

**COLORADO DEPARTMENT OF TRANSPORTATION  
TRANSPORTATION COMMISSION AGENDA ITEM REQUEST**

Branch/Region  
Staff Branch/M&O

Date  
05/04/2012

**Title and brief description of item**  
Adopt 2 CCR 601-4, Rules Pertaining to Transport Permits for the Movement of Extra-Legal Vehicles or Loads ("OSOW Rules").

**Describe the action requested of Commission**  
To approve the Resolution to adopt 2 CCR 601-4, Rules Pertaining to Transport Permits for the Movement of Extra-Legal Vehicles or Loads ("OSOW Rules").

**Justification for Commission action**  
Colorado Revised Statutes Sections 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 to promulgate rules concerning the issuance of permits for Extra-Legal Vehicles or Loads. The Department requests that the Transportation Commission adopt this set of rules so that the rules can be updated to conform to legislative changes from the 2011 session (HB11-1192, HB 11-1163, and HB11-1279) which amended § 42-4-505(3)(a) C.R.S., and § 42-4-510 C.R.S. This rule making was narrow in scope: the proposed amendments were either those required by statute or minor corrections.

**List the potential effects of the Commission's decision**

- a. legal: Compliance with 2011 state legislation § 42-4-505(3)(a) C.R.S., and § 42-4-510 C.R.S. (2011).
- b. fiscal: none
- c. other: none

Identify who will make the presentation to the Commission  
David Wieder

Estimated time needed for presentation and discussion  
5 minutes

Date item should appear on the Commission agenda  
05/17/2012

Should item appear on the consent agenda?  
 yes  no Check one

Branch Manager/Region Director  
*Scott M Daniel*

Office of the Attorney General

Division Director

# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region One Civil Rights Office  
18500 East Colfax Avenue  
Aurora, Colorado 80011-8017  
Direct Tele. 303-365-7031  
Direct Confidential Fax: (303) 365-7033



DATE: May 4, 2012

TO: Colorado Transportation Commission

FROM: *Micki Perez-Thompson*   
Administrative Hearing Officer

RE: Administrative Hearing on Proposed Rule 2 CCR 601-4  
Rules Pertaining to Transport Permits for the Movement of Extra-Legal  
Vehicles or Loads

### Background:

Pursuant to § 43-1-106(8)(k) C.R.S., the Colorado Transportation Commission has authority 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. (2011). On March 22, 2012, the Transportation Commission, by resolution, authorized an Administrative Hearing Officer for the Colorado Department of Transportation to conduct a hearing on amendments to the Rules Pertaining to Transport Permits for the Movement of Extra-Legal Vehicles or Loads, 2 CCR 601-4 (Exhibit 1). On May 1, 2012, CDOT held a rule making hearing to receive public comment on the proposed rule changes to the rules.

### Major Issues:

The primary purpose of the rule making is driven exclusively by statutory mandate from the 2011 legislative session. Other changes were minor and were grammatical or typographical. No written or oral testimony was presented that indicated any major issues.

### Summary of Hearing:

Pursuant to § 24-4-103 C.R.S., the Colorado Administrative Procedure Act, and Transportation Commission Resolutions, a public hearing was held on May 1, 2012 in the Auditorium of the CDOT Headquarters Complex, in Denver, Colorado. A court reporter was present, and a transcript of this hearing is attached. Acting as your delegated Administrative Procedures Officer, I opened the hearing at 2:02 p.m.

Ms. Nevans provided proof of notification to interested parties, (Exhibit 6). This included notification to local government officials and offices, and to a list of individuals and entities who provided comment on the rules. Also included were comments from a group of stakeholders who reviewed an initial draft of the rules, and also received the draft that was the subject of the rule making hearing.

**Findings and Conclusions of Law**

I have reviewed the entire record of this proceeding. The record consists of all testimony and exhibits from the May 1, 2012 hearing. I find that:

1. All requirements of the Administrative Procedures Act, §24-4-103 C.R.S. have been satisfied.
2. There is sufficient evidence in the record to support the amendment of the rules as submitted in Exhibit 14.
3. The Commission has the authority to adopt the proposed rules.

**Actions for the Transportation Commission:**

1. It is necessary to review the record of proceedings prior to adopting the permanent rules and any action must be based upon and supported by the record.
2. A copy of the entire hearing package is available for your review in the Transportation Commission Office and is available electronically, including a transcript of the proceedings.

**Recommendation:**

Acting as the Administrative Hearing Officer and having reviewed the entire record of this proceeding, including the official hearing transcript, the oral testimony and the written submissions, including Exhibits 1 through 14, I hereby recommend:

1. That the Transportation Commission adopt the proposed Amendments to the Rules Pertaining to the Movement of Extra-Legal Vehicles or Loads, 2 CCR 601-4.
2. That the Transportation Commission execute the Resolution for the adoption of the rules at issue in 2 CCR 601-4.

Thank you for the opportunity to serve as the Administrative Hearing Officer for this proceeding.

cc: Don Hunt, CDOT Executive Director  
Herman Stockinger, Commission Secretary  
Dan Wells, Manager of Permit Office

**Resolution # TC-**

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

**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. (2011) authorize the Transportation Commission of Colorado ("Commission") to promulgate rules regarding permits for extra-legal vehicles or loads; and

**WHEREAS**, the proposed amendments to the OSOW Rules are based on statutory changes resulting from legislation in 2011 (HB11-1192, HB 11-1163, and HB11-1279) which amended § 42-4-505(3)(a) C.R.S. and § 42-4-510 C.R.S. and otherwise consist of minor corrections; and

**WHEREAS**, by Resolution TC-2075, dated March 22, 2012, 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 amendment to the OSOW Rules; and

**WHEREAS**, a hearing was held on May 1, 2012, with Administrative Hearing Officer Micki Perez presiding; and

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

**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.

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RULE MAKING HEARING ON THE  
 RULES PERTAINING TO TRANSPORT PERMITS FOR THE  
 MOVEMENT OF EXTRA-LEGAL VEHICLES OR LOADS  
 2 CCR 601-4  
 May 1, 2012  
 Colorado Department of Transportation  
 4201 East Arkansas Avenue  
 Denver, Colorado 80222

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1 PROCEEDINGS  
 2 \*\*\*\*\*  
 3 MS. PEREZ: Good afternoon. I will now  
 4 call this hearing to order. This is a rule making  
 5 proceeding pursuant to the Colorado Revised Statutes  
 6 Section 24-4-103(4)(a) (2011) of the State  
 7 Administrative Procedure Act concerning revisions to  
 8 the Rules Pertaining to Transport Permits for the  
 9 Movement of Extra-Legal Vehicles or Loads.  
 10 Section 42-4-510(1)(b)(I), Section  
 11 42-4-510(1.7)(B)(II)(B), Section 42-4-511(1), and  
 12 Section 43-1-106(8)(k) of the Colorado Revised  
 13 Statutes 2011 authorizes the Transportation Commission  
 14 to promulgate rules concerning oversize/overweight  
 15 vehicles.  
 16 Today is May 1, 2012, and it is now  
 17 approximately 2:02 p.m. This hearing is being  
 18 conducted at the Colorado Department of  
 19 Transportation located at 4201 East Arkansas Avenue,  
 20 in the auditorium, located in Denver, Colorado.  
 21 My name is Micki Perez, and I am the  
 22 Administrative Hearing Officer for the Department of  
 23 Transportation, hereinafter referred to as the  
 24 "Department." I am presiding at this rule making  
 25 hearing based upon a delegation of authority from the

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1 Transportation Commission dated March 22, 2012, which  
 2 is included in the exhibits as Exhibit 1.  
 3 Sets of the rules we are reviewing today  
 4 are available in the back of the room.  
 5 I will ask at the outset if anyone is  
 6 present today who wishes to provide testimony or  
 7 written comment who is not a Colorado Department of  
 8 Transportation employee.  
 9 I am noting for the record that no one is  
 10 present who wishes to provide testimony, either  
 11 written or oral.  
 12 The process for this hearing is as follows:  
 13 First, Department staff will give a presentation on  
 14 the rules at issue today. Staff will describe the  
 15 reason why the Department is recommending amendment  
 16 to these rules, and will review and submit exhibits.  
 17 After the hearing is over, the period for  
 18 oral testimony will be closed, and I will prepare the  
 19 final record. After the period for public comment,  
 20 we will take a brief recess, if needed. When we  
 21 reconvene, the Department will be given another  
 22 opportunity to respond to any comments.  
 23 I will then invite a representative of the  
 24 Attorney General's Office to make any statements or  
 25 comments concerning the rules or procedures. After

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1 which I will make a finding as to whether or not the  
 2 rule making procedure, including the hearing, was  
 3 conducted in compliance with the State Administrative  
 4 Procedure Act.  
 5 After this hearing today, I will prepare a  
 6 record for the consideration of the Transportation  
 7 Commission. It will include all of the exhibits and  
 8 all of the testimony, both written and oral, that  
 9 were provided today. The Transportation Commission  
 10 will consider all information when it makes the  
 11 decision on whether or not to adopt the rules.  
 12 Are there any questions before I ask the  
 13 Department staff members to make their presentation?  
 14 Seeing none, would the Department of Transportation  
 15 like to begin? Please state your name and your  
 16 position for the record.  
 17 MS. NEVANS: Thank you, Madam Hearing  
 18 Officer. I'm Mary Frances Nevans, the CDOT rules  
 19 administrator.  
 20 The Transportation Commission's authority  
 21 to amend these rules is found at 43-1-106(8)(k)  
 22 C.R.S.  
 23 I would now like to review the exhibits in  
 24 order to establish that the Department of  
 25 Transportation met all of the requirements of the

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<p>1 State Administrative Procedure Act.                  2 I would note today is May 1, 2012. The                  3 notice of rule making was filed with the Colorado                  4 Secretary of State on March 26, 2012, and was                  5 published in the Colorado Code of Regulations on                  6 April 10, 2012, meeting the requirement that the                  7 hearing be held no earlier than April 30, 2012.                  8 With regard to this rule making procedure,                  9 if Madam Hearing Officer finds that the Department                  10 fully complied with the Administrative Procedure Act,                  11 and finds sufficient grounds exist to amend the                  12 rules, the request to amend the rules will be                  13 provided to the Transportation Commission for final                  14 approval and adoption.                  15 To review the exhibits: Exhibit 1 is                  16 Transportation Commission Resolution No. TC 2075                  17 dated March 22, 2012, opening the rule making process                  18 and appointing an Administrative Hearing Officer to                  19 conduct this rule making hearing.                  20 Exhibit 2 is a Notice of Rule Making                  21 Confirmation establishing that the Department filed                  22 the rules with the Colorado Secretary of State's                  23 Office on March 26, 2012. The notice contains the                  24 hearing date, time, and location as required by                  25 24-4-103(3)(a) C.R.S. and has been continually</p>	<p>1 date, time, and location of the rule making hearing.                  2 Exhibit 5 is a printout from the CDOT                  3 website establishing that the Department posted the                  4 rules on March 26, 2012. The proposed amendments to                  5 the rules have been posted continually since that                  6 time.                  7 Exhibit 6 consists of e-mail notification                  8 to interested parties. Pages 1 through 5 consist of                  9 the Department's notification to the officer of State                  10 Budget and Planning that the Department utilized the                  11 EO-5 system to notify local government.                  12 Page 6 is the summery that was sent out                  13 about the rules through the EO-5 system. The e-mail                  14 included in the report to the Officer of State Budget                  15 and Planning was sent on March 2, 2012, through the                  16 EO-5 system to approximately 3,000 local elected                  17 officials and local government offices, Colorado                  18 Counties, Inc., and Colorado Municipal League                  19 members.                  20 This e-mail was sent through the Governor's                  21 EO-5 software program, a program developed for                  22 agencies under Executive Order 2011-005, which seeks                  23 to inform local government entities of agency rule                  24 making.                  25 Pages 7 through 10 are the responses</p>
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<p>1 published on the Secretary of State's website since                  2 that date.                  3 Exhibit 3 is the printout from the Code of                  4 Colorado Regulations eDocket confirming publication                  5 under 24-4-103(11)(a) and (b) C.R.S.                  6 Exhibit 4 consists of four pages and is a                  7 printout from the Department of Regulatory Agencies'                  8 website confirming that the rules were filed on                  9 March 26, 2012, and included the notice of hearing on                  10 today's date.                  11 Page 2 indicates that the Department marked                  12 the categories of "transportation" and "motor vehicle                  13 and traffic regulations" thereby triggering the DORA                  14 e-mail notification system sending an e-mail to                  15 persons who wished to receive notice of agency rule                  16 making in these categories.                  17 The third page confirms that no                  18 cost-benefit analysis was required for these rules.                  19 The fourth page is a copy of the e-mail                  20 sent by DORA to all interested parties who notified                  21 DORA of their wish to be notified of agency rule                  22 making concerning motor vehicles and traffic                  23 regulations and transportation rules. This e-mail                  24 was sent on March 27, 2012, and contained a link to                  25 the proposed amendments to the rules as well as the</p>	<p>1 received from the EO-5 software system e-mail                  2 notifications, and the Department's responses.                  3 Pages 11 through 39 consist of e-mails to                  4 and from the stakeholder group that were consulted on                  5 the rules prior to the Commission's opening of the                  6 rules. This group was consulted in order to                  7 determine how the rule amendments could affect their                  8 respective members.                  9 Pages 40 and 41 is a spreadsheet that lists                  10 the stakeholders and all other interested parties.                  11 The Department sent an e-mail notification to                  12 everyone on this list on March 29, 2012.                  13 Pages 42 through 53 are e-mails to and from                  14 the interested parties on the rules.                  15 The Department reviewed all of the comments                  16 provided in these e-mails, integrated changes into                  17 the rules as applicable within the scope of the                  18 statute and notice of proposed rule making, and                  19 responded accordingly.                  20 This notification was sent in compliance                  21 with 24-4-103(3)(b) C.R.S. and meets the requirements                  22 of Governor Hickenlooper's Executive Order                  23 D-2011-005, which directs state agencies to consult                  24 and work with local governments before imposing new                  25 regulations. This notice contained a copy of the</p>

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<p>1 rules and date, time, and location of this rule                  2 making hearing.                  3 Exhibit 7 is the Statement of Basis and                  4 Purpose and Statutory Authority required to be made                  5 part of the Rule Making record pursuant to                  6 24-4-103(4)(a) C.R.S. The draft rules and the                  7 Statement of Basis and Purpose were prepared and made                  8 available in the Office of Policy and Government                  9 Relations at CDOT Headquarters by April 24, 2012, in                  10 compliance with the requirement to have them                  11 available for inspection five days prior to today's                  12 hearing.                  13 Exhibit 8 is a Memo to Maintain a Permanent                  14 Record. This memo to CDOT Central Files indicates                  15 that the Departments will maintain a permanent rule                  16 making record pursuant to 24-4-103(8.1)(a) C.R.S.                  17 Exhibit 9 consists of a redlined copy of                  18 2 CCR 601-4 marked "9a" and a clean copy of the rules                  19 marked "9b."                  20 Exhibit 10 is a spreadsheet consisting of                  21 two pages, prepared by the Department and distributed                  22 to all stakeholders and interested parties to assist                  23 them in understanding the proposed amendments to the                  24 rules, including the specific rule, the topic, and                  25 the proposed change.</p>	<p>1 Department of Transportation who is here to testify?                  2 MR. WELLS: Good afternoon, Madam Hearing                  3 Officer. My name is Dan Wells. I am the manager of                  4 the Permit Office at CDOT Headquarters.                  5 The proposed amendments to the Rules                  6 Pertaining to Transport Permits for the Movement of                  7 Extra-Legal Vehicles or Loads, commonly referred to                  8 as OSOW Rules, found in 2 CCR 601-4 are based on                  9 statutory changes resulting from legislation in 2011                  10 HB 11-1192, HB 11-1163, and HB 11-1279. All of which                  11 amended Section 42-4-505(3)(a) C.R.S. and Section                  12 42-4-510 C.R.S.                  13 This legislation is included in the                  14 exhibits admitted into the record as Exhibit 12.                  15 The proposed amendments of the Rules                  16 further effectuate Governor Hickenlooper's Executive                  17 Order 2012-002, which directs all state agencies to                  18 review and update any existing rules to confirm that                  19 they are effective, efficient, and essential.                  20 Included in the exhibits admitted into the                  21 record as Exhibit 10 is a spreadsheet prepared by my                  22 staff member, Teresa Carrillo, which details all                  23 changes to the existing rules. All of the changes                  24 listed are either minor corrections or are required                  25 amendments based on statutory changes from 2011</p>
Page 10	Page 12
<p>1 Exhibit 11 is the Notice of Rule Making                  2 Hearing that was posted in the lobby of the                  3 Department Headquarters building and the Permit                  4 Office entrance on April 24, 2012, providing the                  5 date, time, and location of the hearing. This                  6 document also states that the rules and rule making                  7 file were available for inspection upon request.                  8 Exhibit 12 is a true and accurate copy of                  9 the legislation that required these amendments to the                  10 Rules, comprised of House Bill 11-1163, House Bill                  11 11-1192, and House Bill 11-1279.                  12 I would like to enter Exhibits 1 through 12                  13 into the record for consideration.                  14 MS. PEREZ: Thank you very much.                  15 Exhibits 1 through 12 have been entered into the                  16 record.                  17 MS. NEVANS: Thank you, Madam Hearing                  18 Officer. All of the exhibits we've discussed have                  19 been offered into the record for your consideration,                  20 and I would ask that you find that all of the                  21 statutory requirements of the Administrative                  22 Procedure Act have been met at the end of this                  23 public hearing.                  24 MS. PEREZ: Thank you.                  25 Is there anyone else present from the</p>	<p>1 legislation.                  2 One change that was not driven by 2011                  3 legislation is found in Rule 306.4, where we                  4 clarified for the benefit of industry that "A                  5 semi-trailer used with a converter dolly shall be                  6 considered a trailer."                  7 As Ms. Nevans stated, both the redline                  8 version of the rules and this spreadsheet were                  9 provided to the interested parties and stakeholders.                  10 Comments were provided to the Department from these                  11 individuals, and either were incorporated into the                  12 proposed amendments or, where the Department did not                  13 agree that the recommended change was within the                  14 scope of this rule making or was not in conformance                  15 with current law, the Department explained this to                  16 the interested party or stakeholder.                  17 Madam Hearing Officer, I would like to add                  18 two corrections to these Rules:                  19 Page 3 in Rule 238, I request to strike the                  20 word "an" after "any part of" and replace it with the                  21 word "a."                  22 In addition, on pages 4 and 5, under Rule                  23 305.4, I request to add Rule 305.4.3 to read "Single                  24 vehicle shall not exceed 45 feet in length."                  25 MS. PEREZ: Thank you. Is there anyone</p>

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1 else present from the Department who is here today  
 2 to testify?  
 3 May I please have the list of all who have  
 4 signed in?  
 5 I don't see anyone who is present here to  
 6 testify. Let the record reflect that there is no one  
 7 present who wishes to testify at this rule making  
 8 hearing.  
 9 I'm going to admit the Hearing Attendance  
 10 Record as Exhibit 13, and Exhibit 14 shall be the  
 11 revised rules reflecting the changes that Mr. Wells  
 12 requested today, which will then be reviewed by the  
 13 Transportation Commission. I'll also include in the  
 14 record a copy of the transcript from this hearing.  
 15 Does anyone have any objections to the  
 16 exhibits that have been presented being entered into  
 17 the record?  
 18 Does anyone else have any comments to make  
 19 at this time?  
 20 For the record, no one wishes to make any  
 21 comment.  
 22 I will ask the representative of the  
 23 Attorney General's Office to make any comments about  
 24 the rules or procedures today.  
 25 MS. YOUNG: Good afternoon. My name is

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1 Kathryn Young, and I am a Senior Assistant Attorney  
 2 General with the Attorney General's Office in the  
 3 Transportation Unit.  
 4 It is my opinion that the rule making  
 5 procedure carried out by the Department, including  
 6 the rule making hearing today, was held in accordance  
 7 with the Administrative Procedure Act. I have no  
 8 further comment.  
 9 MS. PEREZ: Thank you. If there are no  
 10 other comments, I'll make my findings that:  
 11 First, the Transportation Commission  
 12 properly delegated authority to me to conduct this  
 13 hearing;  
 14 That the Department met the requirements of  
 15 the State Administrative Procedure Act and that this  
 16 rule making hearing has been conducted in conformance  
 17 with the State Administrative Procedure Act.  
 18 I'm going to find that the record does  
 19 support amendment of the Rules Pertaining to  
 20 Transport Permits for the Movement of Extra-Legal  
 21 Vehicles or Loads, 2 CCR 601-1;  
 22 And I will recommend to the Transportation  
 23 Commission that the amendments should be adopted if  
 24 it so chooses.  
 25 Finally, I'm going to make findings that

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1 the public did have an opportunity to comment.  
 2 Is there anything else to include in the  
 3 hearing today?  
 4 Then I'll ask for a second time: Is there  
 5 anything else that needs to be included in the  
 6 hearing today?  
 7 Seeing that there is nothing else, I will  
 8 prepare a record for the Transportation Commission.  
 9 The record will be available for inspection by the  
 10 public and kept on file with the permanent rule  
 11 making record.  
 12 Are there any questions?  
 13 The oral testimony portion of the rule  
 14 making procedure is now closed, and this hearing is  
 15 adjourned. Thank you, everyone.  
 16 (WHEREUPON, the hearing was closed at  
 17 2:22 p.m.)  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

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1 CERTIFICATE  
 2  
 3 STATE OF COLORADO )  
 COUNTY OF DENVER ) ss.  
 4  
 5 I, JODI M. WAGNER, a Registered  
 6 Professional Reporter and Notary Public for the State  
 7 of Colorado, do hereby certify that the  
 8 above-entitled hearing was taken in shorthand by me  
 9 and was reduced to typewritten form by computer-aided  
 10 transcription; that the foregoing is a true  
 11 transcript of the proceedings had; that I am not  
 12 attorney, nor counsel, nor in any way connected with  
 13 any attorney or counsel for any of the parties to  
 14 said action or otherwise interested in its event.  
 15 IN WITNESS WHEREOF, I have hereunto affixed  
 16 my hand and notarial seal this 2nd day of May, 2012.  
 17 My commission expires March 6, 2013.  
 18  
 19  
 20 JODI M. WAGNER  
 Registered Professional Reporter  
 And Notary Public  
 CALDERWOOD-MACKELPRANG, INC.  
 21  
 22  
 23  
 24  
 25

DEPARTMENT OF TRANSPORTATION

Transportation Commission

~~RULES AND REGULATIONS OF THE STATE OF COLORADO DEPARTMENT OF  
TRANSPORTATION PERTAINING TO TRANSPORT PERMITS FOR THE MOVEMENT OF EXTRA-  
LEGAL VEHICLES OR LOADS~~

2 CCR 601-4

CHAPTER 1 AUTHORITY AND GENERAL PROVISIONS

100 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE

101 History

~~Statements of Basis, Specific Statutory Authority and Purpose for each of the following dates that the Rules were adopted or amended are incorporated by reference in the Rules and are available upon request from the Colorado Department of Transportation, Staff Maintenance Branch. THE RULES PERTAINING TO TRANSPORT PERMITS FOR THE MOVEMENT OF EXTRA-LEGAL VEHICLES OR LOADS WERE MADE EFFECTIVE ON THE FOLLOWING DATES:~~

June 30, 1984;

January 30, 1986;

November 30, 1986;

January 30, 1988;

May 30, 1988;

April 30, 1989;

March 4, 1991;

April 30, 1992;

July 30, 1999;

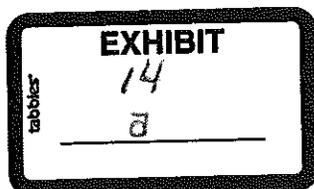
January 30, 2004;

August 1, 2007; AND

August 1, 2010.

102 ~~Basis for Rule~~ STATEMENT OF BASIS AND PURPOSE AND STATUTORY AUTHORITY

The AUGUST 1, 2010 ~~current~~ rulemaking was initiated to rewrite the rules on a broad basis after the last substantial rule hearing REVISION that encompassed more than one specific topic was held CONDUCTED in 1999. This AUGUST 1, 2010 rulemaking will change the rules to conform to legislation passed in 2006,



2008 and 2009 that impacted the permits issued by the Department or created new permit types. Industry also proposed broad revisions based on changing needs and business impact.

THE JUNE 30, 2012 RULEMAKING WAS INITIATED IN RESPONSE TO STATUTORY CHANGES RESULTING FROM LEGISLATION IN 2011 (HB11-1192, HB 11-1163, AND HB11-1279) WHICH AMENDED § 42-4-505(3)(A) C.R.S. AND § 42-4-510 C.R.S. THE LEGISLATIVE CHANGES TO § 42-4-510 CONCERN PERMITS FOR SUPER LOADS. THE LEGISLATION SPECIFICALLY REQUIRED THE DEPARTMENT TO CREATE A SYSTEM THAT TRACKS THE COMPLIANCE OF PERMIT HOLDERS AND USE THE SYSTEM TO DETERMINE IF A PERMIT HOLDER HAS A PATTERN OF NONCOMPLIANCE. THE LEGISLATIVE CHANGES TO § 42-4-505(3)(A) C.R.S. REQUIRED THE DEPARTMENT TO UNDERTAKE A PROCESS TO EVALUATE BOTH INTERSTATE AND STATE HIGHWAYS FOR POSSIBLE AUTHORIZATION BY THE DEPARTMENT OF ADDITIONAL HIGHWAY SEGMENTS FOR INCLUSION BY THE GENERAL ASSEMBLY, AND REQUIRED THE DEPARTMENT TO SOLICIT INPUT FROM ALL RELEVANT STAKEHOLDERS AND WORK WITHIN EXISTING STATUTORY AND REGULATORY GUIDELINES. THE LEGISLATION FURTHER REQUIRED THE DEPARTMENT TO COMMENCE THE REVIEW PROCESS WITHIN NINETY DAYS AFTER ACTION BY CONGRESS THAT WOULD ALLOW EXPANSION OF THE LONGER VEHICLE COMBINATIONS ROUTE NETWORK IN COLORADO. THE LEGISLATIVE CHANGES TO § 42-4-510(1)(B)(II)(B) STRUCK LANGUAGE REFERRING TO A TANDEM OR TRIPLE AXLE GROUP AND REPLACED IT WITH "TWO TO THREE AXLES", AND IN SUBSECTION (VII) MODIFIED THE SAME LANGUAGE REFERRING TO TANDEM OR TRIPLE AXLE GROUPING TO A "TRAILER THAT HAS TWO OR THREE AXLES".

#### **103—Statutory Authority**

Specific statutory authority for the Colorado Transportation Commission to adopt and promulgate Rules and Regulations pertaining to Transport Permits for the operation or movement of Extra-legal Vehicles or Loads, is contained in § 42-4-510 (1)(b), and 511 (1), AND § 43-1-106(8)(K) C.R.S. The Transportation Commission authorized the rule changes on November 21, 2009 in TC Resolution No. 1793. Various permits issued under the law require restrictions or conditions for movement which includes using Pilot Escort vehicles to accompany the movement of loads, in an effort to protect the health, safety and welfare of the traveling public. Conditions for requirements prescribed by the Department are statutorily authorized under § 42-4-510 (3), C.R.S.

#### **104—Purpose**

The purpose of the Rules is to comply with state statutes that allow the movement on state highways of vehicles and loads exceeding legal limits provided that the Department issues a permit for such vehicles and loads. Section 42-4-510 (3), C.R.S. authorizes the Department to prescribe conditions of operation for the movement of Extra-Legal loads.

#### **105103 General Provisions**

405.4103.1 An Extra-legal Vehicle or Load shall not operate or move on a State Highway, except by permit as provided in the Rules. The Department may, upon application in writing and Good Cause being shown therefore, issue a single-trip, a special, or an annual Transport Permit authorizing the Applicant to operate or move an Extra-legal Vehicle or Load of a size or weight exceeding the Legal Limits established by or otherwise not in conformity with §42-4-501 through §42-4-509 C.R.S. All permits shall be issued at the discretion of the Department, as provided in §42-4-510 C.R.S. ALL EXTRA-LEGAL PERMITS ISSUED BY THE DEPARTMENT ARE VALID FOR NONDIVISIBLE VEHICLES OR LOADS ONLY, UNLESS OTHERWISE SPECIFIED IN THIS RULE.

405.2103.2 In the permit, the Department may:

405.2.1103.2.1 Limit the number of trips or establish seasonal or other time limitations of operation;

~~405.2.2~~103.2.2 Limit or prescribe other conditions of operation when necessary to protect the safety of Highway users, the efficient movement of traffic, or the State Highways from undue damage;

~~405.2.3~~103.2.3 Require security to compensate for any injury;

~~405.2.4~~103.2.4 Prescribe conditions necessary for the proper administration and enforcement of the extra-legal permit program.

~~405.3~~103.3 The Permittee shall be responsible for compliance with:

~~405.3.1~~103.3.1 All terms and conditions in the Rules;

~~405.3.2~~103.3.2 All terms and conditions in the permit;

~~405.3.3~~103.3.3 All other applicable legal requirements, including the Commercial Vehicle Rules.

~~405.4~~103.4 The Permittee shall be responsible for the safe movement of the Extra-legal Vehicle or Load.

~~405.5~~103.5 The Department will provide a copy, EITHER PAPER OR ELECTRONIC, of the Rules AND, AS APPROPRIATE, the Bridge Weight Limit Map, the Pilot Escort and Oversize Restriction Map, and the Height Restriction Map to each Applicant for an annual permit, when the permit is granted.

## CHAPTER 2 DEFINITIONS

*[Editorial note: No changes were made to sections 200 – 211]*

212 Divisible Load - A Vehicle or Load that can be divided into separate or different parts in less than eight work hours ~~OR~~ and does not compromise the intended purpose of the Vehicle or Load or render it unable to perform the functions for which it was intended. See also "nondivisible load."

*[Editorial note: No changes were made to sections 213 – 215]*

216 Flashing Yellow Light - A warning lamp mounted as high as practicable, which shall be capable of displaying a flashing, oscillating, or rotating yellow light with sufficient intensity to be visible at 500 feet in normal sunlight. ~~A lamp is a single housing unit.~~

*[Editorial note: No changes were made to sections 217 – 235]*

236 Nondivisible Load or Vehicle - ~~As defined in 23 UCS 658,~~ Any Load or Vehicle exceeding applicable STATUTORY SIZE ~~Length~~ or weight limits which, if separated into smaller Loads or Vehicles, would compromise the intended use of the Vehicle, for example, Make it unable to perform the function for which it was intended; Destroy the value of the Load or Vehicle, i.e., make it unusable for its intended purpose; or Require more than 8 workhours to dismantle using appropriate equipment. The Applicant for a Nondivisible Load permit has the burden of proof as to the number of workhours required to dismantle the Load.

Pursuant to federal regulations the State may treat emergency response vehicles, casks designed for the transport of spent nuclear materials and military vehicles transporting marked military equipment or material as nondivisible vehicles or loads.

*[Editorial note: No changes were made to section 237]*

238 Overhang (ALSO KNOWN AS PROJECTION) - As defined in §42-4-504 (5) and (6) C.R.S. Any PART OF AN VEHICLE'S LOAD WHICH PROJECTS BEYOND THE FRONT MOST POINT OF THE GRILL ASSEMBLY OF THE VEHICLE ENGINE COMPARTMENT OR BEYOND THE REAR MOST FIXED POINT OF THE TRANSPORT VEHICLE projection four feet beyond the front of the Vehicle or ten feet beyond the rear of the Vehicle.

*[Editorial note: No changes were made to sections 239 – 243]*

244 Route Survey - A document detailing the specifics of the route, based on the vehicle configuration, dimensions, and weight, including but not limited to a detailed list of all overhead structure clearances, bridge crossing posted weight limits, highway widths, and maneuverability concerns. ROUTE SURVEYS REQUIRED DUE TO VEHICLE/LOAD DIMENSIONS OTHER THAN HEIGHT SHALL BE VALID FOR A PERIOD OF THIRTY DAYS UNLESS OTHERWISE DETERMINED BY THE DEPARTMENT.

*[Editorial note: No changes were made to sections 244 – 253]*

254 UNLADEN EXPANDABLE DUAL-LANE TRANSPORT TRAILER – AN EMPTY TRAILER CAPABLE OF BEING EXPANDED OR REDUCED IN WIDTH.

~~254~~255 Vehicle - A device, as defined in §42-1-102 (112), C.R.S. which is capable of moving itself, or of being moved, from place to place upon wheels or endless tracks.

~~255~~256 Width - The total outside transverse dimension of a Vehicle including the Load or Load-holding devices thereon and approved safety devices and tire bulge due to the Load, with the exception of rear view mirrors, clearance lights, or other accessories required by federal, state, or local laws or regulations.

### **CHAPTER 3 TRANSPORT PERMITS AND APPLICATION INFORMATION**

#### **300 The following Permits are available:**

*[Editorial note: No changes were made to sections 300.1 – 300.8]*

300.9 LVC OVERWEIGHT VEHICLE TRANSPORT PERMIT: A PERMIT ISSUED TO A LONGER VEHICLE COMBINATION, IN POSSESSION OF A LONGER VEHICLE PERMIT, WHICH INDICATES THE ROUTE OF TRAVEL, TO HAUL IN EXCESS OF LEGAL WEIGHT ON THE DESIGNATED ROUTE WITH A DIVISIBLE LOAD.

300.10 SUPER LOAD: A SUB-PERMIT OF A CHAPTER 6 SPECIAL FOR VEHICLES AND/OR LOADS AS REFERENCED IN § 42-4-510 (1.7) (a) (I) and (II).

300.11 6-MONTH NON-INTERSTATE DIVISIBLE LOAD PERMIT: A PERMIT THAT IS VALID FOR SIX MONTHS FROM THE DATE OF ISSUANCE ON ALL NON-INTERSTATE HIGHWAYS FOR AN EXTRA-LEGAL VEHICLE OR LOAD THAT DOES NOT EXCEED THE LEGAL SIZE LIMITS OR THE MAXIMUM WEIGHT LIMITS PER § 42-4-510 (1) (B) (II) AND THE BRIDGE WEIGHT LIMIT MAP. THIS PERMIT IS VALID FOR DIVISIBLE LOADS (WEIGHT ONLY).

*[Editorial note: No changes were made to sections 301 – 303]*

#### **304 ANNUAL PERMITS**

*[Editorial note: No changes were made to section 304.1]*

304.2 The Maximum Limits that may be authorized for an Extra-legal Vehicle or Load operating under an Annual OVERSIZE/OVERWEIGHT permit are as follows:

*[Editorial note: No changes were made to sections 304.2.1 – 304.2.8]*

### 305 QUAD AXLE ANNUAL OVERWEIGHT PERMIT FOR DIVISIBLE VEHICLES OR LOADS

The Maximum Limits that may be authorized for an Extra-legal Vehicle or load operating under a Quad Axle Annual Overweight Permit for Divisible Vehicles or Loads are as follows:

- 305.1 Thirteen feet in Height, unless operating on a highway, designated by the Colorado Department of Transportation, to operate at Fourteen feet, six inches in Height.
- 305.2 One hundred ten thousand pounds Gross Vehicle Weight, subject to the Maximum Limits for Axle weight designated on the Bridge Weight Limit Map. Vehicle must Be Configured with a Quad Axle grouping.

305.3 Eight feet, six inches in Width.

~~305.4 Seventy feet in Length for all highways. There is No Length limit when trailer is fifty-seven feet four inches or less in length.~~

305.4.1 TRACTOR/TRAILER COMBINATION – SEVENTY FEET IN LENGTH FOR ALL HIGHWAYS. THERE IS NO LENGTH LIMIT WHEN TRAILER IS FIFTY-SEVEN FEET FOUR INCHES OR LESS IN LENGTH WHEN UTILIZED AS A TRACTOR/TRAILER COMBINATION.

305.4.2 TRUCK/TRAILER COMBINATION – TRUCK SHALL NOT EXCEED FORTY-FIVE FEET IN LENGTH. THE OVERALL TRUCK/TRAILER COMBINATION SHALL NOT EXCEED SEVENTY FEET IN LENGTH.

305.4.3 SINGLE VEHICLE SHALL NOT EXCEED FORTY-FIVE FEET IN LENGTH.

~~305.5 Ten-foot rear Overhang.~~ LEGAL FRONT AND REAR OVERHANGS NOT EXCEEDING FOUR FEET IN FRONT AND TEN FEET IN REAR.

~~305.6 Four foot front Overhang.~~

### 306 TANDEM/TRIPLE TWO/THREE AXLE TRAILER ANNUAL OR 6-MONTH OVERWEIGHT PERMIT FOR DIVISIBLE VEHICLES OR LOADS

The Maximum Limits that may be authorized for an Extra-legal Vehicle or load operating under a Tandem/Triple Two/THREE Axle TRAILER Annual OR 6-MONTH Overweight Permit for Divisible Vehicles or Loads are as follows:

306.1 Thirteen feet in Height, unless operating on a highway, designated by the Colorado Department of Transportation, to operate at Fourteen feet, six inches in Height.

306.2 Ninety-seven thousand pounds Gross Vehicle Weight, subject to the Maximum Limits for Axle weight designated on the Bridge Weight Limit Map. Vehicle configuration must consist of a Tractor/POWER UNIT and a Trailer Configured with a Tandem/Triple AT LEAST TWO BUT NOT MORE THAN THREE Axles GROUPING on the Trailer.

306.3 Eight feet, six inches in Width.

~~306.4 Seventy feet in Length for all highways. There is No Length limit when trailer is fifty-seven feet four inches or less in length.~~

306.4.1 TRACTOR/TRAILER COMBINATION – SEVENTY FEET IN LENGTH FOR ALL HIGHWAYS. THERE IS NO LENGTH LIMIT WHEN TRAILER IS FIFTY-SEVEN FEET FOUR INCHES OR LESS IN LENGTH WHEN UTILIZED AS A TRACTOR/TRAILER COMBINATION.

306.4.2 TRUCK/TRAILER COMBINATION – TRUCK SHALL NOT EXCEED FORTY-FIVE FEET IN LENGTH. THE OVERALL TRUCK/TRAILER COMBINATION SHALL NOT EXCEED SEVENTY FEET IN LENGTH.

306.4.3 A SEMI-TRAILER USED WITH A CONVERTER DOLLY SHALL BE CONSIDERED A TRAILER.

306.5 Legal front and rear Overhangs of not exceeding four feet in front and ten feet in rear.

*[Editorial note: No changes were made to sections 307 – 308]*

### **309 Document Requirement.**

An annual Permittee must have the following documents in the permitted Vehicle, or access to the documents electronically, when operating or moving on any Highway, except as provided in Chapter 7. This provision does not apply to Annual LVC weight permits. THE PROVISIONS OF 309.4 AND 309.5 DO NOT APPLY TO NON-INTERSTATE OVERWEIGHT DIVISIBLE LOAD PERMITS.

309.1 The original or a copy of the Transport Permit, unless the permit can be electronically verified in accordance with §42-4-510 (4), C.R.S.

309.2 Copy of the Rules.

309.3 Bridge Weight Limit Map.

309.4 Pilot Escort and Oversize Restriction Map.

309.5 Height Restriction Map.

*[Editorial note: No changes were made to sections 310 – 311]*

*[Editorial note: No changes were made to Chapter 4 section 400]*

### **401 Regional Hours of Restrictions**

#### **401.1 DENVER AREA CURFEWS**

An Extra-legal Vehicle or Load is prohibited from travel, at the following times, unless authorized under a Chapter 6 Special OR SUPER LOAD Transport Permit in the Denver Area, during the hours of 6:00 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m., Monday through Friday, on the following segments:

401.1.1 I-25 between I-225 (Exit 200, RP 200.1) and SH 128 (120th Avenue, Exit 223)

401.1.2 I-70 between SH 72 (Ward Road) (Exit 266, RP 265) and I-225 (Exit 282, RP 282.6)

401.1.3 I-76 between I-25 (Exit 5, RP 5.8) and I-70 (Exit 0, RP 0)

401.1.4 I-76 between I-25 (Exit 12, RP 12.0) and U.S. 85 (Exit 5, RP 5.8) for LVCs only

401.1.5 SH 88 (Federal Blvd.) between Belleview Avenue (RP 7.9) and Colfax Avenue (RP 0)

401.1.6 SH 287 (Federal Blvd.) between Colfax Avenue (RP 282.7) and SH 128 (120th Avenue) (RP 294.8)

401.1.7 SH 95 (Sheridan Blvd.) between U.S. 285 (Hampden Avenue) (RP 0) and U.S. 36 (RP 14.3)

401.1.8 SH 391 (Kipling St.) between U.S. 285 (RP 0) and I-70 (RP 9.4)

401.1.9 SH 6 (6th Avenue) between I-25 (RP 284.5) and Indiana Street (RP 276.3)

401.1.10——\_SH 121 (Wadsworth Blvd.) between SH 470 (RP 0) and 80th Avenue (RP 20.7)

401.1.11——\_U.S. 36 between I-25 (RP 57) and SH 121 (Wadsworth Blvd.) (RP 48)

401.1.12——\_U.S. 285 (Hampden Avenue) between I-25 (RP 263.9) and SH 121 (Wadsworth Blvd.) (RP 255)

401.1.13——\_I-225 between I-25 (Exit 1A, RP 0) and I-70 (Exit 12B, RP 12.0)

401.1.14——\_I-270 between I-70 (Exit 5, RP 4.9) and I-25 (Exit 0, RP 0)

#### 401.2 COLORADO SPRINGS

An Extra-legal Vehicle or Load is prohibited from travel, at the following times, unless authorized under a Chapter 6 Special OR SUPER LOAD Transport Permit in Colorado Springs, during the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday through Friday.

401.2.1 I-25 between Academy Blvd. North (Exit 150A) and Academy Blvd. South (Exit 135)

401.2.2 I-25 between Monument (Exit 161, RP 160.8) and ~~SH 83~~ Academy Blvd South (Exit 135, RP 135.2)

401.2.3 SH 83 between Interquest Pkwy (RP 20.3) and Shoup Road (RP 21.2)

401.2.4 U.S. 24 between Exit 296 (Manitou Springs) (RP 297) and I-25 (RP 303) and I-25 (RP 303.4) and Meridian Blvd. (RP 320.3)

401.2.5 SH 94 between SH 24 (RP 0.5) and Enoch Road (RP 9.1)

401.2.6 SH 115 between Cherokee Dr (RP 39.7) and I-25 (RP 47.5)

4-01.2.7——\_SH21 between Mesa Ridge (RP 131.8) and U.S. 24 (RP 139.5) and Jct U.S. 24 (RP 141.7) and SH 83 (RP 154.1)

#### 401.3 PUEBLO AREA:

An Extra-legal Vehicle or Load is prohibited from travel, at the following times, unless authorized under a Chapter 6 Special OR SUPER LOAD Transport Permit in the Pueblo area, during the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday through Friday.

401.3.1 I-25 between Lake Avenue (Exit 94, RP 94.8) and Eagleridge Blvd. (Exit 102, RP 102.2)

401.3.2 SH 47 between Jerry Murphy Road (RP .8) and I-25 (RP 0)

401.3.3 SH 50 between I-25 (RP 314.5) and Pueblo Blvd. (RP 312.1)

401.3.4 SH 50 Business Loop between Northern Avenue (RP 2.0) to Aspen Street (RP 2.9)

401.4 ASPEN - CARBONDALE AREA: An Extra-legal Vehicle or Load is prohibited from travel, at the following times, unless authorized under a Chapter 6 Special Transport Permit on SH 82 between Carbondale (RP 11.7) and Aspen (RP 42), during the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday through Friday.

401.5 CENTRAL CITY: An Extra-legal Vehicle or Load can only travel between the hours of 3:00 a.m. and 11:00 a.m. in the Central City area.

401.5.1 SH 6 between SH 58 (RP 271.6) and I-70 at Floyd Hill (RP 275.7)

401.5.2 SH 119 between SH 6 (RP 0) to SH 72 (RP 22.7)

401.5.3 SH 46 between SH 119 (RP 0) and Gilpin/Jefferson County Line (RP 6.6) "at the Golden Gate Canyon"

401.6 CLEAR CREEK CANYON: An Extra-legal Vehicle or Load is prohibited from travel in Clear Creek Canyon during all times of the day on U.S. 6 between SH 58 (RP 271.6) and SH 119, unless authorized under a Chapter 6 Special OR SUPER LOAD Transport Permit.

#### **402 I-70 CORRIDOR SEASONAL RESTRICTIONS**

An Extra-legal Vehicle or Load is prohibited from travel, at the following times, unless authorized under a Chapter 6 Special OR SUPER LOAD Transport Permit on I-70 West Corridor defined as I-70 between the Morrison Exit (Exit 259, RP 258.7) and the West Vail Exit (Exit 173, RP 173.3), or any segment thereof.

402.1 WINTER RESTRICTIONS FROM December 1 through March 31:

402.1.1 Westbound Travel Prohibited between 3:00 p.m. and 8:00 p.m. on Fridays, and between 7:00 a.m. and 12:00 p.m. noon on Saturdays and Sundays.

402.1.2 Eastbound Travel Prohibited between 3:00 p.m. and 9:00 p.m. on Saturdays and Sundays.

402.2 SUMMER RESTRICTIONS FROM May 15 through September 15:

402.2.1 Westbound Travel Prohibited beginning at 4:00 p.m. at the Morrison Exit (Exit 259, RP 258.7) and beginning at 5:00 p.m. at the East Idaho Springs Exit (Exit 241) until 8:00 p.m. on Fridays, and between 8:00 a.m. and 12:00 p.m. noon on Saturdays.

402.2.2 Eastbound Travel Prohibited between 3:00 p.m. and 9:00 p.m. on Sundays.

*[Editorial note: No changes were made to sections 403 – 404]*

#### **405 HAZARDS: An Extra-legal Vehicle or Load is prohibited from travel when:**

*[Editorial note: No changes were made to sections 405.1 – 405.6]*

405.7 SIGNAGE: An Extra-legal Vehicle or Load shall display signs to indicate "Wide Load" or "Wide", "Long Load" or "Long", or "Oversize Load" or "Oversize", , as applicable, which shall be visible to approaching traffic from the front and the rear, except as provided in Chapter 7. All such signs shall either be five feet wide, ten inches high with one inch wide brush stroke, black letters a minimum of eight inches high on yellow background, or shall be seven feet wide, eighteen inches high, with a 1.41 inch brush stroke, black letters a minimum of ten inches high on yellow

background. THIS SECTION 405.7 DOES NOT APPLY TO LONGER VEHICLE COMBINATIONS OR TO VEHICLES THAT ARE OVERWEIGHT ONLY.

[Editorial note: No changes were made to sections 405.8, 406 – 407]

[Editorial note: No changes were made to sections 408, 408.1 – 408.2]

408.3 TRAVELING DURING HOURS OF DARKNESS: An Extra-legal Vehicle or Load operating or moving during the Hours of Darkness shall comply with All lighting required by §42-4-204 through §42-4-235, C.R.S., and the Commercial Vehicle Rules, as applicable, and the following requirements:

408.3.1 An Extra-legal Vehicle or Load that exceeds legal Width but does not exceed twelve feet in Width:

- A Flashing Yellow Light shall be mounted to the front of the Vehicle.
- At least two but not more than three Flashing Yellow Lights shall be mounted to the extreme rear.

408.3.2 IN ADDITION TO MEETING THE REQUIREMENTS SET FORTH IN 408.3.1, A An Extra-legal Vehicle or Load that exceeds twelve feet in Width but does not exceed fourteen feet in Width:

- On all two-lane Highways, one Pilot Escort Vehicle shall be in the front.
- On all four-lane Highways, one Pilot Escort Vehicle shall be in the rear.

408.3.3 An Extra-legal Vehicle or Load more than fourteen feet in Width is prohibited from travel during Hours of Darkness, unless authorized under a Chapter 6 Special permit.

408.3.4 AN EXTRA-LEGAL VEHICLE OR LOAD THAT EXCEEDS THE LEGAL LIMITS FOR LENGTH OR HAS AN OVERHANG:

408.3.4.1 A FLASHING YELLOW LIGHT SHALL BE MOUNTED TO THE FRONT OF THE VEHICLE.

408.3.4.2 THE PERMITTEE SHALL ATTACH AT LEAST ONE BUT NOT MORE THAN THREE YELLOW OR RED CLUSTER LIGHTS TO ANY OVERHANG, AS FOLLOWS:

408.3.4.3 IF THE OVERHANG IS IN THE REAR, RED CLUSTER LIGHTS SHALL BE USED.

408.3.4.4 IF THE OVERHANG IS IN THE FRONT, YELLOW CLUSTER LIGHTS SHALL BE USED.

[Editorial note: No changes were made to sections 409 – 411]

~~412 An Extra-legal Vehicle or Load that exceeds the Legal Limits for Length or has an Overhang:~~

~~412.1 A Flashing Yellow Light shall be mounted to the front of the Vehicle.~~

~~412.2 The Permittee shall attach at least one but not more than three yellow or red Cluster Lights to any Overhang, as follows:~~

~~412.3 If the Overhang is in the rear, red Cluster Lights shall be used.~~

412.4 ~~If the Overhang is in the front, yellow Cluster Lights shall be used.~~

[Editorial note: No changes were made to section 413 or Chapter 5]

## CHAPTER 6 SPECIAL PERMITS

600 An Extra-legal Vehicle or Load which the Department determines, based upon the application information, either requires extraordinary action or exceeds the Maximum Limits, and which does not qualify for a Chapter 8 Special Mobile Machinery Exemption, is prohibited from travel unless authorized by a Chapter 6 Special OR SUPER LOAD permit.

601 An Extra-legal Vehicle or Load under a Special OR SUPER LOAD permit shall comply with the following:

601.1 Applicable requirements of the Rules.

601.2 All conditions of the permit, which the Department determined to be necessary after a detailed analysis of the Extra-legal Vehicle or Load and the move, including but not limited to:

601.2.1 The size and type of Load to be moved.

601.2.2 The method to be utilized in making the move.

601.2.3 The areas where the move originates and terminates.

601.2.4 Route requested for the move.

601.2.5 The distance of the move.

602 Special OR SUPER LOAD permits shall be valid for only a single one-way trip.

603 An Extra-legal Vehicle or Load under a special OR SUPER LOAD permit shall have at least one Pilot Escort Vehicle in the front and shall have at least one Pilot Escort Vehicle in the rear, except when expressly designated otherwise by the Department. The Department may require the Permittee, as a condition of the permit, to provide COLORADO STATE PATROL ESCORT OR additional Pilot Escort Vehicles and flagpersons based upon certain factors including, but not limited to: State Highway Width, traffic volume, visibility, and whether the Width of the Load interferes with or blocks more than one Lane of traffic. If additional Pilot Escort Vehicles and flagpersons are required, they shall stop traffic at all intersections and other turn out areas ahead of the Load as necessary in accordance with Chapter 5 of the Rules to allow the Load to pass such areas without causing safety or traffic hazards, except as otherwise described in the permit by the Department.

[Editorial note: No changes were made to sections 604 – 607]

608 An extra-legal vehicle or load that exceeds any of the Maximum limits established for Annual permits in Chapter 3 is prohibited from travel unless authorized by a Chapter 6 Special OR SUPER LOAD permit.

609 AS IDENTIFIED IN § 42-4-510 (1.7), C.R.S., SUPER LOAD PERMITS MAY BE ISSUED FOR A COMBINATION VEHICLE WITH A WEIGHT OF FIVE HUNDRED THOUSAND POUNDS OR MORE THAT OCCUPIES TWO LANES TO

HAUL THE LOAD; OR AN UNLADEN COMBINATION VEHICLE WITH AN EXPANDABLE DUAL-LANE TRANSPORT TRAILER THAT OCCUPIES TWO LANES.

609.1 FOR THE PURPOSES OF THIS SUBSECTION, A VEHICLE OR LOAD WILL BE DEEMED TO OCCUPY TWO LANES WHEN THE TOTAL WIDTH OF THE VEHICLE OR LOAD EXCEEDS 15 FEET.

609.2 AN APPLICANT FOR A SUPER LOAD PERMIT SHALL PROVIDE THE DEPARTMENT WITH ACCEPTABLE THIRD PARTY DOCUMENTATION ESTABLISHING THE GROSS WEIGHT OF THE LOAD. ACCEPTABLE THIRD PARTY DOCUMENTATION INCLUDES, BUT IS NOT LIMITED TO:

609.2.1 MANUFACTURER'S CERTIFICATION OF THE WEIGHT OF THE LOAD.

609.2.2 CERTIFIED WEIGHT TICKET FROM A CERTIFIED PUBLIC SCALE.

609.2.3 CLEARANCE CERTIFICATION FROM A LAW ENFORCEMENT AGENCY THAT HAS WEIGHED THE LOAD.

609.2.4 THIRD-PARTY BILL OF LADING THAT CLEARLY INDICATES THE WEIGHT OF THE LOAD.

609.3 AN EXTRA-LEGAL VEHICLE OR LOAD UNDER A SUPER LOAD PERMIT SHALL COMPLY WITH THE FOLLOWING:

609.3.1 APPLICABLE REQUIREMENTS OF THE RULES.

609.3.2 ALL CONDITIONS OF THE PERMIT.

609.3.3 DRIVER SHALL HAVE IN HIS/HER POSSESSION A COPY OF THE ACCEPTABLE THIRD-PARTY CERTIFICATION OF WEIGHT PROVIDED TO THE DEPARTMENT.

*[Editorial note: No changes were made to chapters 7, 8 and 9]*

## **CHAPTER 10 DENIAL OF PERMIT APPLICATION SUSPENSION OR REVOCATION OF PERMITS HEARINGS AND APPEALS**

1000 THE DEPARTMENT SHALL TRACK PERMIT VIOLATIONS REPORTED TO THE DEPARTMENT BY LAW ENFORCEMENT AGENCIES, INCLUDING DATA REPORTED TO THE DEPARTMENT THAT ESTABLISH PATTERNS OF NONCOMPLIANCE. The Department may deny a permit application and may amend, revise, modify, suspend, or revoke a permit for violations of the Rules or of permit conditions, in accordance with the provisions of §24-4-104 and §24-4-105, C.R.S. If the application for a new permit or a renewal permit is denied without a hearing, the Department shall notify the Applicant in writing of such action and the ground(s) therefore, and the Applicant has sixty days after the giving of such notice in which to request a hearing.

*[Editorial note: No changes were made to sections 1001 – 1004]*

**DEPARTMENT OF TRANSPORTATION**

**Transportation Commission**

**RULES PERTAINING TO TRANSPORT PERMITS FOR THE MOVEMENT OF EXTRA-LEGAL VEHICLES OR LOADS**

**2 CCR 601-4**

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**CHAPTER 1 AUTHORITY AND GENERAL PROVISIONS**

**100 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE**

**101 History**

The Rules Pertaining to Transport Permits for the Movement of Extra-Legal Vehicles or Loads were made effective on the following dates: June 30, 1984; January 30, 1986; November 30, 1986; January 30, 1988; May 30, 1988; April 30, 1989; March 4, 1991; April 30, 1992; July 30, 1999; January 30, 2004; August 1, 2007; and August 1, 2010.

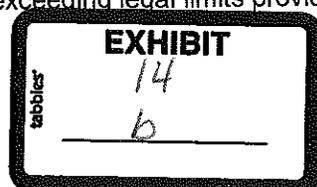
**102 Statement of Basis and Purpose and Statutory Authority**

The August 1, 2010 rulemaking was initiated to rewrite the rules on a broad basis after the last substantial rule revision conducted in 1999. The August 1, 2010 rulemaking changed the rules to conform to legislation passed in 2006, 2008 and 2009 that impacted the permits issued by the Department or created new permit types. Industry also proposed broad revisions based on changing needs and business impact.

The June 30, 2012 rulemaking was initiated in response to statutory changes resulting from legislation in 2011 (HB11-1192, HB 11-1163, and HB11-1279) which amended § 42-4-505(3)(a) C.R.S. and § 42-4-510 C.R.S. The legislative changes to § 42-4-510 concern permits for Super Loads. The legislation specifically required the Department to create a system that tracks the compliance of permit holders and use the system to determine if a permit holder has a pattern of noncompliance. The legislative changes to § 42-4-505(3)(a) c.r.s. required the Department to undertake a process to evaluate both interstate and state highways for possible authorization by the Department of additional highway segments for inclusion by the General Assembly, and required the Department to solicit input from all relevant stakeholders and work within existing statutory and regulatory guidelines. The legislation further required the Department to commence the review process within ninety days after action by Congress that would allow expansion of the Longer Vehicle Combinations route network in Colorado. The legislative changes to § 42-4-510(1)(b)(II)(B) struck language referring to a tandem or triple axle group and replaced it with "two to three axles", and in subsection (VII) modified the same language referring to tandem or triple axle grouping to a "trailer that has two or three axles".

Specific statutory authority for the Colorado Transportation Commission to adopt and promulgate Rules pertaining to Transport Permits for the operation or movement of Extra-legal Vehicles or Loads, is contained in §§ 42-4-510 (1)(b), 511 (1), and § 43-1-106(8)(k) C.R.S. Various permits issued under the law require restrictions or conditions for movement which includes using Pilot Escort vehicles to accompany the movement of loads, in an effort to protect the health, safety and welfare of the traveling public. Conditions for requirements prescribed by the Department are statutorily authorized under § 42-4-510 (3), C.R.S.

The purpose of the Rules is to comply with state statutes that allow the movement on state highways of vehicles and loads exceeding legal limits provided that the Department issues a permit for such vehicles



and loads. Section 42-4-510 (3), C.R.S. authorizes the Department to prescribe conditions of operation for the movement of Extra-Legal loads.

### **103 General Provisions**

- 103.1 An Extra-legal Vehicle or Load shall not operate or move on a State Highway, except by permit as provided in the Rules. The Department may, upon application in writing and Good Cause being shown therefore, issue a single-trip, a special, or an annual Transport Permit authorizing the Applicant to operate or move an Extra-legal Vehicle or Load of a size or weight exceeding the Legal Limits established by or otherwise not in conformity with §42-4-501 through §42-4-509 C.R.S. All permits shall be issued at the discretion of the Department, as provided in §42-4-510 C.R.S. All Extra-legal permits issued by the Department are valid for nondivisible Vehicles or Loads only, unless otherwise specified in this rule.
- 103.2 In the permit, the Department may:
- 103.2.1 Limit the number of trips or establish seasonal or other time limitations of operation;
  - 103.2.2 Limit or prescribe other conditions of operation when necessary to protect the safety of Highway users, the efficient movement of traffic, or the State Highways from undue damage;
  - 103.2.3 Require security to compensate for any injury;
  - 103.2.4 Prescribe conditions necessary for the proper administration and enforcement of the extra-legal permit program.
- 103.3 The Permittee shall be responsible for compliance with:
- 103.3.1 All terms and conditions in the Rules;
  - 103.3.2 All terms and conditions in the permit;
  - 103.3.3 All other applicable legal requirements, including the Commercial Vehicle Rules.
- 103.4 The Permittee shall be responsible for the safe movement of the Extra-legal Vehicle or Load.
- 103.5 The Department will provide a copy, either paper or electronic, of the Rules and, as appropriate, the Bridge Weight Limit Map, the Pilot Escort and Oversize Restriction Map, and the Height Restriction Map to each Applicant for an annual permit, when the permit is granted.

## **CHAPTER 2 DEFINITIONS**

*[Editorial note: No changes were made to sections 200 – 211]*

- 212 Divisible Load - A Vehicle or Load that can be divided into separate or different parts in less than eight work hours or does not compromise the intended purpose of the Vehicle or Load or render it unable to perform the functions for which it was intended. See also "nondivisible load."

*[Editorial note: No changes were made to sections 213 – 215]*

- 216 Flashing Yellow Light - A warning lamp mounted as high as practicable, which shall be capable of displaying a flashing, oscillating, or rotating yellow light with sufficient intensity to be visible at 500 feet in normal sunlight.

*[Editorial note: No changes were made to sections 217 – 235]*

236 Nondivisible Load or Vehicle - Any Load or Vehicle exceeding applicable statutory size or weight limits which, if separated into smaller Loads or Vehicles, would compromise the intended use of the Vehicle, for example, Make it unable to perform the function for which it was intended; Destroy the value of the Load or Vehicle, i.e., make it unusable for its intended purpose; or Require more than 8 workhours to dismantle using appropriate equipment. The Applicant for a Nondivisible Load permit has the burden of proof as to the number of workhours required to dismantle the Load.

Pursuant to federal regulations the State may treat emergency response vehicles, casks designed for the transport of spent nuclear materials and military vehicles transporting marked military equipment or material as nondivisible vehicles or loads.

*[Editorial note: No changes were made to section 237]*

238 Overhang (also known as Projection) - Any part of a Vehicle's Load which projects beyond the front most point of the grill assembly of the Vehicle engine compartment or beyond the rear most fixed point of the transport Vehicle.

*[Editorial note: No changes were made to sections 239 – 243]*

244 Route Survey - A document detailing the specifics of the route, based on the vehicle configuration, dimensions, and weight, including but not limited to a detailed list of all overhead structure clearances, bridge crossing posted weight limits, highway widths, and maneuverability concerns. Route Surveys required due to Vehicle/Load dimensions other than Height shall be valid for a period of thirty days unless otherwise determined by the Department.

*[Editorial note: No changes were made to sections 244 – 253]*

254 Unladen Expandable Dual-Lane Transport Trailer – An empty trailer capable of being expanded or reduced in Width.

255 Vehicle - A device, as defined in §42-1-102 (112), C.R.S. which is capable of moving itself, or of being moved, from place to place upon wheels or endless tracks.

256 Width - The total outside transverse dimension of a Vehicle including the Load or Load-holding devices thereon and approved safety devices and tire bulge due to the Load, with the exception of rear view mirrors, clearance lights, or other accessories required by federal, state, or local laws or regulations.

### **CHAPTER 3 TRANSPORT PERMITS AND APPLICATION INFORMATION**

**300 The following Permits are available:**

*[Editorial note: No changes were made to sections 300.1 – 300.8]*

300.9 LVC Overweight Vehicle Transport Permit: A permit issued to a Longer Vehicle Combination, in possession of a Longer Vehicle Permit, which indicates the route of travel, to haul in excess of legal weight on the designated route with a Divisible Load.

300.10 Super Load: A sub-permit of a Chapter 6 Special for Vehicles and/or Loads as referenced in § 42-4-510 (1.7) (a) (I) and (II).

300.11 6-Month Non-Interstate Divisible Load Permit: A permit that is valid for six months from the date of issuance on all Non-Interstate Highways for an Extra-legal Vehicle or Load that does not exceed the legal size limits or the maximum weight limits per § 42-4-510 (1) (b) (II) and the Bridge Weight Limit Map. This permit is valid for Divisible Loads (weight only).

*[Editorial note: No changes were made to sections 301 – 303]*

### **304 ANNUAL PERMITS**

*[Editorial note: No changes were made to section 304.1]*

304.2 The Maximum Limits that may be authorized for an Extra-legal Vehicle or Load operating under an Annual Oversize/Overweight permit are as follows:

*[Editorial note: No changes were made to sections 304.2.1 – 304.2.8]*

### **305 QUAD AXLE ANNUAL OVERWEIGHT PERMIT FOR DIVISIBLE VEHICLES OR LOADS**

The Maximum Limits that may be authorized for an Extra-legal Vehicle or load operating under a Quad Axle Annual Overweight Permit for Divisible Vehicles or Loads are as follows:

305.1 Thirteen feet in Height, unless operating on a highway, designated by the Colorado Department of Transportation, to operate at Fourteen feet, six inches in Height.

305.2 One hundred ten thousand pounds Gross Vehicle Weight, subject to the Maximum Limits for Axle weight designated on the Bridge Weight Limit Map. Vehicle must Be Configured with a Quad Axle grouping.

305.3 Eight feet, six inches in Width.

305.4 Length

305.4.1 Tractor/Trailer Combination – Seventy feet in Length for all Highways. There is No Length limit when trailer is fifty-seven feet four inches or less in Length when utilized as a tractor/trailer combination.

305.4.2 Truck/Trailer Combination – Truck shall not exceed forty-five feet in Length. The overall Truck/trailer combination shall not exceed seventy feet in Length.

305.4.3 Single vehicle shall not exceed forty-five feet in Length.

305.5 Legal front and rear Overhangs not exceeding four feet in front and ten feet in rear.

### **306 TWO/THREE AXLE TRAILER ANNUAL OR 6-MONTH OVERWEIGHT PERMIT FOR DIVISIBLE VEHICLES OR LOADS**

The Maximum Limits that may be authorized for an Extra-legal Vehicle or load operating under a Two/Three Axle trailer Annual or 6-Month Overweight Permit for Divisible Vehicles or Loads are as follows:

306.1 Thirteen feet in Height, unless operating on a highway, designated by the Colorado Department of Transportation, to operate at Fourteen feet, six inches in Height.

306.2 Ninety-seven thousand pounds Gross Vehicle Weight, subject to the Maximum Limits for Axle weight designated on the Bridge Weight Limit Map. Vehicle configuration must consist of a power unit and a Trailer Configured with at least two but not more than three Axles on the Trailer.

306.3 Eight feet, six inches in Width.

306.4 Length

306.4.1 Tractor/Trailer Combination – Seventy feet in Length for all Highways. There is No Length limit when trailer is fifty-seven feet four inches or less in Length when utilized as a tractor/trailer combination.

306.4.2 Truck/Trailer Combination – Truck shall not exceed forty-five feet in Length. The overall Truck/trailer combination shall not exceed seventy feet in Length.

306.4.3 A Semi-Trailer used with a converter dolly shall be considered a trailer.

306.5 Legal front and rear Overhangs not exceeding four feet in front and ten feet in rear.

*[Editorial note: No changes were made to sections 307 – 308]*

### **309 Document Requirement.**

An annual Permittee must have the following documents in the permitted Vehicle, or access to the documents electronically, when operating or moving on any Highway, except as provided in Chapter 7. This provision does not apply to Annual LVC weight permits. The provisions of 309.4 and 309.5 do not apply to Non-Interstate overweight Divisible Load Permits.

309.1 The original or a copy of the Transport Permit, unless the permit can be electronically verified in accordance with §42-4-510 (4), C.R.S.

309.2 Copy of the Rules.

309.3 Bridge Weight Limit Map.

309.4 Pilot Escort and Oversize Restriction Map.

309.5 Height Restriction Map.

*[Editorial note: No changes were made to sections 310 – 311]*

*[Editorial note: No changes were made to Chapter 4 section 400]*

### **401 Regional Hours of Restrictions**

401.1 DENVER AREA CURFEWS

An Extra-legal Vehicle or Load is prohibited from travel, at the following times, unless authorized under a Chapter 6 Special or Super Load Transport Permit in the Denver Area, during the hours of 6:00 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m., Monday through Friday, on the following segments:

401.1.1 I-25 between I-225 (Exit 200, RP 200.1) and SH 128 (120th Avenue, Exit 223)

401.1.2 I-70 between SH 72 (Ward Road) (Exit 266, RP 265) and I-225 (Exit 282, RP 282.6)

- 401.1.3 I-76 between I-25 (Exit 5, RP 5.8) and I-70 (Exit 0, RP 0)
- 401.1.4 I-76 between I-25 (Exit 12, RP 12.0) and U.S. 85 (Exit 5, RP 5.8) for LVCs only
- 401.1.5 SH 88 (Federal Blvd.) between Belleview Avenue (RP 7.9) and Colfax Avenue (RP 0)
- 401.1.6 SH 287 (Federal Blvd.) between Colfax Avenue (RP 282.7) and SH 128 (120th Avenue) (RP 294.8)
- 401.1.7 SH 95 (Sheridan Blvd.) between U.S. 285 (Hampden Avenue) (RP 0) and U.S. 36 (RP 14.3)
- 401.1.8 SH 391 (Kipling St.) between U.S. 285 (RP 0) and I-70 (RP 9.4)
- 401.1.9 SH 6 (6th Avenue) between I-25 (RP 284.5) and Indiana Street (RP 276.3)
- 401.1.10 SH 121 (Wadsworth Blvd.) between SH 470 (RP 0) and 80th Avenue (RP 20.7)
- 401.1.11 U.S. 36 between I-25 (RP 57) and SH 121 (Wadsworth Blvd.) (RP 48)
- 401.1.12 U.S. 285 (Hampden Avenue) between I-25 (RP 263.9) and SH 121 (Wadsworth Blvd.) (RP 255)
- 401.1.13 I-225 between I-25 (Exit 1A, RP 0) and I-70 (Exit 12B, RP 12.0)
- 401.1.14 I-270 between I-70 (Exit 5, RP 4.9) and I-25 (Exit 0, RP 0)

401.2 COLORADO SPRINGS

An Extra-legal Vehicle or Load is prohibited from travel, at the following times, unless authorized under a Chapter 6 Special or Super Load Transport Permit in Colorado Springs, during the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday through Friday.

- 401.2.1 I-25 between Academy Blvd. North (Exit 150A) and Academy Blvd. South (Exit 135)
- 401.2.2 I-25 between Monument (Exit 161, RP 160.8) and Academy Blvd South (Exit 135, RP 135.2)
- 401.2.3 SH 83 between Interquest Pkwy (RP 20.3) and Shoup Road (RP 21.2)
- 401.2.4 U.S. 24 between Exit 296 (Manitou Springs) (RP 297) and I-25 (RP 303) and I-25 (RP 303.4) and Meridian Blvd. (RP 320.3)
- 401.2.5 SH 94 between SH 24 (RP 0.5) and Enoch Road (RP 9.1)
- 401.2.6 SH 115 between Cherokee Dr (RP 39.7) and I-25 (RP 47.5)
- 401.2.7 SH21 between Mesa Ridge (RP 131.8) and U.S. 24 (RP 139.5) and Jct U.S. 24 (RP 141.7) and SH 83 (RP 154.1)

401.3 PUEBLO AREA:

An Extra-legal Vehicle or Load is prohibited from travel, at the following times, unless authorized under a Chapter 6 Special or Super Load Transport Permit in the Pueblo area, during the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday through Friday.

- 401.3.1 I-25 between Lake Avenue (Exit 94, RP 94.8) and Eagleridge Blvd. (Exit 102, RP 102.2)
- 401.3.2 SH 47 between Jerry Murphy Road (RP .8) and I-25 (RP 0)
- 401.3.3 SH 50 between I-25 (RP 314.5) and Pueblo Blvd. (RP 312.1)
- 401.3.4 SH 50 Business Loop between Northern Avenue (RP 2.0) to Aspen Street (RP 2.9)
- 401.4 ASPEN - CARBONDALE AREA: An Extra-legal Vehicle or Load is prohibited from travel, at the following times, unless authorized under a Chapter 6 Special Transport Permit on SH 82 between Carbondale (RP 11.7) and Aspen (RP 42), during the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday through Friday.
- 401.5 CENTRAL CITY: An Extra-legal Vehicle or Load can only travel between the hours of 3:00 a.m. and 11:00 a.m. in the Central City area.
  - 401.5.1 SH 6 between SH 58 (RP 271.6) and I-70 at Floyd Hill (RP 275.7)
  - 401.5.2 SH 119 between SH 6 (RP 0) to SH 72 (RP 22.7)
  - 401.5.3 SH 46 between SH 119 (RP 0) and Gilpin/Jefferson County Line (RP 6.6) "at the Golden Gate Canyon"
- 401.6 CLEAR CREEK CANYON: An Extra-legal Vehicle or Load is prohibited from travel in Clear Creek Canyon during all times of the day on U.S. 6 between SH 58 (RP 271.6) and SH 119, unless authorized under a Chapter 6 Special or Super Load Transport Permit.

**402 I-70 CORRIDOR SEASONAL RESTRICTIONS**

An Extra-legal Vehicle or Load is prohibited from travel, at the following times, unless authorized under a Chapter 6 Special or Super Load Transport Permit on I-70 West Corridor defined as I-70 between the Morrison Exit (Exit 259, RP 258.7) and the West Vail Exit (Exit 173, RP 173.3), or any segment thereof.

- 402.1 WINTER RESTRICTIONS FROM December 1 through March 31:
  - 402.1.1 Westbound Travel Prohibited between 3:00 p.m. and 8:00 p.m. on Fridays, and between 7:00 a.m. and 12:00 p.m. noon on Saturdays and Sundays.
  - 402.1.2 Eastbound Travel Prohibited between 3:00 p.m. and 9:00 p.m. on Saturdays and Sundays.
- 402.2 SUMMER RESTRICTIONS FROM May 15 through September 15:
  - 402.2.1 Westbound Travel Prohibited beginning at 4:00 p.m. at the Morrison Exit (Exit 259, RP 258.7) and beginning at 5:00 p.m. at the East Idaho Springs Exit (Exit 241) until 8:00 p.m. on Fridays, and between 8:00 a.m. and 12:00 p.m. noon on Saturdays.
  - 402.2.2 Eastbound Travel Prohibited between 3:00 p.m. and 9:00 p.m. on Sundays.

*[Editorial note: No changes were made to sections 403 – 404]*

**405 HAZARDS: An Extra-legal Vehicle or Load is prohibited from travel when:**

*[Editorial note: No changes were made to sections 405.1 – 405.6]*

405.7 SIGNAGE: An Extra-legal Vehicle or Load shall display signs to indicate "Wide Load" or "Wide" , "Long Load" or "Long" , or "Oversize Load" or "Oversize" , , as applicable, which shall be visible to approaching traffic from the front and the rear, except as provided in Chapter 7. All such signs shall either be five feet wide, ten inches high with one inch wide brush stroke, black letters a minimum of eight inches high on yellow background, or shall be seven feet wide, eighteen inches high, with a 1.41 inch brush stroke, black letters a minimum of ten inches high on yellow background. This section 405.7 does not apply to Longer Vehicle Combinations or to Vehicles that are overweight only.

[Editorial note: No changes were made to sections 405.8, 406 – 407]

[Editorial note: No changes were made to sections 408, 408.1 – 408.2]

408.3 TRAVELING DURING HOURS OF DARKNESS: An Extra-legal Vehicle or Load operating or moving during the Hours of Darkness shall comply with All lighting required by §42-4-204 through §42-4-235, C.R.S., and the Commercial Vehicle Rules, as applicable, and the following requirements:

408.3.1 An Extra-legal Vehicle or Load that exceeds legal Width but does not exceed twelve feet in Width:

- A Flashing Yellow Light shall be mounted to the front of the Vehicle.
- At least two but not more than three Flashing Yellow Lights shall be mounted to the extreme rear.

408.3.2 In addition to meeting the requirements set forth in 408.3.1, an Extra-legal Vehicle or Load that exceeds twelve feet in Width but does not exceed fourteen feet in Width:

- On all two-lane Highways, one Pilot Escort Vehicle shall be in the front.
- On all four-lane Highways, one Pilot Escort Vehicle shall be in the rear.

408.3.3 An Extra-legal Vehicle or Load more than fourteen feet in Width is prohibited from travel during Hours of Darkness, unless authorized under a Chapter 6 Special permit.

408.3.4 An Extra-legal Vehicle or Load that exceeds the Legal Limits for Length or has an Overhang:

408.3.4.1 A Flashing Yellow Light shall be mounted to the front of the Vehicle.

408.3.4.2 The Permittee shall attach at least one but not more than three yellow or red Cluster Lights to any Overhang, as follows:

408.3.4.3 If the Overhang is in the rear, red Cluster Lights shall be used.

408.3.4.4 If the Overhang is in the front, yellow Cluster Lights shall be used. [Editorial note: No changes were made to sections 409 – 411]

**[Editorial note: No changes were made to section 413 or Chapter 5] CHAPTER 6  
SPECIAL PERMITS**

600 An Extra-legal Vehicle or Load which the Department determines, based upon the application information, either requires extraordinary action or exceeds the Maximum Limits, and which does

not qualify for a Chapter 8 Special Mobile Machinery Exemption, is prohibited from travel unless authorized by a Chapter 6 Special or Super Load permit.

- 601 An Extra-legal Vehicle or Load under a Special or Super Load permit shall comply with the following:
- 601.1 Applicable requirements of the Rules.
  - 601.2 All conditions of the permit, which the Department determined to be necessary after a detailed analysis of the Extra-legal Vehicle or Load and the move, including but not limited to:
    - 601.2.1 The size and type of Load to be moved.
    - 601.2.2 The method to be utilized in making the move.
    - 601.2.3 The areas where the move originates and terminates.
    - 601.2.4 Route requested for the move.
    - 601.2.5 The distance of the move.
- 602 Special or Super Load permits shall be valid for only a single one-way trip.
- 603 An Extra-legal Vehicle or Load under a special or Super Load permit shall have at least one Pilot Escort Vehicle in the front and shall have at least one Pilot Escort Vehicle in the rear, except when expressly designated otherwise by the Department. The Department may require the Permittee, as a condition of the permit, to provide Colorado State Patrol escort or additional Pilot Escort Vehicles and flagpersons based upon certain factors including, but not limited to: State Highway Width, traffic volume, visibility, and whether the Width of the Load interferes with or blocks more than one Lane of traffic. If additional Pilot Escort Vehicles and flagpersons are required, they shall stop traffic at all intersections and other turn out areas ahead of the Load as necessary in accordance with Chapter 5 of the Rules to allow the Load to pass such areas without causing safety or traffic hazards, except as otherwise described in the permit by the Department.

*[Editorial note: No changes were made to sections 604 – 607]*

- 608 An extra-legal vehicle or load that exceeds any of the Maximum limits established for Annual permits in Chapter 3 is prohibited from travel unless authorized by a Chapter 6 Special or Super Load permit.
- 609 As identified in § 42-4-510 (1.7), C.R.S., Super Load permits may be issued for a combination Vehicle with a weight of five hundred thousand pounds or more that occupies two Lanes to haul the load; or an unladen combination Vehicle with an expandable dual-Lane transport trailer that occupies two Lanes.
- 609.1 For the purposes of this subsection, a Vehicle or Load will be deemed to occupy two Lanes when the total Width of the Vehicle or Load exceeds 15 feet.
  - 609.2 An Applicant for a Super Load permit shall provide the Department with acceptable third party documentation establishing the gross weight of the Load. Acceptable third party documentation includes, but is not limited to:
    - 609.2.1 Manufacturer's certification of the weight of the Load.

609.2.2 Certified weight ticket from a certified public scale.

609.2.3 Clearance certification from a law enforcement agency that has weighed the Load.

609.2.4 Third-party bill of lading that clearly indicates the weight of the Load.

609.3 An Extra-Legal Vehicle or Load under a Super Load permit shall comply with the following:

609.3.1 Applicable requirements of the Rules.

609.3.2 All conditions of the permit.

609.3.3 Driver shall have in his/her possession a copy of the acceptable third-party certification of weight provided to the Department.

*[Editorial note: No changes were made to chapters 7, 8 and 9]*

## **CHAPTER 10 DENIAL OF PERMIT APPLICATION SUSPENSION OR REVOCATION OF PERMITS HEARINGS AND APPEALS**

1000 The Department shall track permit violations reported to the Department by law enforcement agencies, including data reported to the Department that establish patterns of noncompliance. The Department may deny a permit application and may amend, revise, modify, suspend, or revoke a permit for violations of the Rules or of permit conditions, in accordance with the provisions of §24-4-104 and §24-4-105, C.R.S. If the application for a new permit or a renewal permit is denied without a hearing, the Department shall notify the Applicant in writing of such action and the ground(s) therefore, and the Applicant has sixty days after the giving of such notice in which to request a hearing.

*[Editorial note: No changes were made to sections 1001 – 1004]*