



**Colorado
Legislative
Council
Staff**

HB16-1273

**REVISED
FISCAL NOTE**

(replaces fiscal note dated March 9, 2016)

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

Drafting Number: LLS 16-0831
Prime Sponsor(s): Rep. Arndt
Sen. Todd

Date: April 22, 2016
Bill Status: Senate Judiciary
Fiscal Analyst: Erin Reynolds (303-866-4146)

BILL TOPIC: AUTHORIZE PARKING FEES AT CDOT PARKING FACILITIES

Fiscal Impact Summary	FY 2015-2015 <i>(current year)</i>	FY 2016-2017	FY 2017-2018
State Revenue		<u>at least \$6,470</u>	<u>at least \$7,764</u>
Cash Funds		at least 6,470	at least 7,764
State Expenditures	<u>at least \$1,000</u>		
Cash Funds	at least 1,000		
TABOR Impact		at least \$6,470	at least \$7,764
Appropriation Required: None.			
Future Year Impacts: Ongoing revenue and potential expenditure increase.			

Summary of Legislation

The **reengrossed** bill authorizes the Colorado Department of Transportation (CDOT) to issue parking penalties at any CDOT parking facility (Park-n-Rides) to vehicles left in short-term parking spaces for more than 24 hours. CDOT may not begin the short-term parking enforcement program until it has posted signs advising of the prohibition and penalty at all entrances and exits to the parking facility where it intends to enforce short-term parking for at least 90 days prior. CDOT must keep these signs in place as long as it enforces parking at the facility. CDOT must promulgate rules to administer and enforce the program.

The per-day penalty is set as follows:

- *first offense, warning;*
- *second offense, \$20;*
- *third offense, \$50;*
- *subsequent offenses, \$100.*

CDOT must give written notice of the penalty and notify the owner that he or she may request a hearing within 14 days of penalty issuance. A vehicle left unattended in a short-term parking space for more than four days may be subject to the abandoned motor vehicle process.

The Department of Revenue (DOR) must allow, on an as-needed basis, inspection of motor vehicle registration database records to determine motor vehicle ownership.

Finally, CDOT and local governments must consult before establishing zoning, authorization, or contracts for privately owned or managed parking facilities that are accessible from a CDOT parking facility.

Background

Park-n-Rides. CDOT currently operates 27 Park-n-Ride facilities, mostly along the I-25, I-70, and SH 82 corridors. The Regional Transportation District (RTD) currently operates 75 Park-n-Ride facilities in the Denver metro area.

Bulk records search. Under current law, DOR provides a user interface for Colorado motor vehicle registration searches. There is no charge for vehicle records searches performed by CDOT.

State Revenue

State cash revenue from penalties is expected to increase by **at least \$6,470 in FY 2016-17 and at least \$7,764 in FY 2017-18** in the State Highway Fund in CDOT. The fiscal note assumes that CDOT will post signs at one parking facility where long-term parking has been a recent issue — the Harmony Road Park-n-Ride, west of I-25 in Fort Collins. Factoring in the required 90 days notice, revenue in FY 2016-17 has been prorated to account for penalty assessment beginning in one lot in September 2016. To the extent that CDOT exercises its authority to assess penalties on additional parking lots, this amount will increase in future fiscal years.

Assumptions and data. The Harmony Road Park-n-Ride has 243 parking spots. Data from RTD Park-n-Rides shows that every six months 35 percent of parking spaces have a first offense, 9 percent have a second offense, 31 percent have a third offense, and 4 percent have a fourth offense. Additionally, one-quarter of penalties go unpaid.

TABOR Impact

This bill increases state cash fund revenue from fees, which will increase the amount of money required to be refunded under TABOR. TABOR refunds are paid out of the General Fund.

State Expenditures

The bill will increase CDOT expenditures from the continuously appropriated State Highway Fund by **at least \$1,000 in FY 2015-16**. CDOT will print approximately 10 signs at \$100 per sign to notify Harmony Road Park-n-Ride customers of the new penalty assessment in FY 2015-16. To the extent that CDOT adopts a fee or penalty structure at additional Park-n-Rides, it will incur additional signage costs in future fiscal years. In addition, CDOT will use a third-party vendor to handle enforcement, as well as to conduct the hearings required under the bill. The vendor will be paid an estimated \$50,000 per year, which is the amount formerly paid to the City of Fort Collins to handle enforcement. The penalty revenue authorized by the bill is expected to partially offset this cost.

Local Government Impact

To the extent that local governments zone or operate parking facilities that are accessible from CDOT parking facilities, those governments may incur planning and legal workload impacts to consult with CDOT as required under the bill.

In addition, the City of Fort Collins, which currently enforces parking at the Harmony Road Park-n-Ride, will experience a decrease in workload when CDOT's third-party enforcement contractor begins handling enforcement at that parking facility.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Counties
Law
Municipalities
Regional Transportation District
Transportation

Information Technology
Local Affairs
Public Safety
Revenue