



COLORADO

Department of Transportation

2829 W. Howard Place
Denver, CO 80204-2305

Notice of Proposed Rulemaking

Transportation Commission of Colorado Rules Governing Statewide Transportation Planning Process and Transportation Planning Regions 2 CCR 601-22

I. Notice

As required by the Colorado Administrative Procedure Act found at section 24-4-103, C.R.S., the Transportation Commission of Colorado (Commission) gives notice of proposed rulemaking.

II. Subject

The Commission is considering revisions to the rules governing the statewide transportation planning process and transportation planning regions, 2 CCR 601-22. Specifically, the Commission proposes to establish greenhouse gas (GHG) pollution reduction planning levels for transportation that will improve air quality, reduce smog, and provide more sustainable options for travelers across Colorado. The purpose of the Pollution Reduction Planning Standards is to limit the pollution which would result from the transportation system if the plan was implemented, consistent with the state greenhouse gas pollution reduction roadmap. This will be accomplished by requiring the Colorado Department of Transportation (CDOT) and the Metropolitan Planning Organizations (MPOs) to establish plans that meet GHG transportation reduction targets through a mix of transportation projects that limit and mitigate air pollution and improve quality of life and multimodal options. CDOT and MPOs will be required to demonstrate through travel demand modeling and approved air quality modeling that statewide and regional aggregate emissions resulting from its state or regional plans do not exceed a specified emissions level in total. These standards address the Colorado General Assembly's directive to reduce statewide GHG pollution in § 25-7-102(2)(g), C.R.S., as well as the directive for transportation planning to consider environmental stewardship and reducing GHG emissions, § 43-1-1103(5), C.R.S.

Additionally, the Commission proposes to clarify that the Statewide Transportation Plan will include an analysis of how it aligns with Colorado's climate goals and helps reduce, prevent, and mitigate GHG pollution throughout the State. The Commission proposes to include the 10-Year Plan as a required appendix of the Statewide Transportation Plan. The Commission also proposes to establish a State Interagency Consultation Team, consisting of CDOT's Director of the Division of Transportation Development, the Colorado Department of Public Health and Environment's Director of Air Pollution Control Division, and the Director of each MPO. The Commission proposes to add nineteen (19) new defined terms relating to the establishment of the GHG pollution reduction planning levels for transportation and to reformat the defined terms into alphabetical order. Finally, the Commission proposes to make other minor changes or updates, such as capitalizing defined terms.

A detailed Statement of Basis, Purpose, and Specific Statutory Authority follows this notice and is incorporated by reference.



III. Rulemaking Hearings

The Commission plans to hold eight (8) hearings across the State as listed in the below table to hear testimony and receive comments on the proposed rule revisions. The public hearings will be conducted in a hybrid format, both in-person and virtually. All interested and affected parties may choose to attend one (1) or all eight (8) scheduled hearings either in-person or virtually.

Please note that the Commission may hold additional hearings, which will be posted on CDOT's website: <https://www.codot.gov/business/rules/proposed-rules.html>

Date	Location	Time	Virtual Hearing Registration Links
9/14/2021	CDOT Regional Office US160 Maintenance Training Facility 20581 Highway 160 Durango, CO 81301	3-7 p.m.	Virtual Registration Form
9/17/2021	CDOT Regional Office Bookcliff Conference Room 2328 G Road Grand Junction CO 81505	3-7 p.m.	Virtual Registration Form
9/23/2021	Swansea Recreation Center 2650 E. 49th Ave. Denver, CO 80216	3-7 p.m.	Virtual Registration Form
9/24/2021	CDOT Regional Office 1480 Quail Lake Loop #A Colorado Springs, CO 80906	3-7 p.m.	Virtual Registration Link
9/27/2021	South Suburban Sports Complex 4810 E. County Line Rd. Littleton, CO 80126	3-7 p.m.	Virtual Registration Link
9/29/2021	CDOT Regional Office Big Sandy Conference Room 2738 Victory Highway Limon, CO 80828	3-7 p.m.	Virtual Registration Form
9/30/2021	Christ United Methodist Church 301 East Drake Road Fort Collins, CO 80525	3-7 p.m.	Virtual Registration Form
10/4/2021	City Hall City Council Chambers 101 West 8th Street Glenwood Springs, CO 81601	3-7 p.m.	Virtual Registration Form

How to Register to Attend Hearings Virtually

If you plan to attend any of the scheduled hearings virtually, you must click on the registration link in the above table for each hearing that you wish to attend virtually. The registration links for each hearing are also available on the CDOT's website at <https://www.codot.gov/business/rules/proposed-rules.html>. When you register, you must provide your full name and email address. You may also provide your telephone number and the organization that you are representing. Lastly, please indicate whether you plan to testify during the hearing and/or submit written comments. You will receive instructions the day before the scheduled hearing on how to join, listen, and provide testimony if you wish.



IV. Statutory Authority

The specific authority under which the Commission shall establish these proposed rule revisions is set forth in §§ 43-1-106(8)(k) and 43-1-1103(5), C.R.S.

V. Copies of the Notice, Proposed Rule Revisions, and the Statement of Basis, Purpose & Authority

The notice of hearing, the proposed rule revisions, and the proposed statement of basis, purpose and authority are available for review at CDOT's website at <https://www.codot.gov/business/rules/proposed-rules.html>.

If there are changes made to the proposed rule revisions before the first scheduled hearing on September 14, 2021, the updated proposed rule revisions will be available to the public and posted on CDOT's website by September 9, 2021.

Please note that the proposed rule revisions being considered are subject to further changes and modifications after the public hearings and the deadline for the submission of written comments.

VI. Opportunity to testify and submit written comments

The Commission and CDOT strive to make the rulemaking process inclusive to all. Everyone will have the opportunity to testify and provide written comments concerning the proposed rule revisions. Interested and affected parties are welcome to testify and submit written comments.

Each hearing will have an identical format. The Hearing Officer opens the hearing and provides a brief introduction of the hearing procedures. CDOT will review exhibits to establish that the CDOT on behalf of the Commission met all the procedural requirements of the Administrative Procedure Act. A summary of the proposed rule revisions will be presented by CDOT staff. Interested and affected parties will then have the opportunity to give testimony either in-person or virtually.

Testimony

The testimony phase of each hearing will proceed as follows:

- The Hearing Officer will identify the participants who indicated that they plan to testify during the hearing based on the registration records.
- When the Hearing Officer exhausts the list, they will ask whether any additional participants wish to testify.

To ensure that the hearing is prompt and efficient, oral testimony may be time-limited.

Written Comments

You may submit written comments to dot_rules@state.co.us during the comment period between August 13, 2021, and October 15, 2021. **All written comments must be received on or before Friday, October 15, 2021, at 5 pm.**



Additionally, we will post all written comments to CDOT's website at <https://www.codot.gov/business/rules/proposed-rules.html>. However, please note that we will redact the following information for data privacy from the submissions prior to posting online: first and last names, contact information, including business and home addresses, email addresses, and telephone numbers.

All written comments will be added to the official rulemaking record.

VII. Recording of the Hearings

Each hearing will be recorded. After each hearing concludes, the recording will be available on CDOT's YouTube Channel at <https://www.youtube.com/channel/UC0WFfiQ-SE4kV07saKZdueA/videos>.

VIII. Special Accommodations

If you need special accommodations, please contact CDOT's Rules Administrator at 303.757.9441 or dot_rules@state.co.us at least one (1) week prior to the scheduled hearing date.

IX. Contact Information

Please contact CDOT's Rules Administrator, at 303.757.9441 or dot_rules@state.co.us if you have any questions.

