JARED POLIS
GOVERNOR

136 STATE CAPITOL
DENVER, COLORADO 80203

TEL 303-866-2471
FAX 303-866-2003

D 2020 056

EXECUTIVE ORDER

Ordering the Suspension of a Relevant Statute to Allow Food Trucks to Operate at Colorado's Rest Areas to Support the Movement of Commercial Vehicle Activities Due to the Presence of COVID-19 in Colorado

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701 *et seq.*, I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order ordering the suspension of a relevant statute to allow food trucks to operate at Colorado's rest areas to support the movement of commercial vehicle activities due to the presence of COVID-19 in Colorado.

I. Background and Purpose

On March 5, 2020, the Colorado Department of Public Health and Environment's (CDPHE) public health laboratory confirmed the first presumptive positive COVID-19 test result in Colorado. Since then, the number of confirmed cases has continued to climb, and there is community spread throughout the State. I verbally declared a disaster emergency on March 10, 2020, and on March 11, 2020, I issued the corresponding Executive Order D 2020 003, as amended by Executive Orders D 2020 018 and D 2020 032. On March 25, 2020, I requested that the President of the United States declare a Major Disaster for the State of Colorado, pursuant to the Stafford Act. The President approved that request on March 28, 2020.

My administration, along with other State, local, and federal authorities, has taken a wide array of actions to mitigate the effects of the pandemic, prevent further spread, and protect against overwhelming our health care resources.

Commercial truck drivers play a critical role in the supply chain and in the COVID-19 emergency response. Truckers transport essential supplies including equipment, medicine, food, and personal protective equipment across our State and the country. Normal enforcement of restrictions pertaining to commercial activities at highway rest and refueling areas stand in the way of accessible, affordable, fresh food options for truck drivers operating in Colorado. Other states are allowing food trucks to operate at rest stops during this emergency so that commercial truck drivers have easy and reliable access to nutritious, affordable, and freshly prepared meals, and, as a centrally located state, Colorado trucking routes are critical to the national supply chain. We therefore must take action to support our hard working truckers and increase the availability of freshly prepared food options while providing additional economic opportunities during this

COVID-19 crisis to food truck operators. This Executive Order suspends a relevant statute to allow food trucks to operate at Colorado's rest areas to support the movement of commercial vehicle activities due to the presence of COVID-19 in Colorado.

II. Directives

A. I temporarily suspend the restriction in C.R.S. § 43-3-101(3) that no commercial enterprise shall be conducted or authorized on any property designated as or acquired for or in connection with a freeway or highway by the department of transportation, or any other governmental agency for commercial food truck. I direct the Executive Director of the Colorado Department of Transportation to issue temporary permits to allow commercial food trucks in Colorado's rest and commercial trucking refueling areas to support truckers and commercial vehicle activity.

III. Duration

This Executive Order shall expire thirty (30) days from May 2, 2020, unless extended further by Executive Order.

GIVEN under my hand and the Executive Seal of the State of Colorado, this second day of May, 2020

Jared Polis
Governor