

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0944.01 Jery Payne x2157

HOUSE BILL 20-1224

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HOUSE SPONSORSHIP

Holtorf,

SENATE SPONSORSHIP

Sonnenberg,

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House Committees

Transportation & Local Government  
Finance

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE ISSUANCE OF AN OVERWEIGHT PERMIT FOR  
102 VEHICLES USED TO TRANSPORT AGRICULTURAL PRODUCTS  
103 FROM THE PLACE OF PRODUCTION.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

If certain conditions are met, current law allows vehicle owners to get permits to move overweight loads. The bill creates a type of overweight permit for divisible loads granted to agricultural producers if:

- ! The vehicle is registered as a farm vehicle;
- ! The agricultural producer designates 100 days, which need

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

not be consecutive, for each calendar year that the permit may be used;

! The vehicle is used to transport agricultural products from the place of production to the place of storage or sale; and

! The vehicle complies with rules governing the distribution of the load upon the vehicle's axles.

The permit costs:

! \$40 for general vehicles;

! \$50 for quad axle groupings;

! \$50 for vehicles with trailers with 2 or 3 axle groupings.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-510, **amend**  
3 (11)(a)(VI) introductory portion, (11)(a)(VII) introductory portion,  
4 (11)(a)(VII)(C), and (11)(a)(VII)(D); and **add** (1)(b)(IV), (1)(b)(V),  
5 (11)(a)(III)(D), (11)(a)(VI)(E), and (11)(a)(VII)(E) as follows:

6 **42-4-510. Permits for excess size and weight and for**  
7 **manufactured homes - rules.** (1) (b) (IV) AN AGRICULTURAL  
8 PRODUCER, INCLUDING A PRODUCER OF LIVESTOCK, MAY OBTAIN AN  
9 OVERWEIGHT PERMIT ISSUED UNDER THIS SECTION FOR OVERWEIGHT  
10 DIVISIBLE LOADS IF:

11 (A) THE VEHICLE IS REGISTERED AS A FARM VEHICLE UNDER  
12 SECTION 42-3-306 (4);

13 (B) THE AGRICULTURAL PRODUCER DESIGNATES ONE HUNDRED  
14 DAYS, WHICH NEED NOT BE CONSECUTIVE, FOR EACH CALENDAR YEAR  
15 THAT THE PERMIT MAY BE USED;

16 (C) THE VEHICLE IS USED UNDER THE PERMIT TO TRANSPORT  
17 OVERWEIGHT LOADS OF AGRICULTURAL PRODUCTS, INCLUDING  
18 LIVESTOCK, FROM THE PLACE OF PRODUCTION TO THE PLACE OF STORAGE  
19 OR SALE; AND

20 (D) THE VEHICLE COMPLIES WITH RULES PROMULGATED BY THE

1 DEPARTMENT OF TRANSPORTATION CONCERNING THE DISTRIBUTION OF  
2 THE LOAD UPON THE VEHICLE'S AXLES.

3 (V) (A) A PERMIT ISSUED UNDER SUBSECTION (1)(b)(IV) OF THIS  
4 SECTION AUTHORIZES AN AGRICULTURAL PRODUCER TO TRANSPORT  
5 OVERWEIGHT LOADS UNDER THE PERMIT FOR NO MORE THAN ONE  
6 HUNDRED DAYS, AS DESIGNATED BY THE AGRICULTURAL PRODUCER, EACH  
7 CALENDAR YEAR, BUT IF THE PRODUCER HAS MULTIPLE HARVEST TIMES,  
8 THE ONE HUNDRED DAYS NEED NOT BE CONSECUTIVE.

9 (B) SUBSECTION (1)(b)(IV) OF THIS SECTION DOES NOT PROHIBIT  
10 THE AGRICULTURAL PRODUCER FROM USING THE VEHICLE FOR PURPOSES  
11 OTHER THAN TO TRANSPORT AGRICULTURAL PRODUCTS, INCLUDING  
12 LIVESTOCK, SO LONG AS THE AGRICULTURAL PRODUCER IS NOT  
13 TRANSPORTING AN OVERSIZED LOAD UNDER THE PERMIT.

14 (11) (a) The department of transportation or the Colorado state  
15 patrol may charge permit applicants permit fees as follows:

16 (III) For overweight permits for vehicles or loads exceeding legal  
17 weight limits up to two hundred thousand pounds:

18 (D) ANNUAL ONE-HUNDRED-DAY PERMIT FOR AN AGRICULTURAL  
19 PRODUCER ISSUED UNDER SUBSECTION (1)(b)(IV) OF THIS SECTION, FORTY  
20 DOLLARS.

21 (VI) For overweight permits for vehicles that have a quad axle  
22 grouping for divisible vehicles or loads exceeding legal weight limits  
23 issued pursuant to subparagraph (H) of paragraph (b) of subsection (1)  
24 UNDER SUBSECTION (1)(b)(II) of this section:

25 (E) ANNUAL ONE-HUNDRED-DAY PERMIT FOR AN AGRICULTURAL  
26 PRODUCER ISSUED UNDER SUBSECTION (1)(b)(IV) OF THIS SECTION, FIFTY  
27 DOLLARS.

1 (VII) For overweight permits for vehicle combinations with a  
2 trailer that has two or three axles for divisible vehicles or loads exceeding  
3 legal weight limits established by ~~sub-subparagraph (B) of subparagraph~~  
4 ~~(H) of paragraph (b) of subsection (1)~~ SUBSECTION (1)(b)(II)(B) of this  
5 section:

6 (C) Single-trip permit, fifteen dollars plus ten dollars per axle; ~~and~~

7 (D) Effective January 1, 2015, annual fleet permit, two thousand  
8 dollars plus thirty-five dollars per vehicle to be permitted; AND

9 (E) ANNUAL ONE-HUNDRED-DAY PERMIT FOR AN AGRICULTURAL  
10 PRODUCER ISSUED UNDER SUBSECTION (1)(b)(IV) OF THIS SECTION, FIFTY  
11 DOLLARS.

12 **SECTION 2. Act subject to petition - effective date.** This act  
13 takes effect at 12:01 a.m. on the day following the expiration of the  
14 ninety-day period after final adjournment of the general assembly (August  
15 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a  
16 referendum petition is filed pursuant to section 1 (3) of article V of the  
17 state constitution against this act or an item, section, or part of this act  
18 within such period, then the act, item, section, or part will not take effect  
19 unless approved by the people at the general election to be held in  
20 November 2020 and, in such case, will take effect on the date of the  
21 official declaration of the vote thereon by the governor.