

Second Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 06-0175.02 Jery Payne

SENATE BILL 06-010

SENATE SPONSORSHIP

Isgar,

HOUSE SPONSORSHIP

Ragsdale, Larson, McFadyen, and Pommer

Senate Committees
Transportation

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE APPEARANCE OF A COMMERCIAL VEHICLE'S OWNER**
102 **IN A COURT HEARING CONCERNING A PERMIT OR**
103 **DOCUMENTATION VIOLATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Transportation Legislation Review Committee. Declares the owner of a commercial vehicle to be a party in interest to a court hearing if the owner authorized the vehicle to be operated without the required credentials. Clarifies that the owner's appearance in court concerning the matter does not constitute practicing law.

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 Unamended
February 22, 2006

SENATE
Amended 2nd Reading
February 21, 2006

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

2 SECTION 1. 42-4-505 (1), Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

4 **42-4-505. Longer vehicle combinations.** (1) (c) THE
5 DEPARTMENT SHALL PROVIDE THE OPTION TO A COMPANY FILING FOR A
6 PERMIT UNDER THIS SECTION TO FILE AN EXPRESS CONSENT WAIVER THAT
7 ENABLES THE COMPANY TO DESIGNATE A COMPANY REPRESENTATIVE TO
8 BE A PARTY OF INTEREST FOR A VIOLATION OF THIS SECTION. THE
9 APPEARANCE OF THE COMPANY REPRESENTATIVE IN A COURT HEARING
10 WITHOUT THE OPERATOR WHEN THE OPERATOR HAS SIGNED SUCH WAIVER
11 SHALL NOT BE DEEMED THE PRACTICE OF LAW IN VIOLATION OF ARTICLE
12 5 OF TITLE 12, C.R.S.

13 SECTION 2. 42-4-510 (1.5), Colorado Revised Statutes, is
14 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

15 **42-4-510. Permits for excess size and weight and for**
16 **manufactured homes.** (1.5) (c) THE DEPARTMENT SHALL PROVIDE THE
17 OPTION TO A COMPANY FILING FOR A PERMIT UNDER THIS SUBSECTION (1.5)
18 TO FILE AN EXPRESS CONSENT WAIVER THAT ENABLES THE COMPANY TO
19 DESIGNATE A COMPANY REPRESENTATIVE TO BE A PARTY OF INTEREST FOR
20 A VIOLATION OF THIS SECTION. THE APPEARANCE OF THE COMPANY
21 REPRESENTATIVE IN A COURT HEARING WITHOUT THE OPERATOR WHEN
22 THE OPERATOR HAS SIGNED SUCH WAIVER SHALL NOT BE DEEMED THE
23 PRACTICE OF LAW IN VIOLATION OF ARTICLE 5 OF TITLE 12, C.R.S.

24 SECTION 3. 42-20-202 (1), Colorado Revised Statutes, is
25 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

26 **42-20-202. Transportation permit - application fee.**

1 (1)(d) THE PUBLIC UTILITIES COMMISSION SHALL PROVIDE THE OPTION TO
2 A COMPANY FILING FOR A PERMIT UNDER THIS SUBSECTION (1) TO FILE AN
3 EXPRESS CONSENT WAIVER THAT ENABLES THE COMPANY TO DESIGNATE
4 A COMPANY REPRESENTATIVE TO BE A PARTY OF INTEREST FOR A
5 VIOLATION OF THIS SECTION. THE APPEARANCE OF THE COMPANY
6 REPRESENTATIVE IN A COURT HEARING WITHOUT THE OPERATOR WHEN
7 THE OPERATOR HAS SIGNED SUCH WAIVER SHALL NOT BE DEEMED THE
8 PRACTICE OF LAW IN VIOLATION OF ARTICLE 5 OF TITLE 12, C.R.S.

9 **SECTION 4. Effective date - applicability.** This act shall take
10 effect July 1, 2006, and shall apply to offenses committed on or after said
11 date.

12 **SECTION 5. Safety clause.** The general assembly hereby finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, and safety.