STATE OF COLORADO

OFFICE OF THE GOVERNOR

136 State Capitol Building
Denver, Colorado 80203
Phone (303) 866 - 2471
Fax (303) 866 - 2003

John W. Hickenlooper
Governor

D 2012-40

EXECUTIVE ORDER

Authorizing Transports of Baled Hay or Baled Livestock Feed to Exceed Otherwise Lawful Maximum Height

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-700, *et seq.,* and specifically C.R.S. § 24-33.5-704(7)(a), I, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order suspending state regulation 2 C.C.R. 601-4 Rule 105.1 to the extent that it prevents the issuance of single-trip, extra-legal permits for divisible loads of "baled hay" and "baled livestock feed" ranging from 14 feet, 6 inches (14' 6") to 15 feet (15') in height.

I. Background and Purpose

Large areas of Colorado have experienced devastating damage from drought. This has severely impacted the ability of Colorado livestock producers to acquire the requisite amount of feed for their animals.

The Governor is responsible for meeting the dangers to the state and people presented by disasters. The Colorado Disaster Emergency Act defines a disaster as "the occurrence or imminent threat of widespread or severe damages, injury or loss of life or property resulting from any natural cause or cause of human origin." C.R.S. § 24-33.5-703(3). State regulation 2 C.C.R. 601-4 Rule 105.1 prevents the state from issuing single-trip, extra-legal permits for divisible loads of "baled hay" and "baled livestock feed" ranging from 14 feet, 6 inches (14' 6") to 15 feet (15') in height. As winter approaches, such restrictions put Colorado livestock in severe danger and producers require immediate assistance to meet their feed requirements.

II. Declaration and Directives

I declare and direct, as follows:

A. The provisions of 2 C.C.R. 601-4 Rule 105.1 are hereby suspended to the extent that they prevent the State from issuing single-trip, extra-legal permits for divisible loads of "baled hay" or "baled livestock feed" of heights ranging from 14 feet, 6 inches (14' 6") to 15 feet (15').

B. The above mentioned directive is subject to the following conditions:

   i. Any baled hay or baled livestock transporter exceeding14 feet, 6 inches (14' 6") in height must adhere to all other statutory weight and length restrictions.

   ii. Any baled hay or baled livestock transporter exceeding 14 feet, 6 inches (14' 6") in height may transport baled hay and livestock feed on all highways in the state except those that are part of the federal interstate system.

   iii. Any baled hay or baled livestock transporter exceeding 14 feet, 6 inches (14' 6") in height must be single-trip permitted with the Colorado Department of Transportation ("CDOT").

   iv. Any baled hay or baled livestock transporter exceeding 14 feet 6 inches (14' 6") in height and permitted as required above shall abide by all applicable CDOT permitting rules and regulations, follow all routing designations as prescribed by CDOT and enforced by the Colorado State Patrol, and must remit all applicable fees.

III. Duration

Unless amended or terminated by subsequent executive order, this order shall remain in effect through October 21st, 2012.

GIVEN under my hand and the Executive Seal of the State of Colorado this twenty-first day of September, 2012

John W. Hickenlooper
Governor