

2020

Regulatory Agenda

January 1, 2019 – December 31, 2019



CO L O R A D O

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 Bureau of Investigation						
Fall 2020	8 CCR 1507-20	Implementation of the National Instant Criminal Background Check System with the Colorado Bureau	Regulatory Efficiency Review	24-33.5-424(7), CRS	Implementation of the National Instant Criminal Background Check System	<ul style="list-style-type: none"> • Local law enforcement agencies • FFL’s (Gun Dealers) • The general public at large

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		of Investigation Serving as the Point of Contact				
Colorado State Patrol						
Tentative hearing February, 2020	8 CCR 1507-1	Minimum Standards for the Operation of Commercial Vehicles	Regulatory Efficiency Review	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 February, 2020	8 CCR 1507-22	Claims for Reimbursement for the Costs of Response and Mitigation of Hazardous Substance Incidents	Regulatory Efficiency Review	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 February, 2020	8 CCR 1507-25	Permitting, Routing, and Transportation of Hazardous and Nuclear	Regulatory Efficiency Review	42-20-108(1), (2) 42-20-203 42-20-504 42-20-508 and	Provide guidance regarding the permitting, routing and safe transportation of	<ul style="list-style-type: none"> Public and private sector hazardous materials transporters and responders

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		Materials and the Intrastate Transportation of Agricultural Products in Colorado		42-20-108.5, CRS	hazardous and nuclear materials by motor vehicles within the State of Colorado	
Tentative hearing February, 2020	8 CCR 1507-28	Port of Entry Rules for Commercial Vehicle Motor Carrier Size, Weight and Clearance	Regulatory Efficiency Review	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
Tentative hearing October, 2020	8 CCR 1507-56	Motorcycle Operator Safety Training (MOST) Program	Regulatory Efficiency Review	43-5-502, CRS	Implement the MOST Program	<ul style="list-style-type: none"> • Motorcycle operators • Motorcycle training providers
Division of Fire Prevention and Control						
Hearing December 2019	8 CCR 1507-30	Fire Code Enforcement and Certification of Inspectors for Public Schools, Charter Schools, and Junior Colleges	Revision	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 • School Districts

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Fall 2020	8 CCR 1507-32	Prescribed Burning in Colorado	Regulatory Efficiency Review	24-33.5-1203.5 and 24-33.5-1217, CRS	Create minimum standards for conducting prescribed burns in the State	<ul style="list-style-type: none"> • Users of prescribed fire • Units of local government • Nongovernmental organizations
Spring 2020	8 CCR 1507-52	Reduced Ignition Propensity Cigarette Standards and Certification	Regulatory Efficiency Review	24-33.5-1231, CRS	Ensure cigarettes sold or offered for sale in Colorado meet the ignition strength standards specified in statute.	<ul style="list-style-type: none"> • Cigarette sellers • Public at large
Division of Homeland Security and Emergency Management						
Summer 2020	8 CCR 1507-42	Filing Tier II Reports Electronically	Regulatory Efficiency Review	24-33.5-1503.5, CRS	Establish a uniform system for reporting and management of information required by the federal act, EPCRA.	<ul style="list-style-type: none"> • State and local emergency planning officials • Public at large