



COLORADO

Department of Transportation

Office of the Executive Director
4201 East Arkansas Ave, Suite 262
Denver, CO 80222

October 31, 2016

Mr. Mike Mauer
Director
Legislative Council Staff
Colorado General Assembly
State Capitol, Room 029
Denver, CO 80203

Re: Colorado Department of Transportation 2017 Department Regulatory Agenda

Dear Mr. Mauer:

Pursuant to Section 2-7-203(2)(a)(IV), C.R.S., this letter serves as the Colorado Department of Transportation's (CDOT) submission of its 2017 Department Regulatory Agenda. This report provides a list of new rules or existing rule revisions that CDOT expects to propose in 2017, as well as the statutory or other basis for adoption of the proposed rules, the purpose of the proposed rules, the contemplated schedule for adoption of the rules, and a listing of persons or parties that may be affected by the rules. Additionally, this letter summarizes the rule-making activities conducted in 2016. The contemplated schedule is based on the timing requirements set forth in existing statute under the State Administrative Procedure Act, Section 24-4-103, C.R.S., and takes into account the public meetings of the Transportation Commission, which will open and later adopt the rules during their monthly public meetings. The calendars listed are subject to change based on various factors, including additional time needed for input from the representative groups and interested parties.

This Department Regulatory Agenda is available to the public at www.codot.gov/business/rules and was submitted to the Secretary of State for publication in the Colorado Register. Furthermore, at the annual oversight hearing before the Joint Transportation Committee in January 2017, CDOT will be prepared to discuss this material and respond to Legislators' questions.



2017 Department Regulatory Agenda

Transport Permits for the Movement of Extra-Legal Vehicles or Loads, 2 CCR 601-4

- **Statutory Basis:** Sections 42-4-510 (1)(b), 511(1), and 43-1-106(8)(k), C.R.S.
- **Purpose of the Rules:** These Rules are needed to comply with state statutes and federal law 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.
- **Contemplated Schedule:** A notice of rule-making will be filed with the Secretary of State in November 2016, a public rule making hearing will be held in January 2017, adoption of the rules will occur in March 2017, and permanent rules will become effective May 2017.
- **Persons/Parties That May be Affected by the Rules:** Commercial Motor Carriers, all extra-legal vehicles or loads, Colorado State Patrol.

State Highway Utility Accommodation Code, 2 CCR 601-18

- **Statutory Basis:** Sections 43-1-225(1) and 43-1-106(8)(k), C.R.S.
- **Purpose of the Rules:** These rules implement, by permit, Department authority to regulate utility accommodations in state highway right-of-way. The Code establishes a utility permit system which includes uniform Department procedures and requirements necessary to allow utility accommodations. The utility permit system will guide the Department, utility owners and local agencies in the planning and administration of utility accommodations within state highway right-of-way.
- **Contemplated Schedule:** A notice of rule-making will be filed with the Secretary of State in March 2017, a public rule making hearing will be held in May, adoption of the rules will occur in June 2017, and permanent rules will become effective August 2017.
- **Persons/Parties That May be Affected by the Rules:** Public utility owners and local agencies who work with the planning and administration of utility accommodations within state highway right-of-way.

Rules Completed in 2016:

- **Updated Rules Governing Practice and Procedures of the Transportation Commission of Colorado, 2 CCR 601-11 (Statutory Basis: Section 43-1-106(6) and 43-1-106(8)(k), C.R.S.)**



Should you have questions, please contact Andy Karsian, CDOT State Liaison, at (303) 757-9703. Thank you.

Sincerely,



Shailen P. Bhatt
Executive Director

cc: Senator Randy Baumgardner, Chairman, Senate Transportation Committee
Representative Max Tyler, Chairman, House Transportation Committee

