

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0687.01 Jery Payne

HOUSE BILL 11-1176

HOUSE SPONSORSHIP

Ramirez,

SENATE SPONSORSHIP

(None),

House Committees
Transportation

Senate Committees

A BILL FOR AN ACT

101 CONCERNING AN EXEMPTION OF CRUDE OIL FROM DESIGNATED
102 ROUTES SET BY THE STATE PATROL FOR THE TRANSPORTATION
103 OF HAZARDOUS SUBSTANCES BY MOTOR VEHICLE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Currently, the state patrol designates routes classified as hazardous. The bill authorizes the state patrol to exempt crude oil transportation from this classification and sets standards for the exemption.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** Part 3 of article 20 of title 42, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **42-20-300.3. Definitions.** AS USED IN THIS PART 3, UNLESS THE
6 CONTEXT OTHERWISE REQUIRES:

7 (1) "ROUTE DESIGNATION" MEANS A DESIGNATION OF A ROUTE BY
8 THE STATE PATROL UNDER THIS PART 3.

9 **SECTION 2.** 42-20-301 (1), Colorado Revised Statutes, is
10 amended to read:

11 **42-20-301. Route designation.** (1) (a) The patrol, after
12 consultation with local governmental authorities, ~~shall have~~ HAS the sole
13 authority to designate which public roads ~~shall be~~ ARE TO BE used and
14 which ~~shall not be~~ ARE NOT TO BE used by motor vehicles transporting
15 hazardous materials. The PATROL SHALL exercise ~~of such~~ ITS authority
16 ~~shall be made pursuant to~~ IN ACCORDANCE WITH section 42-20-302. ~~Such~~
17 ~~designation shall exempt~~ Gasoline, diesel fuel, and liquefied petroleum
18 gas ARE EXEMPT FROM ROUTE DESIGNATION unless the petitioning
19 authority specified in section 42-20-302 requests their inclusion. ~~Such~~
20 ~~designation~~ THE PATROL MAY EXEMPT CRUDE OIL FROM ROUTE
21 DESIGNATION AFTER A REQUEST FROM THE PETITIONING AUTHORITY.

22 (b) THE PATROL may include, AS PART OF DESIGNATED route
23 restrictions, THE closing of streets and highways and ~~whatever~~ other
24 conditions or restrictions the patrol deems advisable, except for hours of
25 operation and curfews. ~~Any such designation in this part 3 shall be~~
26 ~~referred to as a route designation.~~

1 (c) Routes designated by the patrol pursuant to IN ACCORDANCE
2 WITH this part 3 shall DO not apply to motor vehicles when used to
3 transport to or from the farm or ranch site products necessary for
4 agricultural production.

5 (d) No city, county, or city and county may impose restrictions on
6 hours of operation on designated routes; except that this provision shall
7 PARAGRAPH (d) DOES not apply to any city, county, or city and county
8 which THAT, by resolution or ordinance, had routes or hours of operation
9 restrictions in effect on July 1, 1985.

10 SECTION 3. 42-20-302 (11), Colorado Revised Statutes, is
11 amended to read:

12 42-20-302. Application for route designation - procedure -
13 approval. (11) (a) THE PATROL SHALL BASE THE APPROVAL OR DENIAL
14 OF A PETITION TO EXEMPT CRUDE OIL UPON DUE CONSIDERATION OF THE
15 FACTORS LISTED IN SUBSECTION (8) OF THIS SECTION.

16 (b) The patrol shall approve route designations for gasoline, diesel
17 fuel, and liquefied petroleum gas requested by petitioning authorities
18 under section 42-20-301 (1) where such THE designations follow routes
19 approved by the patrol for other hazardous materials under this section.

20 SECTION 4. Act subject to petition - effective date -
21 applicability. (1) This act shall take effect at 12:01 a.m. on the day
22 following the expiration of the ninety-day period after final adjournment
23 of the general assembly (August 10, 2011, if adjournment sine die is on
24 May 11, 2011); except that, if a referendum petition is filed pursuant to
25 section 1 (3) of article V of the state constitution against this act or an
26 item, section, or part of this act within such period, then the act, item,
27 section, or part shall not take effect unless approved by the people at the

1 general election to be held in November 2012 and shall take effect on the
2 date of the official declaration of the vote thereon by the governor.

3 (2) The provisions of this act shall apply to petitions made on or
4 after the applicable effective date of this act.