



**Report to the  
Colorado General Assembly**

**Transportation Legislation  
Review Committee**

*Prepared by*

*The Colorado Legislative Council  
Research Publication No. 617  
December 2012*

# **Transportation Legislation Review Committee**

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***December 2012***

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December 2012

To Members of the Sixty-eighth General Assembly:

Submitted herewith is the final report of the Transportation Legislation Review Committee. This committee was created pursuant to Section 43-2-145, Colorado Revised Statutes. The primary purpose of this committee is to give guidance and direction to the state Department of Transportation in the development of the state transportation system, and to provide legislative overview of and input into such development.

At its meeting on October 15, 2012, the Legislative Council reviewed the report of this committee. A motion to forward this report and the bills therein for consideration in the 2013 session was approved.

Sincerely,

/s/ Representative Frank McNulty  
Chairman

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*This report is also available online at:*

*<http://www.colorado.gov/lcs/TLRC>*

## Committee Charge

The Transportation Legislation Review Committee (TLRC) is comprised of the 18 members of the House Transportation Committee and the Senate Transportation Committee. The TLRC is granted statutory oversight responsibilities for certain activities of the Colorado Department of Transportation, rural transportation authorities, public highway authorities, and the Regional Transportation District. In addition, the TLRC monitors the activities of the Colorado Department of Revenue relating to the regulation of motor vehicles and driver control, the impact of Colorado's transportation system on air quality, and the effect of traffic law enforcement on transportation in the state.

**Colorado Department of Transportation.** Section 43-2-145 (1), C.R.S., authorizes the TLRC to:

- give guidance and direction to Colorado Department of Transportation (CDOT) in the development of the state transportation system;
- provide legislative oversight of and input into such development;
- make recommendations concerning the financing of the state transportation system;
- review any phase of CDOT operations, including the planning and construction of highway projects;
- review such projects upon completion to determine whether a project was completed in the most cost-effective and efficient manner;
- require CDOT to conduct long-term planning efforts for the state transportation system and may require financial and performance audits to be conducted; and
- recommend legislation to the General Assembly and Governor resulting from these oversight responsibilities.

**Colorado Department of Revenue.** The oversight responsibilities of the TLRC include certain activities of the Colorado Department of Revenue (DOR), including driver licensing and registration and titling of motor vehicles. The TLRC's purview includes oversight of any state department or agency that administers laws related to traffic regulation or penalties imposed for traffic law violations.

**Regional transportation authorities.** The TLRC is granted the authority to review the operations of regional transportation authorities in Colorado, including the planning and construction of regional transportation systems (Section 43-2-145 (1.9), C.R.S.). The TLRC may review the authorities' projects to ensure completion in the most cost-effective and efficient manner. The TLRC is authorized to require long-range planning by regional transportation authorities, and may require financial and performance audits of these entities as well.

**Public highway authorities.** The TLRC is authorized to review the operations of public highway authorities in the state, including the planning and construction of public highway projects by these authorities (Section 43-2-145 (1.5), C.R.S.). The TLRC may review public highway authority projects upon completion to ensure that they were constructed in the most cost-effective and efficient manner. The TLRC may also require public highway authorities to develop long-range plans, and may require financial or performance audits of these entities.



**Regional Transportation District.** The Regional Transportation District (RTD) is authorized to contract up to 58 percent of its transportation services to private businesses through competitive bidding. RTD must ensure that these companies meet certain standards relating to experience, safety records, and financial responsibility. The TLRC is required to monitor RTD's implementation of this statutory requirement and recommend any necessary changes to the General Assembly (Section 32-9-119.5 (8)(a), C.R.S.). RTD is also required to ensure that at least 30 percent of its operating costs are funded by farebox revenues, and must prepare its annual budget based on this percentage (Section 32-9-119.7 (3), C.R.S.). In this regard, RTD is required to submit to the TLRC any information, data, testimony, or audits that the committee may request.

## Committee Activities

The TLRC held four meetings pertaining to transportation during the 2012 interim. Briefings and presentations were made by state departments, transit authorities, public highway authorities, and transportation industry associations on a wide range of subjects, including:

- highways and toll roads;
- ports of entry;
- the motor carrier industry;
- the aviation industry;
- public transit and rail;
- motor vehicles, driver's licenses and special license plates;
- the Public Utilities Commission; and
- other transportation-specific issues.

Staff from the Joint Budget Committee (JBC) prepared and presented information about "off-the-top" appropriations from the Highway Users Tax Fund (HUTF).

The following subsections discuss the TLRC's activities in the 2012 interim.

### Highways and Toll Roads

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**Colorado Department of Transportation.** The committee heard testimony from the CDOT regarding projects planned for interstate corridors. CDOT is working to revise the Draft Environmental Impact Statement for I-70 East to include a partially covered/lowered alternative near the mousetrap. On I-70 West, where a feasibility study deemed zipper lanes unsuitable, construction is scheduled to begin in December 2012 to widen the eastbound tunnel and interstate between Idaho Springs and Floyd Hill. The \$44 million dollar "Twin Tunnels" project received \$15 million from a federal Transportation Investment Generating Economic Recovery (TIGER) grant while the rest of the funding came from the Denver Regional Council of Governments and local governments. A variety of other projects for interstate corridors were discussed, including projects on I-25, U.S. 36, I-225, and the S.H. 82 Grand Avenue Bridge in Glenwood Springs. Inflation, funding sources, tolls, and federal legislation, including the new federal highway authorization bill – Moving Ahead for Progress in the 21st Century (MAP-21) – were also discussed. Committee members heard about fuel taxes, particularly the taxes owed by owners of alternative fuel vehicles, such as electric and compressed natural gas vehicles.



**Committee recommendations.** Following comments about cash fund balances and the number of incomplete transportation projects around the state, the committee prepared and approved a letter to CDOT expressing its support of CDOT and recommending an expedited use of available funds.

In addition, the committee considered, but did not approve, Draft Bill 2. The bill would have allocated a portion of future state sales and use tax net revenue growth toward improvements to state highways, county roads, and municipal streets.

**E-470 Authority.** E-470 Public Highway Authority representatives discussed 2012 figures, which estimate 55 million toll transactions and \$114 million in revenue for the year on 311 lane miles. Of these toll transactions, nearly three-fourths were paid using EXpress Toll, of which there are now 416,300 accounts using 816,700 transponders. Rates, billing objectives, and billing timelines were discussed in detail. Current initiatives at the E-470 PHA include: customer-driven management and social media; reconstruction of the segment between Parker and Toll Plaza A; expansion of road surveillance cameras; High Performance Transportation Enterprise (HPTE) tolling support on U.S. 36 and I-25 North; sticker tag transponder rollout; a new website; solar energy initiative; plaza redevelopment planning; wrong way driver prevention; rating agency confirmations; and coordination with the Division of Motor Vehicles on temporary license tags.

**Northwest Parkway Public Highway Authority.** The committee heard testimony from the Northwest Parkway Public Highway Authority, established in 1999 to build an 8.9 mile toll road connecting I-25 to U.S. 36. Toll collection on the road began January 2004. The privately funded highway was initially financed through user fee revenue bonds; since November 2007, Brisa Auto-Estradas S.A. ("Brisa") holds 100 percent of the Concession Lease Agreement. The Northwest Parkway collected over \$11 million in toll revenues in 2011. In addition to accepting Express Toll, the Northwest Parkway created and accepts the automated GO-PASS payment system at their cash-less tolls. Currently, the Northwest Parkway Concession is working on the possibility of extending the parkway 2.3 miles west to S.H. 128, which, together with the Jefferson Parkway, would complete the beltway around the Denver metropolitan area.

**Jefferson Parkway Public Highway Authority.** A Jefferson Parkway Public Highway Authority representative discussed the history of the organization; its efforts to foster a public-private partnership which would finance, design, build, operate, and maintain a 20-mile parkway to connect the Northwest Parkway to C-470; and challenges it faces, particularly in terms of land acquisition and land exchange.

## **Ports of Entry**

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Staff from the Department of Revenue (DOR) and the Colorado State Patrol (CSP) provided brief updates on the progress of the transfer of the ports of entry from the DOR to the CSP, pursuant to House Bill 12-1019, which took effect July 1, 2012. Representatives noted that the transfer has gone relatively smoothly. CSP representatives testified that efforts will continue to be made to monitor the integration of the ports of entry within CSP, to ensure the collection of revenue is consistent with DOR, and to train staff on an ongoing basis. Additionally, the CSP is looking at opportunities to co-locate state offices, upgrade technology, and foster stakeholder outreach.



## **Motor Carrier Industry**

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Representatives of the Colorado Motor Carriers Association and Western State Transportation Alliance presented information on employment and the safety of the trucking industry. The panel noted that: trucks transported more than 7.7 billion tons of freight in 2011; 17,330 trucking companies in Colorado employed almost 90,000 in 2011; and, in 2009, the trucking industry paid \$402 million, or 36 percent, of Colorado's federal and state roadway taxes and fees. Representatives discussed issues and concerns facing the trucking industry in Colorado, including truck driver shortages, state taxes and fees, road safety, and the non-uniformity of laws and regulations.

Industry representatives proposed several ideas to improve the safety and success of the trucking industry, including: requiring noncommercial vehicles to have adequate snow tires and/or traction devices for inclement weather conditions; increasing penalties for drivers of noncompliant vehicles; recruiting and training programs for new truck drivers; modifying the tax and fee structure – in particular as it relates to the specific ownership tax (SOT) for commercial vehicles; and increasing the gas tax to pay for road improvements.

## **Aviation, Public Transit, and Rail**

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**Aviation.** The committee heard from representatives of Denver International Airport (DIA), Centennial Airport, and CDOT's Division of Aeronautics about operations and economic impacts, passenger traffic, and airspace capacity at Colorado's airports. Statewide aviation projects were also discussed, including the state's Mountain Radar surveillance project and the federal NextGen project, which uses satellite and GPS technology in place of radar to manage airspace.

**Public transit and rail.** The committee heard testimony from CDOT's Division of Transit and Rail about the completion of the Colorado Passenger and Freight Rail Plan. Also discussed were the Interregional Connectivity Study, which was initiated to evaluate passenger rail from Fort Collins to Pueblo, and the I-70 Mountain Corridor Advanced Guideway System (AGS) Feasibility Study.

The RTD provided testimony on ridership, cost recoveries, and revenue. In 2011, RTD had 98.3 million passengers, 325,900 average weekly boardings, 1,535 rolling stock vehicles, 148 scheduled bus routes, 9,698 bus stops, 35 light rail track miles, 74 Park-n-Rides, and over 2,500 employees. Information was also provided on the FasTracks project, which has \$4.2 billion in projects currently under contract or under construction. The project will add to the state's transit infrastructure 93.4 miles of commuter rail, 28.2 miles of light rail, 18 miles of bus rapid transit, 31 new Park-n-Rides with over 21,000 parking spaces, and a redeveloped Denver Union Station. Funding, construction, and completion time frames pertaining to FasTracks were also discussed.





## **Vehicles, Driver's Licenses, and Special License Plates**

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### **Vehicles**

**Motor vehicles.** Representatives from the DOR presented 2011 statistical information to the committee pertaining to titles and registration. There are currently 5.3 million registered vehicles in the state. In 2011, 1.5 million title applications were received, raising almost \$1 billion in revenue for the HUTF through the program. The motor vehicle emissions inspection program saw 1.1 million vehicles in 2011 at 83 testing stations, creating \$7.9 million in revenue for the HUTF Air Account.

**Alternative fuel vehicles.** The DOR titles and registers motor vehicles capturing 18 fuel types – nine single fuel types and nine dual fuel types – 16 of which are considered alternative fuel vehicles. As of July 2012, there were over 50,000 cars registered as alternative fuel vehicles, with four-fifths of those vehicles categorized as electric/gas. There are currently 125 low-speed electric vehicles registered. All but the electric and "other" vehicle categories require emissions testing.

**Committee recommendation.** As a result of this discussion, the committee recommends Bill B, which expands the Department of Public Administration's (DPA) use of alternative fuel vehicles and requires DPA to report on its fleet in connection with fuel types.

### **Driver's Licenses**

The committee heard testimony from the DOR about a 15 percent increase in the number of driver's licenses issued for a total of 3.6 million active licenses. In the continuing effort to improve wait times at DMV offices, the Waitless appointment scheduling project was implemented in the Anthmar and Lakewood offices, with the intent to expand the program to 11 additional offices in the Denver metropolitan area in the near future. The committee discussed the need to expand the Waitless project beyond the Denver metropolitan area. The DOR discussed their efforts with the Department of Corrections (DOC) to ensure that persons leaving DOC custody can obtain a driver's license or state identification card through the Offender ID LEAN project. Finally, the committee discussed fees charged to a member of the armed services for the branch-of-service identifier on a Colorado driver's license or state identification card.

**Committee recommendation.** As a result of this testimony and discussion, the committee recommends Bill F, which repeals the fee for a branch-of-service identifier.

### **Special License Plates**

The DOR presented information on special license plates, including a review of the application process, existing and retired plate types, and the state's plans to move towards a print-on-demand system to assist county offices in managing license plate inventories. In 2012, there were 82 special license plate types registered to just over 600,000 vehicles, with seven new special license plates available January 1, 2013. According to DOR representatives, of these special license plates, only six special license plates have reached 3,000 since their creation: Breast Cancer, Broncos Charities, Support the Troops, Share the Road, Ski Country USA, and Adopt a Shelter Pet. DOR is working to develop the print-on-demand model with County Clerks, DOC, and OIT.



**Committee recommendation.** As a result of this testimony and discussion, the committee recommends:

Bill C, which proposes to add a statement on the notice of vehicle registration regarding the penalty for failure to register a vehicle consistent with the actual statutory penalty, and also repeals statutory provisions for two retired special license plates; and

Bill G, which proposes to limit the number of unique alumni, designer, military, or group special license plate designs to 96.

## **Public Utilities Commission (PUC)**

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**Public Utilities Commission (PUC) regulation of motor carriers.** The committee heard testimony on federal reporting requirements and legislation modifying the funding of the PUC's Safety Oversight Program, as well as on the implementation of House Bill 12-1327, which repealed the requirement that a towing carrier maintain a \$50,000 surety bond to pay a civil penalty assessed against it by the PUC.

**Committee recommendation.** As a result of this testimony and discussion, the committee recommends Bill H, which aligns state and federal law to prohibit the PUC from collecting fees for rail fixed guideway system safety from entities that PUC regulates.

## **Other Policy Areas**

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The committee heard testimony on a number of other topics including the collection of special ownership tax (SOT) on special mobile machinery (SMM), the Transportation Commission, definitions for alternative fuel vehicles, penalties for driving while under the influence of marijuana, and the Waste Tire Recycling Program administered by the Department of Public Health and Environment.

**Committee recommendations.** As a result of this testimony and discussion, the committee recommends:

Bill A, which proposes to add two at-large members to the Transportation Commission; and

Bill E, which would direct the DOR to set up an electronic system to receive tax reports filed by owners of SMM.

The committee also proposed Bill D, which would have expanded the "DUI per se" statute to include driving while a driver's blood contains five nanograms or more of delta 9-tetrahydrocannabinol per milliliter of whole blood. The bill was not approved by Legislative Council at their meeting on October 15, 2012.



## Summary of Recommendations

As a result of the committee's activities, eight bills were recommended to the Legislative Council for consideration during the 2013 Legislative Session. The Legislative Council approved seven of the TLRC's recommended bills for introduction. The bills are described below.

Bill D, which proposed to expand the "DUI per se" statute to include driving while a driver's blood contains five nanograms or more of delta 9-tetrahydrocannabinol per milliliter of whole blood, was not approved by Legislative Council.

### **Bill A — Add Two At-Large Members to Transportation Commission**

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Bill A adds two at-large members to the Transportation Commission. Under current law, the commission has 11 members representing each transportation district. The two additional at-large members proposed under this bill are appointed by the Governor. One at-large member must reside on the western slope, and the other must reside on the eastern slope. The terms of the at-large members begin on July 1, 2013, and last for four years, but the first term of the western slope at-large member expires July 1, 2015.

### **Bill B — Report on Alternative Fuel Fleet Vehicles**

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Under current law, the DPA is required to purchase compressed natural gas (CNG) vehicles if the life cycle or base cost of the vehicle does not exceed ten percent over the cost of a dedicated petroleum vehicle. This bill expands the requirement to include vehicles using other alternative fuels in addition to CNG.

In addition, under this bill, DPA must provide a report to the General Assembly that includes the number of CNG and other alternative fuel vehicles purchased by DPA since 2008, and the number of dedicated petroleum vehicles purchased since 2008 instead of CNG and alternative fuel vehicles. The report must also address a number of policy decisions DPA is taking regarding CNG and alternative fuel vehicles. The report is due March 1, 2013.

### **Bill C — Vehicle Registration Penalty Statement and Repeal Specialty Plates**

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Bill C changes the penalty stated on the notice for motor vehicle registration for failure to register a vehicle from \$100 to \$500 to align with the actual statutory penalty. The bill also eliminates the U.S. Olympic Committee and Colorado Foundation for Agriculture and Natural Resources specialty plates.

### **Bill E — Ownership Tax Rental Mobile Machinery Electronic**

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Bill E allows fleet owners of special mobile machinery to file or report electronically with the DOR. The bill also allows such fleet owners to pay specific ownership tax directly to the DOR, as opposed to the county clerks where each fleet vehicle operates.



### **Bill F — Repeal Branch of Service Identifier Fee**

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Bill F eliminates the fee charged to a member or veteran of the armed services to have a military service branch identifier affixed to his or her driver's license or state-issued identification card. Currently, the identifier requires payment of a \$15 fee, which is credited toward the cost of creating the identifier and the HUTF.

### **Bill G — Vehicle Special License Plate Limit**

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Bill G limits the number of special license plates to 96 available plate types.

### **Bill H — PUC Oversight of Rail Fixed Guideway Systems**

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Bill H aligns state and federal law to prohibit the PUC from charging fees to cover the oversight and administration of rail fixed guideway system safety. The PUC may still expend funds from the Public Utilities Fixed Utility Fund to cover administrative expenses.



## Resource Materials

Meeting summaries are prepared for each meeting of the committee and contain all handouts provided to the committee. The summaries of meetings and attachments are available at the Colorado State Archives, 1313 Sherman Street, Denver (303-866-2055). The listing below contains the dates of committee meetings and the topics discussed at those meetings. Meeting summaries are also available on our website at:

<http://www.colorado.gov/lcs/TLRC>

### Meeting Date and Topics Discussed

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July 20, 2012

- ◆ Presentation by the Colorado Department of Transportation
- ◆ Presentation by the Colorado Motor Carriers Association
- ◆ Presentation by the Department of Revenue
- ◆ Presentation by the Colorado State Patrol

August 10, 2012

- ◆ Presentation by the Regional Transportation District
- ◆ Presentation by three public highway authorities
- ◆ Presentation by the Public Utilities Commission
- ◆ Presentation by the Department of Public Health and Environment

August 21, 2012

- ◆ Presentation regarding the Highway Users Tax Fund
- ◆ Presentation by the Public Utilities Commission
- ◆ Presentation by the aviation industry
- ◆ Discussion of proposed legislation

September 14, 2012

- ◆ Discussion and approval of draft legislation



**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**BILL A**

LLS NO. 13-0066 Jason Gelender x4330

**HOUSE BILL**

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**HOUSE SPONSORSHIP**

**Priola**, Barker, Brown, Ramirez, Scott

**SENATE SPONSORSHIP**

**King S.**,

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**House Committees**

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE ADDITION OF TWO AT-LARGE MEMBERS TO THE**  
102             **TRANSPORTATION COMMISSION.**

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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://www.leg.state.co.us/billsummaries>.)*

**Transportation Legislation Review Committee.** The transportation commission currently consists of 11 members appointed by the governor, each of whom represents a single transportation district. The bill adds 2 at-large members appointed by the governor, each of whom represents the entire state, to the commission. One of the at-large

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*

DRAFT     *Dashes through the words indicate deletions from existing statute.*

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members must reside on the western slope and the other must reside on the eastern slope. The at-large members serve 4-year terms; except that the at-large member who resides on the western slope serves an initial term of 2 years in order to stagger the timing of future appointments.

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

2           **SECTION 1.** In Colorado Revised Statutes, 43-1-106, **amend** (1),  
3 (2) introductory portion, (3), (4) (a), and (6); and **add** (4) (b.5) as follows:

4           **43-1-106. Transportation commission - powers and duties.**

5 (1) There is hereby created a transportation commission, which ~~shall~~  
6 ~~consist of eleven~~ CONSISTS OF THIRTEEN members. ~~The initial members~~  
7 ~~of the commission shall be the members of the state highway commission~~  
8 ~~immediately prior to July 1, 1991, and each such commission member~~  
9 ~~shall continue to represent the same district.~~

10           (2) THE GOVERNOR SHALL APPOINT TO THE COMMISSION TWO  
11 AT-LARGE MEMBERS, ONE OF WHOM MUST RESIDE ON THE WESTERN SLOPE  
12 AND ONE OF WHOM MUST RESIDE ON THE EASTERN SLOPE, AND one  
13 member of the commission shall be appointed by the governor from each  
14 of the following districts:

15           (3) Each district member ~~shall~~ MUST actually reside in the district  
16 he or she represents. ONE AT-LARGE MEMBER MUST ACTUALLY RESIDE ON  
17 THE WESTERN SLOPE, AND ONE AT-LARGE MEMBER MUST ACTUALLY  
18 RESIDE ON THE EASTERN SLOPE, BUT IT IS THE INTENT OF THE GENERAL  
19 ASSEMBLY THAT BOTH AT-LARGE MEMBERS REPRESENT THE ENTIRE STATE  
20 AND FOCUS PRIMARILY ON STATEWIDE TRANSPORTATION NEEDS. If a  
21 district member ceases to reside in the district he or she represents ~~such~~  
22 ~~district~~ OR AN AT-LARGE MEMBER CEASES TO RESIDE ON THE SLOPE FROM  
23 WHICH THE GOVERNOR APPOINTED THE MEMBER, THE member ~~shall be~~ IS

1 deemed to have resigned as a member of the commission.

2 (4) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b.5) OF  
3 THIS SUBSECTION (4), each member of the commission shall be appointed  
4 by the governor, with the consent of the senate, for a term of four years.

5 (b.5) THE INITIAL TERMS OF THE AT-LARGE MEMBERS OF THE  
6 COMMISSION BEGIN ON JULY 1, 2013, AND THE INITIAL TERM OF THE  
7 AT-LARGE MEMBER WHO RESIDES ON THE WESTERN SLOPE EXPIRES ON  
8 JULY 1, 2015.

9 (6) The commission shall meet regularly not less than eight times  
10 a year, but ~~special meetings may be called by~~ the governor, the chairman  
11 of the commission, the executive director, or a majority of the members  
12 of the commission MAY CALL SPECIAL MEETINGS on three days' prior  
13 notice by mail or, in case of emergency, on twenty-four hours' notice by  
14 telephone or telegraph. The commission shall adopt rules in relation to its  
15 meetings and the transaction of its business. ~~Six~~ SEVEN members shall  
16 constitute a quorum of the commission. All meetings of the commission,  
17 in any suit or proceedings, ~~shall be~~ ARE presumed to have been duly  
18 called and regularly held, and all orders, rules and regulations, and  
19 proceedings of the commission to have been authorized, unless the  
20 contrary is proved. Each member of the commission shall receive  
21 seventy-five dollars per day for each regular or special meeting of the  
22 commission actually attended and shall be reimbursed for his or her  
23 necessary expenses incurred in the discharge of ~~such~~ THE member's  
24 official duties. Mileage rates shall MUST be computed in accordance with  
25 section 24-9-104, C.R.S.

26 **SECTION 2. Safety clause.** The general assembly hereby finds,



- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**BILL B**

LLS NO. 13-0068.01 Nicole Myers x4326

**SENATE BILL**

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**SENATE SPONSORSHIP**

**Schwartz,**

**HOUSE SPONSORSHIP**

**Scott and Tyler, Fischer, Hamner, Jones, Young**

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**Senate Committees**

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE PURCHASE OF VEHICLES THAT OPERATE ON**  
102             **ALTERNATIVE FUELS FOR THE STATE MOTOR VEHICLE FLEET**  
103             **SYSTEM.**

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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://www.leg.state.co.us/billsummaries>.)*

**Transportation Legislation Review Committee.** Currently, the executive director of the department of personnel (director) is required to purchase motor vehicles that operate on compressed natural gas (CNG) for the state's motor vehicle fleet system, subject to their availability and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters indicate new material to be added to existing statute.*

*DRAFT     Dashes through the words indicate deletions from existing statute.*

15

the availability of adequate fuel and fueling infrastructure. There is an exemption if the increased cost of the vehicle is more than 10% over the cost of a comparable nonflexible fuel vehicle. The bill requires the director to purchase motor vehicles that operate on CNG or other alternative fuels, as currently defined by law, for the state's motor vehicle fleet system if either the increased base cost of such vehicle or the increased life-cycle cost of such vehicle is not more than 10% over the cost of a comparable dedicated petroleum fuel vehicle.

The bill requires the director to submit a report to the transportation committees of the senate and the house of representatives during the 2013 legislative session regarding the purchase of vehicles that operate on CNG and other alternative fuels.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-1104, **amend**  
3 (2) (c) (II) introductory portion; and **add** (2) (c) (V) as follows:

4 **24-30-1104. Central services functions of the department -**  
5 **definitions.** (2) In addition to the county-specific functions set forth in  
6 subsection (1) of this section, the department of personnel shall take such  
7 steps as are necessary to fully implement a central state motor vehicle  
8 fleet system by January 1, 1993. The provisions of the motor vehicle fleet  
9 system created pursuant to this subsection (2) shall apply to the executive  
10 branch of the state of Colorado, its departments, its institutions, and its  
11 agencies; except that the governing board of each institution of higher  
12 education, by formal action of the board, and the Colorado commission  
13 on higher education, by formal action of the commission, may elect to be  
14 exempt from the provisions of this subsection (2) and may obtain a motor  
15 vehicle fleet system independent of the state motor vehicle fleet system.  
16 Under the direction of the executive director, the department of personnel  
17 shall perform the following functions pertaining to the motor vehicle fleet  
18 system throughout the state:

19 (c) (II) By January 1, 2008, the executive director shall adopt a

1 policy to significantly increase the utilization of alternative fuels and that  
2 establishes increasing utilization objectives for each following year. To  
3 encourage compliance with this policy, the rules promulgated pursuant to  
4 this paragraph (c) may establish progressively more stringent percentage  
5 mileposts and, ~~shall~~, for fiscal years commencing after July 1, 2004,  
6 require the collection of data concerning the annual percentage of  
7 state-owned bi-fueled vehicles that were fueled exclusively with an  
8 alternative fuel. For the years commencing on January 1, 2008, and  
9 January 1, 2009, the executive director shall purchase flexible fuel  
10 vehicles or hybrid vehicles, subject to availability, unless the increased  
11 cost of such vehicle is more than ten percent over the cost of a  
12 comparable ~~nonflexible~~ DEDICATED PETROLEUM fuel vehicle. Beginning  
13 on January 1, 2010, the executive director shall purchase motor vehicles  
14 that operate on compressed natural gas OR OTHER ALTERNATIVE FUELS,  
15 subject to their availability and the availability of adequate fuel and  
16 fueling infrastructure, ~~unless~~ IF EITHER the increased base cost of such  
17 vehicle or the increased life-cycle cost of such vehicle is NOT more than  
18 ten percent over the cost of a comparable ~~nonflexible~~ DEDICATED  
19 PETROLEUM fuel vehicle. ~~If the executive director does not purchase a~~  
20 ~~motor vehicle that operates on compressed natural gas because of its cost,~~  
21 ~~he or she shall purchase another type of flexible fuel vehicle or a hybrid~~  
22 ~~vehicle, subject to availability, unless the increased cost of such vehicle~~  
23 ~~is more than ten percent over the cost of a comparable nonflexible fuel~~  
24 ~~vehicle.~~ The executive director shall adopt a policy to allow some  
25 vehicles to be exempted from this requirement. During the ~~second regular~~  
26 ~~session of the sixty-seventh general assembly in 2010~~ FIRST REGULAR  
27 SESSION OF THE SIXTY-NINTH GENERAL ASSEMBLY IN 2013, the executive  
28 director OR THE DIRECTOR'S DESIGNEE shall SUBMIT A report

1 ~~simultaneously to the transportation committee~~ COMMITTEES of the senate  
2 and the ~~transportation and energy committee of the~~ house of  
3 representatives, or any successor committees, detailing the ~~key financial~~  
4 ~~decision points and analysis that led to the executive director's~~  
5 ~~determination to purchase or decline to purchase motor vehicles that~~  
6 ~~operate on natural gas as required by this subparagraph (H)~~ ITEMS  
7 SPECIFIED IN SUBPARAGRAPH (V) OF THIS PARAGRAPH (c). As used in this  
8 subparagraph (II):

9 (V) ON OR BEFORE MARCH 1, 2013, THE EXECUTIVE DIRECTOR OR  
10 THE DIRECTOR'S DESIGNEE SHALL SUBMIT A REPORT TO THE GENERAL  
11 ASSEMBLY AS SPECIFIED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (c).  
12 THE REPORT MUST INCLUDE, BUT NEED NOT BE LIMITED TO, THE  
13 FOLLOWING:

14 (A) THE NUMBER OF VEHICLES THAT THE EXECUTIVE DIRECTOR OR  
15 THE DIRECTOR'S DESIGNEE PURCHASED SINCE JANUARY 1, 2008, FOR THE  
16 MOTOR VEHICLE FLEET SYSTEM THAT OPERATE ON COMPRESSED NATURAL  
17 GAS AND OTHER ALTERNATIVE FUELS;

18 (B) AN ESTIMATE OF THE NUMBER OF DEDICATED PETROLEUM  
19 FUEL VEHICLES THAT THE EXECUTIVE DIRECTOR OR THE DIRECTOR'S  
20 DESIGNEE PURCHASED FOR THE MOTOR VEHICLE FLEET SYSTEM SINCE  
21 JANUARY 1, 2008, INSTEAD OF A VEHICLE THAT OPERATES ON  
22 COMPRESSED NATURAL GAS OR OTHER ALTERNATIVE FUEL BECAUSE THE  
23 BASE COST OR LIFE-CYCLE COST OF THE COMPRESSED NATURAL GAS  
24 VEHICLE OR OTHER ALTERNATIVE FUEL VEHICLE WAS MORE THAN TEN  
25 PERCENT OVER THE COST OF A COMPARABLE DEDICATED PETROLEUM FUEL  
26 VEHICLE;

27 (C) AN EXPLANATION OF THE AVAILABILITY OF ADEQUATE FUEL  
28 AND FUELING INFRASTRUCTURE IN THE STATE FOR COMPRESSED NATURAL

1 GAS VEHICLES AND OTHER ALTERNATIVE FUEL VEHICLES AND WHETHER  
2 LIMITED AVAILABILITY OF FUEL OR FUELING INFRASTRUCTURE  
3 CONTRIBUTES TO THE PURCHASE OF DEDICATED PETROLEUM FUEL  
4 VEHICLES FOR THE MOTOR VEHICLE FLEET SYSTEM INSTEAD OF VEHICLES  
5 THAT OPERATE ON COMPRESSED NATURAL GAS AND OTHER ALTERNATIVE  
6 FUELS;

7 (D) A SUMMARY OF THE POLICY THAT ALLOWS THE EXECUTIVE  
8 DIRECTOR TO EXEMPT SOME VEHICLES FROM THE REQUIREMENT TO  
9 PURCHASE VEHICLES THAT OPERATE ON COMPRESSED NATURAL GAS AND  
10 THE PERCENTAGE OF DEDICATED PETROLEUM FUEL VEHICLES THAT THE  
11 DIRECTOR PURCHASED PURSUANT TO THIS EXEMPTION;

12 (E) A SUMMARY OF THE ADMINISTRATIVE PROCEDURES OR  
13 POLICIES IN PLACE WITHIN THE DEPARTMENT, IF ANY, THAT ARE INTENDED  
14 TO FACILITATE THE PURCHASE OF VEHICLES THAT OPERATE ON  
15 COMPRESSED NATURAL GAS AND OTHER ALTERNATIVE FUELS;

16 (F) THE EXECUTIVE DIRECTOR'S SUGGESTED CHANGES TO THE  
17 REQUIREMENTS AND LIMITATIONS OF SUBPARAGRAPH (II) OF THIS  
18 PARAGRAPH (c) OR OTHER STATE LAW THAT WOULD FACILITATE THE  
19 GRADUAL CONVERSION OF THE MOTOR VEHICLE FLEET SYSTEM TO  
20 VEHICLES THAT OPERATE ON COMPRESSED NATURAL GAS AND OTHER  
21 ALTERNATIVE FUELS, ALLOW THE STATE TO ACCOUNT FOR THE BENEFIT OF  
22 REDUCED EMISSIONS FROM VEHICLES THAT OPERATE ON COMPRESSED  
23 NATURAL GAS AND OTHER ALTERNATIVE FUELS IN ITS ANALYSIS  
24 REGARDING THE PURCHASE OF SUCH VEHICLES, AND ENABLE THE  
25 DEPARTMENT TO PROVIDE THE BEST VALUE TO THE STATE IN THE MOTOR  
26 VEHICLE FLEET SYSTEM WHILE PURCHASING VEHICLES THAT OPERATE ON  
27 COMPRESSED NATURAL GAS AND OTHER ALTERNATIVE FUELS; AND

28 (G) A PLAN FOR PUTTING IN PLACE THE INFRASTRUCTURE

1 NECESSARY TO SUPPORT VEHICLES IN THE STATE'S MOTOR VEHICLE FLEET  
2 SYSTEM THAT OPERATE ON COMPRESSED NATURAL GAS AND OTHER  
3 ALTERNATIVE FUELS.

4 **SECTION 2. Safety clause.** The general assembly hereby finds,  
5 determines, and declares that this act is necessary for the immediate  
6 preservation of the public peace, health, and safety.

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**BILL C**

LLS NO. 13-0069.01 Chuck Brackney x2295

**SENATE BILL**

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**SENATE SPONSORSHIP**

**Hudak,**

**HOUSE SPONSORSHIP**

**Young,** Hamner, Priola, Tyler, Williams A.

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**Senate Committees**

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING VEHICLE REGISTRATION.**

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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://www.leg.state.co.us/billssummaries>.)*

**Transportation Legislation Review Committee.** The bill makes the statement on the notice of vehicle registration regarding the penalty for failure to register a vehicle consistent with the actual statutory penalty. The bill also repeals the statutory provisions for 2 retired special license plates.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters indicate new material to be added to existing statute.*

DRAFT *Dashes through the words indicate deletions from existing statute.*

21



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

2 **SECTION 1.** In Colorado Revised Statutes, 42-3-113, **amend** (2)  
3 (d) (III), (2) (e), and (3) as follows:

4 **42-3-113. Records of application and registration.** (2) The  
5 department, upon registering a vehicle, shall issue to the owner a  
6 registration card, which shall contain upon its face the following:

7 (d) A notice, in type that is larger than the other information  
8 contained on the registration card:

9 (III) That the minimum penalty for such offense is a  
10 ~~one-hundred-dollar~~ FIVE-HUNDRED-DOLLAR fine;

11 (e) A notice that Colorado law provides for a ~~thirty-day~~  
12 ONE-MONTH grace period after a registration is due for renewal;

13 (3) A notice for renewal of registration shall include a notice, in  
14 type that is larger than the other information contained in the notice, that  
15 specifies that motor vehicle insurance coverage is compulsory in  
16 Colorado, that noncompliance is a misdemeanor traffic offense, that the  
17 minimum penalty for such offense is a ~~one-hundred-dollar~~  
18 FIVE-HUNDRED-DOLLAR fine, and that the maximum penalty for such  
19 offense is one year's imprisonment and a one-thousand-dollar fine.

20 **SECTION 2.** In Colorado Revised Statutes, **repeal** 42-3-215 as  
21 follows:

22 **42-3-215. Special plates - United States olympic committee -**  
23 **retirement.** (1) ~~The department shall issue one or more sets of olympic~~  
24 ~~committee special license plates to applicants under this section for~~  
25 ~~passenger cars or trucks that do not exceed sixteen thousand pounds~~  
26 ~~empty weight.~~

1           ~~(2) (a) There is hereby established the United States olympic~~  
2 ~~committee special license plate. The department may begin issuance of~~  
3 ~~such license plate when the United States olympic committee has~~  
4 ~~commitments for license plate purchases from at least five hundred~~  
5 ~~persons and provides a list of the names and addresses of such persons to~~  
6 ~~the department.~~

7           ~~(b) The United States olympic committee is responsible for the~~  
8 ~~costs of designing the United States olympic committee special license~~  
9 ~~plate and shall pay such costs before the license plate is produced. The~~  
10 ~~design for the special license plate shall conform with standards~~  
11 ~~established by the department and shall be approved by the department.~~

12           ~~(3) (a) A person may apply for an olympic committee special~~  
13 ~~license plate for a motor vehicle if the person pays the taxes and fees~~  
14 ~~required under this section and provides the department or authorized~~  
15 ~~agent a certificate issued by the committee confirming that such person~~  
16 ~~meets the qualifications for the license plate established by the committee~~  
17 ~~pursuant to paragraph (b) of this subsection (3). The department shall~~  
18 ~~prepare a certificate form to be used by the committee when confirming~~  
19 ~~that a person is eligible to obtain olympic committee special license~~  
20 ~~plates.~~

21           ~~(b) The committee may establish the following qualifications for~~  
22 ~~persons seeking to obtain special license plates under this section:~~

23           ~~(I) Specified levels of contributions to the United States olympic~~  
24 ~~committee; or~~

25           ~~(II) Payment of specified dues, including special dues established~~  
26 ~~for the special license plates. If the olympic committee collects special~~  
27 ~~dues for special license plates, the moneys may be expended only for~~  
28 ~~support of the United States olympic committee program.~~

1           ~~(4) (a) The amount of the taxes and fees for olympic committee~~  
2 ~~special license plates under this section is the same as the amount of the~~  
3 ~~taxes and fees specified for regular motor vehicle license plates plus a~~  
4 ~~one-time fee of twenty-five dollars for each motor vehicle for issuance or~~  
5 ~~replacement of such license plates. The department shall transmit the~~  
6 ~~additional one-time fee to the state treasurer, who shall credit the fee to~~  
7 ~~the highway users tax fund for allocation and expenditure as specified in~~  
8 ~~section 43-4-205 (5.5) (b), C.R.S.~~

9           ~~(b) An applicant may apply for personalized olympic committee~~  
10 ~~special license plates. Upon payment of the additional fee required by~~  
11 ~~section 42-3-211 (6) (a) for personalized license plates, the department~~  
12 ~~may issue such plates if the applicant complies with section 42-3-211. If~~  
13 ~~an applicant has existing personalized license plates for a motor vehicle,~~  
14 ~~the applicant may transfer the combination of letters or numbers to a new~~  
15 ~~set of special license plates for the vehicle upon paying the fee imposed~~  
16 ~~by section 42-3-211 (6) (a) and upon turning such existing plates in to the~~  
17 ~~department as required by the department. A person who has obtained~~  
18 ~~personalized olympic committee special license plates under this~~  
19 ~~paragraph (b) is required to pay the annual fee imposed by section~~  
20 ~~42-3-211 (6) (b) for renewal of such personalized plates. The fees under~~  
21 ~~this paragraph (b) are in addition to all other taxes and fees imposed for~~  
22 ~~the special license plates.~~

23           ~~(5) Special license plates issued under this section shall be~~  
24 ~~renewed in the same manner as other license plates under section~~  
25 ~~42-3-113 or, for personalized plates, under section 42-3-211.~~

26           ~~(6) For the purposes of this section, "committee" means the~~  
27 ~~United States olympic committee.~~

28           ~~(7) The special license plates authorized by this section shall be~~

1 ~~retired unless such plates have been issued for at least three thousand~~  
2 ~~vehicles by July 1, 2007.~~

3 **SECTION 3.** In Colorado Revised Statutes, **repeal** 42-3-216 as  
4 follows:

5 **42-3-216. Special plates - Colorado foundation for agriculture**  
6 **and natural resources - definitions - retirement.** (1) For the purposes  
7 of this section:

8 (a) "Foundation" means the Colorado foundation for agriculture.

9 (b) ~~"Special license plate" means the special agriculture and~~  
10 ~~natural resources license plate.~~

11 (2) ~~The department shall issue one or more sets of special license~~  
12 ~~plates to applicants under this section for passenger cars or trucks that do~~  
13 ~~not exceed sixteen thousand pounds empty weight.~~

14 (3) (a) ~~There is hereby established the special agriculture and~~  
15 ~~natural resources license plate. The department may begin issuance of~~  
16 ~~such special license plate when the foundation has commitments for~~  
17 ~~special license plate purchases for at least two hundred fifty special~~  
18 ~~license plates and provides a list of the names and addresses of persons~~  
19 ~~purchasing such plates to the department.~~

20 (b) ~~The foundation is responsible for the costs of designing the~~  
21 ~~special license plate and shall pay such costs before the license plate is~~  
22 ~~produced. The design for the special license plate shall conform with~~  
23 ~~standards established by the department and shall be approved by the~~  
24 ~~department.~~

25 (4) (a) ~~A person may apply for a special license plate for a motor~~  
26 ~~vehicle if the person pays the taxes and fees required under this section~~  
27 ~~and provides a certificate, issued by the foundation, confirming that such~~  
28 ~~person meets the qualifications for the license plate established by the~~

1 foundation pursuant to paragraph (b) of this subsection (4). The  
2 department shall prepare a certificate form to be used by the foundation  
3 when confirming that a person is eligible to obtain a special license plate.

4 (b) The foundation may establish the following qualifications for  
5 persons seeking to obtain special license plates under this section:

6 (I) Specified levels of contributions to the foundation; or

7 (II) Payment of specified special dues established for the special  
8 license plates. If the foundation collects special dues for special license  
9 plates, the moneys shall be expended only for support of the foundation's  
10 programs.

11 (5) (a) The amount of the taxes and fees for special license plates  
12 under this section is the same as the amount of the taxes and fees  
13 specified for regular motor vehicle license plates plus a one-time fee of  
14 twenty-five dollars for each motor vehicle for issuing or replacing such  
15 license plates. The department shall transmit the additional one-time fee  
16 to the state treasurer, who shall credit the same to the highway users tax  
17 fund for allocation and expenditure as specified in section 43-4-205 (5.5)  
18 (b), C.R.S.

19 (b) An applicant may apply for personalized special license plates.  
20 Upon payment of the additional fee required by section 42-3-211 (6) (a)  
21 for personalized license plates, the department may issue such plates if  
22 the applicant complies with section 42-3-211. If any applicant has  
23 existing personalized license plates for a motor vehicle, the applicant may  
24 transfer the combination of letters or numbers to a new set of special  
25 license plates for the vehicle upon paying the fee imposed by section  
26 42-3-211 (6) (a) and upon turning such existing plates in to the  
27 department as required by the department. Any person who has obtained  
28 personalized special license plates under this paragraph (b) is required to

1 ~~pay the annual fee imposed by section 42-3-211 (6) (b) for renewal of~~  
2 ~~such personalized plates. The fees under this paragraph (b) are in addition~~  
3 ~~to all other taxes and fees imposed for the special license plates.~~

4 ~~(6) Special license plates issued under this section shall be~~  
5 ~~renewed in the same manner as other license plates under section~~  
6 ~~42-3-113 or, for personalized plates, under section 42-3-211.~~

7 ~~(7) The special license plates authorized by this section shall be~~  
8 ~~retired unless such plates have been issued for at least three thousand~~  
9 ~~vehicles by March 1, 2008.~~

10 **SECTION 4. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, and safety.

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**BILL E**

LLS NO. 13-0071.01 Jery Payne x2157

**HOUSE BILL**

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**HOUSE SPONSORSHIP**

**Brown**, Fischer, Priola, Ramirez, Scott, Tyler, Williams A., Young

**SENATE SPONSORSHIP**

**Hudak**

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**House Committees**

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE AUTHORIZATION OF OWNERS OF RENTAL SPECIAL**  
102             **MOBILE MACHINERY TO PAY SPECIFIC OWNERSHIP TAX**  
103             **THROUGH AN ELECTRONIC REPORTING PROCESS.**

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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://www.leg.state.co.us/billsummaries>.)*

**Transportation Legislation Review Committee.** The bill directs the department of revenue to set up an electronic system to receive tax reports filed by the owners of rental special mobile machinery. The

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

DRAFT     Dashes through the words indicate deletions from existing statute.

29

department will make the reports available to the counties and remit the tax to the counties as if it were paid directly to the counties.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-3-107, **amend**  
3 (16) (c) and (16) (d) as follows:

4 **42-3-107. Taxable value of classes of property - rate of tax -**  
5 **when and where payable - department duties - apportionment of tax**  
6 **collections - definitions - rules.** (16) (c) (I) Upon receiving authorization  
7 under paragraph (b) of this subsection (16), the owner shall collect from  
8 the user the specific ownership tax in the amount equivalent to two  
9 percent of the amount of the rental or lease payment.

10 (II) No later than the twentieth day of each month, the owner shall  
11 submit a report, using forms furnished by the department, to the  
12 authorized agent in each county where the equipment is used, together  
13 with the remittance of the taxes collected for the use in the county for the  
14 preceding month. THE OWNER SHALL SIMULTANEOUSLY SUBMIT a copy of  
15 each report ~~shall be submitted simultaneously by the owner~~ to the  
16 department. THIS SUBPARAGRAPH (II) DOES NOT APPLY WHEN MODIFIED  
17 BY SUBPARAGRAPH (III) OF PARAGRAPH (d) OF THIS SUBSECTION (16).

18 (d) (I) ~~Such reports shall be made~~ EXCEPT AS MODIFIED BY  
19 SUBPARAGRAPH (III) OF THIS PARAGRAPH (d), THE OWNER SHALL MAKE  
20 THE REPORT monthly to the department and to the authorized agent in the  
21 county where the equipment is located with a user, even if no specific  
22 ownership taxes were collected by the owner in the previous month.

23 (II) Failure to make such ~~reports~~ REPORT in a period of sixty days  
24 ~~shall be~~ IS grounds for the termination of ~~such~~ THE owner's right to pay  
25 the specific ownership taxes on the owner's Class F personal property in



1 the manner provided under this subsection (16). If the owner fails to remit  
2 specific ownership taxes received from a renter or lessee during such  
3 sixty-day period, the authorized agent may proceed to collect ~~such~~ THE  
4 delinquent taxes in the manner authorized in subsection (21) of this  
5 section.

6 (III) THE DEPARTMENT SHALL ALLOW THE OWNER TO FILE THE  
7 REPORT ELECTRONICALLY WITH THE DEPARTMENT OF REVENUE EITHER BY  
8 ELECTRONIC TRANSMISSION OR BY ELECTRONICALLY READABLE MEDIA AS  
9 DETERMINED BY RULE. IF THE FILING IS MADE UNDER THIS SUBPARAGRAPH  
10 (III), THE OWNER SHALL PAY THE SPECIFIC OWNERSHIP TAX DIRECTLY TO  
11 THE DEPARTMENT OF REVENUE AND NEED NOT FILE WITH OR REMIT  
12 PAYMENT TO THE AUTHORIZED AGENT. THE DEPARTMENT SHALL:

13 (A) MAKE THE INFORMATION IN THE REPORT AVAILABLE TO THE  
14 AUTHORIZED AGENTS IN THE COUNTIES WHERE THE EQUIPMENT IS RENTED  
15 OR USED; AND

16 (B) TRANSMIT THE APPROPRIATE PORTION OF THE COLLECTED TAX  
17 TO EACH COUNTY AS REQUIRED BY THIS SECTION AS IF THE REPORT WERE  
18 NOT FILED ELECTRONICALLY.

19 **SECTION 2. Act subject to petition - effective date.** This act  
20 takes effect at 12:01 a.m. on the day following the expiration of the  
21 ninety-day period after final adjournment of the general assembly; except  
22 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
23 of the state constitution against this act or an item, section, or part of this  
24 act within such period, then the act, item, section, or part will not take  
25 effect unless approved by the people at the general election to be held in  
26 November 2014 and, in such case, will take effect on the date of the  
27 official declaration of the vote thereon by the governor.

First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

BILL F

LLS NO. 13-0074.01 Chuck Brackney x2295

HOUSE BILL

HOUSE SPONSORSHIP

**Young and Hamner**, Barker, Brown, Fischer, Jones, Priola, Ramirez, Scott, Tyler, Williams A.

SENATE SPONSORSHIP

**Hudak and Schwartz**, King

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House Committees

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE REPEAL OF THE FEE FOR THE BRANCH-OF-SERVICE  
102 IDENTIFIER ON CARDS ISSUED BY THE DEPARTMENT OF REVENUE.

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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://www.leg.state.co.us/billsummaries>.)*

**Transportation Legislation Review Committee.** The bill repeals the fee currently charged to a member of the armed services for the branch-of-service identifier on a Colorado driver's license or state identification card.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*

DRAFT *Dashes through the words indicate deletions from existing statute.*

33

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

2           **SECTION 1.** In Colorado Revised Statutes, 42-2-114, **repeal** (10)  
3 (b) (I) as follows:

4           **42-2-114. License issued - fees - repeal.** (10) (b) (I) ~~To be issued~~  
5 ~~a driver's license bearing a branch of service identifier, or to have such~~  
6 ~~license renewed, the applicant shall pay a fee of fifteen dollars to the~~  
7 ~~department, which shall be in addition to any other fee for a driver's~~  
8 ~~license. The department shall transfer the fee to the state treasurer, who~~  
9 ~~shall credit the fee to the highway users tax fund, except as provided in~~  
10 ~~subparagraph (II) of this paragraph (b).~~

11           **SECTION 2.** In Colorado Revised Statutes, 42-2-303, **repeal** (4)  
12 (b) as follows:

13           **42-2-303. Contents of identification card.** (4) (b) ~~To be issued~~  
14 ~~an identification card bearing a branch of service identifier, or to have~~  
15 ~~such license renewed, the applicant shall pay a fee of fifteen dollars to the~~  
16 ~~department, which shall be in addition to any other fee for an~~  
17 ~~identification card. The department shall transfer the fee to the state~~  
18 ~~treasurer, who shall credit the fee to the highway users tax fund.~~

19           **SECTION 3. Act subject to petition - effective date.** This act  
20 takes effect at 12:01 a.m. on the day following the expiration of the  
21 ninety-day period after final adjournment of the general assembly; except  
22 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
23 of the state constitution against this act or an item, section, or part of this  
24 act within such period, then the act, item, section, or part will not take  
25 effect unless approved by the people at the general election to be held in

- 1 November 2014 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.

First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

BILL G

LLS NO. 13-0073.01 Jery Payne x2157

HOUSE BILL

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HOUSE SPONSORSHIP

Scott and Priola, Brown, Fischer

SENATE SPONSORSHIP

(None)

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House Committees

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING A LIMIT ON THE TYPES OF SPECIAL LICENSE PLATES  
102 ENACTED BY STATUTE.

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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://www.leg.state.co.us/billsummaries>.)*

**Transportation Legislation Review Committee.** The bill limits the number of alumni, designer, military, or group special license plates to 96.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

DRAFT Dashes through the words indicate deletions from existing statute.

37

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

2           **SECTION 1.** In Colorado Revised Statutes, 42-3-207, **add** (8) as  
3 follows:

4           **42-3-207. Special plates - rules - new plates - retirement.** (8) IF  
5 THE PASSAGE OF A BILL CREATING A NEW SPECIAL LICENSE PLATE WOULD  
6 RESULT IN MORE THAN NINETY-SIX TYPES OF ALUMNI, DESIGNER,  
7 MILITARY, OR GROUP SPECIAL LICENSE PLATES, A MEMBER OF THE  
8 GENERAL ASSEMBLY SHALL NOT INTRODUCE A BILL OR AMEND THE BILL TO  
9 CREATE A NEW ALUMNI, DESIGNER, MILITARY, OR GROUP SPECIAL LICENSE  
10 PLATE.

11           **SECTION 2. Act subject to petition - effective date.** This act  
12 takes effect at 12:01 a.m. on the day following the expiration of the  
13 ninety-day period after final adjournment of the general assembly; except  
14 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
15 of the state constitution against this act or an item, section, or part of this  
16 act within such period, then the act, item, section, or part will not take  
17 effect unless approved by the people at the general election to be held in  
18 November 2014 and, in such case, will take effect on the date of the  
19 official declaration of the vote thereon by the governor.

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**BILL H**

LLS NO. 13-0075a.01 Nicole Myers x4326

**HOUSE BILL**

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**HOUSE SPONSORSHIP**

**Brown,** Fischer, Priola, Tyler, Williams, A.,

**SENATE SPONSORSHIP**

**Schwartz,**

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**House Committees**

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING MODIFICATIONS TO THE PUBLIC UTILITY COMMISSION'S**  
102 **OVERSIGHT OF RAIL FIXED GUIDEWAY SYSTEM SAFETY.**

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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://www.leg.state.co.us/billsummaries>.)*

**Transportation Legislation Review Committee.** The public utilities commission (commission) is currently required to provide the executive director of the department of revenue with a list of the public utilities subject to its jurisdiction. The bill exempts certain rail fixed guideway systems from inclusion on the list.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters indicate new material to be added to existing statute.*

*DRAFT Dashes through the words indicate deletions from existing statute.*

39

Current law authorizes the commission to establish an oversight program for the safety and security of rail fixed guideway systems pursuant to the federal "Intermodal Surface Transportation Efficiency Act of 1991". In addition, the bill authorizes the commission to establish the oversight program pursuant to the new federal "Moving Ahead for Progress in the 21st Century Act" (new federal Act).

Current law allows the commission to assess fees to cover its administrative costs in connection with the oversight of rail fixed guideway systems. However, the new federal Act prohibits the commission from fixing fees against any rail fixed guideway system that it regulates. To comply with the new federal Act, the bill eliminates the authority of the commission to assess fees to cover administrative expenses and eliminates the requirement that all fees collected be remitted to the state treasurer and credited to the public utilities commission fixed utility fund. In addition, the bill clarifies that the commission may still expend moneys from the public utilities commission fixed utility fund to cover administrative expenses.

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

2           **SECTION 1.** In Colorado Revised Statutes, **amend** 40-2-109 as  
3 follows:

4           **40-2-109. Report to executive director of the department of**  
5 **revenue.** On March 1 of each year, the public utilities commission shall  
6 furnish the executive director of the department of revenue with a list of  
7 those public utilities subject to its jurisdiction, supervision, and regulation  
8 on January 1 of each year, excepting those motor carriers subject to the  
9 passenger-mile tax imposed by sections 42-3-304 to 42-3-306, C.R.S., but  
10 only so long as the cost of regulation of such motor carriers is defrayed  
11 from the proceeds of such passenger-mile tax, AND EXCEPTING THOSE  
12 RAIL FIXED GUIDEWAY SYSTEMS THAT ARE REGULATED BY THE PUBLIC  
13 UTILITIES COMMISSION PURSUANT TO PART 1 OF ARTICLE 18 OF THIS TITLE.

14           **SECTION 2.** In Colorado Revised Statutes, **amend** 40-18-102 as  
15 follows:

16           **40-18-102. Rail fixed guideway system safety oversight**



1 **program - commission may establish.** The commission is authorized to  
2 establish an oversight program for the safety and security of rail fixed  
3 guideway systems in accordance with section 28 of the "Intermodal  
4 Surface Transportation Efficiency Act of 1991", 49 U.S.C. sec. 5330 AND  
5 THE "MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT", 49  
6 U.S.C. SEC. 5329.

7 **SECTION 3.** In Colorado Revised Statutes, **amend** 40-18-105 as  
8 follows:

9 **40-18-105. Calculation and assessment of fees.** At each regular  
10 session, the general assembly shall determine the amounts to be expended  
11 by the commission FROM THE PUBLIC UTILITIES COMMISSION FIXED  
12 UTILITY FUND CREATED IN SECTION 40-2-114 for its administrative  
13 expenses under this article, including any additional FTE that may be  
14 necessary. ~~The commission shall assess fees in amounts that, in the~~  
15 ~~aggregate, equal the administrative expenses. Such fees shall be assessed~~  
16 ~~against the operators of all rail fixed guideway systems operating within~~  
17 ~~the state, and shall be apportioned on the basis of the rail miles of each~~  
18 ~~system in proportion to the total rail miles of all systems. All fees~~  
19 ~~collected under this section shall be remitted to the state treasurer, who~~  
20 ~~shall credit the same to the public utilities commission fixed utility fund~~  
21 ~~created pursuant to section 40-2-114.~~

22 **SECTION 4. Act subject to petition - effective date.** This act  
23 takes effect at 12:01 a.m. on the day following the expiration of the  
24 ninety-day period after final adjournment of the general assembly (August  
25 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a  
26 referendum petition is filed pursuant to section 1 (3) of article V of the  
27 state constitution against this act or an item, section, or part of this act  
28 within such period, then the act, item, section, or part will not take effect

1 unless approved by the people at the general election to be held in  
2 November 2014 and, in such case, will take effect on the date of the  
3 official declaration of the vote thereon by the governor.