

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 11-1176

BY REPRESENTATIVE(S) Ramirez, Bradford, Brown, Holbert, Kerr J.,
Looper, Nikkel, Schafer S., Vigil, Wilson;
also SENATOR(S) Renfroe.

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

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

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

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

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

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

42-20-301. Route designation. (1) (a) The patrol, after

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

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

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

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

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

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

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

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

SECTION 4. Act subject to petition - effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall not take effect unless approved by the people at the general election to be held in November 2012 and shall take effect on the date of the official declaration of the vote thereon by the governor.

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

Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO