

2019

Regulatory Agenda **REPORT**

January 1, 2018 – December 31, 2019



COLORADO

Department of Public Safety

Overview

Pursuant to Colo. Rev. Stat. §2-7-203(4), the Department of Public Safety (CDPS) submits the following 2019 Regulatory Agenda Report. Pursuant to statutory requirements concerning the Department’s Regulatory Agenda, this Regulatory Agenda Report details the results of the past year’s rules review activity, including the results of mandatory rule reviews conducted under Colo. Rev. Stat. §24-4-103.3(4) as part of the Department’s “Regulatory Efficiencies Reviews.”

This report includes the following items:

Page Number	Section	Description
3	Rulemaking included in 2019 Regulatory Agenda	Provides an update of rules included in the Department’s 2019 Regulatory Agenda (filed on November 1 st , 2018)
6	Results of Mandatory Rules Review	Provides a summary of the activities and outcomes associated with the Department’s mandatory rule reviews conducted under Colo. Rev. Stat. §24-4-103.3(4)
7	Unplanned Rulemaking	Summarizes rule activity that was neither part of mandatory regulatory efficiency review nor part of the Regulatory Agenda.

Rulemaking included in 2018 Regulatory Agenda

#	Rule Number and Description	Division/Program	New rule/revision/peel	Statutory or Other Basis	Purpose	Stakeholders	Status	Comments
1	8 CCR 1507-1 Minimum Standards for the Operation of Commercial Motor Vehicles	Colorado State Patrol	Revision	42-4-235(4)(a), CRS	These rules support the safe operation of commercial vehicles and adopt standards related to the regulation, inspection and operation of commercial vehicles within the State of Colorado.	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	Adopted	Adopted January 22, 2019 Effective March 17, 2018
2	8 CCR 1507-22 Claims for Reimbursement for the Costs of Response and Mitigation of Hazardous Substance Incidents	Colorado State Patrol	Revision	29-22-104(6), CRS HB 16-1046	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	Public entities Political subdivisions of the state Units of local government	Adopted	Adopted January 22, 2019 Effective March 17, 2018
3	8 CCR 1507-25 Permitting, Routing, and Transportation of Hazardous and Nuclear Materials and the Intrastate Transportation of Agricultural Products in Colorado	Colorado State Patrol	Revision	42-20-108(1), (2) 42-20-203 42-20-504 42-20-508 and 42-20-108.5, CRS	Provide guidance regarding the permitting, routing and safe transportation of hazardous and nuclear materials by motor vehicles within the State of Colorado	Public and private sector hazardous materials transporters and responders	Adopted	Adopted January 22, 2019 Effective March 17, 2018
4	8 CCR 1507-28 Port of Entry Rules for Commercial Vehicle Motor Carrier Size,	Colorado State Patrol	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	Colorado Department of Transportation Colorado Department of Revenue Federal Highway Authority	Adopted	Adopted January 22, 2019 Effective March 17, 2018

#	Rule Number and Description	Division/Program	New rule/revision/peal	Statutory or Other Basis	Purpose	Stakeholders	Status	Comments
	Weight and Clearance				motor vehicles in the State of Colorado	Federal Motor Carrier Safety Administration (FMCSA) Colorado Motor Carriers Association (CMCA) Commercial motor vehicle operators and businesses that operate commercial motor vehicles		
5	8 CCR 1507-11 Fire Suppression Program	Division of Fire Prevention and Control	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 recognized standards	Private sector installers of suppression systems Municipalities and counties	Adopted	Adopted February 8, 2019 Effective March 30, 2019
6	8 CCR 1507-12 Persons Dealing with Fireworks	Division of Fire Prevention and Control	Revision	24-33.5-2004(7), CRS	Establish minimum requirements and standards for licenses to sell, store, or use fireworks	People who sell, purchase, store or use fireworks Municipalities and counties	Adopted	Adopted February 8, 2019 Effective March 30, 2019
7	8 CCR 1507-31 Building, Fire, and Life Safety Code Enforcement and Certification of Inspectors for Health Facilities Licensed by the State of Colorado	Division of Fire Prevention and Control	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	Private sector contractors Municipalities and counties	Adopted	Adopted February 8, 2019 Effective March 30, 2019

#	Rule Number and Description	Division/Program	New rule/revision/repeal	Statutory or Other Basis	Purpose	Stakeholders	Status	Comments
8	8 CCR 1507-34 Local Firefighter Safety and Disease Prevention Fund	Division of Fire Prevention and Control	Revision	24-33.5-1231, CRS	Govern applications and funding awards associated with the Colorado Firefighter Safety and Disease Prevention Fund	Municipalities and counties	Adopted	Adopted August 9, 2019 Effective September 30, 2019
9	8 CCR 1507-43 Reserve Peace Officer Academy Grant Program	Division of Homeland Security and Emergency Management	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 certify a reserve peace officer auxiliary group.	Reserve peace officer training academies Grant recipients Potential grant applicants	Not Repealed	These rules state they automatically repeal when section 24-33.5-1616, CRS, as amended, is repealed. Section 24-33.5-1616, CRS was repealed effective July 1, 2019. However, SoS has instructed that rulemaking process will be necessary to effect repeal.

Results of Mandatory Rules Review

#	Rule Number (CCR) and Title (or Description)	Division/Program	Statutory or Other Basis	Month of Review	Did review result in revisions?	Did review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date if applicable/comments
1	8 CCR 1507-30 Fire Code Enforcement and Certification of Inspectors for Public Schools, Charter Schools, and Junior Colleges	Division of Fire Prevention and Control	24-33.5-1203.5, CRS	January-February 2019	Yes	No	No	Amendments Adopted February 8, 2019 Effective March 30, 2019
2	8 CCR 1507-33 Rules and Regulations Concerning the Medina Alert Program	Colorado Bureau of Investigation	24-33.5-416.7(4), CRS	Throughout 2019-2020	No	No	No	
3	8 CCR 1507-34 Local Firefighter Safety and Disease Prevention Fund	Division of Fire Prevention and Control	24-33.5-1231, CRS	November 2018	Yes	No	No	Adopted August 9, 2019 Effective September 30, 2019
4	8 CCR 1507-40 Continuity of State Government Operations	Division of Homeland Security and Emergency Management	24-33.5-1609, CRS	February 2019	No	No	No	
5	8 CCR 1507-41 Building Security and Occupant Protection	Division of Homeland Security and Emergency Management	24-33.5-1608, CRS	July 2019	No	No	No	
6	8 CCR 1507-50 Colorado Automobile Theft Prevention Authority	Colorado Auto Theft Prevention Task Force	42-5-112, CRS	October - November 2019	No	No	No	

Unplanned Rulemaking

#	Rule Number (CCR) and Title (or Description)	Division/ Program	New rule/ revision/ repeal	Statutory or Other Basis	Purpose	Schedule for Adoption	Stakeholders	Status	Comments
1	8 CCR 1507-2 Victim Assistance and Law Enforcement Advisory Board	Division of Criminal Justice	Repeal	24-33.5-104.3, CRS HB 18-1087	Repeal rules relating to defunct boards	Repeal effective January 14, 2019	State and local criminal justice agencies	Repealed	
2	8 CCR 1507-4 Standards for the Administration of Crime Victim Compensation Programs	Division of Criminal Justice	Repeal	24-33.5-104.3, CRS HB 18-1087	Repeal rules relating to defunct boards	Repeal effective January 14, 2019	State and local criminal justice agencies	Repealed	
3	8 CCR 1507-5 Standards for the Administration of Victim Assistance and Law Enforcement (VALE) Programs	Division of Criminal Justice	Repeal	24-33.5-104.3, CRS HB 18-1087	Repeal rules relating to defunct boards	Repeal effective January 14, 2019	State and local criminal justice agencies	Repealed	
4	8 CCR 1507-15 Review of Violations of the Standards for the Administration	Division of Criminal Justice	Repeal	24-33.5-104.3, CRS HB 18-1087	Repeal rules relating to defunct boards	Repeal effective January 14, 2019	State and local criminal justice agencies	Repealed	

#	Rule Number (CCR) and Title (or Description)	Division/ Program	New rule/ revision/ repeal	Statutory or Other Basis	Purpose	Schedule for Adoption	Stakeholders	Status	Comments
	n of the Crime Victim Compensation and Victim Assistance and Law Enforcement Programs and Related Sanctions								
5	8 CCR 1507-55 Pilot Commercial Vehicle VIN Inspection Program	Colorado State Patrol	Repeal	42-1-232, CRS HB 17-1105	Repeal rules related to repealed legislation	Hearing Scheduled for November 8, 2019	Commercial motor vehicle owners and operators	Pending	Anticipated Repeal December 30, 2019
6	8 CCR 1507-46 Law Enforcement Public Safety and Criminal Justice Information Sharing Grant Program	Division of Homeland Security and Emergency Management	New	24-33.5-1617(2)(d), CRS	Implement the new Law Enforcement Public Safety and Criminal Justice Information Sharing Grant Program	Adopted 9/30/2019	Municipalities and counties	Pending	Anticipated effective date November 30, 2019
7	8 CCR 1507-3 Firefighter and Hazardous Materials Responders Voluntary Certification Programs	Division of Fire Prevention and Control	Revision	24-33.5-1203.5, CRS and 24-33.5-1205, CRS	Incorporate provisions related to the Hazardous Materials Responder Voluntary Certificate Program.	Adopted August 9, 2019. Effective September 30, 2019.	Firefighter and Hazardous Materials Responders and Agencies	Adopted	

#	Rule Number (CCR) and Title (or Description)	Division/ Program	New rule/ revision/ repeal	Statutory or Other Basis	Purpose	Schedule for Adoption	Stakeholders	Status	Comments
8	8 CCR 1507-10 Hazardous Materials Responder Voluntary Certification Program	Division of Fire Prevention and Control	Repeal	24-33.5-1203.5, CRS and 24-33.5-1205, CRS	Repeal following incorporation into 8 CCR 1507-3	Adopted August 9, 2019. Effective September 30, 2019.	Hazardous Materials Responders and Agencies	Repealed	
9	8 CCR 1507-11 Colorado Fire Suppression Rules	Division of Fire Prevention and Control	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 recognized standards	Adopted August 9, 2019 Effective September 30, 2019	Private sector installers of fire suppression systems Municipalities and counties	Adopted	Increase program fees
10	8 CCR 1507-16 First Responder Certification Program	Division of Fire Prevention and Control	Repeal	24-33.5-1203.5, CRS	Repealed following transfer of program authority to Department of Public Health and Environment	Adopted August 9, 2019. Effective September 30, 2019.	First Responders (now “emergency medical responders”) Municipalities and counties	Adopted	
11	8 CCR 1507-30 Fire Code Enforcement and Certification of Inspectors for Public Schools, Charter Schools, and Junior Colleges	Division of Fire Prevention and Control	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	Adopted February 8, 2019. Effective March 30, 2019	Public schools, charter schools, junior colleges Private sector contractors Municipalities and counties	Adopted	

#	Rule Number (CCR) and Title (or Description)	Division/ Program	New rule/ revision/ repeal	Statutory or Other Basis	Purpose	Schedule for Adoption	Stakeholders	Status	Comments
12	8 CCR 1507-53 Uniform Standards and Minimum Fire and Life Safety Requirements for Waste Tire Facilities	Division of Fire Prevention and Control	Revision	24-33.5-1203.5(2)(b), CRS	Adopt nationally recognized standards for waste tire facilities	Adopted February 8, 2019. Effective March 30, 2019	Waste Tire Facilities Municipalities and counties	Adopted	
13	8 CCR 1507-57 Building and Fire Code Enforcement and Certification of Inspectors for Limited Gaming Facilities Licensed by the State of Colorado	Division of Fire Prevention and Control	Revision	24-33.5-1203.5, CRS	Adopt building and fire codes and certify inspectors for limited gaming facilities	Adopted February 8, 2019. Effective March 30, 2019	Limited gaming facilities Municipalities and counties	Adopted	
14	8 CCR 1507-101 Building and Fire Code Adoption and Certification of Inspectors for Fire and Life Safety Programs Administered by the State of Colorado	Division of Fire Prevention and Control	New	CRS 24-33.5-1203.5, 44-30-515, 24-4-103, 24-33.5-2003 and 2008, and CRS Title 24 Article 33.5 Part 12	To consolidate the code adoption provisions and inspector certification provisions for all of the Fire and Life Safety Programs administered by the State of Colorado	Adopted February 8, 2019. Effective March 30, 2019	Fire and Life Safety Code Inspectors; Fire Suppression Industry; Fireworks Industry; Schools; Health Facilities; Waste Tire Facilities; Limited Gaming; Municipalities and counties.	Adopted	

