

2018

Regulatory Agenda

January 1, 2018 – December 31, 2018



CO L O R A D O

Department of Public Safety

Overview

The Colorado Department of Public Safety submits the following 2018 Regulatory Agenda in fulfillment of the statutory requirements set forth in Colo. Rev. Stat. §2-7-203(4). Pursuant to state law, annually on November 1 executive-branch agencies must file a Departmental Regulatory Agenda (DRA) containing:

- A list of new rules or amendments that the department or its divisions expect to propose in the next calendar year;
- The statutory or other basis for adoption of the proposed rules;
- The purpose of the proposed rules;
- The contemplated schedule for adoption of the rules;
- An identification and listing of persons or parties that may be affected positively or negatively by the rules; and

The Regulatory Agenda also includes, pursuant to Colo. Rev. Stat. §24-4-103.3, rules to be reviewed as part of the Department’s “Regulatory Efficiencies Reviews” during 2018 (which are denoted as such in the “purpose” column). The DRA is to be filed with Legislative Council staff for distribution to committee(s) of reference, posted on the department’s web site, and submitted to the Secretary of State for publication in the Colorado Register. Each department must also present its DRA as part of its “SMART Act” hearing and presentation pursuant to Colo. Rev. Stat. §2-7-203(2)(a)(III)(A).

The following constitutes the Department’s Regulatory Agenda for 2017-2018 and is provided in accordance with Colo. Rev. Stat. §24-7-203(2)(a)(IV):

Schedule	Rule Number	Rule Title	New rule, revision, or repeal?	Statutory or other basis for adoption or change to rule	Purpose of Proposed Rule	Stakeholders <i>Consider including high-level outreach bullets</i>
Colorado Auto Theft Prevention Task Force						
Hearing June 22, 2018	8 CCR 1507-50	Colorado Automobile Theft Prevention Authority	Revision	42-5-112, CRS	Provide basic guidance on the grant process to assist in the statewide reduction of auto	<ul style="list-style-type: none"> • Law enforcement agencies • Units of local government • Insurance Companies licensed to insure motor vehicles • Nonprofit or for profit organizations

Schedule	Rule Number	Rule Title	New rule, revision, or repeal?	Statutory or other basis for adoption or change to rule	Purpose of Proposed Rule	Stakeholders <i>Consider including high-level outreach bullets</i>
Anticipated Hearing or Adoption Date					theft	addressing some aspect of motor vehicle theft prevention
Colorado Bureau of Investigation						
Tentative Review May 2018	8 CCR 1507-29	Evidence Collection in Connection with Sexual Assaults	Revision	24-33.5-113, CRS	Regulatory Efficiency Review	<ul style="list-style-type: none"> Local, state, and federal law enforcement agencies The general public at large
Colorado State Patrol						
Hearing January 29, 2018	8 CCR 1507-1	Minimum Standards for the Operation of Commercial Vehicles	Revision	42-4-235(4)(a), CRS	Support the safe operation of commercial vehicles and to adopt standards related to the regulation, inspection and operation of commercial vehicles within the State of Colorado	<ul style="list-style-type: none"> Commercial motor carriers and operators Governmental subdivisions, entities or legal entities based in Colorado who operate commercial vehicles in the course of their business operations
Hearing January 29, 2018	8 CCR 1507-22	Claims for Reimbursement for the Costs of Response and Mitigation of Hazardous Substance Incidents	Revision	29-22-104(6), CRS	Establish the process by which a public entity, political subdivision of the state, or unit of local government may claim reimbursement for costs attributed to a hazardous substance incident	<ul style="list-style-type: none"> Public entities Political subdivisions of the state Units of local government

Schedule	Rule Number	Rule Title	New rule, revision, or repeal?	Statutory or other basis for adoption or change to rule	Purpose of Proposed Rule	Stakeholders <i>Consider including high-level outreach bullets</i>
Hearing January 29, 2018	8 CCR 1507-25	Permitting, Routing, and Transportation of Hazardous and Nuclear Materials and the Intrastate Transportation of Agricultural Products in Colorado	Revision	42-20-108(1), (2) 42-20-203 42-20-504 42-20-508 and 42-20-108.5, CRS	Provide guidance regarding the permitting, routing and safe transportation of hazardous and nuclear materials by motor vehicles within the State of Colorado	<ul style="list-style-type: none"> Public and private sector hazardous materials transporters and responders
Hearing January 29, 2018	8 CCR 1507-28	Port of Entry Rules for Commercial Vehicle Motor Carrier Size, Weight and Clearance	Revision	42-8-104, CRS	Set forth the size and weight limits, clearance and permitting requirements, and to define port operations as they apply to the operation of commercial motor vehicles in the State of Colorado	<ul style="list-style-type: none"> Colorado Department of Transportation Colorado Department of Revenue Federal Highway Authority Federal Motor Carrier Safety Administration (FMCSA) Colorado Motor Carriers Association (CMCA) Commercial motor vehicle operators and businesses that operate commercial motor vehicles
Hearing 11/2/17	8 CCR 1507-55	Colorado State Patrol Pilot Commercial Vehicle VIN Inspection Program	New	42-1-232, CRS HB 17-1105	Implement the new commercial VIN inspection pilot program	<ul style="list-style-type: none"> Commercial motor vehicle owners and operators
Tentative hearing August 2018	8 CCR 1507-56	Motorcycle Operator Safety Training (MOST) Program	Revision	43-5-502.5, CRS SB 17-243	Manage the MOST program	<ul style="list-style-type: none"> Motorcycle operators Motorcycle training providers

Schedule	Rule Number	Rule Title	New rule, revision, or repeal?	Statutory or other basis for adoption or change to rule	Purpose of Proposed Rule	Stakeholders <i>Consider including high-level outreach bullets</i>
Division of Fire Prevention and Control						
Tentative hearing January 2018	8 CCR 1507-12	Persons Dealing with Fireworks	Revision	12-28-104(7), CRS moved to 24-33.5-2004(7) per SB 17-222	Establish minimum requirements and standards for licenses to sell, store, or use fireworks	<ul style="list-style-type: none"> • People who sell, purchase, store or use fireworks • Municipalities and counties
Tentative review April 2018	8 CCR 1507-32	Prescribed Burning in Colorado	Revision	24-33.5-1203.5 and 24-33.5-1217, CRS	Regulatory Efficiency Review	<ul style="list-style-type: none"> • Users of prescribed fire • Units of local government • Nongovernmental organizations

Addendum

The following rules were not included in the plan as submitted on November 1, 2017. They are all being revised to reduce the fees charged.

Schedule	Rule Number	Rule Title	New rule, revision, or repeal?	Statutory or other basis for adoption or change to rule	Purpose of Proposed Rule	Stakeholders <i>Consider including high-level outreach bullets</i>
Division of Fire Prevention and Control						
Tentative hearing January 2018	8 CCR 1507-11	Fire Suppression	Revision	24-33.5-1204.5, CRS	Reduce the fees to those applying for permits under the program in order to decrease the Fire Suppression Cash Fund surplus balance.	<ul style="list-style-type: none"> • Fire suppression system contractors • Sprinkler fitters • Fire suppression system inspectors
Tentative hearing January 2018	8 CCR 1507-30	Code Enforcement and Certification of Inspectors for Public Schools, Charter Schools, and Junior Colleges	Revision	22-32-124 23-71-122 24-33.5-1203 24-33.5-1203.5 24-33.5-1211 and 24-33.5-1213.5, CRS	Reduce the fees to those applying for permits under the program in order to decrease the Public School Construction Cash Fund surplus balance.	<ul style="list-style-type: none"> • Building officials, designers, engineers, and contractors • Fire officials and fire chiefs • Education architects, engineers, and directors • Fire alarm installers
Tentative hearing January 2018	8 CCR 1507-31	Building, Fire, and Life Safety Code Enforcement and Certification of Inspectors for Health Facilities	Revision	24-33.5-1201 24-33.5-1203 24-33.5-1203.5 24-33.5-1204.5 24-33.5-1206 24-33.5-1211 24-33.5-1212.5 24-33.5-1213.5, CRS	Reduce the fees to those applying for permits under the program in order to decrease the Health Facility Construction Cash Fund surplus balance.	<ul style="list-style-type: none"> • Building officials, designers, engineers, and contractors • Fire officials and fire chiefs • Healthcare architects, engineers, and directors • Fire alarm installers