

CHAPTER 50

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 03-1071

BY REPRESENTATIVE(S) Larson, Smith, Borodkin, Brophy, Decker, Merrifield, Rose, Spradley, and Stafford;
also SENATOR(S) Teck, Entz, and May.

AN ACT

CONCERNING A REQUIREMENT THAT ENFORCEMENT OFFICIALS WHO PERFORM COMMERCIAL VEHICLE SAFETY INSPECTIONS BE CERTIFIED BY THE COMMERCIAL VEHICLE SAFETY ALLIANCE TO PERFORM LEVEL I INSPECTIONS.

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

SECTION 1. 42-4-235 (4) (a), Colorado Revised Statutes, is amended to read:

42-4-235. Minimum standards for commercial vehicles. (4) (a) The department shall adopt rules and regulations for the operation of all commercial vehicles. In adopting such rules and regulations, the department shall use as general guidelines the standards contained in the current rules and regulations of the United States department of transportation relating to safety regulations, qualifications of drivers, driving of motor vehicles, parts and accessories, notification and reporting of accidents, hours of service of drivers, inspection, repair, and maintenance of motor vehicles and employee safety and health standards. ON AND AFTER SEPTEMBER 1, 2003, ALL COMMERCIAL VEHICLE SAFETY INSPECTIONS CONDUCTED TO DETERMINE COMPLIANCE WITH RULES AND REGULATIONS PROMULGATED BY THE DEPARTMENT PURSUANT TO THIS PARAGRAPH (a) SHALL BE PERFORMED BY AN ENFORCEMENT OFFICIAL, AS DEFINED IN SECTION 42-20-103 (2), WHO HAS BEEN CERTIFIED BY THE COMMERCIAL VEHICLE SAFETY ALLIANCE, OR ANY SUCCESSOR ORGANIZATION THERETO, TO PERFORM LEVEL I INSPECTIONS.

SECTION 2. 42-20-105 (1), Colorado Revised Statutes, is amended to read:

42-20-105. Enforcement. (1) The provisions of parts 1, 2, and 3 of this article relating to the transportation of hazardous materials by motor vehicle may only be enforced by an enforcement official. ON AND AFTER SEPTEMBER 1, 2003, SAID PROVISIONS MAY ONLY BE ENFORCED BY AN ENFORCEMENT OFFICIAL WHO HAS BEEN

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

CERTIFIED BY THE COMMERCIAL VEHICLE SAFETY ALLIANCE, OR ANY SUCCESSOR ORGANIZATION THERETO, TO PERFORM LEVEL I INSPECTIONS.

SECTION 3. 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: March 20, 2003