

# Colorado Revised Statutes 2022

## TITLE 8

### LABOR AND INDUSTRY

#### LABOR I - DEPARTMENT OF LABOR AND EMPLOYMENT

##### Division of Labor - Industrial Claim Appeals Office

**Cross references:** For the duty of the department of labor and employment with respect to the Colorado customized training program, see § 23-60-306.

##### Fuel Products

**Cross references:** For provisions regarding oil wells and boreholes, see article 61 of title 34; for the "Oil and Gas Conservation Act", see article 60 of title 34; for regulations regarding royalties under the federal leasing act, see article 63 of title 34; for provisions regarding underground storage of natural gas, see article 64 of title 34.

#### ARTICLE 20

##### Fuel Products

#### PART 1

##### DIVISION OF OIL AND PUBLIC SAFETY

**8-20-102. Duties of director of division of oil and public safety - rules.** (1) The director of the division of oil and public safety shall make, promulgate, and enforce rules setting forth minimum and general standards covering the design, construction, location, installation, and operation of equipment for storing, handling, and utilizing liquid fuel products. Said rules shall be such as are reasonably necessary for the protection of the health, welfare, and safety of the public and persons using such materials, and shall be in substantial conformity with the generally accepted standards of safety concerning the same subject matter. Such rules shall be adopted by the director of the division of oil and public safety in compliance with section 24-4-103, C.R.S.

(2) The director of the division of oil and public safety shall enforce the provisions of section 8-20-213 concerning recycled and used motor oil.

(3) Prior to January 1, 2014, the director of the division of oil and public safety shall promulgate rules for natural gas setting forth standards related to inspections; specifications; shipment notification; record keeping; labeling of containers; use of meters or mechanical devices for measurement; submittal of installation plans; and minimum standards for the design, construction, location, installation, and operation of retail natural gas systems. The division shall

begin enforcing the rules on July 1, 2014. The director may modify or update the rules in his or her discretion. All of the rules required by this subsection (3) must be reasonably necessary for the protection of the health, welfare, and safety of the public and persons using such materials, and the rules must be in substantial conformity with the generally accepted standards of safety concerning the same subject matter. The director shall adopt the rules in compliance with section 24-4-103, C.R.S.

(4) (a) On or before January 1, 2017, the director of the division of oil and public safety shall promulgate rules concerning retail hydrogen fuel systems for vehicles. The rules must set forth standards relating to:

- (I) Inspections;
- (II) Specifications;
- (III) Shipment notification;
- (IV) Record keeping;
- (V) Labeling of containers;
- (VI) Use of meters or mechanical devices for measurement;
- (VII) Submittal of installation plans; and
- (VIII) Minimum standards for the design, construction, location, installation, and operation of retail hydrogen fuel systems for vehicles.

(b) The director of the division of oil and public safety may collect reasonable fees, which the director shall establish by rule in the amounts necessary to offset the direct and indirect costs, including the costs for salaries and operating expenses, incurred by the division in administering this article.

(c) The division shall begin enforcing the rules required by this subsection (4) on July 1, 2017. The director may modify the rules at his or her discretion.

(d) Each rule required by this subsection (4) must be reasonably necessary for the protection of the health, welfare, and safety of the public and persons using hydrogen fuel, and the rules must substantially conform with the generally accepted standards of safety concerning hydrogen fuel. The director shall adopt the rules in compliance with section 24-4-103, C.R.S.

**Source:** L. 15: p. 377, § 43. C.L. § 3656. CSA: C. 118, § 57. CRS 53: § 100-1-3. C.R.S. 1963: § 100-1-3. L. 69: p. 661, § 250. L. 73: p. 1066, § 1. L. 95: Entire section amended, p. 351, § 2, effective April 27. L. 2001: Entire section amended, p. 1115, § 4, effective June 5. L. 2003: (1) amended, p. 1820, § 2, effective May 21. L. 2013: (3) added, (HB 13-1110), ch. 225, p. 1055, § 2, effective August 15. L. 2016: (4) added, (HB 16-1053), ch. 4, p. 7, § 1, effective March 9.

**Cross references:** For the legislative declaration contained in the 2003 act amending subsection (1), see section 1 of chapter 279, Session Laws of Colorado 2003. For the legislative declaration in the 2013 act adding subsection (3), see section 1 of chapter 225, Session Laws of Colorado 2013.

## **Gasoline and Special Fuel Tax**

### **ARTICLE 27**

## Gasoline and Special Fuel Tax

**Cross references:** For the constitutional provision that establishes limitations on spending, the imposition of taxes, and the incurring of debt, see § 20 of article X of the state constitution; for the use of a method in lieu of any required oath or affirmation by a person making any return or any application for refund or protest pursuant to this article, see § 24-12-108.

# TITLE 39

## TAXATION

### PART 1

#### GASOLINE TAX

**39-27-123. Department of transportation - special fuels - impact - report.** (1) On or before January 1, 2017, the department of transportation, the department of revenue, the division of oil and public safety in the department of labor and employment, and the Colorado energy office shall jointly prepare and submit a report to the transportation legislation review committee created in section 43-2-145 (1), C.R.S. The report must include:

(a) An evaluation of the effectiveness of any statutory provision included in House Bill 13-1110, enacted in 2013;

(b) An analysis of the impact of alternative fuels for propelling a motor vehicle on the public roads and highways of this state and on the amount of excise taxes collected related to those vehicles;

(c) A recommendation on whether the tax levied pursuant to this part 1 should be collected when the special fuel is supplied to the user at a residential home, including compressed natural gas that is exempt from taxation under section 39-27-102.5 (9), and if so, any recommendations for how to collect this tax; and

(d) Recommendations for a tax system that fairly and equitably taxes all fuels and methods for propelling motor vehicles on the public roads and highways of this state and that helps pay for the construction, improvement, repair, and maintenance of those public roads and highways.

(2) Section 24-1-136 (11), C.R.S., does not apply to the report required by subsection (1) of this section.

**Source: L. 2013:** Entire section added, (HB 13-1110), ch. 225, p. 1063, § 11, effective August 15.

**Cross references:** For the legislative declaration in the 2013 act adding this section, see section 1 of chapter 225, Session Laws of Colorado 2013.