

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION
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Date: March 26, 2013
To: Transportation Commission
From: Herman Stockinger / Mary Frances Nevans
Subject: Open Rules 2 CCR 601-1A, "Rules Governing the State Highway Access Category Assignment Schedule"

Executive Summary: The Department of Transportation requests that the Transportation Commission open the Rule Making process and delegate authority to an Administrative Hearing Officer to conduct a public hearing regarding 2 CCR 601-1A, the Rules Governing the State Highway Access Category Assignment Schedule. The proposed amendments to the rules are requested by local jurisdictions (the Town of Berthoud and the City of Durango) and at the request of the Department.

1. Action Requested: Open the Rule Making process and delegate authority to an Administrative Hearing Officer to conduct a public Rule Making hearing.

2. Documents Included in this Agenda Submission

- A. Memorandum from Herman Stockinger to the Transportation Commission
- B. Amended Rules in red-line draft
- C. Proposed Resolution

3. Rationale for Amending Rules. The scope of the proposed changes is narrow and is summarized below. Also, one of the changes corrects the Assignment Schedule to reflect the Transportation Commission's approval of a recent abandonment of roadway (US 350) between CDOT and the City of La Junta. Specifically, the changes are:

- State Highway 287: changing the access category for the segment between Milepost 324.464 to Milepost 325.529 (Town of Berthoud request from Freeway Facility to Non-Rural Regional Highway)
- State Highway 160: changing the access category for the segment between Milepost 81.406 to Milepost 83.207 (City of Durango from Rural Regional Highway to Non-Rural Regional Highway)
- US 350: abandoning the segment between Milepost 72.576 to 73.00 (CDOT change: abandoning segment to City of La Junta and concurrent adoption of Grant Ave from 5th

St. to JCT with US 50 , to be the new end segment of US 350 from Milepost 72.576 to Milepost 72.718 end of US 350)

- State Highway 7: changing the access category for the segment between Milepost 68.541 to Milepost 71.835 (CDOT change from Rural Regional Highway to Non-Rural Regional Highway)

The Department will adhere to the process required under the Administrative Procedure Act, § 24-4-103, C.R.S. which commences with the Department establishing a Representative Group to review an initial draft of the rules and provide comments, followed by the Transportation Commission opening the formal rule making process and delegating authority to an administrative hearing officer to hold a public hearing on this proposed change. The Department will provide notice to interested parties that the rules are being updated and will invite comments. Following a public hearing, the Department will request that the Transportation Commission adopt the revised rules. The calendar for the amendment to the rules is anticipated to be the following:

April 18, 2013:	Transportation Commission opens Rules.
May 31, 2013:	Administrative Hearing Officer Holds Rule-Making Hearing (may not be held before May 20, 2013)
June 20, 2013:	Transportation Commission considers adoption of Rules
August 14, 2013:	Rules become effective

DEPARTMENT OF TRANSPORTATION

Transportation Commission

STATE HIGHWAY ACCESS CATEGORY ASSIGNMENT SCHEDULE

2 CCR 601-1A

Section One: Introduction

1.1 Authority

Section 43-2-147, C.R.S., authorizes the Colorado Department of Transportation ("Department") to regulate vehicular access to or from the State Highway System and establish a functional classification system. The State Highway Access Code, 2 CCR 601-1, ("Access Code") implements the state statute and sets standards for the regulation of access on State Highways. The Access Code is adopted by the Transportation Commission of Colorado ("Commission").

1.2 Purpose

Section Three of the Access Code provides an access control classification system. There are eight separate categories. The State Highway Access Category Assignment Schedule ("the Schedule") assigns to each state highway segment a category pursuant to the requirements of Access Code subsection 2.2 and Section Three. This assignment adoption is by the Commission.

1.3 Category FR - Frontage Roads

Section Two of the Schedule contains the category assignments for all sections of highways specifically assigned by the Commission. By this Schedule, all state highway frontage roads (includes service roads) are assigned category FR, except for those segments specifically listed in Section Two as requested by the local authority in accordance with Access Code subsection 3.13(1).

1.4 How To Read Section Two

- (A) The following explanations are given to clarify the column headings in Section Two. They are abbreviated to conserve space.
- (B) "Highway" means the state highway number for that line of data. The highway number appears first, followed by a letter of the alphabet. The letter designates particular sections of the highway for administrative and record tracking purposes.
- (C) "Beg_MP" means the beginning milepoint. The number is the beginning location of a specific access category segment. Distances from a mile marker sign or known milepoint location to an access location are always measured from the lower mile marker or known milepoint location, in the direction towards the higher mile marker.
- (D) "End_MP" means the ending milepoint. The number is the ending location of a specific access category segment.
- (E) "CO" means the county in which the segment is located. The counties are numbered. The table below provides the cross-reference between the number and the county name.

- (F) "CAT" means the assigned access category. To determine what the Category means, refer to the State Highway Access Code, Section 3. Where an asterisk (*) appears next to the category letters, the category was not considered for revision at the June 17, 1999 rule-making hearing. The category shown was the category effective on August 31, 1998.
- (G) "Physical Description of the Category Segment" means the physical landmarks at the beginning and ending boundaries of a category segment.

1.5 Colorado county codes for the "CO" data column in Section Two

001	Adams	031	Denver	063	Kit Carson	095	Phillips
003	Alamosa	033	Dolores	065	Lake	097	Pitkin
005	Arapahoe	035	Douglas	067	La Plata	099	Prowers
007	Archuleta	037	Eagle	069	Larimer	101	Pueblo
009	Baca	039	Elbert	071	Las Animas	103	Rio Blanco
011	Bent	041	El Paso	073	Lincoln	105	Rio Grande
013	Boulder	043	Fremont	075	Logan	107	Routt
014	Broomfield	045	Garfield	077	Mesa	109	Saguache
015	Chaffee	047	Gilpin	079	Mineral	111	San Juan
017	Cheyenne	049	Grand	081	Moffat	113	San Miguel
019	Clear Creek	051	Gunnison	083	Montezuma	115	Sedgwick
021	Conejos	053	Hinsdale	085	Montrose	117	Summit
023	Costilla	055	Huerfano	087	Morgan	119	Teller
025	Crowley	057	Jackson	089	Otero	121	Washington
027	Custer	059	Jefferson	091	Ouray	123	Weld
029	Delta	061	Kiowa	093	Park	125	Yuma

1.6 Revisions

- (A) The Schedule will be revised from time to time in accordance with Access Code subsection 2.2. The State Highway System is modified from time to time, including new additions, abandonments, and administrative changes in accordance with the duties and powers of the Department and the Commission. This may cause some confusion in reading the Schedule at certain highway locations where these administrative changes have occurred. Contact the nearest Department Region office for further information or for any needed clarification.

1.7 Overview of the Access Category Classification Nomenclature

					(LAFAYETTE/BRIGHTON) IN BROOMFIELD
007D	68.383	68.541	001	NRA	FROM I-25 INTERCHANGE (LAFAYETTE/BRIGHTON) TO COUNTY RD 2
007D	68.541	76.729	001	RA	FROM COUNTY RD 2 TO MC CANN DITCH STR E-17-AS IN BRIGHTON
007D	68.541	71.835	001	NRA	FROM COUNTY RD 2 TO HOLLY ST.
007D	71.835	76.729	001	RA	FROM HOLLY ST. TO MC CANN DITCH STR E- 17-AS IN BRIGHTON
007D	76.729	76.986	001	NRB	FROM MC CANN DITCH STR E-17-AS TO SH 85 INTERCHANGE IN BRIGHTON
007D	76.986	77.052	001	NRB	FROM SH 85 INTERCHANGE IN BRIGHTON TO JCT SH 85 BRIGHTON BUS LOOP (MAIN ST) END 7D
007E	0.000	1.592	013	NRC	FROM JCT SH 7 ALLENSPARK-FERNCLIFFE BUS LOOP TO JCT SH 7 ALLENSPARK- FERNCLIFFE BUS LOOP, END SH 7E
008A	0.000	2.031	059	RA	FROM SH 285 INTERCHANGE (MORRISON/EVERGREEN) TO BEAR CREEK STR F-16-AN IN MORRISON
008A	2.031	2.149	059	NRB	FROM BEAR CREEK STR F-16-AN TO JCT SH 74 (BEAR CREEK CANYON RD) IN MORRISON
008A	2.149	2.883	059	NRB	FROM JCT SH 74 (BEAR CREEK CANYON RD) TO C-470 INTERCHANGE (MORRISON RD)
008A	2.883	6.913	059	NRA	FROM C-470 INTERCHANGE (MORRISON RD) TO JCT SH 391, KIPLING PARKWAY IN LAKEWOOD
008A	6.913	8.683	059	NRB	FROM JCT SH 391 KIPLING PKWY TO JCT SH 121 (WADSWORTH BLVD) IN LAKEWOOD, END SH 8A
009A	0.000	18.168	043	RB	FROM JCT SH 50 TO FREMONT/PARK CO LINE
009A	18.168	46.980	093	RB	FROM FREMONT/PARK CO LINE TO JCT SH 24 IN HARTSEL, END SH 9A
009B	47.582	63.732	093	RB	FROM JCT SH 24 TO JCT SH 285, END SH 9B
009C	64.673	65.555	093	NRB	FROM JCT SH 285 TO 1204 FEET NORTH OF 3RD ST IN FAIRPLAY
009C	65.555	70.373	093	RA	FROM 1204 FT N OF 3RD ST IN FAIRPLAY TO

160A	81.000	81.186	067	RA	FROM 982 FT WEST OF WILDCAT CANYON RD (CO RD 141) TO WILDCAT CANYON RD (CO RD 141)
160A	81.186	83.165	067	RA	FROM WILDCAT CANYON RD (COUNTY RD 141) TO ANIMAS RIVER STR O-05-AJ IN DURANGO
<u>160A</u>	<u>81.186</u>	<u>81.406</u>	<u>067</u>	<u>RA</u>	<u>FROM WILDCAT CANYON RD (COUNTY RD 141) TO 1160 FEET EAST OF WILDCAT CANYON RD</u>
<u>160A</u>	<u>81.406</u>	<u>83.165</u>	<u>067</u>	<u>NRA</u>	<u>FROM 1160 EAST OF WILDCAT CANYON RD TO ANIMAS RIVER STR O-05-AJ</u>
160A	83.165	83.207	067	RA	FROM ANIMAS RIVER STR O-05-AJ TO JCT SH 550 IN DURANGO
<u>160A</u>	<u>83.165</u>	<u>83.207</u>	<u>067</u>	<u>NRA</u>	<u>FROM ANIMAS RIVER STR O-05-AJ TO JCT SH 550 IN DURANGO</u>
160A	83.207	86.597	067	EX	FROM JCT SH 550 TO CONNECTION TO SH 3 IN DURANGO
160A	86.597	86.603	067	NRA	FROM CONNECTION TO SH 3 TO JCT SH 3 IN DURANGO
160A	86.603	88.316	067	NRA	FROM JCT SH 3 TO JCT SH 550
160A	88.316	91.478	067	NRA	FROM JCT SH 550 TO JCT SH 172
160A	91.478	98.029	067	RA	FROM JCT SH 172 TO COUNTY RD 223
160A	98.029	101.386	067	EX	FROM COUNTY RD 223 TO JCT SH 160 BAYFIELD BUS LOOP
160A	101.386	102.215	067	EX	FROM JCT SH 160 BAYFIELD BUS LOOP TO COUNTY RD 502
160A	102.215	103.624	067	EX	FROM COUNTY RD 502 TO JCT SH 160 BAYFIELD BUS LOOP
160A	103.624	106.000	067	EX	FROM JCT SH 160 BAYFIELD BUS LOOP TO 6394 FEET EAST OF COUNTY RD 526
160A	106.000	111.371	067	EX	FROM 6394 FEET EAST OF COUNTY RD 526 TO LA PLATA/ARCHULETA CO LINE
160A	111.371	121.527	007	EX	FROM LA PLATA/ARCHULETA CO LINE TO COUNTY RD 9.20 (PIEDRA)
160A	121.527	126.968	007	RA	FROM COUNTY RD 9.20 (PIEDRA) TO JCT

					BLVD TO DILLON RD (COUNTY RD 68)
287C	300.847	301.825	013	NRA	FROM DILLON RD (COUNTY RD 68) TO JCT SH 42 (TO LOUISVILLE)
287C	301.825	304.023	013	NRA	FROM JCT SH 42 (TO LOUISVILLE) TO JCT SH 7
287C	304.023	305.361	013	NRA	FROM JCT SH 7 TO JCT SH 7 (ERIE)
287C	305.361	305.578	013	NRA	FROM JCT SH 7 (ERIE) TO SUMMIT PLACE (COUNTY RD SN4)
287C	305.578	306.871	013	NRA	FROM SUMMIT PLACE (COUNTY RD SN4) TO ISABEL DR (COUNTY RD 52) IN LAFAYETTE

287C	306.871	308.087	013	NRA	FROM ISABEL DR (COUNTY RD 52) TO JASPER RD (COUNTY RD 42) (TO ERIE)
287C	308.087	310.390	013	RA	FROM JASPER RD (COUNTY RD 42) (TO ERIE) TO JCT SH 52
287C	310.390	313.835	013	RA	FROM JCT SH 52 TO 315 FEET SOUTH OF PIKE RD
287C	313.835	314.902	013	NRA	FROM 315 FEET SOUTH OF PIKE RD TO JCT SH 119 (FLORIDA AVE) IN LONGMONT
287C	314.902	315.656	013	NRB	FROM JCT SH 119 (FLORIDA AVE) TO JCT SH 119 IN LONGMONT
287C	315.656	317.865	013	NRB	FROM JCT SH 119 TO 21ST AVE IN LONGMONT
287C	317.865	318.326	013	NRB	FROM 21ST AVE IN LONGMONT TO JCT SH 66
287C	318.326	322.499	013	RA	FROM JCT SH 66 TO BOULDER/LARIMER CO LINE
287C	322.499	324.464	069	RA	FROM BOULDER/LARIMER CO LINE TO COUNTY RD 6 IN BERTHOUD
287C	324.464	330.02	069	FW	FROM COUNTY RD 6 IN BERTHOUD TO JCT SH 60 (END OF BERTHOUD BY PASS)
<u>287C</u>	<u>324.464</u>	<u>325.529</u>	<u>069</u>	<u>NRA</u>	<u>FROM COUNTY ROAD 6 IN BERTHOUD TO APPROXIMATELY ONE MILE NORTH</u>
<u>287C</u>	<u>325.529</u>	<u>330.02</u>	<u>069</u>	<u>FW</u>	<u>FROM APPROXIMATELY 1 MILE NORTH OF</u>

					<u>JCT OF LCR 6 TO JCT SH 60 (END OF BERTHOUD BY PASS)</u>
287C	330.023	332.028	069	NRA	FROM JCT SH 60 (CAMPION) TO JCT SH 402 (KINGS CORNER) IN LOVELAND
287C	332.028	332.613	069	NRA	FROM JCT SH 402 TO JCT SH 287 (CLEVELAND AVE, END 1-WAY SB) BEGIN 1-WAY NB (LINCOLN AVE)
287C	332.613	334.053	069	NRB	FROM JCT SH 287, CLEVELAND AV, END 1-WAY SB, BEGIN 1-WAY NB, LINCOLN AV TO JCT SH 34, EISENHOWER BL
287C	334.053	334.312	069	NRB	FROM JCT SH 34 (EISENHOWER BLVD) TO JCT SH 287 (17TH ST) BEGIN 1-WAY SB (END 1-WAY NB)
287C	334.312	335.113	069	NRB	FROM JCT SH 287 (17TH ST) BEGIN 1-WAY SB (END 1-WAY NB) TO 29TH ST IN LOVELAND
287C	335.113	342.167	069	NRA	FROM 29TH ST IN LOVELAND TO JCT SH 68 IN FORT COLLINS
287C	342.167	345.982	069	NRB	FROM JCT SH 68 TO LAUREL ST IN FORT COLLINS
287C	345.982	346.874	069	NRC	FROM LAUREL ST TO JCT SH 14 (JEFFERSON ST) IN FORT COLLINS
287C	346.874	348.544	069	NRB	FROM JCT SH 14 (JEFFERSON ST) IN FORT COLLINS TO JCT SH 1 (TO WELLINGTON)
287C	348.544	350.209	069	NRA	FROM JCT SH 1 (TO WELLINGTON) TO 765 FEET SOUTH OF COUNTY RD 54G
287C	350.209	355.856	069	EX	FROM 765 FEET SOUTH OF COUNTY RD 54G TO JCT SH 14 (TEDS PLACE)
287C	355.856	385.223	069	EX	FROM JCT SH 14 (TEDS PLACE) TO COLORADO-WYOMING STATE LINE, END SH 287C
287Z	0.000	0.304	069	NRB	FROM JCT 287 (LINCOLN AVE, END 1-WAY NB) BEGIN 1-WAY SB (CLEVELAND AVE) TO JCT SH 34 IN LOVELAND
287Z	0.304	1.763	069	NRB	FROM JCT SH 34 TO JCT SH 287 (LINCOLN AVE, BEGIN 1-WAY NB) END 1-WAY SB, END SH 287Z
291A	0.000	1.870	015	NRC	FROM JCT SH 50 TO GRAND AVE

					FEET WEST OF COFFMAN RD
348A	16.002	16.832	085	NRA	FROM 549 FEET WEST OF COFFMAN RD TO JCT SH 50 OLATHE BUS LOOP
348A	16.832	16.998	085	NRA	FROM JCT SH 50 OLATHE BUS LOOP TO 5 FEET WEST OF JCT SH 50
348A	16.998	17.059	085	RA	FROM 5 FEET WEST OF JCT SH 50 TO JCT SH 50, END SH 348A
350A	0.000	37.357	071	RB	FROM JCT SH 160 (BESHOAR JUNCTION) TO LAS ANIMAS/OTERO CO LINE
350A	37.357	59.412	089	RB	FROM LAS ANIMAS/OTERO CO LINE TO JCT SH 71
350A	59.412	72.315	089	RB	FROM JCT SH 71 TO SIXTH ST IN LA JUNTA
350A	72.315	73.004	089	NRB	FROM SIXTH ST TO JCT SH 50 IN LA JUNTA, END SH 350A
<u>350A</u>	<u>72.315</u>	<u>72.575</u>	<u>089</u>	<u>NRB</u>	<u>FROM SIXTH ST TO GRANT AVE IN LA JUNTA</u>
<u>350A</u>	<u>72.575</u>	<u>72.718</u>	<u>089</u>	<u>NRB</u>	<u>FROM GRANT AVE TO JCT. US50 END OF US350</u>
368A	0.000	2.010	105	RB	FROM JCT SH 370 TO COUNTY RD 12S AT RIO GRANDE/CONEJOS CO LINE
368A	2.010	5.527	021	RB	FROM COUNTY RD 12S AT RIO GRANDE/CONEJOS CO LINE TO CONEJOS/ALAMOSA CO SPLIT
368A	5.527	6.022	003	RB	FROM CONEJOS/ALAMOSA CO SPLIT TO JCT SH 371
368A	6.022	12.329	003	RB	FROM JCT SH 371 TO JCT SH 285, END SH 368A
370A	0.000	3.996	105	RB	FROM JCT SH 15 TO JCT SH 368
370A	3.996	5.980	105	RB	FROM JCT SH 368 TO COUNTY RD S100 AND COUNTY RD 6E AT RIO GRANDE/ALAMOSA CO LINE
370A	5.980	14.115	003	RB	FROM COUNTY RD S100 AND COUNTY RD 6E AT RIO GRANDE/ALAMOSA CO LINE TO JCT SH 285, END SH 370A
371A	0.000	6.067	021	RB	FROM JCT SH 15 TO JCT SH 368 AT CONEJOS/ALAMOSA CO LINE, END SH 371A

Resolution # TC-

Open Rule Making and Authorize an Administrative Hearing Officer to Conduct a Rule Making Hearing Concerning 2 CCR 601-1A, Rules Governing the State Highway Access Category Assignment Schedule (“Access Category Rules”).

WHEREAS, § 43-1-106 (8)(k) C.R.S. (2011) directs the Transportation Commission of Colorado (“Commission”) 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); and

WHEREAS, § 43-2-147(4), C.R.S. authorizes the Transportation Commission to promulgate the Access Category Rules which concern the management of vehicular access to and from state highways from or to property adjoining the state highway with such management to be based in part on a functional classification of highways; and

WHEREAS, the Access Category Rules were last adopted in April 30, 2011; and

WHEREAS, the Department seeks to amend the existing Access Category Rules based on the following three requests for category changes: the Town of Berthoud (a segment of SH 287); the City of Durango (a segment of SH 160); CDOT Region 6 (SH 7 within Weld County); and

WHEREAS, the Department is required to update the Rules to reflect the relinquishment of a segment of US 350 in exchange for a segment of Grant Avenue from 5th St. north to US50B, approved by Transportation Commission Resolution TC-2053 dated January 19, 2012;

WHEREAS, the requested modifications are consistent with the intent of § 43-2-147(4), C.R.S.; and

WHEREAS, pursuant to § 43-1-106(9), C.R.S., the Commission is requested to delegate its 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 the Rules.

NOW THEREFORE BE IT RESOLVED, the Commission directs staff to take all necessary actions in accordance with § 24-4-103, C.R.S. to initiate the rule making process; and

BE IT FURTHER RESOLVED, the Commission delegates its authority to conduct a rule making hearing to a CDOT Administrative Hearing Officer to

prepare a complete record of the hearing and forward said record and Rules to the Commission for consideration and adoption of the Rules.