

CHAPTER 212

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**GOVERNMENT - STATE**

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HOUSE BILL 01-1220

BY REPRESENTATIVE(S) Swenson;  
also SENATOR(S) Entz and Tupa.

**AN ACT**

CONCERNING AMENDMENTS TO THE MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT.

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

**SECTION 1. Repeal.** Subsection (5) of section 1 of article 1 of the multistate highway transportation agreement, as contained in section 24-60-2502, Colorado Revised Statutes, is repealed as follows:

**24-60-2502. Execution of agreement.** The general assembly hereby approves and the governor is authorized to enter into an agreement on behalf of this state with any other state or states legally joining therein in the form substantially as follows:

ARTICLE 1  
Findings and Purposes

SECTION 1. **Finding.** The participating jurisdictions find that:

(5) ~~The 1982 revision of federal law (23 U.S.C. 127) did not contain any substantial improvements for vehicle size and weight standards in the western states and deprives states of interstate matching money if vehicle weights are increased, even though the interstate system is nearly ninety-seven percent (97%) complete; and~~

**SECTION 2.** Section 2 of article 1 of the multistate highway transportation agreement, as contained in section 24-60-2502, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-60-2502. Execution of agreement.** The general assembly hereby approves and the governor is authorized to enter into an agreement on behalf of this state with any other state or states legally joining therein in the form substantially as follows:

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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.*

ARTICLE 1  
Findings and Purposes

SECTION 2. **Purposes.** The purposes of this agreement are to:

(7) FACILITATE COMMUNICATION BETWEEN LEGISLATORS, STATE TRANSPORTATION ADMINISTRATORS, AND COMMERCIAL INDUSTRY REPRESENTATIVES IN ADDRESSING THE EMERGING HIGHWAY TRANSPORTATION ISSUES IN PARTICIPATING JURISDICTIONS.

**SECTION 3.** Section 1 of article 2 of the multistate highway transportation agreement, as contained in section 24-60-2502, Colorado Revised Statutes, is amended to read:

**24-60-2502. Execution of agreement.** The general assembly hereby approves and the governor is authorized to enter into an agreement on behalf of this state with any other state or states legally joining therein in the form substantially as follows:

ARTICLE 2  
Definitions

SECTION 1. As used in this agreement:

(1) ~~"Designated representative" means a legislator, state agency official, or other person authorized to represent the jurisdiction~~ "COOPERATING COMMITTEE" MEANS A BODY COMPOSED OF THE DESIGNATED REPRESENTATIVES FROM THE PARTICIPATING JURISDICTIONS.

(1.5) "DESIGNATED REPRESENTATIVE" MEANS A LEGISLATOR, STATE AGENCY OFFICIAL, OR OTHER PERSON AUTHORIZED UNDER ARTICLE 11 TO REPRESENT THE JURISDICTION.

(2) "Jurisdiction" means a state of the United States or the District of Columbia.

(3) "Vehicle" means any vehicle as defined by statute to be subject to size and weight standards which operates in two or more participating jurisdictions.

**SECTION 4.** The introductory portion to section 1 of article 4 of the multistate highway transportation agreement, as contained in section 24-60-2502, Colorado Revised Statutes, is amended, and the said section 1 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

**24-60-2502. Execution of agreement.** The general assembly hereby approves and the governor is authorized to enter into an agreement on behalf of this state with any other state or states legally joining therein in the form substantially as follows:

ARTICLE 4  
Cooperating Committee

SECTION 1. EACH PARTICIPATING JURISDICTION SHALL HAVE TWO DESIGNATED REPRESENTATIVES. Pursuant to Section 2, Article 3, the designated representatives

of the participating jurisdictions shall constitute a THE COOPERATING committee which shall have the power to:

(4) RECOMMEND IMPROVEMENTS IN HIGHWAY OPERATION, IN VEHICULAR SAFETY, AND IN STATE ADMINISTRATION OF HIGHWAY TRANSPORTATION LAWS.

(5) PERFORM FUNCTIONS NECESSARY TO FACILITATE THE PURPOSES OF THIS AGREEMENT.

**SECTION 5.** Sections 2 and 4 of article 4 of the multistate highway transportation agreement, as contained in section 24-60-2502, Colorado Revised Statutes, are amended to read:

**24-60-2502. Execution of agreement.** The general assembly hereby approves and the governor is authorized to enter into an agreement on behalf of this state with any other state or states legally joining therein in the form substantially as follows:

#### ARTICLE 4 Cooperating Committee

**SECTION 2.** Each DESIGNATED REPRESENTATIVE OF A participating jurisdiction shall be entitled to one (1) vote only. No action of the committee shall be ~~binding~~ APPROVED unless a majority of the total number of votes cast by THE DESIGNATED REPRESENTATIVES OF THE participating jurisdictions are in favor thereof.

**SECTION 4.** The committee shall submit annually to the legislature of each participating jurisdiction ~~no later than November 1~~, a report setting forth the work of the committee during the preceding year and including recommendations developed by the committee. The committee may submit such additional reports as it deems appropriate or desirable. ~~Copies of all such reports shall be made available to the Transportation Committee of the Western Conference, Council of State Governments, and to the Western Association of State Highway and Transportation Officials.~~

**SECTION 6.** Section 1 of article 5 of the multistate highway transportation agreement, as contained in section 24-60-2502, Colorado Revised Statutes, is amended to read:

**24-60-2502. Execution of agreement.** The general assembly hereby approves and the governor is authorized to enter into an agreement on behalf of this state with any other state or states legally joining therein in the form substantially as follows:

#### ARTICLE 5 Objectives of the Participating Jurisdictions

**SECTION 1. Objectives.** The participating jurisdictions hereby declare that:

(1) It is the objective of the participating jurisdictions to obtain more efficient and more economical transportation by motor vehicles between and among the participating jurisdictions by encouraging the adoption of standards that will, as minimums, allow the operation on all state highways, except those determined through engineering evaluation to be inadequate, with a single-axle weight of 20,000

pounds, a tandem-axle weight of 34,000 pounds, and a gross vehicle or combination weight of that resulting from application of the formula:

$$W = 500[(LN/N - 1) + 12N + 36]$$

where

W = maximum weight in pounds carried on any group of two or more consecutive axles computed to nearest 500 pounds.

L = distance in feet between the extremes of any group of two or more consecutive axles.

N = number of axles in group under consideration.

(2) It is the further objective of the participating jurisdictions that ~~in the event the operation of a vehicle or combination of vehicles IN INTERSTATE COMMERCE according to the provisions of subsection (1) of this Section would result in withholding or forfeiture of federal aid funds pursuant to Section 127, Title 23, U.S. Code, the operation of such vehicle or combination of vehicles at axle and gross weights within the limits set forth in subsection (1) of this Section will be authorized under special permit authority by each participating jurisdiction which could legally issue such permits prior to July 1, 1956, provided all regulations and procedures related to such issuance in effect as of July 1, 1956, are adhered to~~ FOR VEHICLE COMBINATIONS IN EXCESS OF STATUTORY WEIGHT OF EIGHTY THOUSAND POUNDS OR STATUTORY LENGTHS.

(3) ~~The objectives of subsections (1) and (2) of this Section relate to vehicles or combinations of vehicles in regular operation, and the authority of any participating jurisdiction to issue special permits for the movement of any vehicle or combinations of vehicles having dimensions and/or weights in excess of the maximum statutory limits in each participating jurisdiction will not be affected. IT IS THE FURTHER OBJECTIVE OF THE PARTICIPATING JURISDICTIONS TO FACILITATE AND EXPEDITE THE OPERATION OF ANY VEHICLE OR COMBINATION OF VEHICLES BETWEEN AND AMONG THE PARTICIPATING JURISDICTIONS UNDER THE PROVISIONS OF SUBSECTION (1) OR (2) OF THIS SECTION, AND TO THAT END THE PARTICIPATING JURISDICTIONS HEREBY AGREE, THROUGH THEIR DESIGNATED REPRESENTATIVES, TO MEET AND COOPERATE IN THE CONSIDERATION OF VEHICLE SIZE AND WEIGHT RELATED MATTERS INCLUDING, BUT NOT LIMITED TO, THE DEVELOPMENT OF: UNIFORM ENFORCEMENT PROCEDURES; ADDITIONAL VEHICLE SIZE AND WEIGHT STANDARDS; UNIFORM SAFETY INSPECTION STANDARDS; OPERATIONAL STANDARDS; AGREEMENTS OR COMPACTS TO FACILITATE REGIONAL APPLICATION AND ADMINISTRATION OF VEHICLE SIZE AND WEIGHT STANDARDS; UNIFORM PERMIT PROCEDURES; UNIFORM APPLICATION FORMS; RULES FOR THE OPERATION OF VEHICLES, INCLUDING EQUIPMENT REQUIREMENTS, DRIVER QUALIFICATIONS, AND OPERATING PRACTICES; AND SUCH OTHER MATTERS AS MAY BE PERTINENT.~~

(4) ~~It is the further objective of the participating jurisdictions to facilitate and expedite the operation of any vehicle or combination of vehicles between and among the participating jurisdictions under the provisions of subsection (1) or (2) of this Section, and to that end the participating jurisdictions hereby agree, through their designated representatives, to meet and cooperate in the consideration of vehicle size and weight related matters including, but not limited to, the development of: uniform enforcement procedures; additional vehicle size and weight standards; uniform safety inspection standards; operational standards; agreements or compacts to facilitate regional application and administration of vehicle size and weight standards; uniform~~

permit procedures; uniform application forms; rules and regulations for the operation of vehicles, including equipment requirements, driver qualifications, and operating practices; and such other matters as may be pertinent. THE COOPERATING COMMITTEE MAY RECOMMEND THAT THE PARTICIPATING JURISDICTIONS JOINTLY SECURE CONGRESSIONAL APPROVAL OF THIS AGREEMENT, AND SPECIFICALLY OF THE VEHICLE SIZE AND WEIGHT STANDARDS SET FORTH IN SUBSECTION (1) OF THIS SECTION.

~~(5) In recognition of the limited prospects of federal revision of Section 127, Title 23, U.S. Code, and in order to protect participating jurisdictions against any possibility of withholding or forfeiture of federal aid highway funds, it is the further objective of the participating jurisdictions to secure congressional approval of this agreement and, specifically of the vehicle size and weight standards set forth in subsection (1) of this Section. IT IS THE FURTHER OBJECTIVE OF THE PARTICIPATING JURISDICTIONS TO:~~

~~(a) ESTABLISH TRANSPORTATION LAWS AND RULES TO MEET REGIONAL AND ECONOMIC NEEDS AND TO PROMOTE AN EFFICIENT, SAFE, AND COMPATIBLE TRANSPORTATION NETWORK;~~

~~(b) DEVELOP STANDARDS THAT FACILITATE THE MOST EFFICIENT AND ENVIRONMENTALLY SOUND OPERATION OF VEHICLES ON HIGHWAYS, CONSISTENT WITH AND IN RECOGNITION OF PRINCIPLES OF HIGHWAY SAFETY; AND~~

~~(c) ESTABLISH PROGRAMS TO INCREASE PRODUCTIVITY AND REDUCE CONGESTION, FUEL CONSUMPTION, AND RELATED TRANSPORTATION COSTS AND ENHANCE AIR QUALITY THROUGH THE UNIFORM APPLICATION OF STATE VEHICLE RULES AND LAWS.~~

~~(6) In recognition of desire for a degree of national uniformity of size and weight regulations, it is the further objective to encourage development of broad, uniform size and weight minimums on a national basis, and further that procedures adopted under this agreement be compatible with national standards.~~

**SECTION 7.** Article 11 of the multistate highway transportation agreement, as contained in section 24-60-2502, Colorado Revised Statutes, is amended to read:

**24-60-2502. Execution of agreement.** The general assembly hereby approves and the governor is authorized to enter into an agreement on behalf of this state with any other state or states legally joining therein in the form substantially as follows:

#### ARTICLE 11

##### ~~Appointment~~ SELECTION of Designated Representative REPRESENTATIVES

~~SECTION 1. The person authorized to represent the State of Colorado as the designated representative to the committee shall be a legislator, state agency official, or other person as designated by a selection committee comprised of the President of the Senate, the Speaker of the House of Representatives, the Chairperson of the Senate Transportation Committee and the Chairperson of the House Transportation Committee. Such designated representative shall serve a term of two years and may be reappointed. The selection committee shall also designate an alternate designated representative who shall also be a legislator, state agency official, or other person.~~  
THE PROCESS FOR SELECTING THE DESIGNATED REPRESENTATIVES TO THE

COOPERATING COMMITTEE SHALL BE ESTABLISHED BY LAW UNDER THIS SECTION.

**SECTION 2.** THE PERSONS AUTHORIZED TO REPRESENT THE STATE OF COLORADO AS THE DESIGNATED REPRESENTATIVES TO THE COMMITTEE SHALL BE THE CHAIRPERSON OF THE SENATE TRANSPORTATION COMMITTEE AND THE CHAIRPERSON OF THE HOUSE TRANSPORTATION COMMITTEE, OR A LEGISLATOR OR STATE AGENCY OFFICIAL THAT THE CHAIRPERSON ASSIGNS.

**SECTION 3.** THE TRANSPORTATION COMMITTEE CHAIRPERSONS IN EACH HOUSE SHALL ALSO DESIGNATE ONE ALTERNATE DESIGNATED REPRESENTATIVE, WHO SHALL ALSO BE A LEGISLATOR OR STATE AGENCY OFFICIAL, TO SERVE IN THEIR ABSENCE.

**SECTION 8.** The multistate highway transportation agreement, as contained in section 24-60-2502, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

**24-60-2502. Execution of agreement.** The general assembly hereby approves and the governor is authorized to enter into an agreement on behalf of this state with any other state or states legally joining therein in the form substantially as follows:

ARTICLE 12  
FUNDING

**SECTION 1.** FUNDS FOR THE ADMINISTRATION OF THIS AGREEMENT, INCLUDING PARTICIPATION IN THE COOPERATING COMMITTEE AND THE ACTUAL EXPENSES OF THE DESIGNATED REPRESENTATIVES, SHALL BE BUDGETED OR EXPENSED AS DETERMINED APPROPRIATE.

**SECTION 9. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 31, 2001