



**Colorado  
Legislative  
Council  
Staff**

**HB16-1155**

**FINAL  
FISCAL NOTE**

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

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**Drafting Number:** LLS 16-0480

**Date:** May 23, 2016

**Prime Sponsor(s):** Rep. Saine; Mitsch Bush  
Sen. Sonnenberg

**Bill Status:** Signed into Law

**Fiscal Analyst:** Erin Reynolds (303-866-4146)

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**BILL TOPIC:** CONTROLLED-ACCESS HIGHWAY AS COUNTY PRIMARY ROAD

### Summary of Legislation

The bill allows a county with a population of 250,000 or more to designate a four-lane, controlled-access county highway in an unincorporated county area that intersects with an interstate highway or a U.S. numbered highway as a primary road of the county if the construction begins in 2016. The bill also specifies the respective jurisdiction, control, and duties of local governments with respect to a designated primary road.

Specifically, and similar to the state's authority over state highways, a county has the authority to:

- control highway access;
- establish weight restrictions;
- prohibit signs and banners;
- utilize sewers;
- erect, control, and maintain route markers and directional signs; and
- install, operate, maintain, and control traffic signals, signs, and traffic control devices.

While a municipality is responsible for:

- control of the highway on and beyond the curbs;
- construction and maintenance of underground facilities;
- highway illumination and cleaning;
- regulation and enforcement of traffic and parking; and
- erecting, controlling, and maintaining street signs.

Together, county and municipality may:

- share the cost of new storm sewer facilities, if required; and
- acquire rights-of-way for the highway as mutually agreed upon.

### Local Government Impact

As of writing, only Weld County is expected to designate a primary road, as discussed below. To the extent that other counties designate primary roads, costs will also increase in those counties and potentially in those affected municipalities to address the authority and responsibilities under the bill.

The project in Weld County involves a 24-mile section of Weld County Road 49 (WCR 49), between Interstate 76 to the south and U.S. Highway 34 to the north, in an area of the county where U.S. Highway 85 is currently the main north-south thoroughfare. Weld County and the municipalities nearest to WCR 49 — the Towns of Hudson, Keenesburg, and Kersey — currently have an intergovernmental agreement in place, last updated October 2015, related to an access control plan for WCR 49. Costs for Weld County are expected to increase by \$137 million, paid from severance tax funds and potentially the county's Highway Users Tax Fund distribution, to rebuild, maintain, and control access to WCR 49. The Town of Hudson is the only municipality that has jurisdiction over a small southern portion of WCR 49. Under the bill, Hudson will be obligated to fulfill its responsibilities for that section of WCR 49 as discussed above.

## Effective Date

The bill was signed into law by the Governor on April 22, 2016, and takes effect August 10, 2016, assuming no referendum petition is filed.

## State and Local Government Contacts

Counties  
Law

Municipalities  
Public Safety

Judicial  
Transportation

## Research Note Available

An LCS Research Note for HB16-1155 is available online and through the iLegislate app. Research notes provide additional policy and background information about the bill and summarize action taken by the General Assembly concerning the bill.