

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24R-0382TO

IN THE MATTER OF THE PROPOSED AMENDMENTS TO THE COMMISSION’S RULES
REGULATING TOWING CARRIERS, 4 CODE OF COLORADO REGULATIONS 723-6, TO
IMPLEMENT HB 24-1051.

NOTICE OF PROPOSED RULEMAKING

Issued Date: September 10, 2024
Adopted Date: September 4, 2024

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- B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING September 4, 2024.20

I. BY THE COMMISSION

A. Statement

1. The Colorado Public Utilities Commission ("Commission") hereby issues this Notice of Proposed Rulemaking ("NOPR") to consider amendments to the Commission's Rules Regulating Towing Carriers, 4 *Code of Colorado Regulations* ("CCR") 723-6. The statutory authority for adoption of these rules is set forth in §§ 40-2-108, 40-10.1-106, and 40-10.1-410, C.R.S. This NOPR largely addresses the incorporation of new statutory provisions pursuant to House Bill ("HB") 24-1051, enacted May 30, 2024, and effective August 7, 2024.

2. The Commission issues this NOPR to review, examine, and consider revisions to its rules regarding towing carriers, as it pertains mostly to legislative and statutory changes incorporated by bills passed by the Colorado Legislature during the 2024 session. The proposed amendments reflect the Commission's intent to amend and update its towing rules to make them congruent with the recent statutory changes and to expand upon certain operational standards, where appropriate.

3. The proposed amendments to the towing rules are available for review as Attachment A (legislation) and Attachment B (clean) to this Decision, through the Commission's Electronic Filings website (Proceeding No. 24R-0382TO) at:

https://www.dora.state.co.us/pls/efi/EFI.Show_Docket?p_session_id=&p_docket_id=24R-0382TO.

4. The Commission welcomes comments from interested rulemaking participants, regarding the amendments proposed in this NOPR. To the extent a participant disagrees with the

proposed amendments, they are encouraged to submit comments that include any suggested revisions to the rule language in legislative (*i.e.*, *strikeout*) format.

B. Background

5. On May 30, 2024, Governor Jared Polis signed HB 24-1051, Towing Carrier Regulation. This Bill, in majority part, amended Part 4, § 40-10.1, C.R.S., which made substantial changes to the towing industry in Colorado, most significantly as it pertains to nonconsensual tows originating from residential private properties. Such changes included new operational standards for towing carriers engaging in these types of tows, including a restriction on who is eligible to perform the tow authorization, a prohibition on towing carriers monitoring or patrolling private properties, a streamlined tow signage standard, and a requirement for towing carriers to return an improperly towed motor vehicle to where it was towed from, amongst others. The effective date of the statutory changes was August 7, 2024.

6. Since the passing of HB 24-1051, Transportation Staff (“Staff”) has thoroughly reviewed the Bill and has been creating draft amendments to the current towing rules, which incorporate all applicable standards and requirements, while at the same time remaining simplistic and easy to understand. Staff has, necessarily, expended much time and effort into this process in order to revise, as little as possible, the existing language and framework in the current towing rules, with the goal that the resulting rules will be easier and less confusing for towing carriers to incorporate into their established practices and operations, once adopted. In addition, the Commission has spent considerable resources engaging with stakeholders, property owners, and consumers to review, discuss, and share its expertise regarding the provisions of HB 24-1051.

7. In keeping with the aforementioned stakeholder outreach, Staff convened a public stakeholder workshop on July 31, 2024, which was attended by many members of the towing industry. During this workshop, the underlying legislation, HB 24-1051, was reviewed and discussed in detail. In addition, the proposed rule amendments attached to this Decision were discussed, to the extent they would impact the current regulatory framework for towing carriers. As a result, stakeholders identified topics they wished to see discussed further during the NOPR. These topics included: 1) the amended tow signage standard and whether or not the new requirement of posting the information in Spanish would be further clarified to identify which dialect of Spanish would be sufficient to meet the standard; and 2) clarification on what responsibilities the towing carrier actually has in regards to the posting of tow signage at a private property, considering § 40-10.1-405(3)(c), C.R.S., describes the signage as posted by the property owner. The stakeholders requested that the Commission further explore these issues, in addition to all other rule amendments discussed in this Decision.

8. It should be noted that, while the Commission proposes rule revisions and additions that it finds necessary to implement the legislative changes enacted in HB 24-1051, the Commission also has existing rules that provide operational and safety standards to ensure the safe and reasonable operation of towing carriers operating in this state and the protection of consumers. Pursuant to § 40-10.1-106(1)(b), C.R.S., the Commission has long had the authority, and the duty, to prescribe rules covering the operations of motor carriers, including rules setting forth the circumstances under which a towing carrier may perform a nonconsensual tow of a motor vehicle, the responsibilities and facilities of the towing carrier for the care or storage of the motor vehicle and its contents, and the minimum and maximum rates and charges to be collected by the towing

carrier for the nonconsensual towing and storage of the motor vehicle. As a result, the Commission has endeavored to incorporate the statutory changes into its existing rules, with minimal revision to the requirements already set forth therein, for all types of tows.

9. Many of the new statutory requirements for nonconsensual tows originating from residential private properties, as enacted in HB 24-1051, expand upon the Commission's existing operational and safety standards. Since the legislature's focus was on enacting statutory requirements for tows from residential properties, some of these statutory standards apply only to that specific subset of tows. The Commission sees HB 24-1051 as a policy determination by the legislature that these operational and safety standards must always be required for tows originating from residential private properties. Conversely, the Commission does not see HB 24-1051 as a determination by the legislature that the Commission cannot, or should not, continue to require the same, or similar, operational and safety standards for other types of tows that the Commission determines necessary and appropriate, under its general authority, to regulate and prescribe rules for towing carriers. As a result, the Commission takes a targeted approach in the proposed rules, whereby the changes required by HB 24-1051 are appropriately implemented, while at the same time, the necessary operational and safety standards already required in Commission rules are maintained, wherever possible.

10. For example, HB 24-1051 enacted a new policy that prohibits towing carriers from monitoring or patrolling residential private properties, at the behest of the property owners, for the purposes of enforcing parking violations. Proposed Rule 6508(f) implements this new operational requirement with a targeted rule, specifying that this restriction applies only to residential tows, consistent with the legislation. Likewise, proposed Rule 6508(b)(I)(C) implements the

legislature's new operational requirement that, for tows from residential private property, only the property owner and their employees, or a retained property management company's employees, can authorize the tow.

11. However, as it pertains to certain consumer protection provisions previously enacted in state statute or already provided through Commission rules, the merging of the existing rules with the newly incorporated state statutes is not as seamless. For example, existing Rule 6513(d) describes the tow signage standard, as previously created in Commission rules and more recently codified in state statute, pursuant to HB 22-1314. While the current rule language pairs well with the amended standards in § 40-10.1-405(3)(c), C.R.S., which contains mostly similar language and requirements, this statutory provision does not inherently apply to nonconsensual tows originating from commercial private properties.¹ The Commission does not believe it was the legislature's intent to strip such a critical consumer protection feature from other forms of regulated tows, so it could be applied only to residential private property tows. Similarly, existing Rule 6508(b)(III) outlines a proper method of completing tow authorizations for nonconsensual tows from residential and commercial private properties. However, the more uniform tow authorization standard, as implemented by § 40-10.1-405(3)(a)(IV), C.R.S., would not apply to tows from commercial private properties, by default. That said, from its perspective as the regulator, the Commission observes that this more uniform method for completing tow authorizations for nonconsensual tows is greatly needed for both residential and commercial tows, for consistency purposes. In such instances, the Commission has elected to retain these established regulations, most of which are very beneficial to consumers of towing services and helpful to the

¹ See § 40-10.1-405(9), C.R.S.

regulatory efforts over the towing industry, to the greatest extent possible. These are specifically noted in the proposed amendments discussed below.

C. Discussion of Proposed Amendments to Towing Rules

12. The proposed amendments to the towing rules are shown in Attachment A (legislative) and Attachment B (clean) to this Decision. These changes are described in this section, along with discussion of the statutory and policy reasons associated with the proposed amendments. However, simple grammatical fixes, rule title amendments, and code changes will not be specifically referenced.

1. Rule 6501 – Definitions

13. The proposed amendments to Rule 6501(x) for the definition of “Signature” include language that will add further flexibility for tow authorization signatures, given the increased volume of electronic communications between towing carriers and property owners. This will also allow the new uniform tow authorization standard, under proposed Rule 6508(b)(III), to be incorporated in a more practical way.

2. Rule 6503 – Towing Carrier Permit Application

14. The proposed amendments to Rule 6503(a)(IV) update the language to require each principal associated with a towing carrier to have a valid Colorado-issued driver’s license or a Colorado-issued identification card, in order to be issued a towing carrier permit. The purpose of this requirement is to allow for more accurate background checks to be conducted on the principals of a towing carrier, pursuant to Rule 6504, when determining qualification for a towing carrier permit. Staff has, at times, found it difficult to regulate a principal who is located out of state, both

from the standpoint of background check efficiency and effectiveness, as well as general responsiveness to regulatory issues.

15. The proposed new Rule 6503(b) adds a requirement for towing carriers to disclose all principals, as defined by Rule 6001(iii), as part of the permit application process. This is a new statutory requirement, pursuant to § 40-10.1-401(2)(a)(II), C.R.S.

16. The proposed new Rule 6503(c) adds a requirement for towing carriers to disclose accurate operational information as part of the permit renewal process. The information to be submitted includes the number of tow trucks being operated, the counties the towing carrier operates in, the annual volume of tows by category, and the current pricing for consensual tows, if applicable. State law now expressly authorizes the Commission to require this information as part of the towing carrier permitting process, pursuant to § 40-10.1-403(4)(f), C.R.S.

3. Rule 6504 – Criminal History Checks and Public Interest Determinations

17. The proposed amendments to Rule 6504(b)(I) update the terminology within the language, including changing the term “applicant” to “towing carrier”, and add some additional clarifying language to allow for the rule to apply the various situations outlined in § 40-10.1-401(2)(a)(I), C.R.S.

18. The proposed amendments to Rule 6504(b)(II) update the terminology within the language, including changing the term “applicant” to “towing carrier”, and add some new language that will allow the rule to fully capture all potential disqualifying situations for a towing carrier, pursuant to § 40-10.1-401(2)(a)(I), C.R.S.

19. The proposed amendments to Rule 6504(c) update the terminology within the language, including changing the term “applicant” to “towing carrier” and “person” to “principal”,

which will allow the rule to fully capture all potential disqualifying situations for a towing carrier, pursuant to § 40-10.1-401(2)(a)(I), C.R.S.

20. The proposed amendments to Rule 6504(d) update the terminology within the language, including changing the term “good cause” to “public interest”, which will allow the rule to fully capture all potential disqualifying situations for a towing carrier, pursuant to § 40-10.1-401(2)(b), C.R.S.

21. The proposed amendments to Rule 6504(e) update the language to reflect new statutory language, pursuant to § 40-10.1-401(2)(b), C.R.S., which addresses towing permit denials on the basis of a public interest determination. The proposed amendments also update the terminology, including changing the term “person” to “principal” and “applicant” to “towing carrier”.

22. The proposed amendments to Rule 6504(e)(II) update the language to reflect new statutory language, pursuant to § 40-10.1-401(2)(b), C.R.S., which addresses towing permit denials on the basis of a public interest determination. The proposed amendments also update the terminology, including changing the term “applicant” to “towing carrier”, and include a reference to a disqualification under Rule 6504(d).

23. The proposed new Rule 6504(f) adds a new standard that allows the Commission to fully capture all potential disqualifying situations for a towing carrier, including suspensions and revocations of current towing permits, pursuant to § 40-10.1-401(2)(a)(I), C.R.S.

4. Rule 6506 – Equipment and Accessories

24. The proposed new Rule 6506(a)(I)(A) adds a new standard that prohibits a towing carrier from towing a motor vehicle if they do not have the appropriate equipment, in accordance

with the requirements of Title 42, C.R.S., and 49 C.F.R. The new language further explains that any separation of an “in combination” unit must be done in accordance with Rule 6511(h).

5. Rule 6507 – Storage Facilities

25. The proposed amendments to Rule 6507(d)(II)(E) update the language to reflect new statutory language, pursuant to § 40-10.1-405(4)(b)(II), C.R.S., which changes the term “owner” to “authorized” *or* “interested person”.

26. The proposed amendments to Rule 6507(f) clarify that a towing carrier is responsible for the safety and security of a towed motor vehicle during and after the tow, until the motor vehicle is released to an authorized or interested person. The parameters of the rule were also expanded to apply to all type of tows, including consensual, nonconsensual, and law enforcement-ordered tows, pursuant to § 40-10.1-411, C.R.S. Some of the rule language is also being moved to subparagraph 6507(f)(I), for simplicity.

27. The proposed new Rule 6507(f)(II) adds a new standard that towing carriers utilizing video/audio surveillance systems, either in tow trucks or at storage facilities, must provide the recordings to the Commission, consistent with Rule 6007(e). This new requirement will assist with various enforcement actions.

6. Rule 6508 – Authorization for Towing of Motor Vehicles

28. The proposed amendments to Rule 6508(a)(I) update the language to clarify that, to be the basis for a properly authorized tow, the tow agreement must contain the information required by this rule *and* the provided information must be accurate.

29. The proposed amendments to Rule 6508(a)(II) update the terminology within the language, including changing the term “towing charges” to “charges”, which will allow for

appropriate external charges to be assessed, and correct language to match the definition under Rule 6501(f).

30. The proposed amendments to Rule 6508(b)(I)(C) update the language to reflect new statutory language, pursuant to § 40-10.1-405(3)(a)(IV)(C), C.R.S., which further restricts who is eligible to complete a tow authorization for a nonconsensual tow from residential private property.

31. The proposed amendments to Rule 6508(b)(III) update the language to reflect new statutory language, pursuant to § 40-10.1-405(3)(a)(IV), C.R.S., which requires property owner tow authorizations to be documented on a Commission form. Also, language that outlined specific criteria for the tow authorization is being removed, as this will create more flexibility for the Commission form.

32. The proposed amendments to Rule 6508(b)(III)(A) update the language to reflect statutory language, pursuant to § 40-10.1-405(3)(a)(IV), C.R.S., which requires property owner tow authorizations to be provided to the towing carrier within 24 hours of the tow.

33. The proposed amendments to Rule 6508(b)(III)(B) update the language to reflect new statutory language, pursuant to § 40-10.1-405(3)(a)(IV), C.R.S., which prohibits property owner tow authorizations from being automated.

34. The proposed amendments to Rule 6508(b)(III)(C) update the language to reflect new statutory language, pursuant to § 40-10.1-405(3)(a)(IV), C.R.S., which prohibits alternatives to the written authorization required by statute.

35. The proposed amendments to Rule 6508(b)(III)(D) update the language to reflect new statutory language, pursuant to § 40-10.1-405(3)(a)(V), C.R.S., which clarifies that each

individual tow requires a separate, individual tow authorization. The original language of the rule is being moved to Rule 6508(b)(IV).

36. The proposed amendments to Rule 6508(b)(III)(E) update the language to reflect new statutory language, pursuant to § 40-10.1-405(3)(d)(II), C.R.S., which clarifies that a towing carrier must retain tow authorizations for a three-year period and they must be made available to an authorized or interested person, upon request. The original language of the rule is being moved to Rule 6508(b)(V).

37. The proposed new Rule 6508(b)(IV) updates language to clarify who is eligible to perform tow authorizations, consistent with Rule 6501(u). The language in this rule was formerly contained in Rule 6508(b)(III)(D).

38. The proposed new Rule 6508(b)(V) was formerly contained in Rule 6508(b)(III)(E). No changes were made to the rule language.

39. The proposed new Rule 6508(b)(VI) adds a new standard to account for situations when motor vehicles may need to be relocated within the boundaries of the same private property, which captures situations such as parking lot resurfacing, snow plowing, and other events.

40. The proposed amendments to Rule 6508(d)(I)(F) update the language to reflect new statutory language, pursuant to § 40-10.1-405(3)(b)(I)(H), C.R.S., which clarifies an exemption to the 24-hour notice standard.

41. The proposed amendments to Rule 6508(e)(IV) update the language for consistency with other terminology used throughout the towing rules.

42. The proposed new Rule 6508(f) adds a new standard restricting towing carriers from patrolling or monitoring a residential private property on behalf of the property owner, pursuant to § 40-10.1-405(3)(e), C.R.S.

7. Rule 6509 – Equipment and Accessories

43. The proposed amendments to Rule 6509(a) update the language to clarify that the criteria for tow records/invoices must be accurate information.

44. The proposed elimination of Rule 6509(a)(VII) is due to the same criteria being included in the new property owner tow authorization standard, which is required to be documented on a Commission form. This standard will apply to nonconsensual tows through proposed Rule 6508(b)(III) and § 40-10.1-405(3)(a)(IV), C.R.S.

45. The proposed amendments to Rule 6509(a)(X) update the terminology within the language, including changing the term “towing charges” to “charges”, which will allow for appropriate external charges to be assessed.

8. Rule 6511 – Rates and Charges

46. The proposed amendments to Rule 6511(d)(I)(D) update the language to clarify the appropriate storage charges framework for a nonconsensual tow originating from commercial private property. This will make the correct assessment of storage charges for this type of tow easier to understand for towing carriers and consumers.

47. The proposed amendments to Rule 6511(d)(I)(E) update the language to clarify the appropriate storage charges framework for a nonconsensual tow originating from residential private property. This will make the correct assessment of storage charges for this type of tow easier to understand for towing carriers and consumers.

48. The proposed new Rule 6511(d)(I)(F) updates the language to clarify the appropriate storage charges framework for a law enforcement-ordered tow. This will make the correct assessment of storage charges for this type of tow easier to understand for towing carriers and consumers.

49. The proposed elimination of Rule 6511(d)(IV) is due to the same criteria being repurposed in proposed Rules 6511(d)(I)(D)-(F).

50. The proposed amendments to Rule 6511(f) update the language to clarify that if a tow is found to be in violation of state statute or Commission rule, all fees and charges related to the tow are ineligible to be charged, pursuant to § 40-10.1-406(1)(a)(I), C.R.S.

51. The proposed new Rules 6511(f)(I) and 6511(f)(I)(A)-(B) add a new standard that requires towing carriers to return a towed motor vehicle to where it was towed from within 48 hours, unless impractical, if the tow is found to be in violation of state statute or Commission rule, pursuant to § 40-10.1-406(1)(c), C.R.S.

52. The proposed amendments to Rule 6511(h)(I) update the language to clarify the standard for towing an “in combination” unit, including the ability to separate a power unit and trailer for a clear and reasonable cause, which must be annotated on separate tow records/invoices. The rates and charges for each respective tow, once separated, must also be consistent with the maximum rates in Rule 6511.

53. The proposed amendments to Rule 6511(h)(II) update the language to clarify that a motor vehicle, or cargo on a trailer, is still considered to be part of the same “in combination” unit.

54. The proposed elimination of Rule 6511(h)(III) is due to the same criteria being repurposed in proposed Rule 6511(h)(I).

9. Rule 6512 – Release of Motor Vehicle and Personal Property

55. The proposed amendments to Rule 6512(d)(II) update the language to accommodate the new standard for release of personal property, as outlined in proposed Rule 6512(d)(III).

56. The proposed amendments to Rule 6512(d)(III) and proposed new Rule 6512(d)(III)(A) add a new standard for release of personal property, which includes an hourly rate framework that allows a towing carrier to charge per hour, or any portion of an hour, to facilitate the release of personal property. The initial maximum charge per hour will be \$100.00, which is subject to the annual inflation adjustment mechanism found in other parts of Rule 6511.

57. The proposed amendments to Rule 6512(l)(II) update the language to clarify that a towing carrier is responsible for providing a copy of the required Commission form to either the vehicle owner or the authorized operator of the motor vehicle.

58. The proposed amendments to Rule 6512(l)(IV) update the language to include a reference to an “approval process”, which is now specifically prohibited, pursuant to §-40-10.1-405(5)(e), C.R.S.

10. Rule 6513 – Notice

59. The proposed amendments to Rule 6513(b) add a new standard that requires a towing carrier to demonstrate that a motor vehicle was abandoned on private property for at least 24 hours before it is towed.

60. The proposed new Rule 6513(b)(I) adds a new standard that requires notice to be placed on an abandoned motor vehicle, at least 24 hours prior to the tow. This is consistent with the expectations in § 42-4-2102(1), C.R.S.

61. The proposed amendments to Rule 6513(c) update the language to include a requirement for tow signage on the interior of the private property, at intervals to be determined by the property owner, pursuant to § 40-10.1-405(3)(c)(VI)(B), C.R.S.

62. The proposed amendments to Rule 6513(d)(I) update the language to change the tow signage sizing requirement, from one square foot to two square feet, pursuant to § 40-10.1-405(3)(c)(I), C.R.S.

63. The proposed amendments to Rule 6513(d)(III) update the language to expand the tow signage color requirements to include conflicts with the background color on structures, pursuant to § 40-10.1-405(3)(c)(III), C.R.S.

64. The proposed amendments to Rule 6513(d)(IV) update the language to change the tow signage content requirements, pursuant to § 40-10.1-405(3)(c)(IV), C.R.S., which includes specific language on parking limitations and restrictions, such as what days/times the restrictions are in effect.

65. The proposed elimination of Rule 6513(d)(V) is due to the same criteria, pursuant to § 40-10.1-405(3)(c)(IV), C.R.S., being repurposed in proposed Rule 6511(d)(IV)(C).

66. The proposed amendments to Rule 6513(d)(VI) add a new standard for tow signage to be posted in Spanish, as well as in English, pursuant to § 40-10.1-405(3)(c)(V), C.R.S.

67. The proposed amendments to Rule 6513(d)(X) update the language to expand the tow signage placement requirements, from no higher than eight feet to no higher than ten feet, pursuant to § 40-10.1-405(3)(c)(VIII), C.R.S.

D. Questions for Stakeholders

68. Given the nature of some of the proposed amendments to current rules, as well as the proposed new rules, the Commission solicits additional information and comments from stakeholders. Interested persons are encouraged to submit written comments and participate in the rulemaking hearing convened in this matter.

69. As applicable to the proposed amendments to Rule 6513(d) (Notice), the Commission requests that stakeholders provide information and comments related to the updated tow signage standard, specifically as it pertains to the new Spanish translation requirement and the property owners' responsibility to post tow signage.

E. Towing Task Force

70. Pursuant to § 40-10.1-403(4)(a), C.R.S., the Commission is required to consult with the Towing Task Force when promulgating or amending rules concerning rate regulation of towing carriers. Given that some of the proposed amendments identified in this NOPR either directly or indirectly involve changes to certain aspects of rate regulation for towing carriers, the Commission encourages the Towing Task Force to participate in the rulemaking process.

71. The Commission also acknowledges that the Towing Task Force submitted a report, which contained miscellaneous conclusions and recommendations, to the Commission on November 1, 2022. A copy of this report currently resides in a repository Commission proceeding.²

² See Proceeding No. 22M-0480TO.

To allow the recommendations in the report to be considered within this rulemaking, it is requested that the Towing Task Force also file a copy of this report into the record in this proceeding during the public comment period, as identified below. Participants are encouraged to review the report and provide comment on potential related rule changes for consideration in this rulemaking.

F. Conclusion

72. Through this NOPR, the Commission solicits comments from interested persons and stakeholders on whether to adopt, revise, or not adopt, some or all of the proposed amendments to the towing rules, as set forth in the attachments to this Decision and discussed above. The Commission encourages members of the transportation industry and other interested persons to participate in this Proceeding and to contribute to the rulemaking record, on which the Commission will base its decision on whether to adopt rule amendments.

73. The Commission refers this matter to an Administrative Law Judge (“ALJ”) for the issuance of a recommended decision. The ALJ will hold a hearing on the proposed rules at the below-stated time and place. In addition to submitting written comments, participants will have an opportunity to present comments orally at the hearing, unless the ALJ deems oral presentations unnecessary. The Commission will consider all comments submitted in this Proceeding, whether oral or written.

II. ORDER

A. The Commission Orders That:

1. This Notice of Proposed Rulemaking, including attachments, shall be filed with the Colorado Secretary of State for publication in the September 25, 2024 edition of *The Colorado Register*.

2. The Commission invites comments from interested persons on the proposed amendments to the Commission's Rules Regulating Towing Carriers, 4 *Code of Colorado Regulations* 723-6, as described in this Decision and its attachments. The Commission prefers and encourages interested persons to file comments through the Commission's Electronic Filings website (Proceeding No. 24R-0382TO) at:

https://www.dora.state.co.us/pls/efi/EFI.Show_Docket?p_session_id=&p_docket_id=24R-0382TO

3. This matter is referred to an Administrative Law Judge ("ALJ") for the issuance of a Recommended Decision.

4. The rulemaking hearing on the proposed rules and related matters shall be held before an ALJ, as follows:

DATE: October 21, 2024

TIME: 11:00 a.m. until concluded but not later than 5:00 p.m.

PLACE By video conference using Zoom at a link in the calendar of events on the Commission's website, available at:
<https://puc.colorado.gov/puccalendar>

5. The ALJ will set procedures for a remote hearing, if necessary, by a separate Decision issued in this Proceeding.

6. The ALJ may set additional hearings, if necessary.

7. Written comments may be filed at any time in this Proceeding. Initial written comments are requested to be filed no later than September 27, 2024, and any comments responsive to the initial comments are requested to be filed no later than October 11, 2024, so that the initial comments and responsive comments may be considered at the hearing.

8. At the time set for hearing, interested persons may submit written comments and may present these orally, unless the ALJ deems oral comments unnecessary. The Commission will consider all comments, whether written or oral.

9. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 4, 2024.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners