

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 22-0065.01 Jery Payne x2157

SENATE BILL 22-017

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A BILL FOR AN ACT

101 **CONCERNING THE DETERMINATION THAT A LOAD OF FLUID MILK**
102 **PRODUCTS HAULED BY A VEHICLE IS NOT A DIVISIBLE LOAD**
103 **UNDER THE VEHICLE WEIGHT LIMITS PERMITTED BY LAW.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Transportation Legislation Review Committee. Current law has weight limits for vehicles. One of the factors that determines a vehicle's weight limit is whether a load is divisible, which means that the load can be divided up to lower its weight. The bill deems that a load of fluid milk products carried by a vehicle is not a divisible load.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
2nd Reading Unamended
February 17, 2022

SENATE
3rd Reading Unamended
February 8, 2022

SENATE
2nd Reading Unamended
February 7, 2022

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) In 2015, the United States Congress passed the "Fixing
5 America's Surface Transportation Act", Pub.L. 114-94, also known as the
6 "FAST Act";

7 (b) The FAST Act includes a provision in 23 U.S.C. sec. 127
8 (a)(13) that reads "A vehicle carrying fluid milk products shall be
9 considered a load that cannot be easily dismantled or divided
10 [nondivisible].";

11 (c) Congress designated fluid milk as a nondivisible load because
12 milk drivers must pick up the entire stock of milk that a dairy farm
13 produces every day and deliver it to the dairy;

14 (d) The Colorado department of transportation promulgated a rule
15 to conform with the provision in the FAST Act, but the rule was
16 inconsistent with and narrower than the provision; and

17 (e) With respect to the provision in the FAST Act, this act merely
18 harmonizes Colorado law with the FAST Act.

19 **SECTION 2.** In Colorado Revised Statutes, 42-4-510, **add** (1)(d)
20 as follows:

21 **42-4-510. Permits for excess size and weight and for**
22 **manufactured homes - rules - definition.** (1) (d) FOR THE PURPOSES OF
23 THIS SECTION, SECTION 42-4-511, AND ANY RULE PROMULGATED UNDER
24 THIS SECTION OR SECTION 42-4-511, A LOAD OF FLUID MILK PRODUCTS
25 CARRIED BY A VEHICLE IS DEEMED TO NOT BE A DIVISIBLE LOAD.

26 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.