

2019

Regulatory Agenda

January 1, 2019 – December 31, 2019



COLORADO

Department of Public Safety

Overview

The Colorado Department of Public Safety submits the following 2019 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 2019 (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)(II).

The following constitutes the Department’s Regulatory Agenda for 2018-2019 and is provided in accordance with Colo. Rev. Stat. §24-7-203(4):

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						
Fall 2019	8 CCR 1507-50	Colorado Automobile Theft Prevention Authority	Regulatory Efficiency Review	42-5-112, CRS	Provide basic guidance on the grant process to assist in the statewide reduction of auto theft	<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 addressing some aspect of motor vehicle theft prevention

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Colorado Bureau of Investigation						
Hearing July, 2019	8 CCR 1507-33	Rules and Regulations Concerning the Medina Alert Program	Regulatory Efficiency Review	24-33.5-416.7(4), CRS	Administration of the Medina Alert program	<ul style="list-style-type: none"> Local law enforcement agencies Designated broadcasters The general public at large
Colorado State Patrol						
Tentative hearing January, 2019	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
Tentative hearing January, 2019	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
Tentative hearing	8 CCR 1507-25	Permitting, Routing, and	Revision	42-20-108(1), (2) 42-20-203	Provide guidance regarding the	<ul style="list-style-type: none"> Public and private sector hazardous materials transporters and responders

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January, 2019		Transportation of Hazardous and Nuclear Materials and the Intrastate Transportation of Agricultural Products in Colorado		42-20-504 42-20-508 and 42-20-108.5, CRS	permitting, routing and safe transportation of hazardous and nuclear materials by motor vehicles within the State of Colorado	
Tentative hearing January, 2019	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
Division of Fire Prevention and Control						
Spring 2019	8 CCR 1507-11	Fire Suppression Program	Revision	24-33.5-1204.5, CRS	Ensure that life safety systems installed in commercial and residential occupancies are installed and maintained properly, according to nationally	<ul style="list-style-type: none"> • Private sector installers of suppression systems • Municipalities and counties

Schedule	Anticipated Hearing or Adoption Date	Rule Number	Rule Title	New rule, revision, or repeal?	Statutory or other basis for adoption or change to rule	Purpose of Proposed Rule	Stakeholders Consider including high-level outreach bullets
						recognized standards	
Spring 2019		8 CCR 1507-12	Persons Dealing with Fireworks	Revision	24-33.5-2004(7), CRS	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
Spring 2019		8 CCR 1507-30	Fire Code Enforcement and Certification of Inspectors for Public Schools, Charter Schools, and Junior Colleges	Regulatory Efficiency Review	24-33.5-1203.5, CRS	Establish uniform standards and minimum requirements for the construction, inspection, and maintenance of public school buildings and structures	<ul style="list-style-type: none"> • Private sector contractors • Municipalities and counties
Spring 2019		8 CCR 1507-31	Building, Fire, and Life Safety Code Enforcement and Certification of Inspectors for Health Facilities Licensed by the State of Colorado	Revision	24-33.5-1201, 24-33.5-1203, 24-33.5-1204.5, and 24-33.5-1206, CRS	Establish uniform standards and minimum requirements for the building, fire and life safety of health facilities	<ul style="list-style-type: none"> • Private sector contractors • Municipalities and counties
Fall 2019		8 CCR 1507-34	Local Firefighter Safety and Disease Prevention Fund	Regulatory Efficiency Review	24-33.5-1231, CRS	Govern applications and funding awards associated with the Colorado	<ul style="list-style-type: none"> • Municipalities and counties

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Anticipated Hearing or Adoption Date					Firefighter Safety and Disease Prevention Fund	
Division of Homeland Security and Emergency Management						
Summer 2019	8 CCR 1507-40	Continuity of State Government Operations	Regulatory Efficiency Review	24-33.5-1609, CRS	Provide guidance to state departments and agencies in developing viable and executable contingency plans for continuity of operations	<ul style="list-style-type: none"> State government departments and agencies
Summer 2019	8 CCR 1507-41	Building Security and Occupant Protection	Regulatory Efficiency Review	24-33.5-1608, CRS	Protect state personnel and property owned or leased by the state, including, but not limited to, facilities, buildings, and grounds	<ul style="list-style-type: none"> State government departments and agencies State government employees General public
These rules will be repealed at the same time as section 24-33.5-1616, CRS, as amended, is repealed.	8 CCR 1507-43	Reserve Peace Officer Academy Grant Program	Repeal	24-33.5-1616, CRS	Provide a grant to a political subdivision of the state that is comprised of multiple jurisdictions for the purpose of creating a reserve peace officer training academy that will train and	<ul style="list-style-type: none"> Reserve peace officer training academies Grant recipients Potential grant applicants

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Effective July 1, 2019					certify a reserve peace officer auxiliary group.	