado Springs takes issue with alleged facts in Sandoval’s briefing—that construction obscured Sandoval’s view, and Kinzy drove at a high rate of speed—which are not within the district court’s findings. These allegations are irrelevant to our analysis.

light as a stop sign entering a through street, meaning that when all the traffic lights are out at an intersection, it creates a four-way stop. Colorado Springs counters that Sandoval's assumption does not alter the dispositive question of whether the signals conflicted.

¶23 The division recognized that traffic laws direct motorists to treat an inoperative light as a stop sign entering a through street, § 42-4-612(1)(a), which requires stopping and yielding until clear, § 42-4-703(3). *Sandoval*, ¶ 17. Thus, the division reasoned that Sandoval should not have treated his inoperative signal as a four-way stop. *Id.* Although the division's reasoning has merit, it relies on the premise that a proper interpretation of traffic laws allowed for compatible instructions. We must examine that premise and determine whether the traffic laws reconciled the instructions and prevented the different signal types from being in conflict.

## **2. The Traffic Control Signals Displayed "Conflicting Directions"**

¶24 The question here is whether the traffic control signals displayed "conflicting directions" when Sandoval faced a blank, inoperative traffic light and the perpendicular driver faced a green light.

¶25 The inoperative northbound traffic light and the properly functioning eastbound light caused drivers in perpendicular lanes to face different types of signals when approaching the intersection. Sandoval faced an inoperative signal,

which should generally be treated as a stop sign entering a through street, but Kinzy faced a traffic light. Although it is not binding authority, *DeForrest* recognized that such differing signals contribute to the display of “conflicting directions.” 990 P.2d at 1144 (quoting § 24-10-106(1)(d)(II)).

¶26 Further, this scenario presents a different situation than entering a through street from a stop sign as contemplated by the traffic laws because it instead created a stop sign perpendicular to an operating traffic light. See § 42-4-612(1)(a). A through street retains preferential right-of-way whereas a traffic light operates to *control* the right-of-way. Realistically, no municipality would design an intersection with a traffic light only operating one way while the cross traffic adhered to a stop sign because of the practical ramifications. This would create confusion for drivers. With these conditions presented at an intersection, a driver who had stopped at the stop sign and saw another driver stopped at the cross light could then begin to proceed through the intersection, unaware that the perpendicular driver could also begin to proceed as the light turned green. Both motorists would be entitled to proceed into the intersection simultaneously, causing a dangerous condition.

¶27 Each day, motorists depend on predictability to remain safe on the road. For example, we expect that other cars will stop at red lights. And we plan accordingly. Predicting the actions of other drivers stems from our social contract

that we all subscribe to on the road to keep ourselves and others safe. Our traffic code enshrines collective rules, like stopping at a red light, to ensure predictability of the “rules of the road.” § 42-4-102, C.R.S. (2025). The traffic code also provides solutions when, for example, a traffic light is out. This maintains predictability, our centerpiece of safety, even in those atypical circumstances.

¶28 However, the scenario presented here removed predictability at the intersection. With the light malfunctioning in one direction, it must have become very difficult for drivers, like Sandoval, to predict the conduct of other drivers in the cross-traffic. Will they stop and then proceed as if they had approached a four-way stop because their light is also out? Will they stop until the intersection is clear? Or do they somehow still face an operating traffic signal and will immediately proceed through a green light or come to a stop if it is red? Drivers in this scenario cannot reasonably predict which answer is correct. And our traffic laws could not maintain the predictability that was lost because an operating light is a different traffic pattern than a through street. That is, Sandoval could not comply with traffic laws because no such law envisions this vexing situation. Hence, we disagree with the premise that a proper interpretation of traffic laws enabled Sandoval and Kinzy to follow the instructions simultaneously without issue.

¶29 To the contrary, the partial malfunction brought about simultaneously opposed instructions because it created inconsistent suggestions for how to proceed, removing predictability for drivers at the intersection, and no traffic law applied to harmonize the directions. These “conflicting directions” thus initiated a confounding scenario for motorists and confused the right-of-way at the intersection, creating a dangerous condition.

¶30 Even though our analysis does not hinge on a driver’s assumption of the right-of-way at the intersection, we broadly construe waiver provisions and afford plaintiffs all reasonable inferences from their undisputed evidence. *Dennis*, ¶¶ 11, 14, 418 P.3d at 494–95. We must thus consider the practical ramifications creating confusion and unpredictability. The presented scenario confuses the right-of-way and risks causing a collision, as in fact what happened here, and our broad construction is premised on “compensating victims of governmental negligence.” *Springer*, 13 P.3d at 798 (citing *Corsentino*, 4 P.3d at 1086). In applying our broad standard, we see it that the directions were inherently incompatible, and this incompatibility is exactly the kind of simultaneously opposed “conflicting directions” that the CGIA waiver contemplates.

### **III. Conclusion**

¶31 We hold that under the circumstances, the traffic control signals displayed conflicting directions, causing a dangerous condition. As a result, Colorado

Springs waived its sovereign immunity under the CGIA. Accordingly, we reverse the judgment of the court of appeals and remand the case for further proceedings consistent with this opinion.