

CYNTHIA H. COFFMAN
Attorney General

DAVID C. BLAKE
Chief Deputy Attorney General

MELANIE J. SNYDER
Chief of Staff

FREDERICK R. YARGER
Solicitor General



STATE OF COLORADO
DEPARTMENT OF LAW

RALPH L. CARR
COLORADO JUDICIAL CENTER
1300 Broadway, 10th Floor
Denver, Colorado 80203
Phone (720) 508-6000

Office of the Attorney General

May 17, 2017

Ms. Deanna Maiolo
Administrative Rules Program Manager
Colorado Secretary of State
Colorado Department of State
1700 Broadway, Suite 200
Denver, CO 80290

Re: Correction Letter for 2 CCR 601-4, Effective April 30, 2017 (Tracking Number 2016-00600)
Transport Permits for the Movement of Extra-Legal Vehicles or Loads

Dear Ms. Maiolo:

CDOT's Rules Pertaining to Transport Permits for the Movement of Extra-Legal Vehicles or Loads, 2 CCR 601-4, became effective April 30, 2017. In reviewing the published version of 2 CCR 601-4 on the Secretary of State's website, the Department realized that it inadvertently did not assign a rule number to the "Incorporation by Reference" paragraph on page 44 at the very end of these rules. Because the rule number is missing, the "Incorporation by Reference" paragraph appears to be a part of Rule 1004, although it is not and should be understood as a separate rule in 2 CCR 601-4.

For the sake of clarity to the public, we are requesting that the "Incorporation by Reference" paragraph be assigned a new rule number, Rule 1100, to distinguish it from Rule 1004. Our request is a non-substantive addition to these rules, simply to fix a typographical error and add a rule number where it is currently missing pursuant to § 24-4-103(11)(d)(II), C.R.S.

The section of the rules showing the new rule number is attached. Thank you for your review of this correction filing. Please do not hesitate to call me with any questions.

Sincerely,

FOR THE ATTORNEY GENERAL

A handwritten signature in blue ink that reads "Kathryn E. Young". The signature is written in a cursive style with a large, stylized initial 'K'.

KATHRYN E. YOUNG
First Assistant Attorney General
Transportation Unit
Litigation Section
720-508-6609
Email: kathy.young@coag.gov

Attachment

Section of the Rules Impacted by Correction Letter Modifications

1004 Any hearing required by this Chapter shall be presided over by the Chief Engineer of the Department or by an Administrative Law Judge appointed pursuant to Part 10 of Article 30 of Title 24, C.R.S. If a hearing is held before an Administrative Law Judge and if either party is dissatisfied with the initial decision of the administrative law judge, then an appeal may be made to the Chief Engineer, pursuant to §24-4-105 (14) and (15), C.R.S., within thirty days after the date of service of the initial decision. The appeal shall comply with the requirements of §24-4-105, C.R.S., and shall specify the findings of fact and conclusions of law the dissatisfied party is appealing. All appeals shall be submitted to the CDOT Headquarters Building, addressed to the Chief Engineer, Colorado Department of Transportation.

CHAPTER 11 INCORPORATION BY REFERENCE

1100 The Rules are intended to be consistent with and not be a replacement for the federal requirements set forth in “Fixing America’s Surface Transportation Act” or the “FAST Act” codified at 23 U.S.C. 127 (2016), and the regulations set forth under Title 23 of the Code of Federal Regulations, which are hereby incorporated into these Rules by reference, and do not include any later amendments.