

# JOINT BUDGET COMMITTEE



## STAFF FIGURE SETTING FY 2024-25

## DEPARTMENT OF TRANSPORTATION

JBC WORKING DOCUMENT - SUBJECT TO CHANGE  
STAFF RECOMMENDATION DOES NOT REPRESENT COMMITTEE DECISION

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## HOW TO USE THIS DOCUMENT

The Department Overview contains a table summarizing the staff recommended incremental changes followed by brief explanations of each incremental change. A similar overview table is provided for each division, but the description of incremental changes is not repeated, since it is available under the Department Overview. More details about the incremental changes are provided in the sections following the Department Overview and the division summary tables.

Decision items, both department-requested items and staff-initiated items, are discussed either in the Decision Items Affecting Multiple Divisions or at the beginning of the most relevant division. Within a section, decision items are listed in the requested priority order, if applicable.

In some of the analysis of decision items in this document, you may see language denoting certain ‘levels of evidence’, e.g. theory-informed, evidence-informed, or proven. For a detailed explanation of what is meant by ‘levels of evidence’, and how those levels of evidence are categorized, please refer to Section 2-3-210 (2), C.R.S.

## DEPARTMENT OVERVIEW

The Colorado Department of Transportation's (CDOT) stated mission is "to provide the best multimodal transportation system for Colorado that most effectively moves people, goods, and information." Despite the broad scope of this mission statement, CDOT's primary responsibility, as measured by dollars expended, is the construction, maintenance, and operation of Colorado's state highway system under the policy direction of the eleven-member Transportation Commission, with additional responsibilities relating to aviation, transit, rail, and other modes of transportation.

CDOT's specific duties include:

- Planning, developing, and coordinating an integrated transportation system, a key component of which is the Statewide Transportation Improvement Program (STIP), a rolling 4-year planning document that identifies statewide transportation projects based on estimated revenues and priorities determined during the statewide planning process;
- Maintenance of the state highway system, including repairing road damage, plowing snow, and applying sand to icy roads;
- Management of the state's highway construction projects;
- Operation of the over 9,100 centerline mile state highway system, including 3,439 bridges and over 28.0 billion miles of vehicle travel;
- Assistance in the development of a statewide, multi-modal transportation system by providing grants and assistance to local transit systems and grants to other multi-modal recipients;
- Development and implementation of safety programs, including education programs, efforts to combat drunk driving, encourage seatbelt use, enforce speed limits, and generally promote highway safety; and
- Maintenance of the statewide aviation system plan, including the provision of technical support to local airports, administering reimbursement of aviation fuel tax revenues and discretionary grants to local airports.
- CDOT staff support to the governor-appointed Transportation Commission as it adopts budgets, establishes policies, and implements Commission decisions.

The Long Bill is a consolidated version of the Transportation Commission's budget. Both the Transportation Commission budget and the Long Bill budget are *revenue allocation budgets*, which show how much revenue CDOT expects to receive in FY 2024-25 and how that revenue will be allocated for use in FY 2024-25 and subsequent years. Projected revenue changes are the primary factor driving the total CDOT Long Bill appropriation from year to year. Revenue is broadly defined; it includes money received from state fuel taxes and registration fees, money from federal sources, *appropriations* from the General Fund and from cash funds that are not controlled by CDOT (such as the Marijuana Tax Cash Fund), *transfers* from the General Fund, and revenue from other state sources. General Fund *appropriations* to CDOT are uncommon. General Fund *transfers* are more frequent and are classified as cash funds because the money is transferred into a CDOT-controlled cash fund. Revenue from General Fund transfers and other state sources are usually not included in the Long Bill because they are not known at the time of Long Bill finalization.

## SUMMARY OF STAFF RECOMMENDATIONS

DEPARTMENT OF TRANSPORTATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION:						
S.B. 23-214 (Long Bill)	\$1,797,535,671	\$500,000	\$958,557,897	\$5,528,096	\$832,949,678	3,327.0
Other legislation	(188,347)	0	(188,347)	0	0	1.5
H.B. 24-1201 (Supplemental Bill)	0	0	0	0	0	0.0
<b>TOTAL</b>	<b>\$1,797,347,324</b>	<b>\$500,000</b>	<b>\$958,369,550</b>	<b>\$5,528,096</b>	<b>\$832,949,678</b>	<b>3,328.5</b>
FY 2024-25 REQUESTED APPROPRIATION:						
<b>Revenue adjustments (FY 2024-25 revenue forecast compared to FY 2023-24 forecast)</b>						
CM&O revenue update	\$147,423,617	\$0	\$130,478,530	\$0	\$16,945,087	0.0
HPTE revenue update	33,897,254	0	33,897,254	0	0	0.0
Fuels Impact Enterprise	15,000,000	0	15,000,000	0	0	0.0
MMOF revenue update	11,257,350	0	11,257,350	0	0	0.0
Bridge & Tunnel Enterprise revenue update	5,835,720	0	5,835,720	0	0	0.0
Air Pollution Enterprise revenue update	2,165,193	0	2,165,193	0	0	0.0
Clean Transit Enterprise revenue update	919,938	0	919,938	0	0	0.0
<b>Total revenue adjustments</b>	<b>\$216,499,072</b>	<b>\$0</b>	<b>\$199,553,985</b>	<b>\$0</b>	<b>\$16,945,087</b>	<b>0.0</b>
<b>FY 2024-25 revenue forecast</b>	<b>\$2,013,846,396</b>	<b>\$500,000</b>	<b>\$1,157,923,535</b>	<b>\$5,528,096</b>	<b>\$849,894,765</b>	<b>3,328.5</b>
<b>Offsetting revenue allocation adjustments</b>						
Other common policy changes in Administration						
Admin impact	\$7,120,946	\$0	\$7,120,946	\$(43)	\$0	0.0
CM&O impact	(7,120,946)	0	(7,120,946)	43	0	0.0
Total-compensation changes in Administration						
Admin impact	2,139,635	0	2,139,635	0	0	0.0
CM&O impact	(2,139,635)	0	(2,139,635)	0	0	0.0
Non-prioritized changes in Administration						
Admin impact	852,831	0	852,831			
CM&O impact	(852,831)		(852,831)			
<b>Total offsetting revenue allocation adjustments</b>						
Admin impact	10,113,412	0	10,113,412	(43)	0	0
CM&O impact	(10,113,412)	0	(10,113,412)	43	0	0
<b>Net impact of offsetting expenditure adjustments</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>Non-offsetting expenditure adjustments</b>						
BA01 CTE Spending authority increase	\$8,231,933	\$0	\$8,231,933	\$0	\$0	0.0
Annualize prior year legislation	41,569	0	41,569	0	0	0.0
Annualize prior year budget actions	(2,000,000)	(500,000)	(1,500,000)	0	0	0.0
<b>Total non-offsetting expenditure adjustments</b>	<b>6,273,502</b>	<b>(500,000)</b>	<b>6,773,502</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL</b>	<b>\$2,020,119,898</b>	<b>\$0</b>	<b>\$1,164,697,037</b>	<b>\$5,528,096</b>	<b>\$849,894,765</b>	<b>3,328.5</b>
<b>INCREASE/(DECREASE)</b>						
Percentage Change	12.4%	(100.0%)	21.5%	0.0%	2.0%	0.0%
<b>FY 2024-25 EXECUTIVE REQUEST</b>	<b>\$2,020,119,898</b>	<b>\$0</b>	<b>\$1,164,697,037</b>	<b>\$5,528,096</b>	<b>\$849,894,765</b>	<b>3,328.5</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

**DESCRIPTION OF INCREMENTAL CHANGES**

The Department is forecasting that its revenue will be \$216.5 million higher in FY 2024-25 than it thought its FY 2023-24 revenue would be in March 2023. The change in CDOT's budget total equals the difference between this year's preliminary forecast of FY 2024-25 revenue and last year's forecast of FY 2023-2024 revenue.

**REVENUE ADJUSTMENTS (FY 2024-25 REVENUE FORECAST COMPARED TO FY 2023-24 FORECAST)**

**CM&O (CONSTRUCTION, MAINTENANCE, AND OPERATIONS) REVENUE UPDATE:** The request reflects an anticipated \$147.4 million net revenue increase for Construction, Maintenance, and Operations.

**HIGH PERFORMANCE TRANSPORTATION ENTERPRISE (HPTE) REVENUE UPDATE:** The request reflects that CDOT's forecast of FY 2024-25 revenues from user fees generated on corridors owned by the Enterprise is up \$33.9 million compared to the previous year due to new tolled lanes coming online.

**FUELS IMPACT ENTERPRISE:** The request reflects Senate Bill 23-280 (Hazardous Material Mitigation) which creates an enterprise and a grant program, among other changes, to address hazardous materials transportation and vehicle emissions. The enterprise will impose a fuels impact reduction fee of up to 0.6125 cents per gallon of fuel on licensed fuel excise tax distributors and licensed fuel distributors. The bill increases state revenue from the new fee on fuel distributors by about \$14.5 million in FY 2023-24 and \$19.5 million in FY 2024-25. The fund is continuously appropriated to the enterprise, and the fund balance is limited to \$15 million.

**MULTIMODAL TRANSPORTATION AND MITIGATION OPTIONS FUND (MMOF) REVENUE UPDATE:** The request includes an increase of \$11.3 million cash funds from the MMOF. Of the revenue to this fund, 85 percent is granted out to local entities and 15 percent is retained by the state. The state portion of MMOF funding is currently allocated to Bustang operations.

**BRIDGE AND TUNNEL ENTERPRISE REVENUE UPDATE:** The request reflects CDOT's current forecast of FY 2024-25 revenues to the Bridge and Tunnel Enterprise. Revenue from bridge safety surcharge fees is up \$5.8 million from the FY 2023-24 estimate in the FY 2023-24 Long Bill due primarily to increases in revenue from the bridge and tunnel impact fee imposed by S.B. 21-260 (Sustainability of the Transportation System).

**AIR POLLUTION ENTERPRISE REVENUE:** The request reflects CDOT estimates that the Nonattainment Area Air Pollution Mitigation Enterprise, created by S.B. 21-260, will collect \$2.2 million more from fees in FY 2024-25 than in FY 2023-24 (its second year of operation).

**CLEAN TRANSIT ENTERPRISE REVENUE:** The request reflects CDOT estimates that the Clean Transit Enterprise, created by S.B. 21-260, will collect \$919,938 more from clean transit retail delivery fees in FY 2024-25 than in FY 2023-24 (its second year of operation).

**OFFSETTING REVENUE ALLOCATION ADJUSTMENTS:**

The request reflects offsetting adjustments that move expenditures from one division of the Long Bill to another without altering the Department total. The FY 2024-25 request includes an increase of \$10.1 million cash funds for Administration, which will be offset by a reduction to Construction, Maintenance, and Operations. These offsetting expenditures include total-compensation and other common policy changes and non-prioritized requests originating in other departments.

**OTHER COMMON POLICY CHANGES IN ADMINISTRATION:** The recommendation allocates \$7,120,946 more to Administration for the following operating common policy adjustments, decreasing revenue for Construction, Maintenance, and Operations by the same amount.

OTHER COMMON POLICY CHANGES IN ADMINISTRATION				
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FTE
Risk management & property adjustment (Admin impact)	\$7,331,911	\$0	\$7,331,911	0.0
Legal services (Admin impact)	284,101	0	284,101	0.0
Workers' compensation (Admin impact)	78,176	0	78,176	0.0
Capitol Complex leased space (Admin impact)	63,449	0	63,449	0.0
Administrative law judge (Admin impact)	8,442	0	8,442	0.0
CORE Operating resources (Admin impact)	(76,060)	0	(76,060)	0.0
Payments to OIT (Admin impact)	(569,073)	0	(569,073)	0.0
<b>TOTAL</b>	<b>\$7,120,946</b>	<b>\$0</b>	<b>\$7,120,946</b>	<b>0.0</b>

**TOTAL-COMPENSATION CHANGES IN ADMINISTRATION:** The recommendation allocates an additional \$2,139,635 to Administration to pay for changes in compensation-related common policies shown below. To pay for the increase, revenue allocated to the CM&O Division is reduced by the same amount.

TOTAL COMPENSATION IN ADMINISTRATION					
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FTE
Total compensation (Admin impact)	\$2,170,060	\$0	\$2,170,060	\$0	0.0
Health, life, dental true-up (CM&O impact)	30,425	0	30,425	0	0.0
Total compensation (CM&O impact)	(2,170,060)	0	(2,170,060)	0	0.0
Health, life, dental true-up (Admin impact)	(30,425)	0	(30,425)	0	0.0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

Note that total compensation common policy adjustments occur in all divisions with employees, but the only adjustments that appear in the Long Bill are the adjustments that move funding into and out of Administration to pay for total compensation.

**NON-PRIORITIZED CHANGES IN ADMINISTRATION:** The recommendation includes an increase of \$852,831 in Administration for non-prioritized changes originating in other departments shown below. Revenue in the CM&O Division will be decreased by the same amount.

NON-PRIORITIZED CHANGES IN ADMINISTRATION					
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FTE
NP3 Central services omnibus (Admin impact)	\$782,735	\$0	\$782,735	\$0	0.0
SWICAP (Admin impact)	60,880	0	60,923	(43)	0.0
NP SWICAP adjustment (Admin impact)	9,216	0	9,216	0	0.0
<b>TOTAL</b>	<b>\$852,831</b>	<b>\$0</b>	<b>\$852,874</b>	<b>(\$43)</b>	<b>0.0</b>

## NON-OFFSETTING EXPENDITURE ADJUSTMENTS

**BA01 CTE SPENDING AUTHORITY INCREASE:** The request includes a total appropriation of \$18.1 million in cash fund spending authority from the Clean Transit Enterprise Cash Fund, which is an increase of \$8.2 million over the request that was submitted on November 1, 2023. The additional spending authority will allow the Clean Transit Enterprise (CTE) to utilize existing fund balance to support electrification of transit by awarding planning and capital grants to public transit agencies in Colorado. This request is ongoing to provide the CTE with sufficient spending authority to fully cover encumbrances until grants are fully spent, which can take up to two full years after the award is made.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The request includes an increase of \$41,569 cash funds to reflect the second year impact of S.B. 23-172 (Protecting Opportunities and Workers' Rights Act).

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The request includes a total reduction of \$2.0 million total funds to reflect the second year impact of prior year budget actions. The reductions include: \$500,000 General Fund to eliminate the appropriation to the Colorado Wildlife Safe Passages Fund and \$1.5 million cash funds from the First Time Drunk Driving Offender Account. Due to declining revenues and increased pressures on funding from drunk driving charges, HB 23-1102 removed CDOT from this revenue stream and directed the Transportation Commission to allocate \$1.5 million to high-visibility enforcement from the State Highway Fund in future years.



## DECISION ITEMS AFFECTING MULTIPLE DECISIONS

### ➔ STAFF-INITIATED REQUEST FOR PERMISSION TO INCORPORATE UPDATED REVENUE FORECAST INFORMATION PRIOR TO LONG BILL INTRODUCTION

The revenue forecast on which the recommendations in this document are based was formulated by CDOT last fall. The Transportation Commission will finalize its FY 2024-25 revenue allocation budget in March, meaning that revenue estimates for the Construction, Maintenance, and Operations Division, the Multimodal Transportation and Mitigation Options Fund, and the five enterprises as reflected in this document will soon be out-of-date.

*STAFF-INITIATED REQUEST:* **Staff requests permission to incorporate updated revenue estimates in the Long Bill.** Revenue forecast adjustments are expected to affect the Construction, Maintenance, and Operations Division, the Bridge and Tunnel Enterprise, the High Performance Transportation Enterprise, and the Air Pollution Enterprise, all of which are continuously appropriated, as well as the Clean Transit Enterprise and the Multimodal Transportation Projects line, which are subject to annual appropriation.

## (1) ADMINISTRATION

This single-line division provides administrative support for the Department. Section 43-1-113 (3)(a), C.R.S., creates the division and Section 43-1-113 (2)(c) (III), C.R.S., specifies that it consists of the expenditures for the salaries and expenses of the following offices:

- Transportation Commission
- Executive Director
- Chief Engineer
- District engineers
- Budget
- Internal audits
- Public relations
- Equal employment
- Accounting
- Administrative services
- Building operations
- Management systems
- Personnel
- Procurement
- Insurance
- Legal
- Central data processing

Statute further requires that the specified Administration expenditures be contained in a single Long Bill line that “shall not be identified by project, program, or district.” This gives CDOT the discretion to move funds within the Administration Division, for example, from personal services to operating, without seeking approval from the General Assembly. Note, however, that CDOT will pay committee-approved amounts for common policies like *Payment to risk management and property funds*. In reality, the JBC has somewhat more control over expenditures than indicated by this statutory statement that the appropriation “not be identified by project, program, or district.” Additionally, Section 43-1-113 (6)(a), C.R.S., limits expenditures of the Administration line item to no more than 5.0 percent of the total CDOT budget.

The following table shows the recommendation for the Division’s one-line Administration appropriation.

ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2023-24 APPROPRIATION</b>						
S.B. 23-214 (Long Bill)	\$44,157,292	\$0	\$44,094,354	\$62,938	\$0	161.0
H.B. 24-1201 (Supplemental Bill)	\$5,568,216	\$0	\$5,568,216	\$0	\$0	0.0
Other legislation	\$88,008	\$0	\$88,008	\$0	\$0	1.5
<b>TOTAL</b>	<b>\$49,813,516</b>	<b>\$0</b>	<b>\$49,750,578</b>	<b>\$62,938</b>	<b>\$0</b>	<b>162.5</b>
<b>FY 2024-25 RECOMMENDED APPROPRIATION</b>						
FY 2023-24 Appropriation	\$49,813,516	\$0	\$49,750,578	\$62,938	\$0	162.5
Other common policy changes in administration	7,120,946	0	7,120,946	0	0	0.0
Total compensation in administration	2,139,635	0	2,139,635	0	0	0.0
Non-prioritized changes in Administration	852,831	0	852,874	(43)	0	0.0
Annualize prior year legislation	41,569	0	41,569	0	0	0.0
Annualize FY 2023-24 supplemental changes in Administration	(5,568,216)	0	(5,568,216)	0	0	0.0
<b>TOTAL</b>	<b>\$54,400,281</b>	<b>\$0</b>	<b>\$54,337,386</b>	<b>\$62,895</b>	<b>\$0</b>	<b>162.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$4,586,765</b>	<b>\$0</b>	<b>\$4,586,808</b>	<b>(\$43)</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	9.2%	0.0%	9.2%	(0.1%)	0.0%	0.0%
<b>FY 2024-25 EXECUTIVE REQUEST</b>	<b>\$54,400,281</b>	<b>\$0</b>	<b>\$54,337,386</b>	<b>\$62,895</b>	<b>\$0</b>	<b>162.5</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

## DECISION ITEMS – ADMINISTRATION (NONE)

The Department did not submit any decision items affecting this division.

## LINE ITEM DETAIL – ADMINISTRATION

This division has a one-line appropriation that covers all costs associated with Administration. The following tables show the components of the changes presented in the preceding table.

ANNUALIZE FY 2023-24 SUPPLEMENTAL CHANGES IN ADMINISTRATION				
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FTE
HB 24-1201 Supplemental Bill (Admin impact)	(\$5,568,216)	\$0	(\$5,568,216)	0.0
<b>TOTAL</b>	<b>(\$5,568,216)</b>	<b>\$0</b>	<b>(\$5,568,216)</b>	<b>0.0</b>

NON-PRIORITIZED CHANGES IN ADMINISTRATION				
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FTE
NP3 Central services omnibus (Admin impact)	\$782,735	\$0	\$782,735	0.0
NP1 SWICAP adjustment (Admin impact)	9,216	0	9,216	0.0
<b>TOTAL</b>	<b>\$791,951</b>	<b>\$0</b>	<b>\$791,951</b>	<b>0.0</b>

OTHER COMMON POLICY CHANGES IN ADMINISTRATION				
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FTE
Risk management & property adjustment (Admin impact)	\$7,331,911	\$0	\$7,331,911	0.0
Legal services (Admin impact)	284,101	0	284,101	0.0
Workers' compensation (Admin impact)	78,176	0	78,176	0.0
Capitol Complex leased space (Admin impact)	63,449	0	63,449	0.0
Administrative law judge (Admin impact)	8,442	0	8,442	0.0
CORE Operating resources (Admin impact)	(76,060)	0	(76,060)	0.0
Payments to OIT (Admin impact)	(569,073)	0	(569,073)	0.0
<b>TOTAL</b>	<b>\$7,120,946</b>	<b>\$0</b>	<b>\$7,120,946</b>	<b>0.0</b>

TOTAL COMPENSATION IN ADMINISTRATION					
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FTE
Total compensation (Admin impact)	\$2,170,060	\$0	\$2,170,060	\$0	0.0
Health, life, dental true-up (CM&O impact)	30,425	0	30,425	0	0.0
Total compensation (CM&O impact)	(2,170,060)	0	(2,170,060)	0	0.0
Health, life, dental true-up (Admin impact)	(30,425)	0	(30,425)	0	0.0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

Note that total compensation common policy adjustments occur in all divisions with employees, but the only adjustments that appear in the Long Bill are the adjustments that move funding into and out of the Administration Division to pay for the total compensation.

This division has a single-line appropriation.

*STATUTORY AUTHORITY:* Section 43-1-113 (2)(a), C.R.S.

*REQUEST:* The Department requests \$54,400,281 total funds and 162.5 FTE.

*RECOMMENDATION:* The staff recommendation is **pending** Committee common policy decisions that are reflected within this line item and shown as a total sum. Staff requests permission to adjust the appropriation for Administration to align with the Committee's final common policy decisions.

## (2) CONSTRUCTION, MAINTENANCE, AND OPERATIONS

The Transportation Commission controls the expenditures of the Construction, Maintenance, and Operations Division; the appropriations are shown in the Long Bill for informational purposes only. The expenditures pay for work performed by CDOT staff and its contracting partners to (1) construct, reconstruct, repair, operate, and maintain the state highway system and keep it in safe working order; (2) provide safety education; (3) pass funding through to other entities such as airports, local governments, and transit providers as formula or discretionary grants; and (4) pay for annual debt service for highway and bridge projects.

CONSTRUCTION, MAINTENANCE, AND OPERATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2023-24 APPROPRIATION</b>						
S.B. 23-214 (Long Bill)	\$1,502,229,477	\$0	\$667,864,641	\$1,415,158	\$832,949,678	3,156.0
H.B. 24-1201 (Supplemental Bill)	(5,568,216)	0	(5,568,216)	0	0	0.0
<b>TOTAL</b>	<b>\$1,496,661,261</b>	<b>\$0</b>	<b>\$662,296,425</b>	<b>\$1,415,158</b>	<b>\$832,949,678</b>	<b>3,156.0</b>
<b>FY 2024-25 RECOMMENDED APPROPRIATION</b>						
FY 2023-24 Appropriation	\$1,496,661,261	\$0	\$662,296,425	\$1,415,158	\$832,949,678	3,156.0
CM&O revenue update	147,423,617	0	130,478,530	0	16,945,087	0.0
Annualize FY 2023-24 supplemental changes in Administration	5,568,216	0	5,568,216	0	0	0.0
Other common policy changes in administration	(7,120,946)	0	(7,120,946)	0	0	0.0
Total compensation in administration	(2,139,635)	0	(2,139,635)	0	0	0.0
Non-prioritized changes in Administration	(852,831)	0	(852,874)	43	0	0.0
<b>TOTAL</b>	<b>\$1,639,539,682</b>	<b>\$0</b>	<b>\$788,229,716</b>	<b>\$1,415,201</b>	<b>\$849,894,765</b>	<b>3,156.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$142,878,421</b>	<b>\$0</b>	<b>\$125,933,291</b>	<b>\$43</b>	<b>\$16,945,087</b>	<b>0.0</b>
Percentage Change	9.5%	0.0%	19.0%	0.0%	2.0%	0.0%
<b>FY 2024-25 EXECUTIVE REQUEST</b>	<b>\$1,639,539,682</b>	<b>\$0</b>	<b>\$788,229,716</b>	<b>\$1,415,201</b>	<b>\$849,894,765</b>	<b>3,156.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### DECISION ITEMS - CONSTRUCTION, MAINTENANCE, AND OPERATIONS (NONE)

The Department did not submit any decision items affecting this division.

### LINE ITEM DETAIL – CONSTRUCTION, OPERATIONS, AND MAINTENANCE

This division has a single-line appropriation.

*STATUTORY AUTHORITY:* Section 43-1-113 (2) (c), C.R.S.

*REQUEST:* The Department requests \$1,639,539,682 total funds and 3,156.0 FTE for the CM&O division. The request reflects an anticipated increase in revenue and an increased need for funds in the Administration Division, which leaves less for CM&O.

*RECOMMENDATION:* **Staff recommends approving the informational appropriation as requested,** with permission to make adjustments for pending common policy decisions that are appropriated in the Administration Division and cause offsetting adjustments in Construction, Maintenance, and Operations.

### (3) STATEWIDE BRIDGE AND TUNNEL ENTERPRISE

This TABOR enterprise is a government-owned business that operates within the Department of Transportation. Created by S.B. 09-108 (Funding Advancements for Surface Transportation and Economic Recovery, also known as FASTER), the Enterprise gets most of its revenue from bridge-safety surcharges on vehicle registrations. Senate Bill 21-260 (Sustainability of the Transportation System) expanded the Enterprise to include tunnels and authorized the imposition of a retail delivery fee and a bridge and tunnel impact fee on diesel fuel.

The Bridge and Tunnel Enterprise rebuilds, repairs, and rehabilitates bridges and tunnels that are rated as being in “poor” condition, functionally obsolete, or structurally deficient. The Enterprise is governed by a board of directors who are also on the Transportation Commission.

Surcharge revenue is deposited directly in the Statewide Bridge and Tunnel Enterprise Special Revenue Fund; it does not pass through the HUTF. The Enterprise can borrow, using the proceeds to pay for bridge and tunnel rebuilding and repair and using its revenue to repay bondholders. The Statewide Bridge Enterprise Special Revenue Fund is continuously appropriated, with expenditure authority assigned to the Bridge Enterprise Board. Thus the amounts shown in the Long Bill are for informational purposes only.

STATEWIDE BRIDGE ENTERPRISE				
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FTE
<b>FY 2023-24 Appropriation</b>				
S.B. 23-214 (Long Bill)	\$152,974,026	\$0	\$152,974,026	1.0
<b>TOTAL</b>	<b>\$152,974,026</b>	<b>\$0</b>	<b>\$152,974,026</b>	<b>1.0</b>
<b>FY 2024-25 RECOMMENDED APPROPRIATION</b>				
FY 2023-24 Appropriation	\$152,974,026	\$0	\$152,974,026	1.0
Bridge & Tunnel revenue update	5,835,720	0	5,835,720	0.0
<b>TOTAL</b>	<b>\$158,809,746</b>	<b>\$0</b>	<b>\$158,809,746</b>	<b>1.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$5,835,720</b>	<b>\$0</b>	<b>\$5,835,720</b>	<b>0.0</b>
Percentage Change	3.8%	0.0%	3.8%	0.0%
<b>FY 2024-25 EXECUTIVE REQUEST</b>				
Request Above/(Below) Recommendation	\$0	\$0	\$0	0.0

### DECISION ITEMS - STATEWIDE BRIDGE AND TUNNEL ENTERPRISE (NONE)

The Department did not submit any decision items affecting this division.

### LINE ITEM DETAIL – STATEWIDE BRIDGE AND TUNNEL ENTERPRISE

This division has a one-line appropriation.

*STATUTORY AUTHORITY:* Section 43-4-805 (5)(g) to 43-4-805 (5)(g.7), C.R.S.

*REQUEST:* The Department requests \$158,809,746 total funds and 1.0 FTE. The request includes an increase of \$5,835,720 cash funds to align with updated revenue projections for FY 2024-25.

*RECOMMENDATION:* **Staff recommends the Committee include the Department's requested informational appropriation in the Long Bill.**



## (4) HIGH PERFORMANCE TRANSPORTATION ENTERPRISE

This TABOR enterprise, also called the HPTE or Colorado Transportation Investment Office (CTIO), is a government-owned business that operates within the Department of Transportation. It was established in Section 43-4-806, C.R.S., by S.B. 09-108 (*Funding Advancements for Surface Transportation and Economic Recovery*, otherwise known as FASTER). The enterprise pursues innovative means of financing and operating surface transportation infrastructure projects, including public-private partnerships, operating concession agreements, user fees (tolls), and design-build contracting. The Enterprise's projected expenditures are shown in the Long Bill for informational purposes only.

HIGH PERFORMANCE TRANSPORTATION ENTERPRISE					
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FTE
<b>FY 2023-24 Appropriation</b>					
S.B. 23-214 (Long Bill)	\$70,220,333	\$0	\$66,170,333	\$4,050,000	9.0
<b>TOTAL</b>	<b>\$70,220,333</b>	<b>\$0</b>	<b>\$66,170,333</b>	<b>\$4,050,000</b>	<b>9.0</b>
<b>FY 2024-25 RECOMMENDED APPROPRIATION</b>					
FY 2023-24 Appropriation	\$70,220,333	\$0	\$66,170,333	\$4,050,000	9.0
HPTE revenue update	33,897,254	0	33,897,254	0	0.0
<b>TOTAL</b>	<b>\$104,117,587</b>		<b>\$100,067,587</b>	<b>\$4,050,000</b>	<b>9.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$33,897,254</b>	<b>\$0</b>	<b>\$33,897,254</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	48.3%	0.0%	51.2%	0.0%	0.0%
<b>FY 2024-25 EXECUTIVE REQUEST</b>					
Request Above/(Below) Recommendation	\$0		\$0	\$0	0.0

### DECISION ITEMS - HIGH PERFORMANCE TRANSPORTATION ENTERPRISE (NONE)

The Department did not submit any decision items affecting this division.

### LINE ITEM DETAIL – HIGH PERFORMANCE TRANSPORTATION ENTERPRISE

This division has a one-line appropriation.

*STATUTORY AUTHORITY:* Section 43-4-806, C.R.S.

*REQUEST:* The Department requests \$104,117,587 total funds and 9.0 FTE. The request includes an increase of \$33.9 million cash funds based on projected revenues to the enterprise for FY 2024-25.

*RECOMMENDATION:* **Staff recommends the Committee include the Department's requested informational appropriation in the Long Bill.**

## (5) SOUTHWEST CHIEF AND FRONT RANGE PASSENGER RAIL COMMISSION

This section of the Long Bill is no longer used after FY 2021-22. Senate Bill 21-238 (Create Front Range Passenger Rail District) repealed the Southwest Chief Commission effective July 1, 2022 and transferred remaining funds to the newly created Front Range Passenger Rail District. The new district is a political subdivision separate from CDOT and Colorado State Government.

## (6) SPECIAL PURPOSE

The Special Purpose Division was created in the FY 2020-21 Long Bill to combine two safety-oriented, single-line divisions: First Time Drunk Driving and Marijuana Impaired Driving. This division also serves as a place to reflect one-time appropriations without adding and deleting new divisions.

SPECIAL PURPOSE				
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FTE
<b>FY 2023-24 Appropriation</b>				
S.B. 23-214 (Long Bill)	\$10,340,320	\$500,000	\$9,840,320	0.0
Other legislation	(125,933)	0	(125,933)	0.0
<b>TOTAL</b>	<b>\$10,214,387</b>	<b>\$500,000</b>	<b>\$9,714,387</b>	<b>0.0</b>
<b>FY 2024-25 RECOMMENDED APPROPRIATION</b>				
FY 2023-24 Appropriation	\$10,214,387	\$500,000	\$9,714,387	0.0
Annualize prior year legislation	(2,000,000)	(500,000)	(1,500,000)	0.0
MMOF revenue update	11,257,350	0	11,257,350	0.0
<b>TOTAL</b>	<b>\$19,471,737</b>	<b>\$0</b>	<b>\$19,471,737</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>				
Percentage Change	90.6%	(100.0%)	100.4%	0.0%
<b>FY 2024-25 EXECUTIVE REQUEST</b>				
Request Above/(Below) Recommendation	\$0	\$0	\$0	0.0

### DECISION ITEMS – SPECIAL PURPOSE (NONE)

The Department did not submit any decision items affecting this division.

### LINE ITEM DETAIL – SPECIAL PURPOSE

#### FIRST TIME DRUNK DRIVING OFFENDER ACCOUNT

The First Time Drunk Driving Offender Account (found in Section 42-2-132 (4)(b)(II)(A), C.R.S.) was created by House Bill 08-1194 as an account within the Highway Users Tax Fund. Its revenue source is a portion of the reinstatement fee paid by motorists whose licenses are suspended, canceled or revoked. Moneys in the account are appropriated annually to the Department in order to supplement the Department's existing programs for enhanced enforcement of the state's driving

under the influence (DUI) laws. The First Time Drunk Driving Offender Account is one of the few parts of the HUTF that is not continuously appropriated.

House Bill 08-1194 requires the Department to conduct twelve high-visibility DUI enforcement episodes annually. Using funds from the First Time Drunk Driving Offender Account and other sources which may include the Law Enforcement Assistance Fund (LEAF) or reappropriated funds from the Department of Public Safety, the Department contracts with local law enforcement agencies to fund overtime expenses for enhanced law enforcement on public highways during certain periods of the year with high incidence of motorists driving under the influence. The enforcement episodes include dates that have a high incidences of impaired driving crashes, such as St. Patrick's Day, 4th of July, and Labor Day. Local law enforcement agencies apply to CDOT to receive funding and participate. Appropriations also pay for advertising to inform the public of upcoming and ongoing enforcement events in an effort to stop individuals from driving impaired in the first place.

While statute still requires the Department to conduct twelve high-visibility enforcement episodes per year, H.B. 23-1102 removed the Department from license reinstatement fees as a fund source. Instead, the Transportation Commission will fund those episodes from the State Highway Fund. As a result, there is no dedicated funding for the First Time Drunk Driving Offender Account beginning in FY 2023-24.

*STATUTORY AUTHORITY:* Section 42-2-132 (4) (b) (II) (A), C.R.S.

*REQUEST:* Based on the changes in H.B. 23-1102, the Department is not requesting any appropriation for this line item for FY 2024-25.

*RECOMMENDATION:* **Staff recommends the Committee approve the Department's request.**

## CO WILDLIFE SAFE PASSAGES FUND

Senate Bill 22-151 created the Colorado Wildlife Safe Passages Fund in the state treasury and transfers \$5 million from the General Fund to the cash fund to support projects by the Department of Transportation (CDOT) that provide safe road crossings for wildlife, and reduce wildlife-vehicle collisions. The fund is continuously appropriated to CDOT for the full range of project needs, including feasibility studies, controlled maintenance, matching federal funds, and administrative and personnel costs. CDOT must consult with Colorado Parks and Wildlife (CPW), the Colorado Wildlife and Transportation Alliance concerning distribution of money from the fund. CDOT must prepare annual reports regarding the total amount spent from the fund, and the amount spent for each project during the prior fiscal year. The FY 2023-24 appropriation also included a one-time appropriation of \$500,000 General Fund into the cash fund.

*STATUTORY AUTHORITY:* Section 43-4-1402, C.R.S.

*REQUEST:* The Department is not requesting an appropriation to the cash fund for FY 2024-25, as the General Fund appropriation in FY 2023-24 was one-time in nature.

*RECOMMENDATION:* **Staff recommends approving this request**

## MARIJUANA IMPAIRED DRIVING PROGRAM

The Marijuana Impaired Driving Program provides CDOT with revenue from the Marijuana Tax Cash Fund that CDOT uses to fund marijuana-impaired driving prevention efforts, including public education campaigns and data collection efforts. One of the best known parts of this program is the Department’s “Drive High, Get a DUI” public awareness campaign.

*STATUTORY AUTHORITY:* Section 39-28.8-501 (2) (b) (IV) (A), C.R.S.

*REQUEST:* The Department requests a continuation of \$950,000 cash funds from the Marijuana Tax Cash Fund. This is a continuation level of funding.

*RECOMMENDATION:* **Staff recommends approving this request.**

SPECIAL PURPOSE, MARIJUANA IMPAIRED DRIVING PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
S.B. 23-214 (Long Bill)	\$950,000	\$0	\$950,000	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$950,000</b>	<b>\$0</b>	<b>\$950,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$950,000	\$0	\$950,000	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$950,000</b>	<b>\$0</b>	<b>\$950,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<b>FY 2024-25 EXECUTIVE REQUEST</b>	<b>\$950,000</b>	<b>\$0</b>	<b>\$950,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

## MULTIMODAL TRANSPORTATION PROJECTS

Senate Bill 18-001 created and funded the Multimodal Transportation Options Fund. The bill added Section 43-4-1102, C.R.S., to statute, which defines multimodal projects to include capital or operating costs for fixed route and on-demand transit, transportation demand management programs, multimodal mobility projects enabled by new technology, multimodal transportation studies, and bicycle or pedestrian projects. Money in the Fund is allocated 85 percent for local multimodal projects and 15 percent for state multimodal projects.

Senate Bill 21-260 updated the fund’s name to the Multimodal Transportation and Mitigation Options Fund (MMOF) and created an ongoing stream of revenue into the fund from retail delivery fees created in Section 43-4-218 (5)(a)(II), C.R.S.

*STATUTORY AUTHORITY:* Section 43-4-1102 and 43-4-1103, C.R.S.

**REQUEST:** The Department requests \$18,521,737 cash funds from the Multimodal Transportation and Mitigation Options Fund. The request includes an increase of \$11.3 million cash funds based on the Department's projections of revenues for FY 2024-25.

**RECOMMENDATION:** Staff recommends the Committee approve the Department's request.

SPECIAL PURPOSE, MULTIMODAL TRANSPORTATION PROJECTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
S.B. 23-214 (Long Bill)	\$7,390,320	\$0	\$7,390,320	\$0	\$0	0.0
Other legislation	(125,933)	0	(125,933)	0	0	0.0
<b>TOTAL</b>	<b>\$7,264,387</b>	<b>\$0</b>	<b>\$7,264,387</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$7,264,387	\$0	\$7,264,387	\$0	\$0	0.0
MMOF revenue update	11,257,350	0	11,257,350	0	0	0.0
<b>TOTAL</b>	<b>\$18,521,737</b>	<b>\$0</b>	<b>\$18,521,737</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$11,257,350</b>	<b>\$0</b>	<b>\$11,257,350</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	155.0%	0.0%	155.0%	0.0%	0.0%	0.0%
<b>FY 2024-25 EXECUTIVE REQUEST</b>	<b>\$18,521,737</b>	<b>\$0</b>	<b>\$18,521,737</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

## (7) NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE

The Nonattainment Area Air Pollution Enterprise was created by S.B. 21-260 to mitigate transportation-related emissions in ozone nonattainment areas by funding projects that reduce traffic or directly reduce air pollution. The Enterprise is governed by a board of seven directors, five of which are appointed by the Governor. The Enterprise is authorized to impose an air pollution mitigation fee on retail deliveries and rides provided by transportation network companies. Money in the Nonattainment Area Air Pollution Mitigation Enterprise Fund is continuously appropriated to the Enterprise.

NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE				
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FTE
<b>FY 2023-24 Appropriation</b>				
S.B. 23-214 (Long Bill)	\$8,481,351	\$0	\$8,481,351	0.0
<b>TOTAL</b>	<b>\$8,481,351</b>	<b>\$0</b>	<b>\$8,481,351</b>	<b>0.0</b>
<b>FY 2024-25 RECOMMENDED APPROPRIATION</b>				
FY 2023-24 Appropriation	\$8,481,351	\$0	\$8,481,351	0.0
Air Pollution Enterprise revenue update	2,165,193	0	2,165,193	0.0
<b>TOTAL</b>	<b>\$10,646,544</b>		<b>\$10,646,544</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$2,165,193</b>	<b>\$0</b>	<b>\$2,165,193</b>	<b>0.0</b>
Percentage Change	25.5%	0.0%	25.5%	0.0%
<b>FY 2024-25 EXECUTIVE REQUEST</b>	<b>\$10,646,544</b>	<b>\$0</b>	<b>\$10,646,544</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0		\$0	0.0

### DECISION ITEMS – NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE (NONE)

The Department did not submit any decision items affecting this division.

### LINE ITEM DETAIL – NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE

This division has a one-line appropriation.

*STATUTORY AUTHORITY:* Section 43-4-1303, C.R.S.

*REQUEST:* The Department requests an informational appropriation of \$10,646,544 to reflect anticipated revenue that will be collected by the Enterprise and available for expenditure in FY 2024-25.

*RECOMMENDATION:* Staff recommends the Committee approve the Department's request for this informational appropriation.

## (8) CLEAN TRANSIT ENTERPRISE

The Clean Transit Enterprise was created by S.B. 21-260 (Sustainability of the Transportation System) to reduce and mitigate the adverse environmental health impacts of air pollution and greenhouse gas emissions produced by motor vehicles used to make retail deliveries by supporting public transit electrification planning efforts, facility upgrades, fleet motor vehicle replacement, and construction and development of electric motor vehicle charging and fueling infrastructure. The Enterprise is governed by a board of nine directors, six of which are appointed by the Governor. The Enterprise is authorized to impose a clean transit retail delivery fee. Money in the Clean Transit Enterprise Fund is subject to annual appropriation by the General Assembly.

CLEAN TRANSIT ENTERPRISE				
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FTE
<b>FY 2023-24 Appropriation</b>				
S.B. 23-214 (Long Bill)	\$9,132,872	\$0	\$9,132,872	0.0
Other legislation	(150,422)	0	(150,422)	0.0
<b>TOTAL</b>	<b>\$8,982,450</b>	<b>\$0</b>	<b>\$8,982,450</b>	<b>0.0</b>
<b>FY 2024-25 RECOMMENDED APPROPRIATION</b>				
FY 2023-24 Appropriation	\$8,982,450	\$0	\$8,982,450	0.0
Clean Transit Enterprise revenue update	919,938	0	919,938	0.0
BA01 CTE Spending authority increase	8,231,933	0	8,231,933	0.0
<b>TOTAL</b>	<b>\$18,134,321</b>		<b>\$18,134,321</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>				
Percentage Change	101.9%	0.0%	101.9%	0.0%
<b>FY 2024-25 EXECUTIVE REQUEST</b>				
Request Above/(Below) Recommendation	\$0		\$0	0.0

### DECISION ITEMS – CLEAN TRANSIT ENTERPRISE (NONE)

The Department did not submit any decision items affecting this division.

### LINE ITEM DETAIL – CLEAN TRANSIT ENTERPRISE

This division has a one-line appropriation.

*STATUTORY AUTHORITY:* Section 43-4-1203, C.R.S.

*REQUEST:* The Department requests an appropriation of \$18,134,321 to reflect anticipated revenue that will be collected by the Enterprise and available for expenditure in FY 2024-25.

*RECOMMENDATION:* **Staff recommends the Committee approve the Department's request.**

## (9) FUELS IMPACT ENTERPRISE

The Fuels Impact Enterprise was created by S.B. 23-280 (Hazardous Material Mitigation) which consists of fuels impact reduction fee revenue, any federal money received by the enterprise, and any gifts, grants, or donations. The fund is continuously appropriated to the enterprise, and the fund balance is limited to \$15 million. Additionally, the enterprise will improve the transportation of fuel and monitor vehicle emissions. Beginning September 1, 2023, the enterprise is imposing a fuels impact reduction fee of up to 0.6125 cents per gallon of fuel on licensed fuel excise tax distributors and licensed fuel distributors. The enterprise will administer the Fuel Impacts Reduction Grant Program, which makes grants to certain communities, governments, and transportation corridors for improving hazardous mitigation corridors and projects related to emergency responses, environmental mitigation, or fuel transportation.

FUELS IMPACT ENTERPRISE				
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FTE
Fuels Impact Enterprise revenue update	\$15,000,000	\$0	\$15,000,000	0.0
<b>TOTAL</b>	<b>\$15,000,000</b>		<b>\$15,000,000</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$15,000,000</b>	<b>\$0</b>	<b>\$15,000,000</b>	<b>0.0</b>
Percentage Change	n/a	0.0%	n/a	0.0%
<b>FY 2024-25 EXECUTIVE REQUEST</b>	<b>\$15,000,000</b>	<b>\$0</b>	<b>\$15,000,000</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	0.0

### DECISION ITEMS – FUELS IMPACT ENTERPRISE (NONE)

The Department did not submit any decision items affecting this division.

### LINE ITEM DETAIL – FUELS IMPACT ENTERPRISE

This division has a one-line appropriation.

*STATUTORY AUTHORITY:* Section 43-4-1203, C.R.S.

*REQUEST:* The Department requests an appropriation of \$15,000,000 to reflect anticipated revenue that will be collected by the Enterprise and available for expenditure in FY 2024-25.

*RECOMMENDATION:* **Staff recommends the Committee approve the Department's request.**



## LONG BILL FOOTNOTES AND REQUESTS FOR INFORMATION

### LONG BILL FOOTNOTES

Staff recommends **continuing and modifying** the following Long Bill footnote:

- 109** Department of Transportation, Special Purpose, Multimodal Transportation Projects – This appropriation remains available for expenditure until the close of the FY ~~2026-27~~ 2027-28 state fiscal year.

**COMMENT:** The Multimodal Transportation and Mitigation Options Fund (MMOF) receives ongoing revenue from retail delivery fees created by S.B. 21-260. This is one of the few funds within CDOT that is subject to annual appropriation. Statute requires 85 percent of the revenue to the MMOF to be expended for local multimodal projects and 15 percent to be used for state multimodal projects. Absent roll-forward authority for the annual Long Bill appropriation from this fund, the Department could run into difficulties expending funds over multiple construction seasons and encumbering the funds in intergovernmental agreements.

### REQUESTS FOR INFORMATION

Staff recommends **continuing and modifying** the following request for information:

- 1 The Department is requested to submit, with its FY 2025-26 budget request, printed and electronic versions (transmission by email acceptable) of the following:
  - a. The draft one-sheet budget (also known as the “Revenue Allocation Plan”) on which the Long Bill request is based with an explanation that shows how the Long Bill request relates to the one-sheet budget;
  - b. A schedule or schedules showing, for each of the publishing issues that collectively show how the Administration Division request is derived from the prior year Administration Division appropriation, the incremental budget changes that make up that publishing issue;
  - c. Projected expenditures by division for all common-policy items, including common policies for total compensation, operating, and IT;
  - d. A schedule showing the projected revenues for FY 2025-26 on which the draft one-sheet budget and the Long Bill request are based, with revenue-source detail that is comparable to the detail in the Department's draft narrative budget (also known as the “Budget Allocation Plan”);
  - e. A schedule showing the most recent projection of revenues for FY 2024-25 in a form compatible with the revenue projection for FY 2025-26;
  - f. A schedule showing actual revenues received during FY 2022-23 and FY 2023-24 in a form compatible with the revenue projection for FY 2025-26;
  - g. Projected state HUTF revenue for FY 2025-26 that shows (1) the revenue sources and (2) the allocation of that revenue among counties, municipalities, and other recipients.

- h. Actual revenue for the two most recently completed Fiscal Years of (1) the Construction, Maintenance, and Operations Division, (2) the Bridge Enterprise, and (3) the High-performance Transportation Enterprise.

**COMMENT:** The Department submitted the documents as requested.

## INDIRECT COST ASSESSMENTS

### INDIRECT COST POOL

The Department's indirect cost assessment methodology is calculated based on three components: an "Indirect Cost Pool", an "Indirect Cost Base", and an "Indirect Cost Rate". The Indirect Cost Pool is comprised of accumulated costs for activities chargeable to highway projects but not attributable to a single project that fall within the Construction, Maintenance, and Operations line. The Department incurs these indirect costs in Indirect Cost Centers that are established for each CDOT Region Program Engineering Unit. Total indirect costs accumulated in these centers for the twelve-month period beginning on July 1 of the previous year and ending on June 30 of the current year make up the Indirect Cost Pool. For FY 2024-25 the Department's Indirect Cost Pool as requested is \$125,800,000. Table 1 outlines what is included in the department's Indirect Cost Pool (i.e. the total indirect cost center costs).

TABLE 1 CDOT INDIRECT COSTS POOL	
Item	FY 2024-25
Capital Construction	\$ 115,485,598
Maintenance and Operations	3,954,741
Multimodal Services	6,359,661
<b>Total Indirect Costs</b>	<b>\$ 125,800,000</b>

### INDIRECT COST BASE

The Indirect Cost Base is comprised of all Indirect Eligible Expenditures for participating CDOT projects for the twelve-month period beginning on July 1 of the previous year and ending on June 30 of the current year. For FY 2024-25 the Department's Indirect Cost Base as requested is \$705,033,682. Table 2 outlines what is included in the department's Indirect Cost Base (i.e. the total indirect eligible expenditures within the highway construction program).

TABLE 2 CDOT INDIRECT COST BASE	
Item	FY 2024-25
Surface Treatment	\$ 229,000,000
Structures	63,363,257
System Operations	26,272,823
Geohazards Mitigation	9,700,000
Permanent Water Quality Mitigation	6,500,000
10 Year Plan Projects - Capital AM	68,388,711

TABLE 2 CDOT INDIRECT COST BASE	
Item	FY 2024-25
Highway Safety Improvement Program	43,104,526
Railway-Highway Crossings Program	3,760,980
Hot Spots	2,667,154
FASTER - Safety Projects	75,240,494
ADA Compliance	7,200,000
Regional Priority Program	50,000,000
10 Year Plan Projects - Capital Mobility	38,221,383
National Freight Program	23,808,309
Strategic Safety Program	12,163,953
ITS Investments	10,000,000
Innovative Mobility Programs	9,028,901
National Electric Vehicle Program	14,545,403
10 Year Plan Projects - Multimodal	12,067,788
<b>Total Indirect Cost Base</b>	<b>\$ 705,033,682</b>

### INDIRECT COST RATE

The Indirect Cost Rate is calculated by dividing the total indirect costs accumulated in all of CDOT's Indirect Cost Centers for the twelve-month period beginning on July 1 of the previous year and ending on June 30 of the current year by the total Indirect Eligible Expenditures from the same twelve-month period. Cost recoveries come from charging a fixed percentage (Indirect Cost Rate) of the Construction Engineering rate to a project, with the offset charged to the appropriate Indirect Cost Center. Projects that are not administered by CDOT are exempt from the allocation, and the Indirect Cost Rate in effect on the date of project award does not change for the life of that project. Table 3 illustrates how the Indirect Cost Rate is calculated

TABLE 3 CDOT COST RATE	
Total Indirect Cost Pool	\$ 125,800,000
Total Indirect Cost Base	\$ 705,033,682
<b>Indirect Cost Rate</b>	<b>12.00%</b>
<b>Indirect Cost Rate (Construction Engineering)</b>	<b>12.50%</b>

All departmental indirect costs are recovered from and allocated back to programs housed within the non-appropriated portion of the CDOT budget. Most policy and budget authority for CDOT rests with the Transportation Commission, pursuant to Section 43-1-113 (1), C.R.S. Funds controlled by the Transportation Commission are reflected for informational purposes in five Long Bill line items:

Construction, Maintenance, and Operations; the High Performance Transportation Enterprise (created by S.B. 09-108); the Statewide Bridge Enterprise (created by S.B. 09-108), the Clean Transit Enterprise (created by S.B. 21-260) and the Fuels Impact Enterprise (created by S.B. 23-280) These line items are included in the Long Bill as estimates of the anticipated revenues available to the Commission.

## APPENDIX A: NUMBERS PAGES (DIGITAL ONLY)

*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

## Appendix A: Numbers Pages

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
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**DEPARTMENT OF TRANSPORTATION**  
**Shoshana Lew, Executive Director**

**(1) ADMINISTRATION**

The Long Bill contains a single appropriation for CDOT's entire Administration division, which leaves the Transportation Commission with discretionary flexibility over allocation of the appropriation. The General Assembly sets an appropriated level for the Administration line as a total, and the balance of anticipated highway funds collected by the Department becomes available to the Construction, Maintenance, and Operation line.

Administration	<u>37,895,602</u>	<u>42,296,622</u>	<u>49,813,516</u>	<u>54,400,281</u>	<u>54,400,281</u> *
FTE	161.0	161.0	162.5	162.5	162.5
Cash Funds	37,895,441	42,292,322	49,750,578	54,337,386	54,337,386
Reappropriated Funds	161	4,300	62,938	62,895	62,895
<b>TOTAL - (1) Administration</b>	37,895,602	42,296,622	49,813,516	54,400,281	54,400,281
<i>FTE</i>	<u>161.0</u>	<u>161.0</u>	<u>162.5</u>	<u>162.5</u>	<u>162.5</u>
Cash Funds	37,895,441	42,292,322	49,750,578	54,337,386	54,337,386
Reappropriated Funds	161	4,300	62,938	62,895	62,895

*JBC Staff Figure Setting - FY 2024-25*  
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**(2) CONSTRUCTION, MAINTENANCE, AND OPERATIONS**

The single informational appropriation for this division reflects the revenues that are continuously appropriated to the Transportation Commission.

Construction Maintenance, And Operations	<u>1,810,904,935</u>	<u>1,949,964,785</u>	<u>1,496,661,261</u>	<u>1,639,539,682</u>	<u>1,639,539,682</u> *
FTE	3,156.0	3,156.0	3,156.0	3,156.0	3,156.0
General Fund	0	0	0	0	0
Cash Funds	1,286,086,988	1,318,415,673	662,296,425	788,229,716	788,229,716
Reappropriated Funds	1,242,865	792,882	1,415,158	1,415,201	1,415,201
Federal Funds	523,575,082	630,756,230	832,949,678	849,894,765	849,894,765

<b>TOTAL - (2) Construction, Maintenance, and Operations</b>	1,810,904,935	1,949,964,785	1,496,661,261	1,639,539,682	1,639,539,682
FTE	<u>3,156.0</u>	<u>3,156.0</u>	<u>3,156.0</u>	<u>3,156.0</u>	<u>3,156.0</u>
General Fund	0	0	0	0	0
Cash Funds	1,286,086,988	1,318,415,673	662,296,425	788,229,716	788,229,716
Reappropriated Funds	1,242,865	792,882	1,415,158	1,415,201	1,415,201
Federal Funds	523,575,082	630,756,230	832,949,678	849,894,765	849,894,765

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**(3) STATEWIDE BRIDGE ENTERPRISE**

This TABOR enterprise operates within the Department of Transportation. It gets most of its funding from bridge-safety surcharges on vehicle registrations. Statute gives the Bridge and Tunnel Enterprise the ability to finance, repair, reconstruct, replace, operate, and/or maintain state highway bridges that it designates as “Bridge-enterprise eligible”. The Enterprise’s projected revenues are shown in the Long Bill for informational purposes only.

Statewide Bridge Enterprise	<u>25,546,741</u>	<u>45,492,809</u>	<u>152,974,026</u>	<u>158,809,746</u>	<u>158,809,746</u>
FTE	1.0	1.0	1.0	1.0	1.0
General Fund	0	0	0	0	0
Cash Funds	25,546,741	45,492,809	152,974,026	158,809,746	158,809,746
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

<b>TOTAL - (3) Statewide Bridge Enterprise</b>	25,546,741	45,492,809	152,974,026	158,809,746	158,809,746
<i>FTE</i>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>
General Fund	0	0	0	0	0
Cash Funds	25,546,741	45,492,809	152,974,026	158,809,746	158,809,746
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0



*JBC Staff Figure Setting - FY 2024-25*  
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**(4) HIGH PERFORMANCE TRANSPORTATION ENTERPRISE**

This TABOR enterprise operates within the Department of Transportation. It pursues innovative means of financing and operating surface transportation infrastructure projects, including public-private partnerships, operating concession agreements, user fees, and design-build contracting. The Enterprise's projected revenues are shown in the Long Bill for informational purposes only.

High Performance Transportation Enterprise	<u>26,165,833</u>	<u>33,354,404</u>	<u>70,220,333</u>	<u>104,117,587</u>	<u>104,117,587</u>
FTE	9.0	9.0	9.0	9.0	9.0
General Fund	0	0	0	0	0
Cash Funds	26,165,833	29,354,404	66,170,333	100,067,587	100,067,587
Reappropriated Funds	0	4,000,000	4,050,000	4,050,000	4,050,000
Federal Funds	0	0	0	0	0

<b>TOTAL - (4) High Performance Transportation Enterprise</b>	26,165,833	33,354,404	70,220,333	104,117,587	104,117,587
<i>FTE</i>	<u>9.0</u>	<u>9.0</u>	<u>9.0</u>	<u>9.0</u>	<u>9.0</u>
General Fund	0	0	0	0	0
Cash Funds	26,165,833	29,354,404	66,170,333	100,067,587	100,067,587
Reappropriated Funds	0	4,000,000	4,050,000	4,050,000	4,050,000
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2024-25*  
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**(5) SOUTHWEST CHIEF AND FRONT RANGE PASSENGER RAIL COMMISSION**

The Southwest Chief and Front Range Passenger Rail Commission was created by H.B. 14-1161 to encourage Amtrak to continue the existing Southwest Chief rail line service and expand the line to Pueblo and potentially Walsenburg. The Commission was later tasked with facilitating development and operation of a system along the Interstate 25 corridor before being repealed and replaced by the Front Range Passenger Rail District in S.B. 21-238.

Southwest Chief and Front Range Passenger Rail

Commission	<u>293,375</u>	<u>0</u>
FTE	2.0	0.0
General Fund	0	0
Cash Funds	293,375	0
Reappropriated Funds	0	0
Federal Funds	0	0

<b>TOTAL - (5) Southwest Chief and Front Range Passenger Rail Commission</b>	293,375	0
<i>FTE</i>	<u>2.0</u>	<u>0.0</u>
General Fund	0	0
Cash Funds	293,375	0
Reappropriated Funds	0	0
Federal Funds	0	0

*JBC Staff Figure Setting - FY 2024-25*  
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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
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**(6) SPECIAL PURPOSE**

This Long Bill division was created to organize various line item appropriations, and as a place to add new or temporary appropriations without creating new Long Bill divisions.

First Time Drunk Driving Offenders Account	<u>459,310</u>	<u>750,515</u>	<u>1,500,000</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	459,310	750,515	1,500,000	0	0
Marijuana Impaired Driving Program	<u>949,663</u>	<u>948,270</u>	<u>950,000</u>	<u>950,000</u>	<u>950,000</u>
General Fund	0	0	0	0	0
Cash Funds	949,663	948,270	950,000	950,000	950,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Multimodal Transportation Projects	<u>16,437,866</u>	<u>14,432,233</u>	<u>7,264,387</u>	<u>18,521,737</u>	<u>18,521,737</u>
Cash Funds	16,437,866	14,432,233	7,264,387	18,521,737	18,521,737
Appropriation to the Colorado Safe Wildlife Fund	<u>0</u>	<u>0</u>	<u>500,000</u>	<u>0</u>	<u>0</u>
General Fund	0	0	500,000	0	0
Impairment Device Study	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Cash Funds	0	0	0	0	0
Transportation Services for Vulnerable Populations, Including Seniors	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2024-25*  
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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
<b>TOTAL - (6) Special Purpose</b>	17,846,839	16,131,018	10,214,387	19,471,737	19,471,737
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	0	0	500,000	0	0
Cash Funds	17,846,839	16,131,018	9,714,387	19,471,737	19,471,737
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2024-25*  
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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
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**(9) MULTIMODAL TRANSPORTATION PROJECTS**

The Multimodal Transportation Options Fund, which was established and funded by S.B. 18-001, supports capital or operating costs of local and state multimodal transportation projects and studies, multimodal mobility projects, and bicycle or pedestrian projects. This Division has been relocated to a line item in the Special Purpose division.

Multimodal Transportation Projects	<u>0</u>
General Fund	0
Cash Funds	0
Reappropriated Funds	0
Federal Funds	0

<b>TOTAL - (9) Multimodal Transportation Projects</b>	0
<i>FTE</i>	<u>0.0</u>
General Fund	0
Cash Funds	0
Reappropriated Funds	0
Federal Funds	0

*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
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**(7) NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE**

The Nonattainment Area Air Pollution Enterprise was created by S.B. 21-260 and receives ongoing funding from the Air Pollution Mitigation Per Ride Fee and Air Pollution Mitigation Retail Delivery Fee. This appropriation is for informational purposes only and reflects anticipated Enterprise revenues

Nonattainment Area Air Pollution Mitigation

Enterprise	<u>20,695</u>	<u>106,150</u>	<u>8,481,351</u>	<u>10,646,544</u>	<u>10,646,544</u>
Cash Funds	20,695	106,150	8,481,351	10,646,544	10,646,544

<b>TOTAL - (7) Nonattainment Area Air Pollution Mitigation Enterprise</b>	20,695	106,150	8,481,351	10,646,544	10,646,544
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
Cash Funds	20,695	106,150	8,481,351	10,646,544	10,646,544

*JBC Staff Figure Setting - FY 2024-25*  
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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
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**(8) CLEAN TRANSIT ENTERPRISE**

The Clean Transit Enterprise was created by S.B. 21-260 and receives ongoing funding from the Clean Transit Retail Delivery Fee. The Clean Transit Enterprise Fund is subject to annual appropriation by the General Assembly.

Clean Transit Enterprise	<u>13,735</u>	<u>95,414</u>	<u>8,982,450</u>	<u>18,134,321</u>	<u>18,134,321</u> *
Cash Funds	13,735	95,414	8,982,450	18,134,321	18,134,321

<b>TOTAL - (8) Clean Transit Enterprise</b>	13,735	95,414	8,982,450	18,134,321	18,134,321
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
Cash Funds	13,735	95,414	8,982,450	18,134,321	18,134,321

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**(9) FUELS IMPACT ENTERPRISE**

The Fuels Impact Enterprise was created by S.B. 23-280 (Hazardous Material Mitigation) which consists of fuels impact reduction fee revenue, any federal money received by the enterprise, and any gifts, grants, or donations. The fund is continuously appropriated to the enterprise, and the fund balance is limited to \$15 million.

Fuels Impact Enterprise	<u>15,000,000</u>	<u>15,000,000</u>
Cash Funds	15,000,000	15,000,000

<b>TOTAL - (9) Fuels Impact Enterprise</b>	15,000,000	15,000,000
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>
Cash Funds	15,000,000	15,000,000

<b>TOTAL - Department of Transportation</b>	1,918,687,755	2,087,441,202	1,797,347,324	2,020,119,898	2,020,119,898
<i>FTE</i>	<u>3,329.0</u>	<u>3,327.0</u>	<u>3,328.5</u>	<u>3,328.5</u>	<u>3,328.5</u>
General Fund	0	0	500,000	0	0
Cash Funds	1,393,869,647	1,451,887,790	958,369,550	1,164,697,037	1,164,697,037
Reappropriated Funds	1,243,026	4,797,182	5,528,096	5,528,096	5,528,096
Federal Funds	523,575,082	630,756,230	832,949,678	849,894,765	849,894,765