



**Colorado
Legislative
Council
Staff**

HB16-1136

**FINAL
FISCAL NOTE**

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-0711
Prime Sponsor(s): Rep. Esgar
Sen. Garcia

Date: May 23, 2016
Bill Status: Postponed Indefinitely
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BILL TOPIC: MULTIPLE CREW MEMBERS REQUIRED FOR FREIGHT TRAINS

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue		
State Expenditures	Minimal workload increase.	
Appropriation Required: None.		
Future Year Impacts: Ongoing minimal workload increase.		

Note: The bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

The bill requires a common carrier engaged in the transportation of freight by railroad (i.e. the freight rail industry) to have at least two crew members aboard freight trains when in motion, with exceptions. The two exceptions to the two crew requirement are: when the train is operated by remote in compliance with Federal Railroad Administration (FRA) rule; and when operated by a hostler, utility employee, or distributed power helper service.

The Public Utilities Commission (PUC) in the Department of Regulatory Agencies (DORA) is required to report annually on the number of violations that occurred under the bill to the Transportation Legislation Review Committee. The report must include the type of cargo the freight train was carrying at the time of violation.

Finally, the bill self-repeals if a federal rule or law mandates the minimum number of crew members required for freight trains. If this condition occurs, the PUC director is required to notify the revisor of statutes.

Background

There are about 15 freight railroads operating in the state currently. Currently, railroads report only their intrastate revenues to the PUC on an annual basis.

State Expenditures

Overall, this bill is expected to minimally increase workload in the PUC in DORA beginning in FY 2016-17.

Public Utilities Commission. The PUC will conduct minor rulemaking in order to require railroads to report the violation information required under the bill. The PUC will also experience a minimal workload increase to meet the reporting requirements under the bill. Finally, the PUC will be required to update its rules to reflect the minimum crew requirement and exceptions outlined in the bill. Overall, the workload impact is expected to be accomplished within existing appropriations.

Effective Date

The bill was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on March 28, 2016.

State and Local Government Contacts

Counties
Municipalities
Revenue

Corrections
Public Safety
Sheriffs

Judicial
Regulatory Agencies
Transportation