

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25V-0479EC

IN THE MATTER OF THE PETITION OF BOOK AND RIDE FOR AN ORDER OF THE COMMISSION AUTHORIZING A WAIVER OF THE RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE, 4 CCR 723-6.

**COMMISSION DECISION DENYING PETITION FOR
RULE WAIVER**

Issued Date: December 8, 2025

Adopted Date: December 3, 2025

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. This matter comes before the Commission for consideration of a Petition for Waiver/Variance of Regulated Intrastate Carrier Rules ("Petition") filed on November 10, 2025, by book and ride ("Petitioner").

2. Petitioner requests a waiver of Rule 6305 of the Commission's Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* ("CCR") 723-6. This rule provides, in relevant part, the criteria for luxury limousine vehicles, including categories of vehicles that can be classified as a luxury limousine. Rule 6305(b), 4 CCR 723-6, provides, "A Person who believes that the Motor Vehicle that they have purchased or plan to purchase provides a luxurious and specialized transportation service may file a petition for waiver of paragraphs (a) or (c) of this rule, as set forth in rule 6003, explaining why the use of their vehicle of choice will effectively implement the Commission's policies of a luxury transportation

experience in the relevant market to be served." This rule allows for the Commission to exercise discretion regarding a particular vehicle's fitness to be operated as a luxury limousine.

3. Petitioner requests a waiver for a 2020 Nissan Altima, VIN No. 1N4BL4CW7LC191030. Petitioner requests a waiver for the period of October 27, 2025, through June 5, 2028.

4. The Commission noticed this petition to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on November 17, 2025. No petition to intervene or otherwise participate in this Proceeding has been filed. This Proceeding is therefore uncontested. Pursuant to § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

5. In accordance with Rule 1003 of the Commission's Rules of Practice and Procedure, 4 CCR 723-1, the Commission may grant a request to waive Commission rules for good cause shown. In rendering its decision, the Commission may take into account, but is not limited to, considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.

6. In support of its request for rule waiver, the Petitioner states:

This is for a reason of hardship we will get nicer cars we have to raise the money to do that [*sic*]

7. For the underlying vehicle, Petitioner submitted multiple photos of the interior and exterior, maintenance records, and a business filing from the Colorado Secretary of State ("SOS"). While the photos appear to demonstrate that the underlying vehicle is in a good and clean condition, there is minimal demonstration of any luxurious features befitting a qualified luxury limousine vehicle. The maintenance records appear to demonstrate regular maintenance, and even vehicle inspections, dating back to 2022. It should be noted that some of the vehicle inspections

are identified as being related to Transportation Network Company ("TNC") operations. Finally, the SOS filing indicates Petitioner has registered as an LLC, under the name Book and Ride LLC, which would be a requirement for pursuing any kind of transportation-related permit with the Commission.

8. Petitioner provided no further explanation as to why the underlying vehicle provides a luxurious and specialized transportation service, consistent with the Commission's policies of a luxury transportation experience and befitting of the relevant market to be served, as specified in Rule 6305(b), 4 CCR 723-6. Petitioner also failed to elaborate on the alleged hardship cited in the provided narrative.

9. It should be noted that Petitioner filed a previous waiver petition in 2022, involving the same underlying vehicle, which was denied.¹ The reason for denial included Petitioner's failure to establish good cause to grant the waiver, on similar grounds as has been seen in this petition. It is also worth mentioning that the underlying vehicle now has 233,000 miles, as opposed to 85,000 as was reported in the 2022 petition.

10. Finally, the provided maintenance records suggest Petitioner has been working in the transportation field since 2022, specifically in the TNC industry. Petitioner will still be eligible to continue working in the TNC industry, provided they are able to meet all applicable criteria to do so.

11. Furthermore, the Commission recognizes its important role in properly balancing the need for transportation options in various communities and meeting its established rules for determining what is considered to be a qualified luxury limousine vehicle.

¹ See Decision No. C22-0308, Proceeding No. 22V-0170EC.

12. Given all available information, the Commission finds that there is insufficient support to grant a waiver. Therefore, the Commission finds that good cause has not been shown by Petitioner and the request for a waiver of Rule 6305, 4 CCR 723-6, is denied.

II. ORDER

A. The Commission Orders That:

1. The petition of book and ride for a waiver of Rule 6305 of the Commission's Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* ("CCR") 723-6, filed on November 10, 2025, is denied.

2. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an Application for Rehearing, Reargument, or Reconsideration shall begin on the first day after the Commission mails this Decision.

3. This Decision is effective immediately upon its Issued Date.

**ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 3, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners