

Resolution # TC-15-9-10

Adopt Amendments to the Rules Pertaining to Transport Permits for the Movement of Extra-Legal Vehicles or Loads (“OSOW Rules”), 2 CCR 601-4.

Approved by the Transportation Commission on Sept. 17, 2015

WHEREAS, § 42-4-510(1)(b)(I), § 42-4-510(1.7)(b)(II)(B), § 42-4-511(1) and § 43-1-106(8)(k) C.R.S. authorize the Transportation Commission of Colorado (“Commission”) to promulgate rules regarding permits for extra-legal vehicles or loads; and

WHEREAS, by Resolution TC-15-6-3, dated June 23, 2015, the Commission delegated authority to an Administrative Hearing Officer for the purposes of conducting a 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 proposed amendments to the OSOW Rules; and

WHEREAS, a hearing was held on July 31, 2015, with Administrative Hearing Officer Chris Frenz presiding; and

WHEREAS, Hearing Officer Frenz made findings after considering public comment recommending that the Commission adopt the OSOW rules; and

WHEREAS, the proposed amendments to the OSOW Rules are based on HB14-1160, codified at § 42-4-510(11)(a)(VII)(D), C.R.S., which established a new annual fleet permit for non-interstate overweight divisible loads with power units utilizing a trailer with two or three axles; and

WHEREAS, the proposed amendments include the Department’s implementation of an electronic permitting system; and

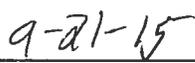
WHEREAS, the proposed amendments conform Auxiliary Power Unit (“APU”) requirements based on changes in the federal regulations made pursuant to MAP-21 found at 23 U.S.C. 127 which increased the weight allowance from 400 to 550 lbs. for permitted vehicles; and

WHEREAS, the proposed amendments clarify height restrictions in § 42-4-504(1), C.R.S.

NOW THEREFORE BE IT RESOLVED, after review and consideration of the rule making record and the findings of the Administrative Hearing Officer, the Commission herein adopts the proposed amendments to the Rules Pertaining to Transport Permits for the Movement of Extra-Legal Vehicles or Loads, 2 CCR 601-4.



Herman Stockinger, Secretary
Transportation Commission of Colorado



Date