

Resolution # TC-3132

Approved by the Colorado Transportation Commission on January 16, 2014

Adopt Temporary Rules Governing the Use of Tunnels on Colorado State Highways, 2 CCR 601-8 and Direct the Department to Comply with all Requirements of the State Administrative Procedure Act.

WHEREAS, § 43-1-106(8)(k) C.R.S., § 42-4-106 (7)(a) and (b), and 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; and

WHEREAS, the current rules were last updated in 1986, with minor revisions in 2008; and

WHEREAS, the current rules require updating in order to conform to current federal regulations, eliminate obsolete information 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, the Commission finds that temporary adoption of the Tunnel Rules is imperatively necessary for the health, safety and welfare of the travelling public so that the Rules will be immediately in conformance to federal regulations; and

WHEREAS, immediate adoption is necessary so that clear guidance is provided to CDOT tunnel personnel, the Colorado State Patrol, motor carriers and members of the travelling public during the inclement weather in the remaining winter and early spring months of 2014; and

NOW THEREFORE BE IT RESOLVED, the Transportation Commission herein adopt temporary rules Governing the Use of Tunnels on Colorado State Highways, 2 CCR 601-8 and directs the Department to take all necessary steps to comply with the State Administrative Procedure Act.

Norman J. Stockinger III
Transportation Commission Secretary

1-22-14
Date