



COLORADO
Department of Transportation

Notice of Proposed Rulemaking

Transportation Commission State Highway Access Category Assignment Schedule 2 CCR 601-1A

Date & Time of Public Hearing: Friday, April 7, 2023, at 10:30 a.m. MT

I. Notice

As required by the State Administrative Procedure Act found at Section 24-4-103, C.R.S., the Transportation Commission gives notice of proposed rulemaking.

This proposed permanent rulemaking hearing is scheduled for **April 7, 2023, at 10:30 a.m. MT** and will only be conducted in a virtual setting. All interested and affected parties must register to attend the public hearing through the [registration link](#) provided. **Please note, the virtual rulemaking hearing for 2 CCR 605-1 will begin at 10:00 a.m. that day. In the unlikely event that rulemaking hearing lasts until 10:30 a.m., we will start the hearing for this rule (2 CCR 601-1A) immediately upon its conclusion (after 10:30 a.m. MT).**

How to Register for Hearing

You must click on the [registration link](#) here to register for the hearing. When you register, you must provide your full name, email address, telephone number, and mailing address. You may also provide the name of the organization that you are representing. Finally, please indicate whether you plan to testify during the hearing. When you submit your registration, you should receive a confirmation email including details about how to join the hearing.

The registration link for the hearing is also available on the Colorado Department of Transportation's website at <https://www.codot.gov/business/rules/proposed-rules>.

II. Subject

The purpose of these rules is to assign an access category to each state highway segment. The Transportation Commission assigns access categories. The proposed changes are the result of a mandatory rule review process. The proposed changes reflect the changes in highway segment ownership and categorization since the last rule update in 2013. They reflect requests from and collaboration with several local governments for category assignment changes.

A detailed Statement of Basis, Purpose, and Specific Statutory Authority follows this notice and is incorporated by reference.

III. Statutory Authority

The specific authority under which the Transportation Commission shall amend these rules is set forth in § 43-2-147, C.R.S., and the Access Code, 2 CCR 601-1.

IV. Copies of the Notice, Proposed Rules, and the Statement of Basis, Purpose & Authority

The notice of hearing, the proposed rules, and the proposed statement of basis, purpose and authority are available for review at CDOT's website at <https://www.codot.gov/business/rules/proposed-rules>.

If there are changes made to the proposed rules prior to the hearing, the updated proposed rule will be available to the public and posted on CDOT's website by March 31, 2023.

Please note that the proposed rule changes being considered are subject to further changes and modifications after the public hearing and the deadline for the submission of written comments.

V. Opportunity to testify and submit written comments

CDOT strives to make the rulemaking process inclusive to all. Everyone will have the opportunity to testify and provide written comments concerning the proposed rule. Interested and affected parties are welcome to testify and submit written comments.

The format of the hearing will proceed as follows:

- The Hearing Officer opens the hearing and provides a brief introduction of the hearing procedures.
- CDOT staff will establish that the CDOT met all the procedural requirements of the Administrative Procedure Act.
- CDOT staff will present a summary of the proposed rules.
- Participants will have the opportunity to give testimony regarding the proposed rules.

Testimony

The testimony phase of each hearing will proceed as follows:

- The Hearing Officer will identify the participants who indicated that they plan to testify during the hearing based on the registration records.
- The Hearing Officer will then ask whether any additional participants wish to testify.

To ensure that the hearing is prompt and efficient, oral testimony may be time-limited.

Written Comments

All interested and affected parties are strongly encouraged to submit their written comments on the proposed changes by March 31, 2023 to dot_rules@state.co.us.

Additionally, prior to the hearing, we will post all written comments to CDOT's website at <https://www.codot.gov/business/rules/proposed-rules>.

All written comments will be added to the official rulemaking record and may be subject to disclosure.

VI. Recording of the Hearings

The hearing will be recorded. After the hearing concludes, the recording will be available on CDOT's website at <https://www.codot.gov/business/rules/proposed-rules>.

VII. Special Accommodations

If you need special accommodations, including language translation, please contact CDOT's Rules Advisor at dot_rules@state.co.us or 303.757.9441 at least two (2) weeks prior to the scheduled hearing date.

VIII. Contact Information

Please contact CDOT's Rules Advisor at dot_rules@state.co.us or 303.757.9441 if you have any questions.