



CO L O R A D O

Department of Public Safety

Executive Director's Office

2024 Regulatory Report

Overview

Pursuant to Section 2-7-203(4) of the Colorado Revised Statutes (C.R.S.), the Department of Public Safety (CDPS) submits the following 2024 Regulatory Report in accordance with Section 2-7-203(4) of the Colorado Revised Statutes. This Regulatory Report details the results of the past year's planned rulemaking as noted in the 2024 CDPS Regulatory Agenda, unplanned rulemaking, routine informal rule reviews (if any), and planned mandatory rule reviews conducted pursuant to the Administrative Procedure Act (§24-4-101 et seq., C.R.S.) and Section 24-4-103.3(4), C.R.S. in compliance with the Department's regulatory efficiencies reviews.

Because this report is due by November 1, it includes the status of activities completed through Oct. 25, 2024. Regulatory activities completed or scheduled between October 26, 2024 and December 31, 2024 will be reported, if planned, in the Department's 2025 Regulatory agenda and in the year-end Department's 2025 Regulatory Report.

This report includes three sections:

1. Results of rulemaking activity included in the 2024 CDPS Regulatory Agenda
2. A more detailed look at outcomes of mandatory rules efficiency reviews
3. Results of unplanned rulemaking

Note: Several rules appear in both the planned agenda and mandatory rules efficiency reviews table; these rules were specifically added to the 2024 agenda with the knowledge that they were required to undergo a mandatory rules efficiency rule in 2024.

Results of Planned Rulemaking Activity Included in the 2024 CDPS Regulatory Agenda

Rule Number	Rule Title (or Brief Description)	New rule, revision, review or repeal	Statutory or other basis for adoption of rule	Purpose	Stakeholders	Status	Adoption & Effective Date (if applicable)	Comments
8 CCR 1507-80	Public Safety Communications Trust Fund	New rule/revision	24-33.5-2501, 24-33.5-2502, 24-33.5-2505, 24-33.5-2510, C.R.S.	Transfer rules 8 CCR 1501-8 Rules in Support of the Governor’s Office of Information Technology Public Safety Trust Fund from the State OIT to the Department of Public Safety. Establishes rules for the administration of the Public Safety Communications Trust Fund by the Office of Public Safety Communications, which was statutorily transferred to the Division of Homeland Security and Emergency Management, in HB 22-1353. The transferred rules are adopted as new rules with revisions to update fund distribution and repayment and reporting procedures.	Local governments, state agencies, and law enforcement agencies	Adopted	11/15/2023 1/14/2024	Rulemaking hearing held 11/15/2023

Rule Number	Rule Title (or Brief Description)	New rule, revision, review or repeal	Statutory or other basis for adoption of rule	Purpose	Stakeholders	Status	Adoption & Effective Date (if applicable)	Comments
8 CCR 1507-81	Office of Public Safety Communications Administration	New rule	24-33.5-2501, 24-33.5-2503, C.R.S.	Adopt rules for the administration of the powers, duties, and functions of the Office of Public Safety Communications (OPSC) to ensure continuity of existence through the statutory transfer of the OPSC to the Department of Public Safety Division of Homeland Security and Emergency Management in HB 22-1353.	Local governments, state agencies, and law enforcement agencies	Adopted	11/15/2023 1/14/2024	Rulemaking hearing held 11/15/2023
8 CCR 1507-12	Persons Dealing with Fireworks	Revision	24-33.5-2004(7), 12-28-101 et seq., C.R.S.	Update the certification procedures for firework display and pyrotechnic operators. Additional minor revisions for updating definitions, clarifying procedures, and grammatical and formatting issues.	Local governments, state agencies, Fire Chiefs, Fire Marshalls, Fire District officials, and the general public.	Adopted	1/11/2024 3/30/2024	Rulemaking hearing held 12/19/2023

Rule Number	Rule Title (or Brief Description)	New rule, revision, review or repeal	Statutory or other basis for adoption of rule	Purpose	Stakeholders	Status	Adoption & Effective Date (if applicable)	Comments
8 CCR 1507-43	Reserve Peace Officer Academy Grant Program	Repeal	24-33.5-1616, C.R.S.	Formally repeal rules, which were statutorily repealed as of 7/1/2019; the process to formally repeal rules through rulemaking process upon the repeal of the statutory authority for the rules was an inadvertent oversight by the department/division.	Political subdivisions of the state that are comprised of multiple jurisdictions and formed for the purpose of funding a reserve peace officer academy, and law enforcement agencies	Repealed	12/15/2023 2/14/2024	Rule repeal hearing held 11/30/2023
8 CCR 1507-27	Blue Alert Program	Revision	24-33.5-416.5	Update notification procedures.	Local law enforcement, media, general public	Deferred	N/A	Deferred to 2025 pending further review to align all division's alert rules notification procedures

Rule Number	Rule Title (or Brief Description)	New rule, revision, review or repeal	Statutory or other basis for adoption of rule	Purpose	Stakeholders	Status	Adoption & Effective Date (if applicable)	Comments
8 CCR 1507-37	Wildfire Resilient Homes Grant Program	New rule	24-33.5-1239, C.R.S.	Adopt rules for the implementation and administration of the Wildfire Resilient Homes Grant Program implemented in HB 23-1096.	Private sector contractors, local governments, state agencies, and the general public	Adopted	1/4/2024 3/1/2024	Rulemaking hearing held 1/4/2024
8 CCR 1507-20	National Instant Criminal Background Check System with the Colorado Bureau of Investigation Serving as the Point of Contact	Review	24-33.5-424(7), C.R.S.	After mandatory rule review, it was determined that rulemaking was needed to update program time frames and division points of contact.	Local law enforcement agencies, Federal Firearms Licensees (FFLs)/gun dealers, and the general public	Adopted	4/19/2024 6/14/2024	Rulemaking hearing held 4/15/2024
8 CCR 1507-1	Minimum Standards for the Operation of CMVs (aka the Motor Carrier Rules)	Revision	42-4-235(4)(a)(l), C.R.S.	Update for consistency and to align with statutes and Codes of Federal Regulations (CFRs).	Members of the CMV industry, law enforcement, other government entities, CDOT, USDOT, and members of the insurance industry	Adopted	1/31/2024 4/1/2024	Rulemaking hearing held 1/30/2024

Rule Number	Rule Title (or Brief Description)	New rule, revision, review or repeal	Statutory or other basis for adoption of rule	Purpose	Stakeholders	Status	Adoption & Effective Date (if applicable)	Comments
8 CCR 1507-28	Port of Entry Rules for Commercial Motor Carrier Size, Weight & Clearance	Revision	42-8-104(1), C.R.S.	Update for consistency and to align with statutes and Codes of Federal Regulations (CFRs).	Local governments, state agencies, members of the CMV industry, CMCA, and other requesting parties	Adopted	1/31/2024	Rulemaking hearing held 1/30/2024
8 CCR 1507-50	Colorado Automobile Prevention Authority (CATPA)	Review	42-4-112(3)(f), C.R.S.	After mandatory rule review, it was determined that rulemaking was needed to update program criteria and guidelines; additional revision was needed to respond to statutory changes from SB 23-257 expanding the scope of the program and promoting enforcement and prevention technologies.	Law enforcement agencies, local governments and state agencies, and other requesting parties	Adopted	5/9/2024 7/1/2024	Rulemaking hearing held 5/2/2024

Rule Number	Rule Title (or Brief Description)	New rule, revision, review or repeal	Statutory or other basis for adoption of rule	Purpose	Stakeholders	Status	Adoption & Effective Date (if applicable)	Comments
8 CCR 1507-58	Third Party VIN Verification Program	Review	42-1-232(7), C.R.S.	After mandatory rule review, it was determined that rulemaking was needed to update appeal timelines for summary suspension, revocation, and denials, to clarify permit review requirements, and to update references and verbiage.	Local governments, state agencies, members of the CMV industry, third-party civilian VIN verifiers	Adopted	1/31/2024 4/1/2024	Rulemaking hearing held 1/30/2024
8 CCR 1507-42	Filing Tier II Reports Electronically	Review	24-33.5-1503.5, C.R.S.	After mandatory rule review, it was determined that no rulemaking was needed.	Local government and state agency emergency planning officials and the general public	Reviewed	N/A	No further action taken
8 CCR 1507-46	Law Enforcement Public Safety and Criminal Justice Information Sharing Program	Repeal	24-33.5-1617, C.R.S.	Formally repeal rule through rulemaking process due to statutory repeal of grant program effective July 2, 2023.	Law enforcement agencies, local governments, and state agencies.	Repealed	12/15/2023 2/14/2024	Rule repeal hearing held 12/15/2023

Rule Number	Rule Title (or Brief Description)	New rule, revision, review or repeal	Statutory or other basis for adoption of rule	Purpose	Stakeholders	Status	Adoption & Effective Date (if applicable)	Comments
8 CCR 1507-40	Continuity of State Government Operations (COOP)	Revision	24-33.5-1609, C.R.S.	After further review, the Division decided to pend rulemaking until 2025 due to possible changes in FEMA; no statutory conflicts are created with this decision.	Local governments, state agencies, emergency planning officials, and the general public	Deferred	N/A	TBD 2025
TBD	Fire Investigation Fund [tentative title]	New	24-33.5-1238, C.R.S.	After review, the division determined there is no need to develop rules to administer this fund. The division already has a local jurisdictional reimbursement process in place that is applicable to this fund as well, and creating separate rules is not necessary.	Local governments, state agencies, Fire Chiefs, Fire Marshalls, Fire District officials, and the general public	Cancelled	N/A	No further action taken

Results of 2024 Mandatory Rules Efficiency Review

Schedule (month reviewed)	Rule Number	Rule Title (or Brief Description)	Statutory or other basis for adoption of rule	Did review result in revisions to regulation?	Did review result in repeal of any part of the regulation? If so, how many rules?	Did review result in repeal of entire CCR volume?	Adoption & Effective date (if applicable)	Comments (optional)
Jan. 2024	8 CCR 1507-20	National Instant Criminal Background Check System	24-33.5-424(7), C.R.S.	Yes	No	No	4/19/2024 6/14/2024	After review, the division identified the need to do rulemaking to update rule.
Jan. 2024	8 CCR 1507-42	Filing Tier II Reports Electronically	24-33.5-1503.5, C.R.S.	No	No	No	N/A	Rule was reviewed and no changes were deemed necessary.
Jan. 2024	8 CCR 1507-50	Colorado Automobile Theft Prevention Authority (CATPA)	42-5-112(3)(f), C.R.S.	No	No	No	N/A	Rule was reviewed and no changes were deemed necessary.
Jan. 2024	8 CCR 1507-58	Third Party Vin Verification Program	42-1-232(7), C.R.S.	Yes	No	No	1/30/2024 4/1/224	After rule and program review, the division identified the need to do rulemaking to update rule.
Jan. 2024	8 CCR 1507-56	Motorcycle Operator Safety Training (MOST) Program	43-5-502.5(2), 43-5-502(1)(III)(d), C.R.S.	No	No	No	N/A	Rule was reviewed and no changes were deemed necessary. [note: This program is anticipated to be reorganized in 2025, and the need to do rulemaking is to be determined.]

Jan. 2024	8 CCR 1507-30	Fire Code Enforcement and Certification of Fire Inspectors for Public Schools, Charter Schools and Junior Colleges	24-33.5-1203.5, C.R.S.	Yes	No	No	Hearing scheduled 11/6/2024 Target effective date 1/1/2025	After review, the division identified the need to do rulemaking to update the rule.
June 2024	8 CCR 1507-11	Fire Suppression Program	24-33.5-1204.5, C.R.S.	No	No	No	N/A	Rule was reviewed and no changes were deemed necessary.

2024 Unplanned Rulemaking - Not Part of Regulatory Agenda or Mandatory Rules Review

Rule Number	Rule Title (or Brief Description)	New rule, revision, repeal, or review?	Statutory or other basis for adoption of rule	Purpose	Stakeholders	Status	Adoption & Effective Date (if applicable)	Comments (including if result of rule review or legislation)
8 CCR 1507-71	School Security Disbursement (SSD) Program	Revision	24-33.5-1810(7), 24-33.5-2702 C.R.S.	Revision to correct eligibility criteria for applications within the rule to better align with statute following OLLS review/request for action.	Schools	Adopted	1/11/2024	Emergency rulemaking
8 CCR 1507-71	School Security Disbursement (SSD) Program	Revision	24-33.5-1810(7), 24-33.5-2702, C.R.S.	Permanent rulemaking of emergency rules.	Schools	Adopted	3/22/2024 5/30/2024	Permanent rulemaking hearing held 3/22/2024
8 CCR 1507-47	Colorado Nonprofit Security Grant Program	Revision	24-33.5-1622(2)(d), C.R.S.	Revision to update rule timelines due to additional funding allocation within FY.	Colorado nonprofit organizations	Adopted	1/23/2024	Emergency rulemaking
8 CCR 1507-47	Colorado Nonprofit Security Grant Program	Revision	24-33.5-1622(2)(d), C.R.S.	Permanent rulemaking of emergency rules.	Colorado nonprofit organizations	Adopted	3/22/2024 5/30/2024	Permanent rulemaking hearing held 3/22/2024

Rule Number	Rule Title (or Brief Description)	New rule, revision, repeal, or review?	Statutory or other basis for adoption of rule	Purpose	Stakeholders	Status	Adoption & Effective Date (if applicable)	Comments (including if result of rule review or legislation)
8 CCR 1507-22	Claims for Reimbursement for the Costs of Response and Mitigation of Hazardous Substance Incidents (HM Reimbursement Rules)	Revision	29-22-104, C.R.S.	Revision to update rules to better align with statute, add hazardous substance incidents, update definitions and formatting, update references and resource information, and clarify rules and update formatting.	Members of the CMV industry, law enforcement, other government entities, CDOT, USDOT, and members of the insurance industry	Adopted	2/6/2024 4/1/2024	Rulemaking hearing held 1/30/2024

Rule Number	Rule Title (or Brief Description)	New rule, revision, repeal, or review?	Statutory or other basis for adoption of rule	Purpose	Stakeholders	Status	Adoption & Effective Date (if applicable)	Comments (including if result of rule review or legislation)
8 CCR 1507-25	Permitting, Routing & Transportation of Hazardous and Nuclear Materials and the Intrastate Transportation of Agricultural Products in the State of Colorado (HM Routing Rules)	Revision	42-20-108, 42-20-403, 42-20-504, 42-20-508, 42-20-108.5, CRS	Revision to update rules to comply with updated statutes regarding the curfew and routing provisions of § 42-20-301, C.R.S., and allowing CSP to apply approved Transportation Commission restrictions affecting transport of hazardous and agricultural products through the Eisenhower Johnson Memorial Tunnel (EJMT), update references for consistency with CVSA OOS Criteria and FMCSRs, update verbiage for clarity, update references, and correct minor formatting and grammatical errors.	Members of the CMV industry, law enforcement, other government entities, CDOT, and USDOT	Adopted	1/31/2024 4/1/2024	Rulemaking hearing held 1/30/2024

Rule Number	Rule Title (or Brief Description)	New rule, revision, repeal, or review?	Statutory or other basis for adoption of rule	Purpose	Stakeholders	Status	Adoption & Effective Date (if applicable)	Comments (including if result of rule review or legislation)
8 CCR 1507-38	Regional and Statewide Mutual Aid System and Colorado Coordinated Regional Mutual Aid System	New	24-33.5-1235, C.R.S.	Adopt rules to establish a mutual aid system advisory committee, processes for opting in and out of the system, and operating guidelines for the regional and Colorado coordinated mutual aid systems.	Local governments, state agencies, regional and state mutual aid partner agencies, Fire Chiefs, Fire Marshalls, and Fire District officials	Adopted	8/30/2024 10/30/2024	Rulemaking hearing held 8/30/2024
8 CCR 1507-80	Public Safety Communications Trust Fund	Revision	24-33.5-2505, 24-33.5-2510, C.R.S.	Revision to correct statutory citation error following OLLS review/request for action.	Local governments, state agencies, and law enforcement agencies	Adopted	8/6/2024 9/30/2024	Rulemaking hearing held 7/31/2024
8 CCR 1507-3	Firefighter Voluntary Certification Programs	Revision	24-33.5-1205	Revision to update minimum time frame to submit certification applications and fees prior to scheduled examinations, increase period for awarded certifications from 3 to 5 years, update references and definitions, update fees related to the costs of administering the programs, and update formatting to comply with accessibility standards.	Local governments, state agencies, Fire Chiefs, Fire Marshalls, Fire District officials, interested parties, and the general public	TBD	TBD Target effective date 1/1/2025	Rulemaking hearing scheduled 11/8/2024

Rule Number	Rule Title (or Brief Description)	New rule, revision, repeal, or review?	Statutory or other basis for adoption of rule	Purpose	Stakeholders	Status	Adoption & Effective Date (if applicable)	Comments (including if result of rule review or legislation)
8 CCR 1507-30	Fire Code Enforcement and Certification of Fire Inspectors for Public Schools, Charter Schools and Junior College	Revision	24-33.5-1203.5, C.R.S.	Revision to update the title and duties of delegated building inspectors, update the list of allowable projects under annual permits, raise fees related to inspections and plan reviews by 2.5% to defray program costs, update definitions and division procedures, correct grammatic errors, and update formatting to comply with accessibility standards.	Fire inspectors, building code officials, fire code officials, and school boards/districts	TBD	TBD Target effective date 1/1/2025	Rulemaking hearing scheduled 11/6/2024

2024 Additional Rule Actions Apart from Planned/Unplanned Rulemaking or Rule Review

Rule Number	Rule Title (or Brief Description)	Action	Statutory authority & SOS Tracking Number, if applicable	Comments
8 CCR 1507-37	Wildfire Resilient Homes Grant Program	Issue to be brought before the Committee on Legal Services (COLS)	24-33.5-1239, C.R.S. 2023-00766	On July 3, 2024, the Office of Legislative Legal Services (OLLS) identified a conflict in the adopted rules promulgated by the Division of Fire Prevention and Control (effective 3/1/2024) between the definition of “homeowner” as defined in statute and as defined in the adopted rules. The OLLS found that the Division added a provision of “primary residence” to this definition that is not provided in statute, thereby adding limitation to the definition that in turn, affects the eligibility for grant requestors. The Division requested that the OLLS put forward to the COLS review hearing a request to not extend the rule with the Division taking a no contest position on the OLLS request. The Division intends to do rulemaking on this rule in 2025 through which a correction will be made to this definition to align with statute. The OLLS advised the Division that this request will be forwarded to the COLS for consideration in their 2024 rule review bill meeting in November or December 2024. The Division will take the directed action advised by the COLS as soon as practicable.