

Resolution #TC-3162

Adoption of Rules Governing the Use of Tunnels on Colorado State Highways, 2 CCR 601-8.

Approved by the Transportation Commission on May 15, 2014

WHEREAS, § 43-1-106(8)(k), C.R.S., § 42-4-106 (7)(a) and (b), C.R.S., and § 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, by Resolution TC-3132 dated January 22, 2014, the Commission opened the rule-making process and authorized the Department to take all steps necessary in compliance with the State Administrative Procedure Act, 24-4-103, C.R.S. including holding a public rule-making hearing; and

WHEREAS, by Resolution TC-3132 dated January 22, 2014, the Commission adopted the revised Tunnel Rules on a temporary basis; and

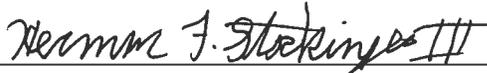
WHEREAS, in conformance with Governor Hickenlooper's Executive Order D 2012-002, the proposed rules reflect a collaborative process between the Department and members of industry and other key stakeholders focused on improving the use of the Eisenhower Johnson Memorial Tunnels when Loveland Pass is closed; and

WHEREAS, an Administrative Hearing Officer, acting with delegated Commission authority, presided over a public rule-making hearing on March 28, 2014; and

WHEREAS, the rule-making process conducted by the Department has met the requirements of the State Administrative Procedure Act with regard to both temporary rules and the adoption of permanent rules; and

WHEREAS, the Department requests that the Commission adopt the proposed Rules Governing the Use of Tunnels on Colorado State Highways, 2 CCR 601-8.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission herein adopts the Rules Governing the Use of Tunnels on Colorado State Highways, 2 CCR 601-8.



Herman Stockinger, Secretary
Transportation Commission of Colorado

6-9-14

Date