

**Resolution # TC-3091**

**Adopt 2 CCR 601-1A Rules Governing the State Highway Access Category Assignment Schedule (“Access Category Rules”)**

**Approved by the Transportation Commission on: July 18, 2013**

WHEREAS, § 43-1-106 (8)(k), C.R.S. directs the Transportation Commission of Colorado (“Commission”) to make all necessary and reasonable orders, rules, and regulations in order to carry out the provisions of § 43-1-101, *et seq.* C.R.S.; and

WHEREAS, § 43-2-147(1)(a) C.R.S. directs the Commission to adopt by rule a state highway access code concerning the regulation “of vehicular access to and from any public highway from or to property adjoining a public highway in order to protect the public health, safety, and welfare, to maintain smooth traffic flow, to maintain highway right-of-way drainage, and to protect the functional level of public highways”; and

WHEREAS, the State Highway Access Category Assignment Schedule Rules were last adopted in April 30, 2011; and

WHEREAS, pursuant to § 43-1-106(9), C.R.S., and by Resolution No. TC-3072 on April 18, 2013, the Commission authorized the Department to open the rule-making process and delegate authority to an Administrative Hearing Officer to conduct a rule-making hearing regarding the proposed revisions to the Access Category Assignment schedule; and

WHEREAS, the Department seeks to amend the existing Access Category Rules based on the following three requests for category changes: the Town of Berthoud (a segment of SH 287); the City of Durango (a segment of SH 160); CDOT Region 6 (SH 7 within Weld County); and

WHEREAS, the Department is required to update the Rules to reflect the relinquishment of a segment of US 350 in exchange for a segment of Grant Avenue from 5<sup>th</sup> St. north to US50B, approved by Transportation Commission Resolution TC-2053 dated January 19, 2012;

WHEREAS, the Commission has reviewed the relevant documents, including the findings of Administrative Hearing Officer Micki Perez, who presided over the rule-making hearing on June 13, 2013; and

WHEREAS, the Commission, being fully apprised of the rule making record, finds that adoption of the proposed Rules is warranted.

NOW THEREFORE BE IT RESOLVED, the Commission herein adopts the proposed the State Highway Access Category Assignment Schedule ("Access Category Rules"), 2 CCR 601-1A.

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

7-19-13  
Date