



FISCAL NOTE

Drafting Number: LLS 18-1018
Prime Sponsors: Sen. Sonnenberg; Crowder

Date: March 14, 2018
Bill Status: Senate Agriculture
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Bill Topic: AGRICULTURE MOTOR VEHICLE PORT OF ENTRY

Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue (<i>minimal</i>) <input checked="" type="checkbox"/> State Expenditure (<i>minimal/potential</i>) <input type="checkbox"/> State Transfer	<input type="checkbox"/> TABOR Refund <input checked="" type="checkbox"/> Local Government (<i>minimal</i>) <input type="checkbox"/> Statutory Public Entity
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This bill exempts certain vehicles carrying only agricultural products from stopping at a port of entry. It minimally decreases state and local revenue, and impacts state workload beginning in FY 2018-19.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

Under current law, motor vehicles with an empty weight of 16,000 or more pounds, or a vehicle that weighs 26,001 or more pounds fully loaded, must clear any port of entry within 5 miles of its route. This bill exempts motor vehicles hauling only agricultural products from this requirement.

Background

Ports of entry - Department of Public Safety. The Colorado State Patrol within the Department of Public Safety (DPS) runs the state's ten port of entry locations, which regulate commercial vehicles on major highways. Port of entry weigh stations determine if commercial vehicles have violated weight limits and issue the bulk of citations related to weight limit violations.

Federal funding. To be eligible for certain grant funding from the Federal Highway Administration (FHWA), Colorado must adequately enforce vehicle size and weight regulations on the highway system. Ports of Entry are the primary point of size and weight enforcement in Colorado. The Colorado State Patrol (CSP) within the Department of Public Safety (DPS) recently applied for \$4.5 million in grant funds from the FHWA.

State Revenue

Beginning in FY 2018-19, this bill may decrease state fee and fine revenue, as described below.

Fine revenue. To the extent that fewer penalties are assessed for overweight vehicle violations, revenue will decrease to the Department of Revenue (DOR). Citations written by state patrol are paid directly to the DOR, and this revenue is credited to the Commercial Vehicle Enterprise Tax Fund.

Fee revenue. To the extent that fewer vehicles go through ports of entry due to the agricultural exemption in this bill, revenue from the sale of permits may decrease from the DPS. For example, farm trucks exempt from apportioned registration fees may purchase a temporary commercial registration for agricultural harvest operations in Colorado (Harvest Permit). The fee for this permit ranges between \$60 to \$200, depending on the number of axles.

State Expenditures

This bill increases workload and potentially decreases expenditures beginning in FY 2018-19, as described below.

Department of Public Safety. In FY 2018-19 only, this bill will create a minimal workload increase in the DPS to modify rules, forms, manuals, and websites to reflect any changes in required in this bill. Workload will also increase to train port of entry staff. These workload impacts can be accomplished within existing appropriations. Additionally, workload may decrease for the Colorado State Patrol in the DPS to the extent that fewer vehicles go through ports of entry.

Federal funding. In future fiscal years, if the FHWA determines that the state is out of compliance with federal size and weight restrictions as a result of this bill, expenditure decreases of federal funds would occur in DPS and the Colorado Department of Transportation.

Local Government

Similar to the state, local governments that receive portions of revenue collected at ports of entry, including specific ownership tax revenue, may see a reduction in those revenues.

Effective Date

The bill takes effect August 8, 2018, if the General Assembly adjourns on May 9, 2018, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Agriculture
Local Affairs
Revenue

Counties
Municipalities
Transportation

Information Technology
Public Safety