

**HPTE Resolution #385**

**To Commence the Rule Making Process Concerning 2 CCR 606-1, Rules Governing the Administrative Toll Enforcement Process.**

**WHEREAS**, § 43-4-806 (2) (a) (III), C.R.S. grants the Colorado High Performance Transportation Enterprise (HPTE) Board of Directors with a type 1 transfer of powers and duties which includes rulemaking, as set forth in § 24-1-105, C.R.S.; and

**WHEREAS**, § 43-4-808 (2) (b), C.R.S. grants the HPTE the authority to adopt rules pertaining to the enforcement of toll collection and provide a civil penalty for Toll Evasion; and

**WHEREAS**, § 43-4-808(2) (d) (II), C.R.S. provides authority to the HPTE to establish an administrative toll enforcement process and adopt rules creating such a process; and

WHEREAS, House Bill 22-1074, amended § 43-4-806, C.R.S., by adding subsection (11) and providing for certain traffic violations on the Interstate 70 Peak Period Shoulder Lanes; and

**WHEREAS**, in order to enact the will of the legislature as expressed in House Bill 22-1074, HPTE must amend its current rules governing the Administrative Toll Enforcement Process codified at 2 CCR 606-1; and

**WHEREAS**, the HPTE Board of Directors desires to adopt rules identifying “weaving” as a form of “toll evasion” and to the enforcement of certain traffic violations on the Interstate 70 Peak Period Shoulder Lanes, as defined by the legislature at § 43-4-806 (11), C.R.S.

**NOW THEREFORE BE IT RESOLVED**, the HPTE Board of Directors hereby authorizes staff to take all necessary actions in accordance with the Colorado Administrative Procedures Act to initiate the permanent rulemaking process regarding the Rules Governing the Administrative Toll Enforcement Process, 2 CCR 606-1.

Signed as of April 20, 2022

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Simon Logan  
Secretary, CTIO Board of Directors