

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

BILL A

LLS NO. 22-0065.01 Jery Payne x2157

SENATE BILL

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A BILL FOR AN ACT

101 CONCERNING THE DETERMINATION THAT A LOAD OF FLUID MILK  
102 PRODUCTS HAULED BY A VEHICLE IS NOT A DIVISIBLE LOAD  
103 UNDER THE VEHICLE WEIGHT LIMITS PERMITTED BY LAW.

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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://leg.colorado.gov/>.)*

**Transportation Legislation Review Committee.** Current law has weight limits for vehicles. One of the factors that determines a vehicle's weight limit is whether a load is divisible, which means that the load can be divided up to lower its weight. The bill deems that a load of fluid milk products carried by a vehicle is not a divisible load.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

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

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds and declares that:

4           (a) In 2015, the United States Congress passed the "Fixing  
5 America's Surface Transportation Act", Pub.L. 114-94, also known as the  
6 "FAST Act";

7           (b) The FAST Act includes a provision in 23 U.S.C. sec. 127  
8 (a)(13) that reads "A vehicle carrying fluid milk products shall be  
9 considered a load that cannot be easily dismantled or divided  
10 [nondivisible].";

11           (c) Congress designated fluid milk as a nondivisible load because  
12 milk drivers must pick up the entire stock of milk that a dairy farm  
13 produces every day and deliver it to the dairy;

14           (d) The Colorado department of transportation promulgated a rule  
15 to conform with the provision in the FAST Act, but the rule was  
16 inconsistent with and narrower than the provision; and

17           (e) With respect to the provision in the FAST Act, this act merely  
18 harmonizes Colorado law with the FAST Act.

19           **SECTION 2.** In Colorado Revised Statutes, 42-4-510, **add** (1)(d)  
20 as follows:

21           **42-4-510. Permits for excess size and weight and for**  
22 **manufactured homes - rules - definition.** (1) (d) FOR THE PURPOSES OF  
23 THIS SECTION, SECTION 42-4-511, AND ANY RULE PROMULGATED UNDER  
24 THIS SECTION OR SECTION 42-4-511, A LOAD OF FLUID MILK PRODUCTS  
25 CARRIED BY A VEHICLE IS DEEMED TO NOT BE A DIVISIBLE LOAD.

26           **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.