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FISCAL NOTE

Drafting Number: LLS 19-0191
Prime Sponsors:

Date: September 28, 2018
Bill Status: Transportation Legislation Review Committee Bill Request
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Bill Topic: PREREQUISITES FOR CONSTRUCTION OF MANAGED LANES

- Summary of Fiscal Impact: State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, Statutory Public Entity

This bill creates new evaluation and reporting requirements for the Colorado Department of Transportation or High Performance Transportation Enterprise when considering the construction of a managed lane on a state highway.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the bill draft requested by the Transportation Legislation Review Committee.

Summary of Legislation

Under this bill, the Colorado Department of Transportation (CDOT) and the High-Performance Transportation Enterprise (HPTE) must evaluate alternative means of increasing highway capacity or reducing traffic congestion before the construction of a managed lane.

If either CDOT or HPTE intend to construct a managed lane, the department must provide a written report on its website detailing the results of all public outreach efforts related to the managed lane.

Background

CDOT oversees the HPTE, which is a government-owned business that has the authority to issue revenue bonds, and receives less than 10 percent of its revenue from state and local government sources.

There are currently three managed lanes in operation in Colorado:

- US 36 from Denver to Boulder;
- North I-25 from Speer Boulevard to 120th Avenue; and
- I-70 Mountain corridor from Empire to Idaho Springs.

Additionally, managed lanes are also under construction or planned for the following interstate sections:

- C-470 from I-25 to Wadsworth Boulevard;
- Central I-70 from I-25 to Chambers Road; and
- North I-25 from 120th Avenue to Fort Collins.

State Expenditures

This bill will increase workload and expenditures for CDOT and HPTE to conduct public outreach when considering the construction of a managed lane. To the extent that public reporting is completed by the contractor on a project, contracting fees will also increase. Any increase in expenditures will be paid from the State Highway Fund.

To the extent that this bill leads CDOT to construct a general purpose lane as an alternative to a managed lane, CDOT expenditures will increase to provide the funding for higher overall construction and maintenance costs, which would reduce the overall funding available for highway maintenance and asset management. To the extent that an alternative to a managed lane reduces or eliminates the need for a managed lane, this bill may reduce overall construction costs, depending on the alternative chosen.

Effective Date

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Transportation