



COLORADO
Department of Transportation

2829 W. Howard Place
Denver, CO 80204-2305

**DEPARTMENT OF TRANSPORTATION
EXECUTIVE DIRECTOR**

**RULES GOVERNING OUTDOOR ADVERTISING IN COLORADO
2 CCR 601-3**

**NOTICE OF PROPOSED PERMANENT RULEMAKING HEARING
October 16, 2020 at 1:00 PM MST**

**Department of Transportation Headquarters
2829 W. Howard Place
Denver, CO 80204**

VIRTUAL RULEMAKING HEARING REGISTRATION LINK:

<https://attendee.gotowebinar.com/register/3450955092056058638>

Pursuant to and in compliance with Title 43, Article 1 and Title 24, Article 4, C.R.S. as amended, notice of proposed rulemaking is hereby given, including notice to the Attorney General of the State of Colorado and to all persons who have requested to be advised of the intention of the Executive Director of the Colorado Department of Transportation to promulgate rules, or to amend, repeal, or repeal and re-enact the rules governing outdoor advertising in Colorado.

The specific authority under which the Executive Director of the Colorado Department of Transportation shall establish these rules is set forth in §§ 43-1-105(6), 43-1-414(4), and 43-1-415, C.R.S.

The specific purpose of this rulemaking is to modify a portion of the rules governing outdoor advertising in Colorado, 2 CCR 601-3 (Outdoor Advertising Rules). The Department proposes to amend the definition of "Urban Area" and add "Urbanized Area" in order to be consistent with federal regulation. The Department proposes to amend Rule 2.3 to be consistent with state law found in § 43-1-411, C.R.S. and clarify that the Department is prohibited from renewing a permit for an advertising device that is damaged, unsafe, or unsightly by reason of lack of maintenance or repair under § 43-1-411(5), C.R.S. The Department seeks to clarify the distinction between On-Premise and Off-Premise signs by modifying Rule 6.02 while ensuring the underlying purposes of outdoor advertising regulatory control continue to be met. The Department proposes to clarify the restriction against advertising devices being located within 500 feet of an interchange, intersection at-grade, or safety rest area adjacent to interstates and freeways in Rule 7.00(D)(2). The Department proposes to update the materials incorporated by reference in Rule 13.00 in accordance with § 24-4-103(12.5), C.R.S. Finally, the Department seeks to add Rule 14.00 that sets forth the requirements and procedures to petition for a declaratory order in order to increase transparency for the public. A full description of the proposed changes can be found on the Statement of Basis, Authority, and Purpose.



Due to the State's COVID-19 response, this proposed permanent rule-making hearing will only be conducted in a virtual setting. All interested parties are urged to attend this public hearing by registering for the hearing through the link above, and to submit written comments concerning the proposed amended rules in advance if possible for consideration. The webinar registration link is also available on the Colorado Department of Transportation's website at <https://www.codot.gov/business/rules/proposed-rules.html>.

In order to facilitate the review of comments by the Hearing Officer, all interested parties are strongly encouraged to submit their written comments to Natalie Lutz via email at dot_rules@state.co.us, **on or before 5:00 p.m. on October 9, 2020**. Any written comments not received by October 9, 2020, may be submitted via public testimony at the hearing on October 16, 2020.

If you need special accommodations, please contact Natalie Lutz at 303.757.9441 or dot_rules@state.co.us at least one week prior to the hearing.

The proposed amended rules, notice of hearing, and the proposed statement of basis and purpose will be available for review by interested parties on or before close of business September 4, 2020, at the Colorado Department of Transportation's website at <https://www.codot.gov/business/rules/proposed-rules.html>. Please be advised that the proposed amended rules being considered are subject to further changes and modifications after public comment and the formal hearing.

