

**DEPARTMENT OF PUBLIC SAFETY
DIVISION OF STATE PATROL**

**RULES AND REGULATIONS CONCERNING THE
PERMITTING, ROUTING & TRANSPORTATION OF
HAZARDOUS AND NUCLEAR MATERIALS
AND
THE INTRASTATE TRANSPORTATION OF
AGRICULTURAL PRODUCTS IN THE
STATE OF COLORADO**

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

Pursuant to §42-20-108 (1) and (2), CRS, the Chief of the Colorado State Patrol (CSP) has the authority to promulgate rules and regulations for the permitting, routing, and safe transportation of hazardous materials by motor vehicles within the state of Colorado. Pursuant to §§42-20-403, 504 and 508, CRS, the Chief of the CSP has the authority to promulgate rules and regulations for the permitting, routing, and safe transportation of nuclear materials by motor vehicles within the state of Colorado. Pursuant to §42-20-108.5, CRS, the Chief of the CSP is authorized to also adopt rules and regulations which exempt agricultural products from the hazardous materials rules.

The rules are being amended to update and confirm references to both federal regulations and state statutes; to update references to out of service and hazardous response criteria; to elaborate upon criteria required for hazardous materials routing applications previously adopted but not expounded upon; to clarify the requirements of law enforcement officers performing inspections pursuant to the CVSA North American Operations Manual; to incorporate the most current version of the Emergency Response Guidebook; and to correct minor grammar, formatting and website address errors.

It has been declared by the General Assembly that the permitting, routing, and transportation of vehicles transporting hazardous and nuclear materials is a matter of statewide concern. The absence of implementing rules to carry out the purpose of the statutes would be contrary to the public health, peace, safety and welfare of the state. For these reasons, it is necessary that these rule amendments be adopted.



Colonel Matthew C. Packard
Chief, Colorado State Patrol

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Date of Adoption