



COLORADO
Executive Director's Office
Department of Personnel
& Administration

1525 Sherman St.
Denver, CO 80203

PROPOSED STATEMENT OF BASIS AND PURPOSE

The Division of Central Services Fleet Rules (“Rules”) subject to this rulemaking are found at 1 CCR 103-1. A rulemaking hearing of the Executive Director was held on December 4, 2018, at 1525 Sherman Street, Room 104, Denver, Colorado 80203. The rulemaking hearing was held by a Hearing Officer in order to facilitate the submission of public comments on the adoption of rules 1 CCR 103-1. The Executive Director is exercising her rulemaking authority as granted under one or more of the following: §24-30-1101(10(a)), §24-30-1104(1), §24-30-1112-1113, §24-30-1115, C.R.S., and HB17-1296.

The Notice of Rulemaking was issued October 29, 2018, for publication by the Secretary of State on November 10, 2018. The proposed rules and the proposed statement of basis and purpose have been available for review at the Executive Director’s office and on the Executive Director’s website since October 29, 2018. The proposed rules and the proposed statement of basis and purpose also have been available for review at the Central Services office and on the Central Services website since October 29, 2018. The Hearing Officer took testimony at the public rulemaking hearing on December 4, 2018. The Hearing Officer completed deliberations on the proposed rules on or about December 7, 2018. The rules were accepted through formal public hearing and approved by the Attorney General.

The general purpose of the Executive Director in conducting the rulemaking was to provide, with regards to the administration of Central Services, for the following:

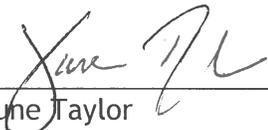
- (a) Change references of the rule authority from the Division of Central Services to the Department of Personnel & Administration;
- (b) Clarify contemporary practices found in Rules 1 CCR 103-1, regarding issuance of waiver requests;
- (c) Modify Chapter 2 regarding handling of various fleet vehicle citations, tolls, tickets, parking fees, and taxable commuting ;
- (d) Repeal the majority of Chapter 3 regarding taxability of commuter vehicles and refer to the Office of State Controller’s guidance on taxable commuting;
- (e) Modify Chapters 4, 5, and 6 regarding vehicle acquisition, operation, branding and logos, accidents, reporting, restrictions , revocation, and utilization; and
- (f) Update rule numbering to comport with the newly promulgated rules.

The Hearing Officer finds, as required by §24-4-103(4)(b), C.R.S. that the record of the rulemaking proceeding demonstrates the need for the rules; the proper constitutional and statutory authority exists for the rules; to the extent practicable, the rules are clearly and simply stated so that their meaning will be understood by any required to comply with the rules; the rules do not conflict with other provisions of the law; and any duplication or overlapping of the rules, if any, has been explained.

The specific authority of the Executive Director to promulgate these rules is found at one or more of the following: §24-30-1101(10(a)), §24-30-1104(1), §24-30-1112-1113, §24-30-1115, C.R.S., and HB17-1296.

The permanent rules, if adopted by December 7, 2018, shall become effective February 1, 2019.

Dated this 29th day of October, 2018.



June Taylor
Executive Director
Department of Personnel & Administration