

CHAPTER 79

LABOR AND INDUSTRY

HOUSE BILL 06-1340

BY REPRESENTATIVE(S) Benefield, Marshall, Borodkin, Cloer, McGihon, and Todd;
also SENATOR(S) Taylor, Entz, and Isgar.

AN ACT

CONCERNING AN EXEMPTION FOR FEDERALLY REGULATED MINING OPERATIONS FROM THE COLORADO "EXPLOSIVES ACT".

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

SECTION 1. 9-7-102, Colorado Revised Statutes, is amended to read:

9-7-102. Legislative declaration. The general assembly hereby declares that the purpose of this article is to provide for safety inspections to assure suitable control of the procurement of and access to explosives, and at the same time to avoid undue limitations upon the manufacture, sale, transport, or legitimate use of explosives. To avoid a duplication of supervision, inspection, and enforcement by various governmental agencies, no person, firm, partnership, or corporation ~~whose possession, use, or storage of explosives~~ THAT is subject to regulation ~~by the provisions of~~ UNDER articles 20 to 54 of title 34, C.R.S., OR 30 CFR PART 56, 57, 75, OR 77 shall be subject to ~~the provisions of section 9-7-104, 9-7-105, 9-7-107, 9-7-109, or 9-7-110~~ THIS ARTICLE. Fireworks subject to ~~the provisions of~~ article 28 of title 12, C.R.S., shall not be subject to regulation under this article.

SECTION 2. 9-7-106, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

9-7-106. Explosives permits. (6) NO DIVISION-ISSUED PERMIT SHALL BE REQUIRED FOR A PERSON, FIRM, PARTNERSHIP, OR CORPORATION WHOSE USE AND STORAGE OF EXPLOSIVE MATERIALS IS FOR THE PURPOSE OF UNDERGROUND MINING, SURFACE OR UNDERGROUND METAL MINING, OR SURFACE OR UNDERGROUND COAL MINING AND WHOSE USE AND STORAGE OF EXPLOSIVE MATERIALS IS REGULATED BY 30 CFR PART 56, 57, 75, OR 77.

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

SECTION 3. 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: March 31, 2006