

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

**ENGROSSED**

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

LLS NO. 24-1180.01 Jery Payne x2157

**SENATE BILL 24-220**

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**SENATE SPONSORSHIP**

**Pelton R. and Hinrichsen,**

**HOUSE SPONSORSHIP**

**Winter T. and Lukens,**

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**Senate Committees**  
Transportation & Energy

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE ADMINISTRATION OF PERMITS TO OPERATE**  
102 **EXTRALEGAL VEHICLE LOAD COMBINATIONS.**

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**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>.)*

The bill requires an applicant for an overweight motor vehicle permit to provide third-party documentation establishing the gross weight of the load if the permit application is for a vehicle and load combination that weighs at least 200,000 pounds and less than 500,000 pounds. The carrier is required to carry the documentation in the vehicle during the permitted move and produce the documentation for any state agency or

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

SENATE  
Amended 2nd Reading  
May 1, 2024

law enforcement personnel. In addition to any other penalty, a driver who violates this provision is subject to a penalty of one dollar per pound in excess of the gross weight authorized by the permit.

The bill authorizes the department of transportation or the Colorado state patrol to issue a single-use overweight or oversize state permit or local permit on an expedited basis to help in an emergency. If the permit is a local permit, the applicant and the executive director of the department of transportation or the chief of the Colorado state patrol is required to make a reasonable attempt to contact and obtain the approval of the local authorities. If the department of transportation or the Colorado state patrol is unable to contact or obtain the approval of the local authority within a reasonable amount of time, the department of transportation or the Colorado state patrol may issue the local permit. The local permit fees must be collected and remitted to the local authorities.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-510, **amend**  
3 (1)(b)(I); and **add** (1)(b)(IV) and (12)(e) as follows:

4 **42-4-510. Permits for excess size and weight and for**  
5 **manufactured homes - rules - definitions.** (1) (b) (I) The application  
6 for any permit ~~shall~~ MUST specifically describe the vehicle and load to be  
7 operated or moved; ~~and~~ the particular highways for which the permit to  
8 operate is requested; ~~and~~ whether ~~such~~ THE permit is for a single trip, a  
9 special, or an annual operation; and the time of such movement. All state  
10 permits ~~shall be~~ ARE issued in the discretion of the department of  
11 transportation, subject to rules adopted by the transportation commission  
12 in accordance with this section and section 42-4-511. EXCEPT AS  
13 PROVIDED IN SECTION 42-4-513, all local permits ~~shall be~~ ARE issued in  
14 the discretion of the local authority pursuant to ordinances or resolutions  
15 adopted in accordance with section 42-4-511. Any ordinances or  
16 resolutions of local authorities ~~shall~~ MUST not conflict with this section.

17 (IV) AN APPLICANT FOR A PERMIT MUST PROVIDE THE

1 DEPARTMENT OF TRANSPORTATION, THE COLORADO STATE PATROL, OR  
2 THE LOCAL AUTHORITY WITH ACCEPTABLE THIRD-PARTY DOCUMENTATION  
3 ESTABLISHING THE GROSS WEIGHT OF THE LOAD IF THE PERMIT  
4 APPLICATION IS FOR A VEHICLE AND LOAD COMBINATION WEIGHING AT  
5 LEAST TWO HUNDRED THOUSAND POUNDS AND LESS THAN FIVE HUNDRED  
6 THOUSAND POUNDS. THE DRIVER SHALL CARRY THE DOCUMENTATION IN  
7 THE VEHICLE DURING THE PERMITTED MOVE AND PRODUCE, UPON  
8 REQUEST, THE DOCUMENTATION FOR ANY STATE AGENCY OR LAW  
9 ENFORCEMENT PERSONNEL. ACCEPTABLE THIRD-PARTY DOCUMENTATION  
10 INCLUDES:

11 (A) A MANUFACTURER'S CERTIFICATION OF THE WEIGHT OF THE  
12 LOAD;

13 (B) A CERTIFIED WEIGHT TICKET FROM A CERTIFIED PUBLIC SCALE;

14 (C) A CLEARANCE CERTIFICATION FROM A LAW ENFORCEMENT  
15 AGENCY THAT HAS WEIGHED THE VEHICLE AND LOAD; OR

16 (D) A THIRD-PARTY BILL OF LADING THAT CLEARLY INDICATES THE  
17 WEIGHT OF THE LOAD.

18 (12) (e) IN ADDITION TO ANY OTHER PENALTY, A CARRIER USING  
19 A PERMIT SUBJECT TO SUBSECTION (1)(b)(IV) OF THIS SECTION THAT FAILS  
20 TO HAVE THE DOCUMENTATION DESCRIBED IN SUBSECTION (1)(b)(IV) OF  
21 THIS SECTION IS SUBJECT TO A PENALTY OF ONE DOLLAR PER POUND IN  
22 EXCESS OF THE GROSS WEIGHT AUTHORIZED BY THE PERMIT. A COURT  
23 SHALL TRANSFER A PENALTY COLLECTED PURSUANT TO THIS SUBSECTION  
24 (12)(e) TO THE STATE TREASURER, WHO SHALL CREDIT THE PENALTY TO  
25 THE STATEWIDE BRIDGE AND TUNNEL ENTERPRISE SPECIAL REVENUE FUND,  
26 CREATED IN SECTION 43-4-805 (3).

27 **SECTION 2.** In Colorado Revised Statutes, **add** 42-4-513 as

1 follows:

2 **42-4-513. Overweight and oversize permits in emergencies.**

3 (1) AS USED IN THIS SECTION, "EMERGENCY" MEANS A TEMPORARY  
4 CIRCUMSTANCE IN WHICH:

5 (a) THE PUBLIC SAFETY OR HEALTH IS THREATENED;

6 (b) CRITICAL INFRASTRUCTURE OR HOMES ARE NOT ABLE TO  
7 MAINTAIN HEAT, POWER, OR LIGHT;

8 (c) PEOPLE ARE UNABLE TO SECURE ADEQUATE FOOD, WATER, OR  
9 FUEL; OR

10 (d) AGRICULTURE OPERATIONS OR PRODUCTION IS THREATENED  
11 WITH HAZARD OR HARM, INCLUDING HAZARD OR HARM TO ANIMALS.

12 (2) SUBJECT TO SUBSECTION (3) OF THIS SECTION, THE  
13 DEPARTMENT OF TRANSPORTATION \_\_\_ MAY, ON AN EXPEDITED BASIS,  
14 ISSUE A SINGLE-USE STATE PERMIT OR LOCAL PERMIT TO MITIGATE THE  
15 EFFECTS OF AN EMERGENCY OR TO PROVIDE AID TO PEOPLE AFFECTED BY  
16 AN EMERGENCY.

17 (3) (a) BEFORE APPLYING FOR A LOCAL PERMIT UNDER THIS  
18 SECTION, THE APPLICANT MUST MAKE A REASONABLE ATTEMPT TO  
19 CONTACT AND OBTAIN THE APPROVAL OF THE LOCAL AUTHORITY WITH  
20 JURISDICTION OVER ANY HIGHWAY USED PURSUANT TO THE PERMIT.

21 (b) IF A PERMIT ISSUED UNDER SUBSECTION (2) OF THIS SECTION IS  
22 A LOCAL PERMIT, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
23 TRANSPORTATION OR THE DESIGNEE OF THE EXECUTIVE DIRECTOR SHALL,  
24 PRIOR TO ISSUING THE PERMIT, MAKE A REASONABLE ATTEMPT TO  
25 CONTACT AND OBTAIN THE APPROVAL OF THE LOCAL AUTHORITIES WITH  
26 JURISDICTION OVER ANY HIGHWAY USED PURSUANT TO THE PERMIT. IF THE  
27 DEPARTMENT OF TRANSPORTATION \_\_\_ IS UNABLE TO CONTACT OR OBTAIN

1 THE APPROVAL OF THE LOCAL AUTHORITY WITHIN A REASONABLE AMOUNT  
2 OF TIME BASED ON THE EMERGENCY SITUATION, THE DEPARTMENT OF  
3 TRANSPORTATION \_\_\_ MAY ISSUE THE LOCAL PERMIT.

4 (c) TO ISSUE A SINGLE-USE STATE PERMIT OR LOCAL PERMIT, THE  
5 DEPARTMENT OF TRANSPORTATION MUST OBTAIN APPROVAL FROM THE  
6 CHIEF OF THE COLORADO STATE PATROL IF A LAW ENFORCEMENT ESCORT  
7 IS NEEDED.

8 (4) IF A PERMIT ISSUED UNDER SUBSECTION (2) OF THIS SECTION IS  
9 A LOCAL PERMIT, THE DEPARTMENT OF TRANSPORTATION \_\_\_\_\_ SHALL  
10 COLLECT THE FEE IMPOSED BY THE LOCAL AUTHORITY UNDER SECTION  
11 42-4-510 (11)(b) AND REMIT THE FEE TO THE APPROPRIATE LOCAL  
12 AUTHORITY.

13 **SECTION 3. Act subject to petition - effective date -**  
14 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
15 the expiration of the ninety-day period after final adjournment of the  
16 general assembly; except that, if a referendum petition is filed pursuant  
17 to section 1 (3) of article V of the state constitution against this act or an  
18 item, section, or part of this act within such period, then the act, item,  
19 section, or part will not take effect unless approved by the people at the  
20 general election to be held in November 2024 and, in such case, will take  
21 effect on the date of the official declaration of the vote thereon by the  
22 governor.

23 (2) This act applies to offenses committed or applications  
24 submitted on or after the applicable effective date of this act.