

**Resolution # TC-3131**

**Approved by the Colorado Transportation Commission on January 16, 2014**

**Open Rule-Making Regarding Revisions to the Rules Governing the Use of Tunnels on Colorado State Highways, 2 CCR 601-8 and Delegate Authority to an Administrative Hearing Officer to Hold a Public Rule-Making Hearing.**

**WHEREAS**, § 43-1-106(8)(k), C.R.S., § 42-4-106 (7)(a) and (b), C.R.S., § 42-20-301(3), authorize the Transportation Commission of Colorado (the "Commission") to promulgate rules governing the use of tunnels on Colorado state highways ("Tunnel Rules"); and

**WHEREAS**, the Commission adopted the Tunnel Rules in 1986, with a subsequent adoption making minor corrections in 2008; and

**WHEREAS**, the current rules require updating in order to conform to current federal regulations and provide clearer guidance to the travelling public; and

**WHEREAS**, pursuant to Governor Hickenlooper's Executive Order D 2012-002, the proposed rules are drafted in clear language to make them accessible to CDOT personnel, Colorado State Patrol, motor carriers and the travelling public; and

**WHEREAS**, following the measures taken by the Department to comply with the Administrative Procedure Act, the proposed Rules will be submitted to the Commission for approval and adoption.

**NOW THEREFORE BE IT RESOLVED**, the Transportation Commission herein opens the rule-making process and delegates authority to an administrative hearing officer to preside over a public rule-making hearing on the modifications to the Rules.

Norman J. Stockinger III  
Transportation Commission Secretary

1-22-14  
Date