

CHAPTER 98

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 06-010

BY SENATOR(S) Isgar, and Entz;
also REPRESENTATIVE(S) Ragsdale, Larson, McFadyen, and Pommer.

AN ACT

**CONCERNING THE APPEARANCE OF A COMMERCIAL VEHICLE'S OWNER IN A COURT HEARING
CONCERNING A PERMIT OR DOCUMENTATION VIOLATION.**

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

SECTION 1. 42-4-505 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

42-4-505. Longer vehicle combinations. (1) (c) THE DEPARTMENT SHALL PROVIDE THE OPTION TO A COMPANY FILING FOR A PERMIT UNDER THIS SECTION 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.

SECTION 2. 42-4-510 (1.5), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

42-4-510. Permits for excess size and weight and for manufactured homes. (1.5) (c) THE DEPARTMENT SHALL PROVIDE THE OPTION TO A COMPANY FILING FOR A PERMIT UNDER THIS SUBSECTION (1.5) 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.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 3. 42-20-202 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

42-20-202. Transportation permit - application fee. (1) (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.

SECTION 4. Effective date - applicability. This act shall take effect July 1, 2006, and shall apply to offenses committed on or after said date.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 4, 2006