

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

Amendments are being proposed to 8 CCR 1507-25

- Adopting updated editions of the FMCSRs and CVSA Inspection and Out-of-Service Criteria;
- Reconciling and clarifying references to state statutes, related state rules, and federal regulations specifically addressing the Hazardous Materials Petition Application process, routing consideration factors and the conditions applicable to hazardous materials routing;
- Updating references to the Public Utilities Commission relevant to the application for and purchase of hazardous and nuclear materials permits to the Colorado Department of Transportation consistent with recently passed legislation and consistent with recently revised state statutes;
- Clarifying the statutory authority of the Colorado State Patrol to temporarily designate alternate hazardous materials routes or to temporarily apply conditions or restrictions to the use of existing hazardous materials routes in response to conditions adverse to public welfare and safety;
- Introducing new definitions applicable to these rules and standardizing the use of repetitions phrasing, updating and applying acronyms and abbreviations to these rules as appropriate throughout;
- Updating formatting of the rules in their entirety, applying paragraph subtitles and other formatting elements consistent with recommendations made by the Colorado Secretary of State;
- To introduce a new designated hazardous materials route on Weld County Road 49, also known as the Weld County Highway, as it exists between Interstate 76 and US 34, for the transportation of gasoline, diesel fuel, LPG and crude oil; and
- Introducing a severability clause into these rules.

It has been declared by the General Assembly that the permitting, routing, and transportation of hazardous and nuclear materials is a matter of statewide interest and concern. The absence of rules to carry out the purpose of the statutes applicable thereto is contrary to the public health, peace, safety, and the welfare of this state. For these reasons, it is necessary that these rules, inclusive of the revisions proposed, are adopted.

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01/28/2021

Colonel Matthew C. Packard
Chief, Colorado State Patrol

Date of Adoption