

Resolution # TC-1981

Authorize a hearing for the repeal of “Rules & Regulations for the Erection, Administration & Maintenance of Tourist-Oriented Directional Signs within Highway Rights-of-Way”

Approved by the Transportation Commission on: April 21, 2011

WHEREAS, section 43-1-420(3) C.R.S., directs the Transportation Commission of Colorado ("Commission") to adopt rules for the erection, administration and maintenance of tourist-oriented directional signs within highway rights-of-way not on the interstate system and not on freeways or expressways; and

WHEREAS, the Department of Transportation (“Department”) seeks permission to combine 2 CCR 601-7, Rules, Regulations & Standards Pertaining to Specific Information Signs and Business Plaques (LOGOS) and 2 CCR 601-12, Rules & Regulations for the Erection, Administration & Maintenance of Tourist Oriented Directional Signs within Highway Rights-of-Way (TODS), by repealing 2 CCR 601-12 (“the Rule”), as a means to eliminate Rule redundancy by combining resources to save documentation, time and money for the Department and CDOT’s customers that have interest in utilizing these similar signing programs; and

WHEREAS, the Code directs the Department to initiate a rule-making proceeding in accordance with the Administrative Procedures Act, section 24-4-103 C.R.S.; and

WHEREAS, the Commission agrees that consideration of repeal of the Rule is appropriate; and

WHEREAS, the Commission has the authority to conduct the rule making hearing pursuant to §43-1-108, C.R.S., 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 back to the Transportation Commission for its review and action concerning the promulgation of the rules; and

NOW THEREFORE BE IT RESOLVED, the Commission authorizes staff to prepare a draft of proposed Rule repeal, and to take all necessary actions in accordance with the APA, § 24-4-103 C.R.S. to initiate rule making for the purpose of promulgating the rules.

BE IT FURTHER RESOLVED, the Commission delegates its authority to conduct the rule making hearing to a CDOT administrative procedures officer and hereby directs the Hearing Officer to prepare a complete record of the hearing and forward said record to the Transportation Commission for consideration and its repeal of the proposed Rule.

Herman F. Stockinger III
Herman Stockinger, Secretary
Transportation Commission of Colorado