



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 18-1296

REVISED FISCAL NOTE

(replaces fiscal note dated April 2, 2018)

Drafting Number: LLS 18-1034 Date: April 6, 2018
Prime Sponsors: Rep. Melton; Everett Bill Status: House Second Reading
Sen. Marble; Moreno Fiscal Analyst: Aaron Carpenter | 303-866-4918
Aaron.Carpenter@state.co.us

Bill Topic: UNATTENDED MOTOR VEHICLES REMOTE STARTER SYSTEMS

Summary of Fiscal Impact:
State Revenue (minimal) TABOR Refund (minimal)
State Expenditure (minimal) Local Government (minimal)
State Transfer Statutory Public Entity

This bill allows a person to leave their car unattended and running if they use a remote starter system or utilize an adequate security measure. Beginning in the current FY 2017-18 the bill will reduce state and local revenue and expenditures by a minimal amount on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The revised fiscal note reflects the introduced bill. The original fiscal note was prepared to a strike-below amendment that was not offered in the House Transportation Committee.

Summary of Legislation

This bill allows a person to leave their car unattended and running if they use a remote starter system or utilizes an adequate security measure. Adequate security measures include:

- using a vehicle that requires a key to move or put the vehicle into gear;
keeping a keyless start fob out of the car; or
using a steering wheel security device.

Comparable Crime and Assumptions

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of the existing crime that creates a new factual basis for the offense. The bill removes the requirement that there be a remote start and adequate security measures for unattended cars left running. Between January 2015 and January 2018, there were 70 cases, an average of 23 cases per year, with at least one conviction of a person leaving their vehicle unattended and running without the use of a remote starter system and adequate security measures. Of those cases, 38 were male; 27 were female; and 5 were unknown. Demographically, 49 cases involved an individual who was Caucasian; 5 were African American; 4 were Hispanic; 1 was Asian; 4 were classified as other; and 7 where race was unknown. It is unknown how many of these infractions occurred because an individual used a remote starter system.

**State Revenue**

The bill is expected to reduce state cash fund revenue by a minimal amount starting in the current FY 2017-18. The penalty for a class B traffic infraction is a fine between \$15 to \$100. Due to the low number of convictions under current law, it is assumed that any reduction in revenue will be minimal. Fine revenue is credited to the Highway Users Tax Fund (HUTF), of which 65 percent is credited to the State Highway Fund within the Department of Transportation, 26 percent is credited to counties, and 9 percent is credited to municipalities.

**TABOR Refund**

This bill reduces state revenue from traffic fines by a minimal amount, which will reduce the amount of money required to be refunded under TABOR for FY 2018-19 and FY 2019-20. A TABOR refund obligation is not expected for the current FY 2017-18. Since the bill minimally reduces the TABOR refund obligation without a corresponding change in General Fund revenue, the amount of money available in the General Fund for the budget will increase by an identical amount.

**State Expenditures**

This bill reduces caseload for the Judicial Department on an ongoing basis starting in the current FY 2017-18. The reduction in caseload is assumed to be minimal and no reduction in appropriations is required.

**Local Government**

Similar to the state, the bill is expected to result in reduced fines and fees to local governments starting in the current FY 2017-18. This includes a minimal reduction in local government HUTF revenue, as well as revenue any resulting from traffic infractions heard in municipal court or the Denver County Court. Workload and expenditures for the local courts is expected to be minimally reduced as a result of the anticipated caseload reduction.

**Effective Date**

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

**State and Local Government Contacts**

Counties	Information Technology	Judicial	Transportation
Municipalities	Public Safety	Revenue	Sheriffs