

## CHAPTER 263

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**TRANSPORTATION**

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**SENATE BILL 02-086**

BY SENATOR(S) Nichol, Entz, Evans, Takis, Tupa, Andrews, Cairns, Chlouber, Gordon, Hagedorn, Hernandez, Linkhart, Pascoe, Phillips, Tate, Teck, and Windels;  
also REPRESENTATIVE(S) Grossman, Borodkin, Coleman, Garcia, Groff, Mace, Marshall, Plant, Romanoff, Stafford, Swenson, Tapia, Tochtrop, and Williams S.

**AN ACT****CONCERNING NEIGHBORHOOD NOTIFICATION OF TRANSPORTATION CONSTRUCTION PROJECTS.**

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

**SECTION 1.** 43-1-106, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**43-1-106. Transportation commission - powers and duties.** (9.5) (a) THE COMMISSION SHALL PROMULGATE AND IMPLEMENT WRITTEN POLICIES BASED UPON THE POLICY DIRECTIVE NUMBER 1604.0 ISSUED BY THE COMMISSION ON NOVEMBER 18, 1999, OR ANY SUBSEQUENT POLICY DIRECTIVE AS AMENDED OR REVISED REQUIRING THE DEPARTMENT TO NOTIFY AND DISSEMINATE INFORMATION REGARDING TRANSPORTATION CONSTRUCTION PROJECTS TO THE PUBLIC AND TO RESIDENTIAL NEIGHBORHOODS AND BUSINESSES THAT MAY BE AFFECTED BY TRANSPORTATION CONSTRUCTION PROJECTS. SUCH POLICIES SHALL INCLUDE AT A MINIMUM:

(I) NOTIFICATION PROCEDURES TO COMMUNITIES, RESIDENCES, AND BUSINESSES AFFECTED BY A PROPOSED TRANSPORTATION CONSTRUCTION PROJECT, INCLUDING TIME PERIODS FOR NOTIFICATION AND INFORMATION ABOUT LANE CLOSURES AND DETOURS;

(II) NOTIFICATION AND SIGNAGE REQUIREMENTS TO BE FOLLOWED BY CONTRACTORS FOR A TRANSPORTATION CONSTRUCTION PROJECT;

(III) REQUIREMENTS FOR MITIGATION OF IMPACTS, INCLUDING BUT NOT LIMITED TO NOISE, DUST, AND ACCESS TO PROPERTY CAUSED BY A TRANSPORTATION CONSTRUCTION PROJECT.

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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.*

(b) THE POLICIES ISSUED PURSUANT TO THIS SUBSECTION (9.5) SHALL NOT BE CONSTRUED TO REOPEN THE PROJECT PUBLIC PARTICIPATION PROCESS FOR ANY TRANSPORTATION CONSTRUCTION PROJECT FOR WHICH THE PUBLIC PARTICIPATION PROCESS HAS BEEN COMPLETED PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION (9.5).

**SECTION 2. 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: June 1, 2002