

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

BILL 3

LLS NO. 17-0179.01 Jery Payne x2157

COMMITTEE BILL

Transportation Legislation Review Committee

A BILL FOR AN ACT

101 **CONCERNING MODIFICATION OF THE CLASS OF VEHICLES THAT ARE**
102 **SUBJECT TO REGULATION AS COMMERCIAL VEHICLES.**

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>.)

Transportation Legislation Review Committee. The bill increases the minimum weight for classification of a vehicle as a commercial vehicle subject to the statutory and regulatory minimum standards for commercial vehicles from 10,001 pounds to 16,001 pounds. With respect to vehicles that would be classified as commercial vehicles but for the fact that they weigh between 10,001 and 16,000 pounds, the

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.

chief of the Colorado state patrol is authorized to adopt rules that authorize the Colorado state patrol:

- To annually inspect such vehicles;
- To enforce with respect to such vehicles all requirements for the securing of loads that apply to commercial vehicles; and
- To enforce with respect to such vehicles all requirements relating to the use of coupling devices for commercial vehicles.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-235, **amend**
3 (1)(a)(I) and (4)(a) as follows:

4 **42-4-235. Minimum standards for commercial vehicles - motor**
5 **carrier safety fund - created - definition - rules.** (1) As used in this
6 section, unless the context otherwise requires:

7 (a) "Commercial vehicle" means:

8 (I) Any self-propelled or towed vehicle bearing an apportioned
9 plate or having a manufacturer's gross vehicle weight rating or gross
10 combination rating of ~~ten~~ SIXTEEN thousand one pounds or more ~~which~~
11 ~~vehicle~~ THAT is used in commerce on the public highways of this state or
12 is designed to transport sixteen or more passengers, including the driver,
13 unless ~~such~~ THE vehicle is a school bus regulated pursuant to section
14 42-4-1904 or any vehicle that does not have a gross vehicle weight rating
15 of twenty-six thousand one or more pounds and that is owned or operated
16 by a school district so long as ~~such~~ THE school district does not receive
17 remuneration for the use of such vehicle, not including reimbursement for
18 the use of such vehicle;

19 (4) (a) (I) The chief of the Colorado state patrol shall adopt rules
20 for the operation of all commercial vehicles AND, AS SPECIFIED IN

1 SUBSECTION (4)(a)(II) OF THIS SECTION, VEHICLES THAT WOULD BE
2 COMMERCIAL VEHICLES BUT FOR THE FACT THAT THEY HAVE A
3 MANUFACTURER'S GROSS VEHICLE WEIGHT RATING OR GROSS
4 COMBINATION RATING OF TEN THOUSAND ONE POUNDS OR MORE BUT NOT
5 MORE THAN SIXTEEN THOUSAND POUNDS. In adopting the rules, the chief
6 shall use as general guidelines the standards contained in the current rules
7 and regulations of the United States department of transportation relating
8 to safety regulations, qualifications of drivers, driving of motor vehicles,
9 parts and accessories, notification and reporting of accidents, hours of
10 service of drivers, inspection, repair and maintenance of motor vehicles,
11 financial responsibility, insurance, and employee safety and health
12 standards; except that rules regarding financial responsibility and
13 insurance do not apply to a commercial vehicle as defined in subsection
14 (1) of this section that is also subject to regulation by the public utilities
15 commission under article 10.1 of title 40. ~~C.R.S.~~ On and after September
16 1, 2003, all commercial vehicle safety inspections conducted to determine
17 compliance with rules promulgated by the chief pursuant to this
18 paragraph (a) ~~shall~~ MUST be performed by an enforcement official, as
19 defined in section 42-20-103 (2), who has been certified by the
20 commercial vehicle safety alliance, or any successor organization thereto,
21 to perform level I inspections.

22 (II) WITH RESPECT TO THE OPERATION OF ALL VEHICLES THAT
23 WOULD BE COMMERCIAL VEHICLES BUT FOR THE FACT THAT THEY HAVE A
24 MANUFACTURER'S GROSS VEHICLE WEIGHT RATING OR GROSS
25 COMBINATION RATING OF TEN THOUSAND ONE POUNDS OR MORE BUT NOT
26 MORE THAN SIXTEEN THOUSAND POUNDS, THE CHIEF OF THE COLORADO
27 STATE PATROL MAY ADOPT RULES THAT AUTHORIZE THE COLORADO STATE

1 PATROL:

2 (A) TO ANNUALLY INSPECT SUCH VEHICLES;

3 (B) TO ENFORCE WITH RESPECT TO SUCH VEHICLES ALL
4 REQUIREMENTS FOR THE SECURING OF LOADS THAT APPLY TO
5 COMMERCIAL VEHICLES; AND

6 (C) TO ENFORCE WITH RESPECT TO SUCH VEHICLES ALL
7 REQUIREMENTS RELATING TO THE USE OF COUPLING DEVICES FOR
8 COMMERCIAL VEHICLES.

9 **SECTION 2. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.