

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO~~

~~RULES AND REGULATIONS GOVERNING REGISTRATION
OF INTERSTATE MOTOR VEHICLE CARRIERS~~

~~4 CODE OF COLORADO REGULATIONS (CCR) 723-6~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY~~

~~The purpose for these rules is to establish standards for registering interstate motor vehicle carriers. These standards include but are not limited to registration issuance, insurance requirements, civil penalties and registration revocations. Sections 40-2-110.5(2), 40-7-112 through 116, 40-10-120(4), and 40-11-115(2), C.R.S., provide the specific basis for these rules. The general statutory authority for the Commission's rulemaking authority is found at § 40-2-108, C.R.S.~~

~~RULE (4 CCR) 723-6-1. APPLICATION OF RULES.~~

~~These rules apply to all for hire motor vehicle carriers operating in interstate commerce throughout Colorado.~~

~~RULE (4 CCR) 723-6-2. DEFINITIONS.~~

~~When used in these rules the following shall have the meanings as stated:~~

~~723-6-2.1 "Commission" means the Colorado Public Utilities Commission.~~

[Omitted Material: All the current rules found in 4 CCR 723-6, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO~~

~~RULES, REGULATIONS, AND CIVIL PENALTIES
GOVERNING TOWING CARRIERS BY MOTOR VEHICLE~~

~~4 CODE OF COLORADO REGULATIONS (CCR) 723-9~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY~~

~~The basis and purpose of these towing carrier rules are to govern the operation and activities of towing carriers by motor vehicle for hire.~~

~~The Commission's specific statutory authority for the issuance of these rules is § 40-13-107, C.R.S. In addition, the general statutory authority for the Commission's rulemaking is found at § 40-2-108, C.R.S.~~

~~RULE (4 CCR) 723-9-1. APPLICATION OF RULES AND REGULATIONS.~~

~~723-9-1.1 Towing Rules and Regulations. These rules and regulations apply to towing carriers, as defined in § 40-13-101(3), C.R.S., operating upon the public ways of Colorado.~~

~~723-9-1.2 Safety Regulations. Towing carriers shall comply with all safety regulations, including the Motor Carrier Safety Regulations, 8 CCR 1507-1, adopted by the Department of Public Safety (Colorado State Patrol) pursuant to § 42-4-235(4), C.R.S., which are hereinafter referred to as the Safety Regulations.~~

~~723-9-1.2.1 USDOT Number. By February 1, 2003 all towing carriers shall obtain a United States Department of Transportation (USDOT) certification number.~~

~~723-9-1.3 Additional Requirements. Nothing in these rules shall be construed to prohibit a law enforcement agency from adopting and enforcing additional or more stringent requirements relating to safety, equipment, and accessories for any towing carrier providing towing services at the direction of the law enforcement agency.~~

~~723-9-1.4 Repossession Not Included. Nothing in these rules shall be construed to apply to a secured creditor or assignee (principal), or reposessor (agent), or to the repossession of a motor vehicle by a secured creditor or assignee (principal), or reposessor (agent), when repossessing pursuant to § 4-9-629, C.R.S.~~

~~**RULE (4 CCR) 723-9-2. DEFINITIONS.**~~

~~When used in these rules the following shall have meanings as stated:~~

~~723-9-2.1 Abandoned motor vehicle means a motor vehicle as defined by §§ 42-4-1802 and 42-4-2102, C.R.S.~~

~~723-9-2.2 Commission means the Colorado Public Utilities Commission.~~

~~723-9-2.3 Delivery means placing a towed motor vehicle in the actual possession of the owner, authorized operator, or authorized agent of the owner.~~

[Omitted Material: All the current rules found in 4 CCR 723-9, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO~~

~~RULES REGULATING SAFETY FOR MOTOR VEHICLE CARRIERS
AND ESTABLISHING CIVIL PENALTIES~~

~~4 CODE OF COLORADO REGULATIONS (CCR) 723-15~~

~~BASIS, PURPOSE AND STATUTORY AUTHORITY~~

~~— The basis and purpose of these rules is to provide minimum requirements for the regulation of motor vehicle safety, hours of service of drivers, and qualification of motor vehicle drivers for common carriers by motor vehicle, contract carriers by motor vehicle, and motor vehicle carriers exempt from regulation as public utilities, and to provide penalties for the violation thereof.~~

~~— These amendments are intended to update the existing rules so that they may be consistent with the most recent published safety regulations of the Federal Highway Administration of the United States Department of Transportation and the Colorado Department of Public Safety, and the most recent amendments to the Colorado Revised Statutes.~~

~~— The statutory authority for the adoption of these rules is §§ 40-2-108, 40-2-116, 40-10-105(2)(c), 40-10-111, 40-11-105(1), 40-16-105, and 24-4-103(12.5)(a), C.R.S.~~

~~**RULE (4 CCR) 723-15-1. APPLICABILITY.**~~

~~These rules shall apply to all intrastate motor vehicle carriers defined in § 40-10-101(4)(a), C.R.S., all intrastate contract carriers by motor vehicle defined in § 40-11-101(3), C.R.S., and all intrastate motor vehicle carriers exempt from regulation as public utilities defined in § 40-16-101(4), C.R.S., except property carriers operating vehicles with a manufacturer's gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) of 26,001 pounds or more. Motor carriers operating commercial vehicles as defined in § 42-4-235(1)(a)(I), C.R.S.; towing carriers defined in § 40-13-101(3), C.R.S., and described as commercial vehicles in § 42-4-235(1)(a)(II), C.R.S.; and carriers of hazardous materials and nuclear materials under Article 20 of Title 42, C.R.S., are subject to the safety rules of the Colorado Department of Public Safety.~~

~~**RULE (4 CCR) 723-15-2. INCORPORATION BY REFERENCE.**~~

~~723-15-2.1 — Except as otherwise provided in these rules, the Commission incorporates by reference the regulations published in Title 21, Code of Federal Regulations § 1308.11, revised as of April 1, 1999, and Title 49, Code of Federal Regulations, Parts 40, 382, 383, 390, 391, 392, 393, 395, 396, and 399, and Appendix C to Subchapter B of Chapter III, revised as of October 1, 1998. No later amendments to or editions of the Code of Federal Regulations are incorporated into these rules.~~

[Omitted Material: All the current rules found in 4 CCR 723-15, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO~~

~~RULES, REGULATIONS, AND CIVIL PENALTIES GOVERNING
CONTRACT CARRIERS OF PASSENGERS BY MOTOR VEHICLE~~

~~4 CODE OF COLORADO REGULATIONS (CCR) 723-23~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY~~

~~—The basis for these rules is found in the statutory requirement that the Commission properly administer and enforce Title 40, C.R.S., by establishing rules to regulate contract carriers of passengers by motor vehicle as defined by § 40-11-101(3), C.R.S.~~

~~—These rules establish standards for operating a contract carrier of passengers by motor vehicle including, but not limited to, permit issuance and extension, the transferring of contract carrier permits, permit revocation, operational requirements, insurance requirements, tariff requirements, and civil penalty violations.~~

~~The statutory authority for these rules is §§ 40-2-108, 40-7-112 through 40-7-116, and 40-11-105, C.R.S.~~

~~**RULE (4 CCR) 723-23-1. APPLICABILITY.**~~

~~723-23-1.1 —These rules apply to contract carriers by motor vehicle, as defined by § 40-11-101 (3), C.R.S., referred to~~

~~in these rules as contract carriers. Contract carriers shall comply with these Rules and Regulations and all applicable statutes and laws of the State of Colorado.~~

~~723-23-1.2 — Nothing in these rules shall alter, amend, modify, suspend, or otherwise affect specific provisions, limitations, or requirements in any permit issued to any contract carrier.~~

~~723-23-1.3 — In addition to these rules, contract carriers shall abide by the Commission's Rules of Practice and Procedure found at 4 CCR 723-1 and the Commission's Rules Regulating Safety for Motor Vehicle Carriers found at 4 CCR 723-15.~~

~~723-23-1.4 — Form E and Form K, referred to in Rule 723-23-12, are appended to these rules as Appendix A and Appendix B, respectively.~~

~~**RULE (4 CCR) 723-23-2. DEFINITIONS.**~~

~~723-23-2.1 — Certificate means a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire.~~

~~723-23-2.2 — Commission means the Public Utilities Commission of the State of Colorado.~~

~~723-23-2.3 — Common carrier means every person directly or indirectly affording a means of transportation, or any service or facility in connection therewith, within this state by motor vehicle by indiscriminately accepting and carrying for compensation passengers between fixed points or over established routes or otherwise and includes lessees, trustees, or receivers thereof, whether appointed by a court or otherwise.~~

[Omitted Material: All the current rules found in 4 CCR 723-23, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO~~

~~RULES, REGULATIONS, AND CIVIL PENALTIES
GOVERNING COMMON CARRIERS OF PASSENGERS
BY MOTOR VEHICLE FOR HIRE~~

~~4 CODE OF COLORADO REGULATIONS (CCR) 723-31~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY~~

~~The basis and purpose of these rules is to regulate common carriers of passengers by motor vehicle for hire subject to article 10, title 40, C.R.S. Specifically, these rules give guidance to common carriers with respect to transfers, extensions and revocations of, and applications for certificates of public convenience and necessity. The rules also establish requirements with respect to vehicle identification, vehicle condition, leasing, insurance, and time schedules. Moreover, the rules set forth the operating characteristics of taxi service, including record keeping, service standards, and flat rates to and from Denver International Airport. Finally, the rules contain civil penalty provisions applicable to common carriers of passengers by motor vehicles for hire.~~

~~— The statutory authority for these rules is found at §§ 40-2-108, 40-2-110.5, 40-5-105, 40-7-112 through 116, 40-10-105, 40-10-16, and 40-10-110, C.R.S.~~

~~**RULE (4 CCR) 723-31-1. APPLICATION OF RULES AND REGULATIONS.**~~

~~723-31-1.1 — These rules apply to motor vehicle carriers of persons, as defined in § 40-10-101(4)(a), C.R.S. All motor vehicle carriers shall comply with these rules and all applicable statutes and laws of the State of Colorado.~~

~~723-31-1.2 — Nothing in these rules shall alter, amend, modify, suspend, or otherwise affect specific provisions, limitations, or requirements in any certificate issued to any carrier.~~

~~723-31-1.3 — Carriers shall abide by the Commission's Rules of Practice and Procedure found at 4 CCR 723-1 and the Commission's Motor Vehicle Carrier Safety Regulations found at 4 CCR 723-15.~~

~~723-31-1.4 — Form E and Form K, referred to in Rule 723-31-12, are appended to these rules as Appendix A and Appendix B, respectively.~~

~~**RULE (4 CCR) 723-31-2. DEFINITIONS.**~~

~~When used in these rules or in a certificate of public convenience and necessity, the following shall have meanings as stated:~~

~~723-31-2.1 — Carrier means either a common carrier or a contract carrier as defined herein.~~

~~723-31-2.2 — Certificate means a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire.~~

~~723-31-2.3 — Common carrier means a motor vehicle carrier as defined herein.~~

[Omitted Material: All the current rules found in 4 CCR 723-31, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO
RULES, REGULATIONS, AND CIVIL PENALTIES GOVERNING
MOTOR VEHICLE CARRIERS EXEMPT
FROM REGULATION AS PUBLIC UTILITIES~~

~~4 CODE OF COLORADO REGULATIONS (CCR) 723-33~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY.~~

~~The basis and purpose of these rules is to regulate motor vehicle carriers exempt from regulation as public utilities as defined in § 40-16-101(4), C.R.S.; to specify the luxury features a luxury limousine must offer; to designate the type of written documentation, as set forth in § 40-16-104(2), C.R.S., that a motor vehicle carrier exempt from regulation as a public utility must file with this Commission; to designate the amounts and form of insurance a property carrier by motor vehicle must maintain, as set forth in § 40-16-104(1.5); and to provide penalties for the violation thereof. These rules are issued in accordance with § 40-2-110.5, C.R.S.~~

~~— The statutory authority for these rules is found at §§ 40-2-108, 40-7-112 through 116, 40-16-101(3)(a)(III), and 40-16-103.6, C.R.S.~~

~~RULE (4 CCR) 723-33-1. APPLICATION OF RULES.~~

~~These rules apply to motor vehicle carriers exempt from regulation as public utilities as defined in § 40-16-101(4), C.R.S.~~

~~RULE (4 CCR) 723-33-2. DEFINITIONS.~~

~~723-33-2.1 "Commission" means the Colorado Public Utilities Commission.~~

~~723-33-2.2 "Commodities" means property other than household goods.~~

~~723-33-2.3 "Discretionary vehicle." A vehicle may be qualified as a discretionary vehicle if the vehicle would have qualified as a luxury vehicle at the time the vehicle was new and if the vehicle is in exceptional physical condition at the time of registration. A vehicle is in exceptional physical condition if: (1) The body of the vehicle has a good, unfaded paint job, and is devoid of dents, rust, missing or broken chrome, and has no broken or cracked glass or lenses; (2) The interior of the vehicle is clean, free of offensive odors, and has no tears, cracks, or major stains upon the upholstery, headliner, and carpeting; and (3) is in sound mechanical condition with no safety defects. The applicant shall bear the burden of proving that the original Manufacturer's Suggested Retail Price of the vehicle was equal to or in excess of that required of a luxury vehicle.~~

~~723-33-2.4 "Exempt carrier" means "motor vehicle carrier exempt from regulation as a public utility" as that term is defined in § 40-16-101(4), C.R.S.~~

~~723-33-2.5 "Form E" means a NARUC Form E Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance, executed by a duly authorized agent of the insurer.~~

[Omitted Material: All the current rules found in 4 CCR 723-33, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]