

First Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 11-0302.01 Jery Payne

**HOUSE BILL 11-1163**

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**HOUSE SPONSORSHIP**

**Vaad,**

**SENATE SPONSORSHIP**

**Tochtrop,**

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**House Committees**

Transportation  
Appropriations

**Senate Committees**

Transportation  
Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING THE ISSUANCE BY THE DEPARTMENT OF**  
102 **TRANSPORTATION OF PERMITS FOR THE MOVEMENT OF SUPER**  
103 **LOADS ON THE HIGHWAYS, AND MAKING AN APPROPRIATION IN**  
104 **CONNECTION THEREWITH.**

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**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>.)*

The bill authorizes the department of transportation to issue super-load permits to vehicles that weigh over 500,000 pounds or that

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.*

SENATE  
3rd Reading Unam ended  
April 29, 2011

SENATE  
Am ended 2nd Reading  
April 28, 2011

HOUSE  
3rd Reading Unam ended  
March 17, 2011

HOUSE  
Am ended 2nd Reading  
March 15, 2011

occupy 2 lanes. Safety and documentation standards are set. The department is directed to establish a system for tracking noncompliance and to deny permits based on the level of noncompliance. A violation of the terms of a permit is a class 1 misdemeanor traffic offense.

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

2 **SECTION 1.** 42-4-510, Colorado Revised Statutes, is amended  
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 **42-4-510. Permits for excess size and weight and for**  
5 **manufactured homes - rules - repeal.** (1.7) (a) THE DEPARTMENT OF  
6 TRANSPORTATION MAY ISSUE SUPER-LOAD PERMITS FOR:

7 (I) A COMBINATION VEHICLE WITH A WEIGHT OF FIVE HUNDRED  
8 THOUSAND POUNDS OR MORE THAT OCCUPIES TWO LANES TO HAUL THE  
9 LOAD; OR

10 (II) AN UNLADEN COMBINATION VEHICLE WITH AN EXPANDABLE  
11 DUAL-LANE TRANSPORT TRAILER THAT OCCUPIES TWO LANES.

12 (b) (I) THE DEPARTMENT OF TRANSPORTATION MAY PLACE  
13 RESTRICTIONS ON THE USE OF A PERMIT. A PERSON SHALL OBEY THE  
14 RESTRICTIONS CONTAINED IN A PERMIT.

15 (II) (A) THE DEPARTMENT OF TRANSPORTATION MAY REFUSE TO  
16 ISSUE A PERMIT TO A PERSON WHO HAS BEEN HELD BY AN ADMINISTRATIVE  
17 LAW JUDGE TO HAVE DISOBEYED PERMIT RESTRICTIONS OR TO HAVE  
18 VIOLATED THIS SECTION OR RULES PROMULGATED UNDER THIS SECTION IN  
19 A HEARING HELD IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S.

20 (B) THE DEPARTMENT SHALL CREATE A SYSTEM THAT TRACKS THE  
21 COMPLIANCE OF PERMIT HOLDERS AND USE THE SYSTEM TO DETERMINE IF  
22 A PERMIT HOLDER HAS A PATTERN OF NONCOMPLIANCE. THE DEPARTMENT  
23 SHALL PROMULGATE RULES ESTABLISHING STANDARDS TO DENY PERMITS

1 TO PERSONS WHO SHOW A PATTERN OF NONCOMPLIANCE, WHICH  
2 STANDARDS INCLUDE THE LENGTH OF TIME A PERMIT IS DENIED BASED  
3 UPON THE NUMBER AND TYPE OF NONCOMPLYING EVENTS.

4 (III) THE DEPARTMENT OF TRANSPORTATION SHALL INCLUDE IN A  
5 SUPER-LOAD PERMIT A SPEED RESTRICTION, NOT TO EXCEED TWENTY-FIVE  
6 MILES PER HOUR ON THE HIGHWAY AND TEN MILES PER HOUR ON  
7 STRUCTURES; EXCEPT THAT THE DEPARTMENT OF TRANSPORTATION MAY  
8 MODIFY THE SPEED RESTRICTION WHEN NECESSARY FOR SAFETY OR TO  
9 PREVENT STRUCTURAL DAMAGE.

10 (c) WHEN FILING AN APPLICATION, AN APPLICANT FOR A  
11 SUPER-LOAD PERMIT SHALL PROVIDE THE DEPARTMENT OF  
12 TRANSPORTATION WITH DOCUMENTATION, ACCEPTABLE TO THE  
13 DEPARTMENT OF TRANSPORTATION, FROM A THIRD PARTY ESTABLISHING  
14 THE GROSS WEIGHT OF THE LOAD. THE DRIVER SHALL CARRY THE  
15 DOCUMENTATION IN THE VEHICLE DURING THE PERMITTED MOVE AND  
16 PRODUCE, UPON REQUEST, THE DOCUMENTATION FOR ANY STATE AGENCY  
17 OR LAW ENFORCEMENT PERSONNEL.

18 (d) THE DEPARTMENT OF TRANSPORTATION MAY REFUSE TO ISSUE  
19 A SUPER-LOAD PERMIT UNDER THIS SECTION FOR AN UNLADEN  
20 COMBINATION VEHICLE UNLESS THE APPLICANT BREAKS THE LOAD DOWN  
21 TO THE SMALLEST DIMENSIONS POSSIBLE. THE DEPARTMENT OF  
22 TRANSPORTATION MAY REFUSE TO ISSUE A SUPER-LOAD PERMIT UNDER  
23 THIS SECTION FOR AN UNLADEN VEHICLE UNLESS THE APPLICANT RENDERS  
24 THE DUAL LANE TRAILER INTO LEGAL LOADS.

25 (e) THE DEPARTMENT OF TRANSPORTATION, COLORADO STATE  
26 PATROL, OR PORT OF ENTRY SHALL INSPECT THE LOAD OF A SUPER-LOAD  
27 PERMIT HOLDER, AT THE PERMIT HOLDER'S EXPENSE, AT THE NEAREST

1 POINT WHERE THE SHIPMENT ENTERS THE STATE, AT A LOCATION SPECIFIED  
2 BY THE DEPARTMENT OF TRANSPORTATION, OR AT THE LOAD'S POINT OF  
3 ORIGIN TO ENSURE COMPLIANCE WITH THE PERMIT REQUIREMENTS AND  
4 SAFETY STATUTES AND RULES, INCLUDING:

- 5 (I) HEIGHT, WIDTH, AND LENGTH;
- 6 (II) NUMBER OF AXLES;
- 7 (III) DATE OF MOVE;
- 8 (IV) CORRECT ROUTE;
- 9 (V) DOCUMENTATION OF LOAD WEIGHT;
- 10 (VI) USE OF SIGNS AND PILOT CARS; AND
- 11 (VII) WEIGHT, IF THE VEHICLE CAN BE WEIGHED WITHIN TWO  
12 HOURS.

13 (f) THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY THE  
14 PORT OF ENTRY OF THE PERMIT'S ISSUANCE AND THE LOCATION AND DATE  
15 OF THE MOVE.

16 (g) UNTIL THE DEPARTMENT OF TRANSPORTATION PROMULGATES  
17 RULES TO IMPLEMENT THIS SUBSECTION (1.7), THE DEPARTMENT MAY  
18 ISSUE PERMITS CONFORMING TO THE REQUIREMENTS OF THIS SECTION  
19 UNDER EXISTING RULES. THIS PARAGRAPH (g) IS REPEALED, EFFECTIVE  
20 JULY 1, 2012.

21 **SECTION 2.** 42-4-510 (11) (a) (IV), Colorado Revised Statutes,  
22 is amended to read:

23 **42-4-510. Permits for excess size and weight and for**  
24 **manufactured homes - rules - repeal.** (11) (a) The department of  
25 transportation, the motor carrier services division of the department of  
26 revenue, or the Colorado state patrol may charge permit applicants permit  
27 fees as follows:

1 (IV) Special permits for structural, oversize, or overweight moves  
2 requiring extraordinary action or moves involving weight in excess of two  
3 hundred thousand pounds, one hundred twenty-five dollars for a permit  
4 for a single trip, INCLUDING A SUPER-LOAD PERMIT ISSUED UNDER  
5 SUBSECTION (1.7) OF THIS SECTION; EXCEPT THAT A SUPER-LOAD PERMIT  
6 FEE IS FOUR HUNDRED DOLLARS;

7 SECTION 3. 42-4-510 (12), Colorado Revised Statutes, is  
8 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

9 **42-4-510. Permits for excess size and weight and for**  
10 **manufactured homes - rules - repeal.** (12) (d) A DRIVER OR HOLDER OF  
11 A PERMIT ISSUED UNDER SUBSECTION (1.7) OF THIS SECTION WHO FAILS TO  
12 COMPLY WITH THE TERMS OF THE PERMIT OR SUBSECTION (1.7) OF THIS  
13 SECTION COMMITS A CLASS 1 MISDEMEANOR TRAFFIC OFFENSE AND SHALL  
14 BE PUNISHED AS PROVIDED IN SECTION 42-4-1701 (3) (a) (II).

15 SECTION 4. Appropriation. (1) In addition to any other  
16 appropriation, there is hereby appropriated, out of any moneys in the  
17 highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C),  
18 Colorado Revised Statutes, not otherwise appropriated, to the department  
19 of revenue, for allocation to the information technology division, for the  
20 fiscal year beginning July 1, 2011, the sum of seven hundred forty dollars  
21 (\$740) cash funds, or so much thereof as may be necessary, for the  
22 implementation of this act.

23 (2) In addition to any other appropriation, there is hereby  
24 appropriated to the governor - lieutenant governor - state planning and  
25 budgeting, for allocation to the office of information technology, for the  
26 fiscal year beginning July 1, 2011, the sum of seven hundred forty dollars  
27 (\$740), or so much thereof as may be necessary, for the provision of

1 programming services to the department of revenue related to the  
2 implementation of this act. Said sum shall be from reappropriated funds  
3 received from the department of revenue out of the appropriation made  
4 in subsection (1) of this section.

5           **SECTION 5. Act subject to petition - effective date.** This act  
6 shall take effect at 12:01 a.m. on the day following the expiration of the  
7 ninety-day period after final adjournment of the general assembly (August  
8 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a  
9 referendum petition is filed pursuant to section 1 (3) of article V of the  
10 state constitution against this act or an item, section, or part of this act  
11 within such period, then the act, item, section, or part shall not take effect  
12 unless approved by the people at the general election to be held in  
13 November 2012 and shall take effect on the date of the official  
14 declaration of the vote thereon by the governor.