

C.R.S. 42-20-202

This document reflects changes current through all laws passed at the First Regular Session of the Seventieth General Assembly of the State of Colorado (2015)

**Colorado Revised Statutes > TITLE 42. VEHICLES AND TRAFFIC > HIGHWAY SAFETY
> ARTICLE 20. TRANSPORTATION OF HAZARDOUS AND NUCLEAR MATERIALS > PART 2.
PERMIT SYSTEM FOR HAZARDOUS MATERIALS**

42-20-202. Transportation permit - application fee

- (1) (a) Except as otherwise provided in this section, each person desiring to transport hazardous materials which require placarding under 49 CFR part 172 or 173 in, to, from, or through this state shall submit a permit application for an annual permit to the public utilities commission prior to beginning such transportation. Permit applications shall be in a form designated by the public utilities commission, and the public utilities commission shall maintain records of all such applications. (b) Each annual permit shall be valid for one year following its issuance and shall be issued after the approval of the permit application by the public utilities commission and upon the payment of a permit fee, which fee shall be based on the number of motor vehicles the applicant operates within this state, as follows: =table42-20-202-01 =thd =c1 1ensp;-ensp;5 =c2 \$ emsp;10 =c1 6ensp;-ensp;10 =c2 25 =c1 11ensp;-ensp;50 =c2 125 =c1 51ensp;-ensp;100 =c2 200 =c1 101ensp;-ensp;300 =c2 350 =c1 overensp;300 =c2 400 =te (c) Single trip permits may be obtained at all port of entry weigh stations and from the Colorado state patrol. Each person transporting such hazardous materials in, to, from, or through this state who has not obtained an annual permit from the public utilities commission shall apply at the closest possible port of entry weigh station or to an officer or office of the Colorado state patrol for a single trip permit. Each single trip permit shall be valid for a single continuous business venture, but in no event shall the permit be valid for more than seventy-two hours, unless extended by any enforcement official for any reason the official deems advisable, including mechanical difficulties and road and weather conditions. The single trip permit shall be issued upon the approval of the permit application and upon the payment of a twenty-five-dollar permit fee. (d) The public utilities commission shall provide the option to a company filing for a permit under this subsection (1) to file an express consent waiver that enables the company to designate a company representative to be a party of interest for a violation of this section. The appearance of the company representative in a court hearing without the operator when the operator has signed such waiver shall not be deemed the practice of law in violation of article 5 of title 12, C.R.S. (2) No annual permit application shall be approved unless the applicant: (a) Supplies proof of having obtained liability insurance as required by the United States department of transportation pursuant to 49 CFR 387. Proof of such liability insurance policy shall be filed with the public utilities commission. The insurance carrier shall give thirty days' written notice for nonpayment of premium and ninety days' notice for nonrenewal of policy to the public utilities commission before the cancellation of such policy. At any time that the insurance policy lapses, the permit shall be automatically revoked. (b) Agrees to comply with the rules and regulations promulgated pursuant to section 42-20-108. (3) No single trip permit application shall be approved unless the applicant: (a) Supplies proof of having liability insurance as required by the United States department of transportation pursuant to 49 CFR 387 or signs a verification under the penalty of perjury as provided in section 42-3-122 that the applicant has the liability insurance as required by the United States department of transportation pursuant to 49 CFR 387; (b) Agrees to comply with the rules and regulations promulgated pursuant to section 42-20-108. (4) The chief is authorized to promulgate such reasonable rules and regulations as may be necessary or desirable in governing the issuance of permits, if such rules and regulations are not in conflict with other provisions of state law. (5) Any fees collected pursuant to this section shall be transmitted to the state treasurer, who shall credit the same to the hazardous materials safety fund created in section 42-20-107.

History

Source:

L. 94: Entire title amended with relocations, p. 2522, § 1, effective January 1, 1995.L. 2005: (3)(a) amended, p. 1180, § 25, effective August 8.L. 2006: (1)(d) added, p. 310, § 3, effective July 1.

COLORADO REVISED STATUTES