

**Summary of Proposed Changes**  
**Rules and Regulations Concerning the Permitting, Routing & Transportation**  
**of Hazardous and Nuclear Materials and the Intrastate Transportation of Agricultural**  
**Products in the State of Colorado**

**Purpose:**

This document is developed as a companion to assist in the reading and understanding of changes proposed to 8 CCR 1507-25, the Rules and Regulations Concerning the Permitting, Routing & Transportation of Hazardous and Nuclear Materials and the Intrastate Transportation of Agricultural Products in the State of Colorado. Each of the changes proposed in the redlined rules filed with the Colorado Secretary of State and the Colorado Department of Regulatory Agencies are discussed in the order they appear. Changes are identified by section number with a description of the change proposed. Included with each change is an explanation for the change.

**Accessibility Editing Note:**

The redlined rules include formatting updates and minor edits not affecting the content or interpretation of 8 CCR 1507-25 necessary to comply with the document accessibility standards required by Section 24-34-802, CRS. Changes to these rules to comply with the accessibility standards include changing capitalized text to mixed-case or lower-case text, removing underlined text, increasing font size, exchanging symbols for words throughout the document, enabling hyperlinked text associated with website addresses, and adjustments to the physical paragraph structure of the document to more effectively support bookmarking for electronic reading software.

The Colorado State Patrol Hazardous Materials Section is committed to supporting effective communication and access to the rules by all members of the public. If you experience any difficulty with or are unable to use this document, please go to <https://publicsafety.colorado.gov/accessibility-interpretation-and-translation-support> or contact the Colorado State Patrol Hazardous Materials Section at (303)-273-1900.

**Page 1: Table of Contents:**

The Table of Contents is a new addition and appears in red text. The Table of Contents outlines these rules by section and supports efficient document navigation. Although not required, including a Table of Contents in longer documents is a best practice supported by the state accessibility rules and Section 24-34-802, CRS. The Table of Contents is beneficial to all readers viewing the rules electronically but is especially helpful for those members of the public viewing the document using e-reading programs.

**Page 4: General Statements Part 1.2 “Required Compliance with 8 CCR 1507-1.”**

The sentence has been edited for grammar, exchanging the words “that transport” for the word “transporting” in the sentence. As amended, the sentence reads, “All commercial

vehicles **transporting** hazardous and/or nuclear materials must comply with 8 CCR 1507-1, the Rules and Regulations Concerning the Minimum Standards for the Operation of Commercial Vehicles,” instead of “All commercial vehicles **that transport** hazardous and/or nuclear materials must comply with 8 CCR 1507-1, the Rules and Regulations Concerning the Minimum Standards for the Operation of Commercial Vehicles.”

**Page 6: HMT 2.0, Publication Date Update for the Code of Federal Regulations Incorporated by These Rules.**

In the second half of the paragraph under HMT 2.0, the publication date for the Code of Federal Regulations referenced by these rules is updated from October 1, 2023, to October 1, 2024, to reflect the latest complete publication of the Code of Federal Regulations. This update is necessary to comply with federal program requirements and to maintain consistency with other rules adopted by the CSP and other regulatory requirements. The paragraph now reads in part “of the United States Department of Hazardous Materials Regulations as the same were effective on October 1, **2024**,” instead of “of the United States Department of Hazardous Materials Regulations as the same were effective on October 1, **2023**.”

**Page 7: HMT 2.2, Publication Date Update for the CVSA Operations Manual referenced by These Rules.**

The CVSA Operations Manual sets forth inspection procedures, decal application policies, and OOS Criteria according to which Enforcement Officials perform safety inspections on motor vehicles transporting hazardous materials. The CVSA Operations Manual is updated annually, and the latest edition must be referenced within the rules to ensure that the latest procedures, policies, and criteria are applied when determining compliance with these rules. The paragraph is updated to reflect the new publication date of “April 1, 2025,” instead of the previous publication date of “April 1, 2024. The end of HMT 2.2 now reads “as each appears in the CVSA Operations Manual, effective April 1, **2025**,” instead of “as each appears in the CVSA Operations Manual, effective April 1, **2024**.”

**Page 8-9: HMT 2.4.3, Publication Date Update for the Code of Federal Regulations.**

The publication date for the Code of Federal Regulations referenced by these rules is updated from October 1, 2023, to October 1, 2024, to reflect the latest complete publication of the Code of Federal Regulations. This update is necessary to comply with federal program requirements and to maintain consistency with other rules adopted by the CSP and other regulatory requirements. As amended, the sentence at the top of page 8 now reads in part “...and any required records and supporting documents are outlined in 49 CFR 40, 380, 382, 383, 385, 387, 390, 391, 392, 393, 395, 396, 397, and 399, and Appendix A, revised October 1, **2024**,” instead of “...and any required records and supporting documents are outlined in 49 CFR 40, 380, 382, 383, 385, 387, 390, 391, 392, 393, 395, 396, 397, and 399, and Appendix A, revised October 1, **2023**.”

**Page 9: HMT 2.4.4, Publication Update for the CVSA North American Uniform OOS Criteria.**

The CVSA North American Uniform OOS Criteria are outlined in the CVSA Operations Manual and are updated annually. Similar to HMT 2.2, where the publication date for the CVSA Operations Manual is updated from April 1, 2024, to April 1, 2025, the CSP must update the year for the CVSA Out of Service (OOS) Criteria incorporated into these rules to be consistent with the current publication. The first sentence of HMT 2.4.4 is updated to read “The CSP incorporates by reference the CVSA North American Uniform OOS Criteria for enforcement purposes, as revised and effective April 1, **2025**,” instead of “The CSP incorporates by reference the CVSA North American Uniform OOS Criteria for enforcement purposes, as revised and effective April 1, **2024**.”

**Page 12: HMP 3.3, update to include CDOT offices as locations to pay for Single Trip Hazardous Materials Permits.**

Under Section 42-20-202 (1) (c), CRS, persons transporting hazardous materials not possessing a valid annual hazardous materials transport permit may apply and pay for a single-trip hazardous materials permit through the nearest CSP POE weigh station or Colorado Department of Transportation (CDOT) Office. The end of the second sentence of HMP 3.3 is updated to read consistent with the statute and now reads, “Each person transporting hazardous materials in, to, from, or through Colorado who has not previously obtained a valid annual hazardous materials transport permit from the CDOT must apply for and pay for a single trip hazardous materials transport permit at the nearest CSP POE weigh station or **CDOT** Office,” instead of “Each person transporting hazardous materials in, to, from, or through Colorado who has not previously obtained a valid annual hazardous materials transport permit from the CDOT must apply for and pay for a single trip hazardous materials transport permit at the nearest CSP POE weigh station or to a **CSP POE officer or office**.”

**Page 13, HMP 3.4.2.4, updated publication date for the North American Emergency Response Guidebook.**

The North American Emergency Response Guidebook is updated every four years and has been updated since it was published in April 2020. The latest edition of the guidebook in publication referenced by these rules entered into publication on February 1, 2024. HMP 3.4.2.4 is updated to read in part “...in publication as of **February 1, 2024**, as referenced by these rules.” Instead of “...in publication as of **April 1, 2020**, as referenced by these rules.”

**Page 16, HMR 4.3.3, correction to punctuation.**

The title of HMR 4.3.3, Types and Quantities of Hazardous Materials, contains incorrect punctuation. The title is corrected to read “HMR 4.3.3 Types and Quantities of Hazardous Materials” instead of “HMR 4.3.3 Types and Quantities of Hazardous Materials:”.

**Page 16, HMR 4.3.4, correction to title and punctuation.**

The title of HMR 4.3.4, Emergency **Responses** Capabilities, is updated to read “Emergency **Response** Capabilities.” The title also contains incorrect punctuation. The title is corrected

to read “HMR 4.3.4 Emergency Response Capabilities,” instead of “HMR 4.3.4 Emergency Response Capabilities:”.

**Page 17, HMR 4.3.6, correction to punctuation.**

The title of HMR 4.3.6, Discussion of Specific Exposure and Risk Factors, contains incorrect punctuation. The title is corrected to read “HMR 4.3.6 Discussion of Specific Exposure and Risk Factors” instead of “HMR 4.3.6 Discussion of Specific Exposure and Risk Factors:”.

**Page 17, HMR 4.3.7, correction to punctuation.**

The title of HRM 4.3.7, Terrain Considerations, contains incorrect punctuation. The title is corrected to read “HMR 4.3.7 Terrain Considerations” instead of “HMR 4.3.7 Terrain Considerations:”.

**Page 17, HMR 4.3.7, correction to sentence structure and grammar.**

HMR 4.3.7, Terrain Considerations, is updated to correct the sentence's structure and grammar, improving the message's overall communication. The sentence is updated from “Discussion of topography along and adjacent to the petitioned routing that may affect the severity of an accident, control of hazardous materials in the event of a release and impact the control and clean-up of the release of any hazardous materials must be included,” to read instead “Discussion of the topography along and adjacent to the petitioned routing that may affect the severity of an accident, control of hazardous materials in the event of a release, and impact **of** the control and clean-up of the release of any hazardous materials must be included.

**Page 17, HMR 4.3.8, correction to punctuation.**

The title of HM R4.3.8, Continuity of Routes, contains incorrect punctuation. The title is corrected to “HMR 4.3.8 Continuity of Routes” instead of “HMR 4.3.8 Continuity of Routes:”.

**Page 18, HMR 4.3.9, correction to punctuation.**

The title of HMR 4.3.9, Alternate Routes, contains incorrect punctuation. The title is corrected to read, “HMR 4.3.9 Alternate Routes” instead of “HMR 4.3.9 Alternate Routes:”.

**Page 18, HMR 4.3.10, correction to punctuation.**

The title of HMR 4.3.10, Effects on Commerce, contains incorrect punctuation. The title is corrected to read, “HMR 4.3.10 Effects on Commerce” instead of “HMR 4.3.10 Effects on Commerce:”.

**Page 18, HMR 4.3.11, correction to punctuation.**

The title of HMR 4.3.11, Delays in Transportation, contains incorrect punctuation. The title is corrected to read, “HMR 4.3.11 Delays in Transportation” instead of “HMR 4.3.11 Delays in Transportation:”.

**Page 18, HMR 4.3.12, correction to punctuation.**

The title of HMR 4.3.12, Climatic Conditions, contains incorrect punctuation. The title is corrected to read, “HMR 4.3.12 Climatic Conditions” instead of “HMR 4.3.12 Climatic Conditions:”.

**Page 18, HMR 4.3.13, correction to punctuation.**

The title of HMR 4.3.13, Congestion and Accident History, contains incorrect punctuation. The title is corrected to read, “HMR 4.3.13 Congestion and Accident History.”, instead of “HMR 4.3.13 Congestion and Accident History:”.

**Page 23, HMR 4.12.1, update the publication date of the Code of Federal Regulations (CFRs).**

The CFR is annually updated each year in October. The year referenced in the rules must change to remain consistent and to ensure that the correct version of the CFR is referenced. The first sentence of HMR 4.12.1 is updated to read, “For purposes of these rules, parking regulations or ordinances may be deemed to unreasonably limit parking of vehicles transporting hazardous materials when they are at variance with and more stringent than the regulations of the United States Department of Transportation published in 49 CFR 397, as revised October 1, **2024**,” instead of “For purposes of these rules, parking regulations or ordinances may be deemed to unreasonably limit parking of vehicles transporting hazardous materials when they are at variance with and more stringent than the regulations of the United States Department of Transportation published in 49 CFR 3967, as revised October 1, **2023**.”

**Page 23, HMR 4.12.1.4, update the publication date of the Code of Federal Regulations (CFRs).**

The CFRs are updated annually in October. Moreover, the reference to the CFR in 4.12.1 will be updated to reflect the CFRs as they were published in October 2024. To maintain consistency with the CFRs and within these rules, it is necessary to update the reference to the CFR in HMR 4.12.1.4 to the October 2024 publication of the CFR. HMR 4.12.1.4 is updated to read, “For a rest stop, i.e., meals, restroom breaks, or to comply with the driver’s hours of service requirements as they are defined in 49 CFR 395, revised October 1, **2024**,” instead of “For a rest stop, i.e., meals, restroom breaks, or to comply with the driver’s hours of service requirements as they are defined in 49 CFR 395, revised October 1, **2023**.”

**Page 26, HMR 4.13.2.19, new hazardous materials route proposed for Delta, Colorado.**

A new hazardous materials route has been proposed for Delta, Colorado. If approved, this route would be inserted into 8 CCR 1507-25 under HMR 4.13.2.19 to preserve the order in which hazardous materials routes are organized within the rules.

**Pages 26 through 28, HMR 4.13.2.20 through 4.13.2.33.**

Inserting the new hazardous materials route for the city of Delta, Colorado, requires that each of the existing routes, formerly numbered HMR 4.13.2.19 through 4.13.2.32, move

one paragraph down and be renumbered as the number following their original number. Each rule moves down to an existing number until 4.13.2.32, which becomes the new 4.13.233. This renumbering is necessary due to the insertion of the new hazardous materials route proposed in Delta, Colorado, and to preserve the order of how the hazardous materials routes appear in the rules.

**Page 28, HMR 4.15.1, correction to sentence structure.**

HMR 4.15.1 is updated to read, “In the event of a declaration of emergency, the Chief may determine a temporary alternate hazardous materials route or routes, which may **then** remain in effect for a period not to exceed the duration of the declared emergency,” instead of “In the event of a declaration of emergency, the Chief may determine a temporary alternate hazardous materials route or routes which **then** may remain in effect for a period not to exceed the duration of the declared emergency.”

**Page 29, HMR 4.15.3, grammar correction.**

The first sentence of HMR 4.15.3 is updated to read, “As may be advisable and in the interest of public welfare and safety, the CSP may exercise its authority under Section 42-20-301 (b), CRS, to designate public roads **temporarily** or to apply conditions to the use of existing designated hazardous materials routes in response to specific conditions reasonably determined by the CSP to present an immediate negative impact to public welfare and safety,” instead of “As may be advisable and in the interest of public welfare and safety, the CSP may exercise its authority under Section 42-20-301 (b), CRS, to **temporarily** designate public roads or to apply conditions to the use of existing designated hazardous materials routes in response to specific conditions reasonably determined by the CSP to present an immediate negative impact to public welfare and safety.”

**Page 30, HMR 4.15.3.2.1, grammar correction.**

In the third sentence of HMR 4.15.3.2.1, the sentence is updated to correct the preposition. The sentence is revised to read, “It is encouraged that such actions commence before the expiration of any 180-day extension resulting **from** a 12-month review of a temporary route designation by the CSP,” instead of “It is encouraged that such actions commence before the expiration of any 180-day extension resulting **out of** a 12-month review of a temporary route designation by the CSP.”

**Page 32, NMT 5.1, Code of Federal Regulations (CFRs) publication date update.**

The CFRs are updated annually each October. It is necessary to update the date of publication for the CFRs adopted by the rules to ensure the rules incorporate the correct CFRs. The second paragraph of NMT 5.1 is revised to read in part, “...of the United States Department of Transportation Hazardous Materials Regulations as the same were effective on October 1, **2024**,” instead of “...of the United States Department of Transportation Hazardous Materials Regulations as the same were effective on October 1, **2023**.”

**Page 32, NMT 5.2, CVSA Operations Manual publication date update.**

The CVSA Operations Manual is updated annually every April. The CVSA Operations Manual sets forth the inspection procedures, decal application policies, and OOS criteria the CSP applies when completing roadside inspections of commercial vehicles transporting hazardous or nuclear materials. The rules must reference the most current publication of the CVSA Operation Manual. NMT 5.2 is revised to read “Inspection procedures by the CSP are consistent with the CVSA inspection procedures, decal application policies, and OOS criteria as each is published and is in effect on April 1, **2025**,” instead of “Inspection procedures by the CSP are consistent with the CVSA inspection procedures, decal application policies, and OOS criteria as each is published and is in effect on April 1, **2024**.”

**Page 34, NMT 5.4.1. Code of Federal Regulations (CFRs) publication date update.**

The CFRs are updated annually each October. To ensure the rules incorporate the correct CFRs, the date of publication for the CFRs adopted by the rules must be updated. NMT 5.4.1 is revised to read, “Each person transporting nuclear materials within this state must carry a copy of the shipping papers required in 49 CFR 172, Subpart C, as revised October 1, **2024**, and a paper or electronic copy of the nuclear materials transportation permit in the vehicle,” instead of “Each person transporting nuclear materials within this state must carry a copy of the shipping papers required in 49 CFR 172, Subpart C, as revised October 1, **2023**, and a paper or electronic copy of the nuclear materials transportation permit in the vehicle.”

**Page 34, NMT 5.5, grammar correction.**

NMT 5.5 is corrected to read “Enforcement Officials of the CSP and/or the PUC have the authority to and may inspect motor vehicles, drivers, books, and records relevant to **transporting** nuclear materials by motor vehicles” instead of “Enforcement Officials of the CSP and/or the PUC have the authority to and may inspect motor vehicles, drivers, books, and records relevant to **the transport of** nuclear materials by motor vehicles.”

**Page 34, NMT 5.5.2, spelling correction.**

The word “causing” is misspelled in NMT 5.5.2 and appears as “casing.” NMT 5.5.2 is corrected to read “CSP and PUC Enforcement Officials have the authority to and may inspect any books and records of any carrier, shipper, or the person transporting, shipping, or **causing** the transport or shipment of any nuclear materials within Colorado,” instead of “CSP and PUC Enforcement Officials have the authority to and may inspect any books and records of any carrier, shipper, or the person transporting, shipping, or **casing** the transport or shipment of any nuclear materials within Colorado.”

**Page 35, NMT 5.5.3, correction to sentence subject and structure to improve delivery.**

The first sentence, NMT 5.5.3, is revised to reference the correct subject and to improve clarity and message delivery. NMT 5.5.3 is updated to read, “The CSP will inform the CDOT in writing of information relevant to violations identified and assessed against a person **with** a nuclear materials transport permit and engaged in **transporting nuclear** materials by



motor vehicle,” instead of “The CSP will inform the CDOT in writing of information relevant to violations identified and assessed against a person **having** a nuclear materials transport permit and engaged in **the transport of hazardous materials** by motor vehicle.”

**Page 36, NMT 5.7.1, update sentence structure to improve delivery.**

NMT 5.7.1 is updated to read “Civil penalties for violations of Sections 42-20-406 (3) and 42-20-505 (2), CRS, will be assessed **according** to the statute and will appear on the complaint **before** service,” instead of “Civil penalties for violations of Sections 42-20-406 (3) and 42-20-505 (2), CRS, will be assessed **pursuant** to the statute and will appear on the complaint **prior** to service.”

**Page 36, NMT 5.8, grammar correction.**

NMT 5.8 is revised to read “Motor vehicles transporting nuclear materials must schedule trips through all Colorado municipalities **with a** population **over 50,000** to avoid rush-hour traffic” instead of “Motor vehicles transporting nuclear materials must schedule trips through all Colorado municipalities **of over 50,000 in** population to avoid rush-hour traffic.

**Page 37, NMT 5.10, update sentence structure to improve delivery.**

NMT 5.10 is updated to read “A motor vehicle driver involved in a spill or potential spill of nuclear materials must comply with the incident notification provisions contained in HMT 2.3,” instead of “A driver of a motor vehicle involved in a spill or potential spill of nuclear materials must comply with the incident notification provisions contained in HMT 2.3.”

**Page 38, NMT 5.10.1, grammar correction.**

NMT 5.10.1 is revised to read “If the driver of a motor vehicle transporting nuclear materials is involved in a motor vehicle crash, regardless of whether the motor vehicle **is damaged**, the CSP must be immediately notified at (303) 239 – 4501,” instead of “If the driver of a motor vehicle transporting nuclear materials is involved in a motor vehicle crash, regardless of whether **there is damage to** the motor vehicle **transporting the nuclear materials**, the CSP must be immediately notified at (303) 239 – 4501.”

**Page 41, HMA 7.1, Code of Federal Regulations (CFRs) publication date update.**

The CFRs are updated annually each October. To ensure the rules incorporate the correct CFRs, the date of publication for the CFRs adopted by the rules must be updated. HMA 7.1 is updated to read “These rules and regulations apply to any person transporting an agricultural product consistent with 49 CFR 173.5, as revised October 1, **2024**,” instead of “These rules and regulations apply to any person transporting an agricultural product consistent with 49 CFR 173.5, as revised October 1, **2023**.”

**Page 41, HPR 8.01.1, CVSA North American Standard Out-of-Service Criteria (OOSC) publication date update.**

The reference for the CVSA North American Standard Out-of-Service Criteria is updated to read “Commercial Vehicle Safety Alliance (**2025**). North American Standard Out-of-Service Criteria (OOSC). April 1, **2025**. Greenbelt, MD: Author,” instead of “Commercial Vehicle



Safety Alliance (2024). North American Standard Out-of-Service Criteria (OOSC). April 1, 2024. Greenbelt, MD: Author.”

**Page 41, HPR 8.01.2, Federal Motor Carrier Safety Regulations publication date update.**

The reference for the Federal Motor Carrier Safety Regulations (FMCSRs), which are part of the Code of Federal Regulations (CFRs), is updated to read “U.S. Department of Transportation Federal Motor Carrier Safety Administration (2024). Federal Motor Carrier Safety Regulations (FMCSRs), 49 CFR 40, 380, 382, 385, 387, 390, 397, 399, and Appendix A (October 1, 2024),” instead of “U.S. Department of Transportation Federal Motor Carrier Safety Administration (2023). Federal Motor Carrier Safety Regulations (FMCSRs), 49 CFR 40, 380, 382, 385, 387, 390, 397, 399, and Appendix A (October 1, 2023).”

**Page 42, HPR 8.01.3, Pipeline and Hazardous Materials Safety Regulations publication date update.**

The reference for the Pipeline and Hazardous Materials Safety Regulations (PHMSRs), which are part of the Code of Federal Regulations (CFRs), is updated to read “U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (2024). Pipeline and Hazardous Materials Safety Regulations (PHMSRs), 49 CFR 107, 171-173, 177, 178 and 180 (October 1, 2024),” instead of “U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (2023). Pipeline and Hazardous Materials Safety Regulations (PHMSRs), 49 CFR 107, 171-173, 177, 178, and 180 (October 1, 2023).”

**Page 42, HPR 8.01.4, Nuclear Regulatory Commission Regulations publication date update.**

The reference for the Nuclear Regulatory Commission Regulations (NRCRs), which are part of the Code of Federal Regulations (CFRs), is updated to read “Nuclear Regulatory Commission (2024). Nuclear Regulatory Commission Regulations (NRCRs), 10 CFR 2.4, 71.97, 73.37, and 180 (2024),” instead of “Nuclear Regulatory Commission (2023). Nuclear Regulatory Commission Regulations (NRCRs), 10 CFR 2.4, 7.97, 73.37, and 180 (2023).”

**Page 42, HPR 8.01.5, addition of the 2024 Emergency Response Guidebook.**

The 2024 Emergency Response Guidebook is added as a reference to recognize that it is incorporated into these rules by reference.

**Pages 42 - 43, HPR 8.1.5, 2024 Emergency Response Guidebook title update.**

The title of the Emergency Response Guidebook referenced by these rules has been updated. HPR 8.1.5 is revised to read “2024 Emergency Response Guidebook” instead of “2020 Emergency Response Guidebook.”

**Page 43, HPR 8.5, Effective Date updated.**

The effective date of the rules is updated to read “The effective date of these rules is April 1, 2025,” instead of “The effective date of these rules is April 1, 2024.”