

Resolution # TC-16-7-9

Open Rule-Making and Delegate Authority to an Administrative Hearing Officer to Conduct a Public Rule-Making Hearing Regarding Amendments to the Rules Governing Practice and Procedures of the Transportation Commission of Colorado (“Commission Rules”), 2 CCR 601-11.

Approved by the Transportation Commission on July 21, 2016.

WHEREAS, § 43-1-106(6), C.R.S., authorizes the Transportation Commission of Colorado (“Commission”) to adopt rules in relation to its meetings and the transaction of its business; and

WHEREAS, the proposed amendments to the Commission Rules are primarily based on statutory changes resulting from legislation in 2016 (HB 16-1172) which amended § 43-1-106(17), C.R.S.; and

WHEREAS, the Commission has the authority to conduct a rule-making hearing or to delegate the authority to an Administrative Hearing Officer for the purposes of conducting the rule making hearing, making a complete procedural record of the hearing, and submitting that record and any recommendations to the Commission for its review and action concerning amendment to the Commission Rules; and

WHEREAS, the Department recommends the Commission Rules be amended to conform to the statutory language in the above referenced legislation; and

WHEREAS, proposed amendments of the Commission Rules further effectuate Governor Hickenlooper’s Executive Order 2012-002, which directs all state agencies to review and update any existing rules to confirm that they are effective, efficient and essential; and

NOW THEREFORE BE IT RESOLVED, the Commission authorizes staff to prepare a draft of the amended Rules, and to take all necessary actions in accordance with the State Administrative Procedure Act to initiate rule-making for the purpose of amending the Rules Governing Practice and Procedures of the Transportation Commission of Colorado, 2 CCR 601-11.

BE IT FURTHER RESOLVED, the Commission delegates its authority to conduct the rule-making hearing to a CDOT Administrative Hearing Officer to prepare a complete record of the hearing and forward said record and Rules to the Commission for consideration and adoption of the Rules.


Herman Stockinger, Secretary
Transportation Commission of Colorado

7-21-16
Date of Approval