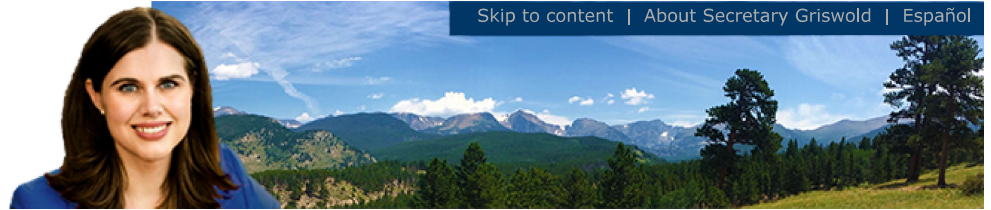


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1. Notices of Rule Making filed with the Secretary of State and evidence of Publication in the Colorado Register.
2. Hearing Announcement and call for public comment posted on the CDPS website.
3. Confirmation of filing with the Department of Regulatory Affairs and Confirmation of no public cost-benefit analysis requested.
4. Invitation for Public Comment and Notice of Hearing distributed via email to stakeholders, comments received, and related communication.
5. Redline versions of the proposed rules as distributed to Stakeholders and as presented in this public hearing.
6. Notice of Public Rule Making Hearing and Memo to Maintain Permanent Record.
7. Hearing Attendance Records.
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Notice of Rulemaking Confirmation

Official Publication of the State Administrative Rules (24-4-103(11) C.R.S.)

Date Filed: June 17, 2024 11:47:24

Please print this page for your records

REMEMBER: You must submit your proposed rules to DORA's Office of Policy, Research and Regulatory Reform at the time of filing this notice with the Secretary of State, as required by section 24-4-103(2.5) C.R.S.
Link: https://www.dora.state.co.us/pls/real/SB121_Logon

**Your notice of rulemaking has been submitted to the Secretary of State.
Your tracking number is 2024-00289.**

Department	1507 - Department of Public Safety
Type of Filing	Permanent
Agency	1507 - Division of Homeland Security and Emergency Management
CCR Number	8 CCR 1507-80
CCR Title	PUBLIC SAFETY COMMUNICATIONS TRUST FUND
Hearing Date	07/31/2024
Hearing Time	02:00 PM
Hearing Location	Virtual Google Meet meet.google.com/xqu-vftv-pdh
Description	The purpose of this proposed rule amendment is to correct statutory citation errors in the definitions section for "Fund" and in the Statement of Basis, Statutory Authority, and Purpose preamble. Minor grammatical errors are corrected, and the formatting is adjusted to comply with accessibility standards.
Statutory Authority	Section 24-33.5-2505, C.R.S. and Section 24-33.5-2510
Proposed Rule	ProposedRuleAttach2024-00289.docx
Contacts for Public	
Name	Christine Moreno
Title	Rulemaking Administrator
Phone	719-343-0995
Email	christine.moreno@state.co.us

[Terms & conditions](#) | [Accessibility statement](#) | [Browser compatibility](#)

Notice of Proposed Rulemaking

Tracking number

2024-00289

Department

1507 - Department of Public Safety

Agency

1507 - Division of Homeland Security and Emergency Management

CCR number

8 CCR 1507-80

Rule title

PUBLIC SAFETY COMMUNICATIONS TRUST FUND

Rulemaking Hearing

Date

07/31/2024

Time

02:00 PM

Location

Virtual Google Meet meet.google.com/xqu-vftv-pdh

Subjects and issues involved

The purpose of this proposed rule amendment is to correct statutory citation errors in the definitions section for "Fund" and in the Statement of Basis, Statutory Authority, and Purpose preamble. Minor grammatical errors are corrected, and the formatting is adjusted to comply with accessibility standards.

Statutory authority

Section 24-33.5-2505, C.R.S. and Section 24-33.5-2510

Contact information

Name

Christine Moreno

Title

Rulemaking Administrator

Telephone

719-343-0995

Email

christine.moreno@state.co.us

**DEPARTMENT OF PUBLIC SAFETY
DIVISION OF HOMELAND
SECURITY AND EMERGENCY
MANAGEMENT
8 CCR 1507-80
Public Safety Communications Trust
Fund**

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

The General Assembly enacted section 24-33.5-2501, C.R.S. via House Bill 22-1353 to create the Office of Public Safety Communications in the Division of the Homeland Security and Emergency Management in the Department of Public Safety. Additionally, in section ~~24-33.5-2502~~ ~~24-33.5-2510, C.R.S.,~~ the Public Safety Communications ~~Trust Fund Revolving Fund~~ ~~(aka Public Safety Communications Trust Fund)~~ was created. ~~Section 24-33.5-2505, C.R.S. mandates that the Director of the Office of Public Safety Communications shall adopt rules regarding distributions of Public Safety Communications Trust Fund money to and repayment of such money by state and local governments. to be administered and disbursed by the Office of Public Safety Communications.~~ This bill enacted the transfer of this Office and this Fund from the State Office of Information Technology to the Division of Homeland Security and Emergency Management within the Department of Public Safety, thereby creating the Office and the Fund through their transfer from OIT to CDPS. The bill was signed into law on June 8, 2022 and became effective July 1, 2023. ~~Section 24-33.5-2505, C.R.S. mandates that the Director of the Office of Public Safety Communications shall adopt rules regarding distributions of Public Safety Communications Trust Fund money to and repayment of such money by state and local governments.~~

~~Because the statute section 24-33.5-2510, C.R.S. is necessary for the immediate preservation of the public peace, health or safety, delay in the promulgation of these rules would be contrary to the statutory mandate. The absence of implementing rules to carry out the purpose of the statute would be contrary to this declaration. For these reasons, it is imperatively necessary that the proposed rules be adopted. The purpose of this rule amendment is to correct statutory citation errors and minor grammatical errors and to correct the formatting to comply with accessibility standards.~~

Kevin Klein, Director

Division of Homeland Security and Emergency Management

Date of Adoption

DEPARTMENT OF PUBLIC SAFETY

Division of Homeland Security and Emergency Management
Office of Public Safety Communications

8 CCR 1507 – 80 Public Safety Communications Trust Fund

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

1. Authority

This rule is adopted pursuant to § 24-33.5-2505(1)(h) and (i), C.R.S. and the State Administrative Procedure Act § 24-4-101 et seq. C.R.S.

2. Scope and Purpose

This rule governs the Public Safety Communications Trust Fund, the administration of discretionary distributions and repayment of such monies by state and local governments.

3. Applicability

This rule applies to all local governments and state agencies ~~state and local agencies~~ as defined by 24-33.5-2505(4)(I-II), C.R.S.

4. Definitions

“Director” means the Director of the Office of Public Safety Communications as appointed by the Director of the Division of Homeland Security and Emergency Management.

“Division” means the Division of Homeland Security and Emergency Management within the Colorado Department of Public Safety as created in section 24-33.5-1603, C.R.S.

“Eligible Entities” means the local governments and state agencies that support public safety that may be called upon to deal with natural disasters, health emergencies, acts of terrorism, and other threats to public safety.

“Fund” means the public safety communications trust fund created in section 24-33.5-2510 ~~24-33.5-2505(2)(a)~~, C.R.S.

“Interoperable Communications” means the ability of public safety agencies in various disciplines and jurisdictions to communicate with each other on demand and in real time by voice or data using compatible radio communication systems or other technology.

“Local Government” means a city, county, municipality, city and county, tribal government, or any other political subdivision of the state that is not a state agency.

“Office” means the Office of Public Safety Communications created in section 24-33.5-2502, C.R.S.

“Public Safety Agency” means an agency providing law enforcement, fire protection, emergency medical, or emergency response services.

“Public Safety Communications Systems” means the interoperable public safety radio communications systems conforming with the statewide digital trunked radio system plan and designed to provide instant and disruption-resistant communication capability for law enforcement agencies and other eligible entities that may be called upon to deal with natural disasters, health emergencies, acts of terrorism, and other threats to public health and safety.

“Quarterly Progress Report” means a written form or other document determine by the state agency to indicate and report the operational and financial activity of the recipient during the time period specified.

“Reimbursement Request” means a written form or other document determined by the state agency to indicate and report the operational and financial activity of the recipient during the time period specified.

“Region” means an all-hazard emergency management region established by executive order of the Governor.

“State Agency” means any department, division, commission, council, board, bureau, committee, office, agency, or other governmental unit of the state.

“Summary Report” means a written form or other document determined by the state agency allowing the fund recipients to report the final operational and financial activity of the funds.

5. Program Requirements

5.1 Eligibility

The principal and interest held in the public safety communications trust fund are available to eligible entities, upon application to the Office, and with the approval of the Director of the Office of Public Safety Communications or delegate, to cover the acquisition, maintenance, or lease of any public safety radio communications systems

equipment or other communication devices or equipment by eligible entities conforming with the statewide digital trunked radio system plan.

The Fund may be used to pay the direct and indirect costs, including personal services and operating costs, associated with administering public safety communications.

5.2 Considerations

- A. The Director of the Office of Public Safety Communications or delegate, acting within their discretion, shall consider, without limitation, the following factors in authorizing distributions of fund moneys for reimbursement, or for the purchase, leasing, contracting for, or other acquisition of public safety communications equipment for or by eligible entities:
 - (1) The need for achieving functional interoperability among local, state, and federal public safety radio communications systems by acquiring equipment that meets emerging technical standards for systems interoperability and open network architecture;
 - (2) The needs of eligible entities that have recently invested in new radio systems, particularly in regard to interoperability;
 - (3) The promotion of an orderly transition from analog-based to digital-based radio systems; and
 - (4) The current communications coverage, expansion of coverage and/or resolution of coverage gaps in underserved areas of Colorado.
- B. The amount of any distribution for reimbursement or for the purchase of equipment or devices constituting system infrastructure which would allow interoperability between a local government communications system and the statewide public safety radio communications systems will be paid in accordance with the terms of the state digital trunked radio system plan. The extent to which such expenses will be covered by fund moneys will depend on compliance with the plan, funds available and prior coordination and prior approval by the Office.
- C. All expenditures made for the acquisition, maintenance, or lease of communication systems equipment or devices from distributions of fund moneys shall be made pursuant to the requirements set forth under the Colorado Procurement Code, sections 24-101-101, et seq., CRS. If the Code does not address a specific situation, then expenditure of funds will require approval from the Director of the Office of Public Safety Communications or delegate.
- D. Expenditures are reimbursable or otherwise eligible for distribution from the

fund to the extent moneys remain available in the fund.

5.3 Request for Funding and Approval Process

- A. Eligible entities must submit an application letter of estimated costs, supporting eligibility documentation and an implementation schedule to the Office of Public Safety Communications for approval to receive reimbursement from the Fund.
- B. Upon receipt of an application letter, the Office staff shall review the request and issue a written recommendation to the Director or delegate, who will render a decision. Written notification of the decision shall be made to the applicant within ninety (90) days including ~~concerning~~ the amount of any distributions to be paid and identifying any non-qualifying costs, if approved.
- C. Upon notification of approval to receive Fund reimbursement, the applicant shall enter into a written agreement with the Office, with the approval of the Director or delegate, concerning any terms and/or conditions for distributions made, including without limitation, terms for repayment of amounts paid, any buy-in commitments for participation in the statewide digital trunked radio system, or any obligation to pay an annual user or other type of fee for participation in the state system. In the event equipment or devices are directly purchased by the Office with fund moneys and then leased to the applicant, a written lease agreement shall be executed by the parties.
- D. Approved applicants may then apply for distribution of fund moneys for reimbursement of costs or to purchase qualifying public safety communications systems equipment or devices using application forms provided by the Office. Applications for reimbursement must be filed within ninety (90) days of the incurred expenditures.

5.4 Distribution of Funds

- A. For local government awardees, funds will be distributed according to the terms of the written Agreement entered into with the Office and according to any additional terms of the Division of Homeland Security and Emergency Management.
- B. For state agency awardees, funds will be distributed according to the terms of the written Agreement entered into with the Office and according to the terms in the approved State of Colorado Interagency Agreement.
- C. Based upon an articulated need, the Office may advance funds to awardees with the approval of the Director or delegate.

5.5 Reporting Requirements

- A. Awardees will provide the Office with reports consistent with the requirements in the appropriate written agreement, Divisional agreement if applicable, or interagency agreement, including, but not limited to:
 - (1) Quarterly Progress Reports;
 - (2) Summary Report upon completion of the project; and
 - (3) Reimbursement Requests.

5.6 Restrictions

- A. The statutory provisions for the Public Safety Communications Trust Fund in Part 25 to article 33.5 of title 24, C.R.S. do not apply to the Legislative Department of the State of Colorado.
- B. Local and internal public safety communications networks of institutions of higher education may be exempted from the provisions of Part 25 to article 33.5 of title 24 C.R.S. upon application to the Director of the Office of Public Safety Communications; except that all systems must be certified by the Director of the Office of Public Safety Communications as being technically compatible with plans and networks as described in section 24-33.5-2505(1), C.R.S.

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COLORADO _(/)
Department of Public Safety

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CDPS Rules and Regulations

Stakeholder Engagement and Accessibility

The process of adopting, reviewing, and changing rules and regulations is a public one. We encourage your participation in our rulemaking process. Please see the information below for upcoming rulemaking hearings and how to submit comments. You are always welcome to attend any hearings associated with the rulemaking process, and your comments and questions will be taken into consideration during the rulemaking process.

We are committed to providing equitable access to our services, including the rulemaking process. Our ongoing accessibility efforts strive to align with the current Web Content Accessibility Guidelines (WCAG) version, level AA criteria and to comply with the accommodation requests under the Americans with Disabilities Act.

For more information, any questions you have, including accommodation requests or assistance in accessing our rulemaking documents and participating in our rulemaking hearings, please contact the Department Rules Administrator Christine Moreno via email christine.moreno@state.co.us (<mailto:christine.moreno@state.co.us>) or by phone 719-343-0995.

All Colorado Department of Public Safety rules currently in effect are available on the [Secretary of State's Website](#)

CDPS Regulatory Report and Agenda

CDPS 2023 Regulatory Report

The CDPS Regulatory Report of all rulemaking activities in the Department for calendar year 2023 can be found [here in PDF format \(https://publicsafety.colorado.gov/sites/publicsafety/files/2023%20CDPS%20Regulatory%20Agenda%20Report_0.pdf\)](https://publicsafety.colorado.gov/sites/publicsafety/files/2023%20CDPS%20Regulatory%20Agenda%20Report_0.pdf), or [here in docx format \(https://publicsafety.colorado.gov/sites/publicsafety/files/2023%20CDPS%20Regulatory%20Agenda%20Report_0.docx\)](https://publicsafety.colorado.gov/sites/publicsafety/files/2023%20CDPS%20Regulatory%20Agenda%20Report_0.docx). This report includes cyclical rule reviews, new rules adopted, repealed rules, and amended rules adopted and includes a brief summary of the actions taken and the statutory authority, if applicable.

CDSP 2024 Regulatory Agenda

The CDPS Regulatory Agenda of all planned and anticipated rulemaking activities in the Department for calendar year 2024 can be found [here in PDF format \(https://publicsafety.colorado.gov/sites/publicsafety/files/2024%20CDPS%20Regulatory%20Agenda_0.pdf\)](https://publicsafety.colorado.gov/sites/publicsafety/files/2024%20CDPS%20Regulatory%20Agenda_0.pdf) or [here in docx format \(https://publicsafety.colorado.gov/sites/publicsafety/files/2024%20CDPS%20Regulatory%20Agenda%20_0.docx\)](https://publicsafety.colorado.gov/sites/publicsafety/files/2024%20CDPS%20Regulatory%20Agenda%20_0.docx). This agenda includes cyclical rule reviews, planned rule amendments, and new rules authorized by statute.

Rulemaking Updates and Public Hearings

Proposed and completed rulemaking for the calendar year are listed below. Stakeholder notices include drafts of the proposed new or amended rules along with invitations and information for stakeholder and public comments. Upcoming rulemaking hearing announcements include the draft of the proposed rules, information on the meeting time, date and virtual platform/link (hearings are held virtually unless otherwise noted), and invitation to submit comments before the hearing. Completed rulemaking hearings include the adopted rules, hearing exhibits, and hearing information. Rulemaking hearings are held to review and to update rules and regulations to remain consistent with Colorado statutes, Code of Federal Regulations (CFR) and/or national criteria.

CDPS is committed to the full inclusion of all individuals. As part of this commitment, CDPS will ensure reasonable accommodations are provided to enable all people to engage fully in our trainings, meetings and events. To request accommodations, please contact Rules Administrator, Christine Moreno at christine.moreno@state.co.us (<mailto:christine.moreno@state.co.us>) or by phone 719-343-0995, at least two (2) weeks prior to the hearing/meeting. Please contact Rules Administrator, Christine Moreno at christine.moreno@state.co.us (<mailto:christine.moreno@state.co.us>) or by phone 719-343-0995, if you need any of the materials translated into a language other than English or provided in an alternative format for accessibility.

Proposed Rulemaking

The Division of Fire Prevention and Control (DFPC) proposes to amend rules [8 CCR 1507-30](https://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=9475&fileName=8%20CCR%201507-30) (<https://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=9475&fileName=8%20CCR%201507-30>). Code Enforcement and Certification of Inspectors for Public Schools, Charter Schools, and Junior Colleges. The proposed

amendments include updates to the lists of allowable projects under annual permits, updates to the definitions and division procedures, updates to the title of certified building inspectors and clarifications to the duties, roles, and expectations of the delegated building inspectors. The proposed rule amendments also address the Division's need to raise fees related to inspections and plan reviews.

The Division has submitted the proposed amended rules draft to the Office of State Planning and Budgeting for review and permission to proceed with the rulemaking process. We will update the information regarding this proposed rulemaking, including posting public hearing information and the proposed amended rules draft for public review and comment as soon as possible. We welcome public comments regarding this proposed rulemaking and on any of the Division or Department rules. For comments on the proposed rulemaking for 8 CCR 1507-30, please contact the DFPC rules liaison at dfpc_fladmin@state.co.us (mailto:dfpc_fladmin@state.co.us) or CDPS Rules Administrator Chris Moreno at christine.moreno@state.co.us (<mailto:christine.moreno@state.co.us>) or by phone at 719-343-0995.

Upcoming Public Hearings

- **8 CCR 1507-80 Public Safety Communications Trust Fund - July 31, 2024 2:00pm MDT**

The Division of Homeland Security and Emergency Management (DHSEM), Office of Public Safety Communications proposes to amend rules 8 CCR 1507-80 Public Safety Communications Trust Fund. The proposed amendments include correcting statutory citations in the definition of "fund" and in the Statement of Basic, Statutory Authority, and Purpose rule preamble document. The amendments also include correcting minor grammatical errors and updating the rule document format for accessibility.

To prepare for this hearing, review the draft rules [here in PDF format](#) (<https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-80%20Redlined%206-17-24.pdf>) or [here in docx format](#) (<https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-80%20Redlined%206-17-24.docx>).

This hearing is held virtually on the Google meet platform. Join the [hearing by internet](#) (meet.google.com/xqu-vftv-pdh) or by phone at (US) +1 314-649-4074 PIN: 992 431 646#.

All CDPS rulemaking hearings are recorded, including the list of attendees, as part of the rulemaking records. A transcript of the meeting is also maintained as part of the record.

Pre-hearing exhibits will be posted here in PDF format no later than three (3) days before the hearing. Pre-hearing exhibits include documentation of stakeholder outreach, comments received, and responses, if any. All names, contact information, such as email addresses and phone numbers, and personally identifying information are redacted in pre-hearing exhibits posted on this webpage. Final hearing exhibits will include this redacted information as part of the permanent hearing exhibits record.

Comments may be submitted in advance of the hearings to DHSEM Deputy Director, [Jim Burack](#) (<mailto:jim.burack@state.co.us>), OPSC Director, [Pete Bangas](#) (<mailto:peter.bangas@state.co.us>), or CDPS Rules Administrator, [Christine Moreno](#) (<mailto:christine.moreno@state.co.us>). Comments are also welcome during the hearing.

Please submit any pre-hearing comments by 5 pm MDT, Monday, July 29, 2024.

For more information about rulemaking at CDPS, please contact CDPS Rules Administrator, Christine Moreno at christine.moreno@state.co.us (mailto:christine.moreno@state.co.us) or at 719-343-0995.

- **8 CCR 1507-3 Firefighter and Hazardous Materials Responders Voluntary Certification Programs - Friday, November 8, 2024 3:00 pm MST**

The Division of Fire Prevention and Control proposes to amend rules 8 CCR 1507-3 Firefighter and Hazardous Materials Responders Voluntary Certification Programs. The proposed amendments include increased, additional and deleted fees related to the costs of administering the certification programs; updated minimum time to submit certification applications and fees prior to the scheduled examination; increased period for awarded certifications from 3 years to 5 years; updated titles, references, definitions, and divisional procedures; and minor formatting changes and grammatical error corrections. The rule document formatting has been updated to comply with accessibility standards.

To prepare for this hearing, review the draft rules [here in PDF format](https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-3%20PQTS%20redlined.pdf) (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-3%20PQTS%20redlined.pdf) or [here in docx format](https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-3%20PQTS%20redlined.docx) (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-3%20PQTS%20redlined.docx).

This hearing is held virtually on the Google meet platform. Join the [hearing by internet](https://meet.google.com/feu-cyjn-nrq) (meet.google.com/feu-cyjn-nrq) or by phone at (US) +1 314-325-4568 PIN: 456 317 277#.

All CDPS rulemaking hearings are recorded, including the list of attendees, as part of the rulemaking records. A transcript of the meeting is also maintained as part of the record.

Pre-hearing exhibits will be posted here in PDF format no later than three (3) days before the hearing. Pre-hearing exhibits include documentation of stakeholder outreach, comments received, and responses, if any. All names, contact information, such as email addresses and phone numbers, and personally identifying information are redacted in pre-hearing exhibits posted on this webpage. Final hearing exhibits will include this redacted information as part of the permanent hearing exhibits record.

Comments may be submitted in advance of the hearings to DFPC Professional Qualifications and Training Section Chief, [Lisa Pine](mailto:lisa.pine@state.co.us) (mailto:lisa.pine@state.co.us), DFPC Certification Manager, [Marianne Maxfield](mailto:marianne.maxfield@state.co.us) (mailto:marianne.maxfield@state.co.us), or CDPS Rules Administrator, [Christine Moreno](mailto:christine.moreno@state.co.us) (mailto:christine.moreno@state.co.us). Comments are also welcome during the hearing.

Please submit any pre-hearing comments by 5 pm MST, Tuesday, November 5, 2024.

For more information about rulemaking at CDPS, please contact CDPS Rules Administrator, Christine Moreno at christine.moreno@state.co.us (mailto:christine.moreno@state.co.us) or at 719-343-0995.

Completed Rulemaking & Hearings

About CDPS Rulemaking and Stakeholder Engagement

Virtually all state government agencies issue rules or regulations of some kind. Most rules and regulations exist at the direction of the state legislature in order to regulate certain business and personal activities. Rules and regulations exist because it's easier to update them, eliminate them, or alter them administratively than it is to pass new legislation as conditions change.

CDPS Protocol: How We Engage Stakeholders

Find out how the processes CDPS uses to engage stakeholder and how you can get involved by visiting our [Stakeholder Engagement Protocol Page \(/cdps-rulemaking-stakeholder-engagement-protocol\)](/cdps-rulemaking-stakeholder-engagement-protocol).

For Further Rulemaking Information

[Stakeholder Engagement Protocol: How You Can Get Involved \(/cdps-rulemaking-stakeholder-engagement-protocol\)](/cdps-rulemaking-stakeholder-engagement-protocol)

[CDPS Rules on the Secretary of State's Website](#)

[Learn About Rulemaking in Colorado](#)


Get Involved, Stay Informed!

To receive CDPS regulatory notices, submit comments on CDPS Rules, and to request further information on CDPS Rules and rulemaking, please contact Rules Administrator [Christine Moreno \(mailto:Christine.Moreno@state.co.us\)](mailto:Christine.Moreno@state.co.us).

To receive email notification for Notices of Rulemaking, including Proposed Rules, Adopted Permanent or Emergency Rules, and the associated Attorney General Opinions published by the Secretary of State in the Colorado Register, sign up using [this form \(https://www.coloradosos.gov/CCR/EmailSubscription.do\)](https://www.coloradosos.gov/CCR/EmailSubscription.do).

For further information on how to request a cost-benefit analysis on a proposed rule, visit the Department of Regulatory Agencies (DORA) webpage on [Rulemaking and Cost-Benefit Analysis \(https://coprrr.colorado.gov/rulemaking-and-cost-benefit-analysis#:~:text=If%20you%20would%20like%20to%20email%20a%20request%20for%20a,the%20proposed%20rule%20or%20amendment.\)](https://coprrr.colorado.gov/rulemaking-and-cost-benefit-analysis#:~:text=If%20you%20would%20like%20to%20email%20a%20request%20for%20a,the%20proposed%20rule%20or%20amendment.).

File

 2023 CDPS Regulatory Agenda Report_0.docx (https://publicsafety.colorado.gov/sites/publicsafety/files/2023%20CDPS%20Regulatory%20Agenda%20Report_0.docx)	91.95 KB
 2023 CDPS Regulatory Agenda Report_0.pdf (https://publicsafety.colorado.gov/sites/publicsafety/files/2023%20CDPS%20Regulatory%20Agenda%20Report_0.pdf)	126.42 KB
 2024 CDPS Regulatory Agenda_0.docx (https://publicsafety.colorado.gov/sites/publicsafety/files/2024%20CDPS%20Regulatory%20Agenda%20_0.docx)	88.8 KB
 2024 CDPS Regulatory Agenda_0.pdf (https://publicsafety.colorado.gov/sites/publicsafety/files/2024%20CDPS%20Regulatory%20Agenda_0.pdf)	161.47 KB
 8 CCR 1507-80 Redlined 6-17-24.docx (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-80%20Redlined%206-17-24.docx)	24.7 KB
 8 CCR 1507-80 Redlined 6-17-24.pdf (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-80%20Redlined%206-17-24.pdf)	219.64 KB
 8 CCR 1507-3 PQTS redlined.docx (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-3%20PQTS%20redlined.docx)	66.95 KB

Colorado Department of Public Safety

Contact

For emergencies, please call [911 \(tel:911\)](tel:911).

To report aggressive or drunk drivers, call [*277 \(tel:*277\)](tel:*277) from your mobile phone.

To contact a division within CDPS, please see our [Contact Us list \(https://publicsafety.colorado.gov/contact\)](https://publicsafety.colorado.gov/contact).

To submit a records request, visit our [CORA instructions page \(/contact-us/colorado-open-records-request\)](/contact-us/colorado-open-records-request).

Explore [careers with CDPS \(/cdps-careers\)](/cdps-careers)!

[CDPS Social Media Terms of Use & Guidelines \(/cdps-social-media-guidelines\)](/cdps-social-media-guidelines)

Resources & Info

[Colorado.gov](#)

Connect with state of Colorado government services & help.

[211 Colorado](#)

A confidential and multilingual service to access vital resources across the state.

Call [211 \(tel:211\)](tel:211) or [866-760-6489 \(tel:866-760-6489\)](tel:866-760-6489) or **Text your ZIP CODE** to 898-211

[CO-HELP](#)

Colorado's call line for general questions about the COVID-19.

Call [303-389-1687 \(tel:303-389-1687\)](tel:303-389-1687) or [877-462-2911 \(tel:877-462-2911\)](tel:877-462-2911)

Accessibility

The State of Colorado is committed to providing equitable access to our services to all Coloradans. [View the Accessibility, Interpretation & Translation Support page \(https://publicsafety.colorado.gov/accessibility-interpretation-and-translation-support\)](https://publicsafety.colorado.gov/accessibility-interpretation-and-translation-support).



STATE OF COLORADO

Moreno - CDPS, Christine <christine.moreno@state.co.us>

Fwd: {CDPS_TelecomAllShops} !!! INFORMATION NOTICE!!!

3 messages

Bangas - CDPS, Peter <peter.bangas@state.co.us>
To: Christine Moreno - CDPS <christine.moreno@state.co.us>

Tue, Jul 9, 2024 at 1:51 PM

----- Forwarded message -----

From: 'CCNC Mail Server' via CDPS_TelecomAdmin@state.co.us <CDPS_telecomadmin@state.co.us>
Date: Tue, Jul 9, 2024 at 1:18 PM
Subject: {CDPS_TelecomAllShops} !!! INFORMATION NOTICE!!!
To: <cdps_telecomallshops@state.co.us>

Welcome to the Consolidated Communications Network of Colorado, Inc.!



The Colorado Division of Homeland Security and Emergency Management (DHSEM) announces a proposed rulemaking to amend 8 CCR 1507-80 Public Safety Communications Trust Fund. The Division of Homeland Security and Emergency Management (DHSEM) and Office of Public Safety Communications (OPSC) invites public comment on the proposed amended rules from the public and all stakeholders.

The public hearings will be held virtually on Wednesday, July 31, at 2:00 pm MDT using the Google meet platform. The meeting may be attended via computer or by phone: meet.google.com/xqu-vftv-pdh or phone (US) +1 314-649-4074 PIN: 992 431 643#

The Public Safety Communications Trust Fund, administered by the OPSC, was created in HB 22-1352 and enacted in Section 24-33.5-2510, Colorado Revised Statutes (C.R.S.). This House Bill also authorized the Director of the Office to adopt rules regarding distributions of the trust fund money to and repayment of such money by local governments and state agencies in Section 24-33.5-2505, C.R.S.

The proposed rule amendments correct statutory citations in the definitions section and in the Statement of Basis, Statutory Authority, and Purpose and to correct minor grammatical errors. The formatting has been updated to comply with accessibility standards.

Comments may be submitted in advance of the hearings to DHSEM Deputy Director, [Jim Burack](#), OPSC Director, [Pete Bangas](#), or CDPS Rules Administrator, [Christine Moreno](#). Comments are also welcome during the hearing.

Please submit any pre-hearing comments by 5 pm MDT, Monday, July 29, 2024.

For more information about rulemaking at CDPS, please contact CDPS Rules Administrator, Christine Moreno at christine.moreno@state.co.us or at 719-343-0995.

Pam Monsees, Program Manager

Office of Public Safety Communications

Cell: **(720) 402-0858**


pam.monsees@state.co.us




Office of Public Safety Communications | [9195 E. Mineral Ave. Suite 200](#) | Centennial, CO 80112 US

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Submission Accepted

Rule Submitted

Your proposed rules or amendments to rules have been successfully submitted to the Department of Regulatory Agencies.

After your submission has been checked for completeness, it will be made available to the general public on DORA's website and email notifications will be sent to interested stakeholders. You will be copied on all stakeholder requests for a cost-benefit analysis and DORA staff will contact you to discuss any public requests.

You may log back in to this system at any time to check on the current status of this rule. An email notification containing further instructions will be sent if a cost-benefit analysis is required as a result of your submission.

Colorado Department of Regulatory Agencies

June 17, 2024 11:59 am
Calling Procedure:
SB121_Submit_Rule.
Rule_Submitted
Version: 1.0



STATE OF COLORADO

Moreno - CDPS, Christine <christine.moreno@state.co.us>

No Public Cost-Benefit Analysis Request for Rule - 8 CCR 1507-80 OPSC Trust Fund rulemaking -

1 message

DORA_OPR_Website@state.co.us <DORA_OPR_Website@state.co.us>
To: christine.moreno@state.co.us

Fri, Jul 19, 2024 at 7:48 PM

The deadline for public Cost-Benefit Analysis requests has passed for the following Proposed Rule:

- Department:** Department of Public Safety
- Rulemaking Agency:** Division of Homeland Security and Emergency Management
- Rule ID:** 10288
- Title or Subject:** Public Safety Communications Trust Fund proposed rule amendment to correct citational and formatting errors.
- Submitted by:** Christine Moreno
- Date Submitted:** 06/17/2024
- Deadline for Public Cost-Benefit Analysis Request:** July 15, 2024 11:59 pm

No public requests were received by the deadline. A Cost-Benefit Analysis is not required for this submission.

Please contact us at DORA_OPR_Website@state.co.us if you have further questions regarding this e-mail message.



STATE OF COLORADO

Moreno - CDPS, Christine <christine.moreno@state.co.us>

Fwd: Notice of Proposed Rulemaking

1 message

Bangas - CDPS, Peter <peter.bangas@state.co.us>
To: Christine Moreno - CDPS <christine.moreno@state.co.us>

Tue, Jul 9, 2024 at 2:03 PM

Hello Christine,

Rulemaking notice to the PSCS (Public Safety Communications Subcommittee) of the HSAC.
Thanks,

Pete
Peter Bangas | Director
Office of Public Safety Communications



COLORADO
Division of Homeland Security
& Emergency Management
Department of Public Safety

303-517-9778 Cell
[15055 S. Golden Road - Mailbox #9, Golden, CO 80401](#)
[9195 E. Mineral Avenue, Centennial, CO 80112](#)
peter.bangas@state.co.us | DHSEM.Colorado.gov
[MARS Colorado.gov](http://MARS.Colorado.gov) | COBEOC.Colorado.gov

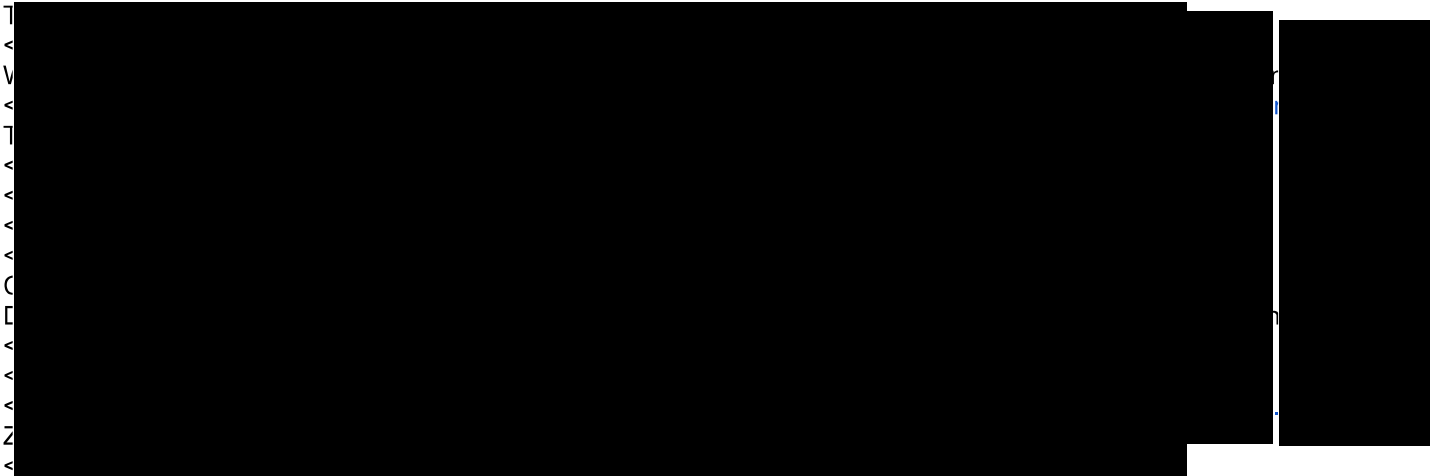
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SERVICE * TEAMWORK * RESPECT * INTEGRITY * VISION * EXCELLENCE

Our Mission is to lead and support Colorado's effort to prevent, protect, mitigate, respond to and recover from all-hazard events.

----- Forwarded message -----

From: **Monsees - CDPS, Pamela** <pam.monsees@state.co.us>
Date: Tue, Jul 9, 2024 at 1:49 PM
Subject: Notice of Proposed Rulemaking



Good afternoon,

The Colorado Division of Homeland Security and Emergency Management (DHSEM) announces a proposed rulemaking to amend 8 CCR 1507-80 Public Safety Communications Trust Fund. The Division of Homeland Security and Emergency Management (DHSEM) and Office of Public Safety Communications (OPSC) invites public comment on the proposed amended rules from the public and all stakeholders.

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The proposed rule amendments correct statutory citations in the definitions section and in the Statement of Basis, Statutory Authority, and Purpose and to correct minor grammatical errors. The formatting has been updated to comply with accessibility standards.

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For more information about rulemaking at CDPS, please contact CDPS Rules Administrator, Christine Moreno at christine.moreno@state.co.us or at 719-343-0995.

Kind regards,

Pam Monsees | Program Manager
Office of Public Safety Communications



COLORADO

**Division of Homeland Security
& Emergency Management**

Department of Public Safety

720-402-0858 24-hr

15055 S. Golden Road - Mailbox #9, Golden, CO 80401

9195 East Mineral Ave. Suite 200, Centennial, CO 80112

pam.monsees@state.co.us | DHSEM.Colorado.gov

[MARS Colorado.gov](http://MARS.Colorado.gov) | COBEOC.Colorado.gov

Twitter: [@COEmergency](https://twitter.com/COEmergency) | Facebook: [COEmergency](https://www.facebook.com/COEmergency)

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DEPARTMENT OF PUBLIC SAFETY DIVISION
OF HOMELAND SECURITY AND
EMERGENCY MANAGEMENT

8 CCR 1507-80

Public Safety Communications Trust Fund

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

The General Assembly enacted section 24-33.5-2501, C.R.S. via House Bill 22-1353 to create the Office of Public Safety Communications in the Division of the Homeland Security and Emergency Management in the Department of Public Safety. Additionally, in section ~~24-33.5-2502~~ 24-33.5-2510, C.R.S., the Public Safety Communications Trust Fund ~~Revolving Fund (aka Public Safety Communications Trust Fund)~~ was created. Section 24-33.5-2505, C.R.S. mandates that the Director of the Office of Public Safety Communications shall adopt rules regarding distributions of Public Safety Communications Trust Fund money to and repayment of such money by state and local governments. ~~to be administered and disbursed by the Office of Public Safety Communications.~~ This bill enacted the transfer of this Office ~~and this Fund~~ from the State Office of Information Technology to the Division of Homeland Security and Emergency Management within the Department of Public Safety. ~~, thereby creating the Office and the Fund through their transfer from OIT to CDPS. The bill was signed into law on June 8, 2022 and became effective July 1, 2023. Section 24-33.5-2505, C.R.S. mandates that the Director of the Office of Public Safety Communications shall adopt rules regarding distributions of Public Safety Communications Trust Fund money to and repayment of such money by state and local governments.~~

~~Because the statute section 24-33.5-2510, C.R.S. is necessary for the immediate preservation of the public peace, health or safety, delay in the promulgation of these rules would be contrary to the statutory mandate. The absence of implementing rules to carry out the purpose of the statute would be contrary to this declaration. For these reasons, it is imperatively necessary that the proposed rules be adopted. The purpose of this rule amendment is to correct statutory citation errors and minor grammatical errors and to correct the formatting to comply with accessibility standards.~~

Kevin Klein, Director
Division of Homeland Security and Emergency Management

Date of Adoption

DEPARTMENT OF PUBLIC SAFETY

Division of Homeland Security and Emergency Management
Office of Public Safety Communications

8 CCR 1507 – 80 Public Safety Communications Trust Fund

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

1. Authority

This rule is adopted pursuant to § 24-33.5-2505(1)(h) and (i), C.R.S. and the State Administrative Procedure Act § 24-4-101 et seq. C.R.S.

2. Scope and Purpose

This rule governs the Public Safety Communications Trust Fund, the administration of discretionary distributions and repayment of such monies by state and local governments.

3. Applicability

This rule applies to all local governments and state agencies ~~state and local agencies~~ as defined by 24-33.5-2505(4)(I-II), C.R.S.

4. Definitions

“Director” means the Director of the Office of Public Safety Communications as appointed by the Director of the Division of Homeland Security and Emergency Management.

“Division” means the Division of Homeland Security and Emergency Management within the Colorado Department of Public Safety as created in section 24-33.5-1603, C.R.S.

“Eligible Entities” means the local governments and state agencies that support public safety that may be called upon to deal with natural disasters, health emergencies, acts of terrorism, and other threats to public safety.

“Fund” means the public safety communications trust fund created in section 24-33.5-2510 ~~24-33.5-2505(2)(a)~~, C.R.S.

“Interoperable Communications” means the ability of public safety agencies in various disciplines and jurisdictions to communicate with each other on demand and in real time by voice or data using compatible radio communication systems or other technology.

“Local Government” means a city, county, municipality, city and county, tribal

government, or any other political subdivision of the state that is not a state agency.

“Office” means the Office of Public Safety Communications created in section 24-33.5-2502, C.R.S.

“Public Safety Agency” means an agency providing law enforcement, fire protection, emergency medical, or emergency response services.

“Public Safety Communications Systems” means the interoperable public safety radio communications systems conforming with the statewide digital trunked radio system plan and designed to provide instant and disruption-resistant communication capability for law enforcement agencies and other eligible entities that may be called upon to deal with natural disasters, health emergencies, acts of terrorism, and other threats to public health and safety.

“Quarterly Progress Report” means a written form or other document determine by the state agency to indicate and report the operational and financial activity of the recipient during the time period specified.

“Reimbursement Request” means a written form or other document determined by the state agency to indicate and report the operational and financial activity of the recipient during the time period specified.

“Region” means an all-hazard emergency management region established by executive order of the Governor.

“State Agency” means any department, division, commission, council, board, bureau, committee, office, agency, or other governmental unit of the state.

“Summary Report” means a written form or other document determined by the state agency allowing the fund recipients to report the final operational and financial activity of the funds.

5. Program Requirements

5.1 Eligibility

The principal and interest held in the public safety communications trust fund are available to eligible entities, upon application to the Office, and with the approval of the Director of the Office of Public Safety Communications or delegate, to cover the acquisition, maintenance, or lease of any public safety radio communications systems equipment or other communication devices or equipment by eligible entities conforming with the statewide digital trunked radio system plan.

The Fund may be used to pay the direct and indirect costs, including personal services and operating costs, associated with administering public safety communications.

5.2 Considerations

- A. The Director of the Office of Public Safety Communications or delegate, acting within their discretion, shall consider, without limitation, the following factors in authorizing distributions of fund moneys for reimbursement, or for the purchase, leasing, contracting for, or other acquisition of public safety communications equipment for or by eligible entities:
 - (1) The need for achieving functional interoperability among local, state, and federal public safety radio communications systems by acquiring equipment that meets emerging technical standards for systems interoperability and open network architecture;
 - (2) The needs of eligible entities that have recently invested in new radio systems, particularly in regard to interoperability;
 - (3) The promotion of an orderly transition from analog-based to digital-based radio systems; and
 - (4) The current communications coverage, expansion of coverage and/or resolution of coverage gaps in underserved areas of Colorado.
- B. The amount of any distribution for reimbursement or for the purchase of equipment or devices constituting system infrastructure which would allow interoperability between a local government communications system and the statewide public safety radio communications systems will be paid in accordance with the terms of the state digital trunked radio system plan. The extent to which such expenses will be covered by fund moneys will depend on compliance with the plan, funds available and prior coordination and prior approval by the Office.
- C. All expenditures made for the acquisition, maintenance, or lease of communication systems equipment or devices from distributions of fund moneys shall be made pursuant to the requirements set forth under the Colorado Procurement Code, sections 24-101-101, et seq., CRS. If the Code does not address a specific situation, then expenditure of funds will require approval from the Director of the Office of Public Safety Communications or delegate.
- D. Expenditures are reimbursable or otherwise eligible for distribution from the fund to the extent moneys remain available in the fund.

5.3 Request for Funding and Approval Process

- A. Eligible entities must submit an application letter of estimated costs, supporting eligibility documentation and an implementation schedule to the Office of Public

Safety Communications for approval to receive reimbursement from the Fund.

- B. Upon receipt of an application letter, the Office staff shall review the request and issue a written recommendation to the Director or delegate, who will render a decision. Written notification of the decision shall be made to the applicant within ninety (90) days including ~~concerning~~ the amount of any distributions to be paid and identifying any non-qualifying costs, if approved.
- C. Upon notification of approval to receive Fund reimbursement, the applicant shall enter into a written agreement with the Office, with the approval of the Director or delegate, concerning any terms and/or conditions for distributions made, including without limitation, terms for repayment of amounts paid, any buy-in commitments for participation in the statewide digital trunked radio system, or any obligation to pay an annual user or other type of fee for participation in the state system. In the event equipment or devices are directly purchased by the Office with fund moneys and then leased to the applicant, a written lease agreement shall be executed by the parties.
- D. Approved applicants may then apply for distribution of fund moneys for reimbursement of costs or to purchase qualifying public safety communications systems equipment or devices using application forms provided by the Office. Applications for reimbursement must be filed within ninety (90) days of the incurred expenditures.

5.4 Distribution of Funds

- A. For local government awardees, funds will be distributed according to the terms of the written Agreement entered into with the Office and according to any additional terms of the Division of Homeland Security and Emergency Management.
- B. For state agency awardees, funds will be distributed according to the terms of the written Agreement entered into with the Office and according to the terms in the approved State of Colorado Interagency Agreement.
- C. Based upon an articulated need, the Office may advance funds to awardees with the approval of the Director or delegate.

5.5 Reporting Requirements

- A. Awardees will provide the Office with reports consistent with the requirements in the appropriate written agreement, Divisional agreement if applicable, or interagency agreement, including, but not limited to:
 - (1) Quarterly Progress Reports;

- (2) Summary Report upon completion of the project; and
- (3) Reimbursement Requests.

5.6 Restrictions

- A. The statutory provisions for the Public Safety Communications Trust Fund in Part 25 to article 33.5 of title 24, C.R.S. do not apply to the Legislative Department of the State of Colorado.
- B. Local and internal public safety communications networks of institutions of higher education may be exempted from the provisions of Part 25 to article 33.5 of title 24 C.R.S. upon application to the Director of the Office of Public Safety Communications; except that all systems must be certified by the Director of the Office of Public Safety Communications as being technically compatible with plans and networks as described in section 24-33.5-2505(1), C.R.S.



COLORADO
Department of Public Safety
Executive Director's Office

Executive Director's Office Central Files
Compliance Office
700 Kipling St.
Lakewood, CO 80215
July 31, 2024

Memorandum of Permanent Rulemaking Record DHSEM Rules 8 CCR 1507-80

The Colorado Department of Public Safety will maintain a permanent rulemaking record of the above-mentioned rules pursuant to § 24-4-103(8.1)(a), C.R.S. in the Department's Google Drive, Rulemaking records.

Section 24-4-103(8.1)(a), C.R.S. requires that "an agency shall maintain an official rulemaking file record for each proposed rule for which a notice of proposed rule-making has been published in the Colorado Register. Such rule-making record shall be maintained by the agency until all administrative and judicial review procedures have been completed pursuant to the provisions of this article. The rulemaking record shall be available for public inspection."

Please contact me should you need additional information.

Christine Moreno, Ph.D.
Colorado Department of Public Safety
Executive Director's Office
Rulemaking Administrator
christine.moreno@state.co.us