

CHAPTER 131

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**MOTOR VEHICLES AND TRAFFIC REGULATION**

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SENATE BILL 96-097

BY SENATORS Schroeder and Tebedo;  
also REPRESENTATIVE Tucker.

**AN ACT**

CONCERNING REGULATION OF THE TRANSPORT OF MATERIALS BY MOTOR VEHICLE.

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

**SECTION 1.** 42-1-102, Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**42-1-102. Definitions.** As used in articles 1 to 4 of this title, unless the context otherwise requires:

(102.5) "SURGE BRAKES" MEANS A SYSTEM WHEREBY THE BRAKES OF A TRAILER ARE ACTUATED AS A RESULT OF THE FORWARD PRESSURE OF THE TRAILER AGAINST THE TOW VEHICLE DURING DECELERATION.

**SECTION 2.** 42-4-223, Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**42-4-223. Brakes.** (2.5) THE DEPARTMENT OF PUBLIC SAFETY IS SPECIFICALLY AUTHORIZED TO ADOPT RULES RELATING TO THE USE OF SURGE BRAKES.

**SECTION 3.** 42-4-507 (2) (b), Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended, and the said 42-4-507 (2) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**42-4-507. Wheel and axle loads.** (2) The gross weight upon any single axle or tandem axle of a vehicle shall not exceed the following:

(b) EXCEPT AS PROVIDED IN PARAGRAPH (b.5) OF THIS SUBSECTION (2), when the

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

wheels attached to a single axle are equipped with pneumatic tires, twenty thousand pounds;

(b.5) WHEN THE WHEELS ATTACHED TO A SINGLE AXLE ARE EQUIPPED WITH PNEUMATIC TIRES AND THE VEHICLE IS A DIGGER DERRICK OR BUCKET BOOM TRUCK OPERATED BY AN ELECTRIC UTILITY ON A HIGHWAY THAT IS NOT ON THE INTERSTATE SYSTEM AS DEFINED IN SECTION 43-2-101 (2), C.R.S., TWENTY-ONE THOUSAND POUNDS;

**SECTION 4.** The introductory portion to 42-4-508 (1), Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended, and the said 42-4-508 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**42-4-508. Gross weight of vehicles and loads.** (1) EXCEPT AS PROVIDED IN SUBSECTION (1.5) OF THIS SECTION, no vehicle or combination of vehicles shall be moved or operated on any highway or bridge when the gross weight thereof exceeds the limits specified below:

(1.5) THE GROSS WEIGHT LIMITS PROVIDED IN SUBSECTION (1) OF THIS SECTION ARE INCREASED BY ONE THOUSAND POUNDS FOR ANY VEHICLE OR COMBINATION OF VEHICLES IF THE VEHICLE OR COMBINATION OF VEHICLES CONTAINS AN ALTERNATIVE FUEL SYSTEM AND OPERATES ON ALTERNATIVE FUEL OR BOTH ALTERNATIVE AND CONVENTIONAL FUEL. THE PROVISIONS OF THIS SUBSECTION (1.5) APPLY ONLY WHEN THE VEHICLE OR COMBINATION OF VEHICLES IS OPERATED ON A HIGHWAY THAT IS NOT ON THE INTERSTATE SYSTEM AS DEFINED IN SECTION 43-2-101 (2), C.R.S. FOR THE PURPOSES OF THIS SUBSECTION (1.5), "ALTERNATIVE FUEL" HAS THE SAME MEANING PROVIDED IN SECTION 25-7-106.8 (1) (a), C.R.S.

**SECTION 5. Effective date - applicability.** This act shall take effect January 1, 1997, and shall apply to offenses committed on or after said date.

**SECTION 6. 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: May 1, 1996