

2020

Regulatory Agenda



COLORADO
Department of Transportation

Overview

The Colorado Department of Transportation submits the following 2020 Regulatory Agenda in fulfillment of the statutory requirements set forth in Colo. Rev. Stat. §2-7-203(4). Pursuant to state law, annually on November 1 executive-branch agencies must file a Departmental Regulatory Agenda (DRA) containing:

- A list of new rules or amendments that the department or its divisions expect to propose in the next calendar year;
- 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;
- An identification and listing of persons or parties that may be affected positively or negatively by the rules; and
- A list and brief summary of all permanent and temporary rules adopted since the previous DRA was filed.

The Regulatory Agenda also includes, pursuant to Colo. Rev. Stat. §24-4-103.3, rules to be reviewed as part of the Department’s “Regulatory Efficiencies Reviews” during 2020 (which are denoted as such in the “purpose” column). The DRA is to be filed with Legislative Council staff for distribution to committee(s) of reference, posted on the department’s web site, and submitted to the Secretary of State for publication in the Colorado Register. Each department must also present its DRA as part of its “SMART Act” hearing and presentation pursuant to Colo. Rev. Stat. §2-7-203(2)(a)(II).

The following constitutes Colorado Department of Transportation’s DRA for 2019-2020 and is provided in accordance with Colo. Rev. Stat. §24-7-203(4):

| Schedule (Month, Year) | Rule Number and Title or Brief Description | Division/ Board/ Program | New rule, revision, or repeal? | Statutory or other basis for adoption of rule | Part of Mandatory Rule Review? (X if yes) | Purpose | Stakeholders <i>Consider including high-level outreach bullets</i> | Anticipated Hearing Date |
|------------------------------|--|--------------------------------|---|--|--|--|---|--------------------------------|
| December 2019 | 2 CCR 601-18, State Highway Utility Accommodation Code | Transportation Commission | Revision | Sections 43-1- 225(1) and 43- 1-106(8)(k), C.R.S. | Yes | To update the rules in their entirety, making any necessary changes to reflect updated practices and legal requirements. | Utility owners statewide who seek or have obtained permits on state highway right-of- way, 811 members, professional affiliations including ACEC and CCA, | February 2020 |

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| | | | | | | | Colorado Public Utilities Commission. | |
| December 2019 | 2 CCR 601-11, Rules Governing Practice and Procedures of the Transportation Commission of Colorado | Transportation Commission | Revision | Sections 43-1-106(6) and 106(8)(k), C.R.S. | No | To update committee names based on changes in the Department and the Transportation Commission | Statewide Transportation Advisory Committee and stakeholders who may attend Transportation Commission meetings | February 2020 |
| January 2020 | 2 CCR 601-3, Rules Governing Outdoor Advertising in Colorado | Executive Director | Revision | Sections 43-1-414(4) and 415, C.R.S. | Yes | The rulemaking will address any changes or improvements in processes and seek to simplify the existing rules | Owners of outdoor advertising devices and applicants who seek permits from the Department to maintain or erect an outdoor advertising device as well as members of the public who have an interest in outdoor advertising | April 2020 |
| March 2020 | Rules to implement SB 19-239 and legislative recommendations | Unknown | New rules | Section 43-1-125(2)(b) and (7)(a), C.R.S., and other authority determined by legislation | No | To implement recommendations per SB 19-239 regarding potential fees on motor vehicles used for commercial purposes | SB 19-239 study stakeholder group, companies that provide services using motor vehicles for commercial purposes | July 2020 |