

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 26-0254.02 Rebecca Bayetti x4348

SENATE BILL 26-141

SENATE SPONSORSHIP

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Senate Committees

Transportation & Energy
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House Committees

A BILL FOR AN ACT

101 **CONCERNING OPTIONAL FEES DURING MOTOR VEHICLE REGISTRATION**
102 **THAT PRIMARILY SUPPORT WILDLIFE PROJECTS, AND, IN**
103 **CONNECTION THEREWITH, USING THE PROCEEDS OF A NEWLY**
104 **CREATED OPTIONAL FEE TO CONSTRUCT WILDLIFE CROSSINGS**
105 **AND OTHER TRANSPORTATION IMPROVEMENTS AND MAKING AN**
106 **APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Beginning on January 1, 2027, the bill authorizes an optional

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
Amended 2nd Reading
April 10, 2026

collision prevention fee (fee), which is collected at the time of registration of a passenger motor vehicle, a light-weight truck, a motorcycle, or a recreational vehicle (motor vehicle). An individual may decline to pay the fee when registering a motor vehicle, and nonpayment of the fee does not affect the individual's ability to register the motor vehicle. In connection with imposing the fee, the statewide bridge and tunnel enterprise (enterprise) within the department of transportation (department) is required to:

- Collaborate with the department of revenue to develop language to notify individuals about the fee, including explicit language regarding the ability to decline to pay the fee and the fact that nonpayment of the fee will not affect an individual's ability to register a motor vehicle; and
- Collaborate with the department of revenue, the department, county clerks, the division of parks and wildlife, and other impacted stakeholders to conduct a public outreach campaign to educate the public about the fee and what benefits the fee will provide.

The fee amount is set at \$5 and, beginning in state fiscal year 2028-29, the enterprise is allowed to adjust this fee amount upward for inflation.

Seventy-five percent of the revenue from the fee is credited to the newly created collision prevention fund (fund), which is continuously appropriated to the enterprise for use in the following ways:

- To fund wildlife safe passage projects, defined as one or more projects that reduce wildlife-vehicle collisions and improve habitat connectivity by providing wildlife road crossings;
- To provide matching money as required by federal grant programs relating to wildlife safe passage projects;
- For administrative and personnel expenses related to those purposes; and
- To promote the fee and fund to maximize participation in the optional fee, in collaboration with the department of revenue, impacted stakeholders, and interested organizations.

In determining which wildlife safe passage projects the enterprise will undertake, the enterprise is required to:

- Consult with the division of parks and wildlife (division) and the Colorado wildlife and transportation alliance;
- Consult with the tribal government if the project is on or adjacent to tribal land;
- Consult with relevant local governments with jurisdiction over the area of the proposed project and any relevant local organizations engaging in work to reduce vehicle collisions;

- Consider studies concerning the prioritization of wildlife within the state;
- Consider whether the wildlife safe passage project is related to a bridge or tunnel project undertaken by the enterprise; and
- In consultation with the division, consider opportunities for landowner agreements or additional conservation efforts that may be necessary to ensure the continued functionality of infrastructure associated with a proposed wildlife safe passage project.

Twenty-five percent of the revenue from the fee is credited to the wildlife cash fund and continuously appropriated to the division of parks and wildlife to provide services related to wildlife connectivity and wildlife crossing-related conservation efforts.

The bill also modifies the process for the keep Colorado wild pass fee, which is also an optional fee paid at the time an individual registers a motor vehicle, to align with the process for the collision prevention fee by removing the presumption that an individual who declines to pay the keep Colorado wild pass fee is presumed to decline to pay that fee in subsequent years with respect to registration of the same motor vehicle. With this change, an individual must affirmatively opt out of the payment of both the keep Colorado wild pass fee and the collision prevention fee each year that the individual registers the motor vehicle.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Between 2010 and 2024, the Colorado department of
5 transportation reported over 54,189 wildlife-vehicle collisions, resulting
6 in 48 human fatalities and 5,152 injuries to drivers and passengers.
7 Furthermore, according to estimates from the department, crashes with
8 wildlife are underreported by as much as two-thirds. In 2024,
9 approximately 7,500 animals were killed on roads across Colorado,
10 according to roadkill data from the department, with over half of those
11 carcasses being mule deer.

12 (b) Colorado boasts the largest Rocky Mountain elk herd in the

1 world and is also home to significant populations of other iconic big game
2 species, such as mule deer, bighorn sheep, pronghorn, and moose, as well
3 as numerous other native wildlife species cherished by residents and
4 tourists alike;

5 (c) Core habitats connected by intact wildlife corridors are vital
6 to ensuring that Colorado's wildlife populations continue to thrive.
7 Protecting wildlife corridors has been shown to improve the vitality of
8 herds that are critical to Colorado's \$65.8 billion outdoor recreation
9 economy.

10 (d) According to research from 2023, Colorado has the highest
11 average annual costs associated with wildlife-vehicle collisions of any
12 state in the west, paying approximately \$321 million, adjusted to 2025
13 dollars, each year in property damage, emergency response, and other
14 costs from large wildlife collisions. This economic impact also includes
15 an estimated \$25 million in lost value to the state for the thousands of
16 wildlife that perish in these collisions.

17 (e) The division of parks and wildlife estimates that 2% of
18 Colorado's western slope mule deer does are killed by collisions with
19 motor vehicles every year, based on collared mule deer studies. Because
20 many herds are below population objectives, this results in more doe deer
21 being killed by cars in some herds than can be legally harvested by
22 hunters and the state, which results in missing the broader economic and
23 social benefits that hunting provides.

24 (f) Wildlife crossing structures built within important wildlife
25 corridors are highly effective at reducing wildlife-vehicle collisions,
26 thereby increasing public safety, reducing the high costs associated with
27 these accidents, and improving habitat connectivity. For example, the

1 2016 Colorado State Highway 9 mitigation project reduced collisions
2 between motor vehicles and wildlife by 92% in the 5 years after its
3 construction. Additionally, the project significantly improved the ability
4 of wildlife, including deer, elk, pronghorn, bighorn sheep, black bears,
5 mountain lions, bobcats, and coyotes, to safely cross the road.

6 (g) Building safe passages for wildlife and drivers alike is a
7 bipartisan, win-win proposition that is incredibly popular in the
8 Centennial State. According to the 2024 Colorado College's State of the
9 Rockies Project Conservation in the West poll, a remarkable 87% of
10 Colorado voters support "constructing wildlife crossing structures across
11 major highways that intersect with known migration routes."

12 (h) There are currently 75 successful wildlife crossing projects
13 across Colorado. Still, the state, through the governor's office, the
14 department of transportation, the department of natural resources, and the
15 Colorado wildlife and transportation alliance, has identified many more
16 priority areas in need of mitigation measures that lack the necessary
17 funding to advance through design and construction. Funding for proper
18 maintenance, conservation of land to maintain desired wildlife movement
19 and access to crossing structures, and monitoring of Colorado's existing
20 wildlife infrastructure investment also needs to be addressed.

21 (i) Over the past 5 years, Colorado has been uniquely successful
22 in leveraging federal funding opportunities, including the Wildlife
23 Crossings Pilot Program and numerous other United States department of
24 transportation programs, to complete priority projects. The creation of the
25 Colorado Wildlife Safe Passages Fund in Senate Bill 22-151, which, to
26 date, has spent all of the one-time general fund appropriations it has
27 received, allowed the Colorado department of transportation to unlock

1 approximately 4 federal dollars for every one state dollar invested in
2 life-saving crossing structures.

3 (j) Accordingly, it is in the best interest of the state and all
4 Coloradans to generate additional funding for eligible projects, including
5 targeted transportation system infrastructure improvements, land
6 conservation to ensure the functionality of wildlife crossings, and other
7 data-driven strategies that will reduce the number of wildlife-vehicle
8 collisions, thereby saving lives, preventing injuries, avoiding property
9 damage, reducing traffic on our congested roads, and facilitating healthy
10 wildlife migration and movement; and

11 (k) Adding a nonmandatory \$5 fee is a low-cost way to fund
12 wildlife crossing infrastructure that saves both animal and human lives by
13 reducing collisions. It also strengthens long-term habitat connectivity
14 across the state, protecting Colorado's iconic wildlife while improving
15 safety for drivers.

16 (2) The general assembly further finds and declares that:

17 (a) Since its inception in 2009, the statewide bridge and tunnel
18 enterprise within the Colorado department of transportation has
19 successfully financed, designed, and delivered critical bridge
20 infrastructure projects across the state on time and within budget,
21 demonstrating efficiency, accountability, and technical expertise;

22 (b) Prior to the creation of the statewide bridge and tunnel
23 enterprise, the percentage of poor-rated bridge deck area on the national
24 highway system in Colorado was encroaching on 10%, the maximum
25 federal performance threshold before a state faces funding penalties. In
26 2025, this metric was down to 4%. This success argues for continued
27 investment through the bridge and tunnel enterprise.

1 (c) The enterprise model has proven to be effective at accelerating
2 project delivery through innovative financing mechanisms and dedicated
3 revenue streams, resulting in the timely completion of complex surface
4 transportation structures that enhance safety and mobility for Colorado
5 residents;

6 (d) Wildlife crossing structures, including overpasses and
7 underpasses, are engineered similarly to bridge structures, requiring
8 similar design, construction, maintenance, and project management
9 expertise as traditional vehicular bridge infrastructure;

10 (e) Wildlife overpass structures are engineered using the same
11 structural systems, load-bearing principles, geotechnical analysis, and
12 materials standards applicable to traditional highway bridges, including
13 foundations, abutments, retaining walls, drainage systems, and long-term
14 maintenance requirements;

15 (f) Like conventional bridges, wildlife crossing overpasses must
16 meet rigorous safety and durability standards and are subject to
17 inspections, lifecycle asset management practices, and rehabilitation
18 practices to ensure structural integrity over time;

19 (g) Expanding the authority of the statewide bridge and tunnel
20 enterprise to include the delivery of wildlife crossing projects would
21 leverage existing institutional knowledge and program management
22 efficiencies to address wildlife-vehicle collisions and improve roadway
23 safety without creating duplicative administrative structures; and

24 (h) Authorizing the statewide bridge and tunnel enterprise to
25 deliver wildlife crossing projects would promote cost-effective
26 infrastructure development, enhance public safety, protect Colorado's
27 natural resources, and further the state's longstanding commitment to

1 innovative transportation solutions.

2 **SECTION 2.** In Colorado Revised Statutes, 43-4-803, **add** (30)
3 and (31) as follows:

4 **43-4-803. Definitions.**

5 As used in this part 8, unless the context otherwise requires:

6 (30) "WILDLIFE" HAS THE MEANING SET FORTH IN SECTION
7 33-1-102 (51).

8 (31) "WILDLIFE SAFE PASSAGE PROJECT" MEANS ONE OR MORE
9 PROJECTS THAT REDUCE WILDLIFE-VEHICLE COLLISIONS AND IMPROVE
10 HABITAT CONNECTIVITY BY PROVIDING WILDLIFE ROAD CROSSINGS,
11 INCLUDING:

12 (a) PROJECTS IDENTIFIED ON THE DEPARTMENT'S TEN-YEAR
13 PRIORITY PIPELINE PROJECTS LIST WITH WILDLIFE PASSAGE COMPONENTS
14 OR OTHER WILDLIFE PASSAGE OPPORTUNITIES IDENTIFIED BY THE
15 DEPARTMENT, THE DIVISION OF PARKS AND WILDLIFE IN THE DEPARTMENT
16 OF NATURAL RESOURCES CREATED IN SECTION 33-9-104 (1), THE
17 COLORADO WILDLIFE AND TRANSPORTATION ALLIANCE ESTABLISHED IN
18 2018, ANY BOARD OF COUNTY COMMISSIONERS, OR ANY TRIBAL
19 GOVERNMENT;

20 (b) COSTS RELATED TO PROJECT FEASIBILITY STUDIES, PLANNING,
21 CONSTRUCTION, RETROFITTING, AND MAINTENANCE OF WILDLIFE ROAD
22 CROSSING INFRASTRUCTURE; ROADKILL TRACKING AND STUDIES; ANIMAL
23 DETECTION SYSTEMS; SIGNAGE; EXCLUSIONARY FENCING; AND WILDLIFE
24 JUMP OUTS; AND

25 (c) COSTS ASSOCIATED WITH CONSERVATION EFFORTS NECESSARY
26 TO ENSURE THE CONTINUED FUNCTIONALITY OF WILDLIFE ROAD CROSSING
27 INFRASTRUCTURE FOR THE DURATION OF ITS PLANNED STRUCTURE LIFE.

1 **SECTION 3.** In Colorado Revised Statutes, 43-4-805, **amend**
2 (1)(a), (1)(b) introductory portion, (1)(b)(I), (2)(a)(I), (2)(b) introductory
3 portion, (2)(c), (3)(a), and (4); and **add** (1)(b)(III), (2)(b)(I.5), (2)(d),
4 (3.5), and (5)(g.9) as follows:

5 **43-4-805. Statewide bridge enterprise - creation - board -**
6 **funds - powers and duties - legislative declaration - definitions.**

7 (1) The general assembly hereby finds and declares that:

8 (a) The completion of designated bridge projects, preventative
9 maintenance bridge projects, WILDLIFE SAFE PASSAGE PROJECTS, and
10 tunnel projects is essential to address increasing traffic congestion and
11 delays, hazards, injuries, and fatalities;

12 (b) Due to the limited availability of state and federal funding and
13 the need to accomplish, AS PROMPTLY AND EFFICIENTLY AS POSSIBLE, the
14 financing, repair, reconstruction, and replacement of designated bridges;
15 the completion of preventative maintenance bridge projects; and the
16 completion of tunnel projects, ~~as promptly and efficiently as possible~~, ALL
17 OF WHICH CAN ENCOMPASS WILDLIFE SAFE PASSAGE PROJECTS, it is
18 necessary to create a statewide bridge and tunnel enterprise and to
19 authorize the enterprise to:

20 (I) Enter into agreements with the commission or the department
21 to finance, repair, reconstruct, and replace designated bridges, complete
22 preventative maintenance bridge projects, COMPLETE WILDLIFE SAFE
23 PASSAGE PROJECTS, and complete tunnel projects in the state; ~~and~~

24 (III) IMPOSE AN OPTIONAL COLLISION PREVENTION FEE AS
25 AUTHORIZED BY SUBSECTION (5)(g.9) OF THIS SECTION; AND

26 (2) (a) (I) The scope of the existing statewide bridge enterprise
27 created in this subsection (2)(a)(I) in 2009 is hereby expanded to include

1 designated bridge projects, preventative maintenance bridge projects,
2 WILDLIFE SAFE PASSAGE PROJECTS, and surface transportation
3 infrastructure projects for tunnels, and the name of the expanded
4 enterprise is the statewide bridge and tunnel enterprise. The bridge
5 enterprise is and operates as a government-owned business within the
6 department. The commission shall serve as the bridge enterprise board
7 and shall, with the consent of the executive director, appoint a bridge
8 enterprise director who shall possess such qualifications as may be
9 established by the commission and the state personnel board. The bridge
10 enterprise director shall oversee the discharge of all responsibilities of the
11 bridge enterprise and shall serve at the pleasure of the bridge enterprise
12 board.

13 (b) The business purpose of the bridge enterprise is to finance,
14 repair, reconstruct, and replace any designated bridge in the state,
15 complete preventative maintenance bridge projects, COMPLETE WILDLIFE
16 SAFE PASSAGE PROJECTS, and complete tunnel projects and, as agreed
17 upon by the enterprise and the commission, or the department to the
18 extent authorized by the commission, to maintain the bridges it finances,
19 repairs, reconstructs, and replaces. To allow the bridge enterprise to
20 accomplish this purpose and fully exercise its powers and duties through
21 the bridge enterprise board, the bridge enterprise may:

22 (I.5) IMPOSE AN OPTIONAL COLLISION PREVENTION FEE, AS
23 AUTHORIZED BY SUBSECTION (5)(g.9) OF THIS SECTION AND COLLECTED
24 AS DESCRIBED IN SECTION 43-4-815;

25 (c) The bridge enterprise constitutes an enterprise for purposes of
26 section 20 of article X of the state constitution so long as it retains the
27 authority to issue revenue bonds and receives less than ten percent of its

1 total revenues in grants from all Colorado state and local governments
2 combined. So long as it constitutes an enterprise pursuant to this
3 subsection (2)(c), the bridge enterprise shall not be subject to any
4 provisions of section 20 of article X of the state constitution. Consistent
5 with the determination of the Colorado supreme court in *Nicholl v. E-470*
6 *Public Highway Authority*, 896 P.2d 859 (Colo. 1995), that the power to
7 impose taxes is inconsistent with "enterprise" status under section 20 of
8 article X of the state constitution, the general assembly finds and declares
9 that a bridge safety surcharge, a bridge and tunnel impact fee, or a bridge
10 and tunnel retail delivery fee imposed by the bridge enterprise as
11 authorized by subsection (5)(g), (5)(g.5), or (5)(g.7) of this section is not
12 a tax but is instead a fee imposed by the bridge enterprise to defray the
13 cost of completing designated bridge projects, preventative maintenance
14 bridge projects, and tunnel projects that the enterprise provides as a
15 specific service to the persons upon whom the fee is imposed and at rates
16 reasonably calculated based on the benefits received by such persons. IN
17 ADDITION, THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE
18 OPTIONAL COLLISION PREVENTION FEE IMPOSED BY THE BRIDGE
19 ENTERPRISE AS AUTHORIZED BY SUBSECTION (5)(g.9) OF THIS SECTION
20 AND COLLECTED AS DESCRIBED IN SECTION 43-4-815 IS NOT A TAX BUT IS
21 INSTEAD A FEE IMPOSED BY THE ENTERPRISE TO DEFRAY THE COST OF
22 COMPLETING WILDLIFE SAFE PASSAGE PROJECTS THAT THE ENTERPRISE
23 PROVIDES AS A SERVICE TO THE PERSONS UPON WHOM THE FEE IS IMPOSED
24 AND AT RATES REASONABLY CALCULATED BASED ON THE BENEFITS
25 RECEIVED BY THOSE PERSONS.

26 (d) THE BRIDGE ENTERPRISE'S ABILITY TO IMPOSE AN OPTIONAL
27 COLLISION PREVENTION FEE AND USE REVENUE FROM THAT FEE TO

1 COMPLETE WILDLIFE SAFE PASSAGE PROJECTS, IN CONNECTION WITH
2 BRIDGE AND TUNNEL PROJECTS, DOES NOT CONSTITUTE CREATION OF A
3 NEW ENTERPRISE OR THE QUALIFICATION OF AN EXISTING
4 GOVERNMENT-OWNED BUSINESS AS AN ENTERPRISE FOR PURPOSES OF
5 SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, SECTION
6 24-77-103.6 (6)(b)(II), OR SECTION 24-77-108 AND, THEREFORE, DOES
7 NOT REQUIRE OR AUTHORIZE ADJUSTMENT OF THE STATE FISCAL YEAR
8 SPENDING LIMIT CALCULATED PURSUANT TO SECTION 20 OF ARTICLE X OF
9 THE STATE CONSTITUTION OR THE EXCESS STATE REVENUES CAP, AS
10 DEFINED IN SECTION 24-77-103.6 (6)(b)(I), AND DOES NOT REQUIRE VOTER
11 APPROVAL.

12 (3) (a) The statewide bridge and tunnel enterprise special revenue
13 fund, referred to in this part 8 as the "bridge special fund", is hereby
14 created in the state treasury. EXCEPT AS OTHERWISE PROVIDED IN
15 SUBSECTION (3.5) OF THIS SECTION, all revenue received by the bridge
16 enterprise, including, but not limited to, revenue from a bridge safety
17 surcharge imposed as authorized by subsection (5)(g) of this section,
18 revenue from a bridge and tunnel impact fee imposed as authorized by
19 subsection (5)(g.5) of this section, revenue from a bridge and tunnel retail
20 delivery fee imposed as authorized by subsection (5)(g.7) of this section,
21 and any money loaned to the enterprise by the state pursuant to subsection
22 (5)(r) of this section, shall be deposited into the bridge special fund. The
23 bridge enterprise board may establish separate accounts within the bridge
24 special fund as needed in connection with any specific designated bridge
25 project, preventative maintenance bridge project, or tunnel project. The
26 bridge enterprise also may deposit or permit others to deposit other money
27 into the bridge special fund, but in no event may revenue from any tax

1 otherwise available for general purposes be deposited into the bridge
2 special fund. The state treasurer, after consulting with the bridge
3 enterprise board, shall invest any money in the bridge special fund,
4 including any surplus or reserves, but excluding any proceeds from the
5 sale of bonds or earnings on such proceeds invested pursuant to section
6 43-4-807 (2), that are not needed for immediate use. Such money may be
7 invested in the types of investments authorized in sections 24-36-109,
8 24-36-112, and 24-36-113.

9 (3.5) (a) THE COLLISION PREVENTION FUND IS CREATED IN THE
10 STATE TREASURY. THE FUND CONSISTS OF REVENUE FROM THE OPTIONAL
11 COLLISION PREVENTION FEE THAT IS IMPOSED BY THE BRIDGE ENTERPRISE
12 PURSUANT TO SUBSECTION (5)(g.9) OF THIS SECTION AND COLLECTED AS
13 DESCRIBED IN SECTION 43-4-815. THE BRIDGE ENTERPRISE ALSO MAY
14 DEPOSIT OR PERMIT OTHER ENTITIES TO DEPOSIT OTHER MONEY INTO THE
15 COLLISION PREVENTION FUND, INCLUDING ANY MONEY LOANED TO THE
16 BRIDGE ENTERPRISE BY THE STATE PURSUANT TO SUBSECTION (4)(a) OF
17 THIS SECTION. THE MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED
18 TO THE BRIDGE ENTERPRISE. THE STATE TREASURER, AFTER CONSULTING
19 WITH THE BRIDGE ENTERPRISE BOARD, SHALL INVEST ANY MONEY IN THE
20 COLLISION PREVENTION FUND THAT IS NOT NEEDED FOR IMMEDIATE USE.
21 THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED
22 FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE COLLISION
23 PREVENTION FUND TO THE COLLISION PREVENTION FUND.

24 (b) THE BRIDGE ENTERPRISE SHALL USE THE MONEY IN THE
25 COLLISION PREVENTION FUND:

26 (I) TO FUND WILDLIFE SAFE PASSAGE PROJECTS, INCLUDING REPAIR
27 AND MAINTENANCE COSTS;

1 (II) TO PROVIDE MATCHING MONEY AS REQUIRED BY FEDERAL
2 GRANT PROGRAMS RELATING TO WILDLIFE SAFE PASSAGE PROJECTS;

3 (III) FOR ADMINISTRATIVE AND PERSONNEL EXPENSES RELATED TO
4 THE PURPOSES OF THE FUND AS SET FORTH IN THIS SUBSECTION (3.5);

5 (IV) TO PROMOTE THE OPTIONAL COLLISION PREVENTION FEE AND
6 FUND TO MAXIMIZE PARTICIPATION IN THE OPTIONAL FEE, IN
7 COLLABORATION WITH THE DEPARTMENT OF REVENUE, IMPACTED
8 STAKEHOLDERS, AND INTERESTED ORGANIZATIONS; AND

9 (V) TO REIMBURSE THE STATE FOR THE AMOUNT OF ANY LOAN
10 FROM THE STATE HIGHWAY FUND OR ANY INTEREST THEREON, AS
11 PROVIDED IN SUBSECTION (4) OF THIS SECTION.

12 (c) IN DETERMINING WHICH WILDLIFE SAFE PASSAGE PROJECTS THE
13 BRIDGE ENTERPRISE WILL UNDERTAKE, THE ENTERPRISE SHALL:

14 (I) CONSULT WITH THE DEPARTMENT, THE DIVISION OF PARKS AND
15 WILDLIFE IN THE DEPARTMENT OF NATURAL RESOURCES, CREATED IN
16 SECTION 33-9-104 (1), AND THE COLORADO WILDLIFE AND
17 TRANSPORTATION ALLIANCE, ESTABLISHED IN 2018;

18 (II) CONSULT WITH THE TRIBAL GOVERNMENT, IF THE PROPOSED
19 PROJECT IS ON OR ADJACENT TO TRIBAL LAND;

20 (III) CONSULT WITH RELEVANT LOCAL GOVERNMENTS WITH
21 JURISDICTION OVER THE AREA OF THE PROPOSED PROJECT AND ANY
22 RELEVANT LOCAL ORGANIZATIONS ENGAGING IN WORK TO REDUCE
23 VEHICLE COLLISIONS;

24 (IV) CONSIDER STUDIES CONCERNING THE PRIORITIZATION OF
25 WILDLIFE WITHIN THE STATE;

26 (V) CONSIDER WHETHER THE WILDLIFE SAFE PASSAGE PROJECT IS
27 RELATED TO A BRIDGE OR TUNNEL PROJECT UNDERTAKEN BY THE BRIDGE

1 ENTERPRISE; AND

2 (VI) IN CONSULTATION WITH THE DIVISION OF PARKS AND
3 WILDLIFE IN THE DEPARTMENT OF NATURAL RESOURCES, CONSIDER
4 OPPORTUNITIES FOR LANDOWNER AGREEMENTS OR ADDITIONAL
5 CONSERVATION EFFORTS THAT MAY BE NECESSARY TO ENSURE THE
6 CONTINUED FUNCTIONALITY OF INFRASTRUCTURE ASSOCIATED WITH A
7 PROPOSED WILDLIFE SAFE PASSAGE PROJECT FOR THE DURATION OF ITS
8 PLANNED STRUCTURAL LIFE.

9 (d) IN UNDERTAKING WILDLIFE SAFE PASSAGE PROJECTS USING
10 MONEY FROM THE FUND, THE ENTERPRISE SHALL FOLLOW APPLICABLE
11 PROVISIONS IN SECTION 24-103-908, INCLUDING THE PREFERENCE FOR
12 RESIDENT BIDDERS SET FORTH IN SECTION 24-103-908 (2).

13 (4) (a) The commission may transfer money from the state
14 highway fund created in section 43-1-219 to the bridge enterprise for the
15 purpose of defraying expenses incurred by the enterprise prior to the
16 receipt of bond proceeds or revenue by the enterprise. The bridge
17 enterprise may accept and expend any money so transferred, and,
18 notwithstanding any state fiscal rule or generally accepted accounting
19 principle that could otherwise be interpreted to require a contrary
20 conclusion, such a transfer shall constitute a loan from the commission to
21 the bridge enterprise and shall not be considered a grant for purposes of
22 section 20 (2)(d) of article X of the state constitution. As the bridge
23 enterprise receives sufficient revenues in excess of expenses, the
24 enterprise shall reimburse the state highway fund for the principal amount
25 of any loan from the state highway fund made by the commission plus
26 interest at a rate set by the commission.

27 (b) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (4)(b)(II)

1 OF THIS SECTION, any money loaned from the state highway fund to the
2 bridge enterprise pursuant to this ~~section shall~~ SUBSECTION (4) MUST be
3 deposited into a fund to be known as the statewide bridge and tunnel
4 enterprise operating fund, which fund is hereby created, and ~~shall~~ MUST
5 not be deposited into the bridge special fund. Money from the bridge
6 special fund may, however, be used to reimburse the state highway fund
7 for the amount of any loan from the state highway fund or any interest
8 thereon.

9 (II) ANY MONEY LOANED FROM THE STATE HIGHWAY FUND TO THE
10 BRIDGE ENTERPRISE PURSUANT TO THIS SUBSECTION (4) FOR THE PURPOSE
11 OF DEFRAYING EXPENSES INCURRED BY THE ENTERPRISE IN CONNECTION
12 WITH THE COLLISION PREVENTION FUND OR FEE, INCLUDING MONEY FOR
13 CONDUCTING THE PUBLIC OUTREACH CAMPAIGN TO EDUCATE THE PUBLIC
14 ABOUT THE OPTIONAL COLLISION PREVENTION FEE PURSUANT TO SECTION
15 43-4-815 (4)(c) OR FOR DEVELOPING LANGUAGE TO NOTIFY INDIVIDUALS
16 ABOUT THE OPTIONAL COLLISION PREVENTION FEE PURSUANT TO SECTION
17 43-4-815 (4)(b), PRIOR TO THE RECEIPT OF FEE REVENUE BY THE
18 ENTERPRISE FROM THE COLLISION PREVENTION FEE MUST BE DEPOSITED
19 INTO THE COLLISION PREVENTION FUND CREATED IN SUBSECTION (3.5) OF
20 THIS SECTION OR TO AN ACCOUNT WITHIN THE FUND. LOAN LIABILITIES
21 THAT ARE RECORDED IN THE COLLISION PREVENTION FUND BUT THAT ARE
22 NOT REQUIRED TO BE PAID IN THE CURRENT FISCAL YEAR MUST NOT BE
23 CONSIDERED WHEN CALCULATING SUFFICIENT STATUTORY FUND BALANCE
24 FOR PURPOSES OF SECTION 24-75-109. MONEY FROM THE COLLISION
25 PREVENTION FUND MAY BE USED TO REIMBURSE THE STATE HIGHWAY
26 FUND FOR THE AMOUNT OF ANY LOAN FROM THE STATE HIGHWAY FUND OR
27 ANY INTEREST THEREON.

1 (5) In addition to any other powers and duties specified in this
2 section, the bridge enterprise board has the following powers and duties:

3 (g.9) (a) IN FURTHERANCE OF ITS BUSINESS PURPOSE, BEGINNING
4 ON JANUARY 1, 2027, THE BRIDGE ENTERPRISE IS AUTHORIZED TO IMPOSE
5 AN OPTIONAL COLLISION PREVENTION FEE IN THE AMOUNT OF FIVE
6 DOLLARS, WHICH IS COLLECTED AS DESCRIBED IN SECTION 43-4-815.

7 (b) BEGINNING ON JULY 1, 2028, AND ON JULY 1 OF EACH YEAR
8 THEREAFTER, THE BRIDGE ENTERPRISE BOARD MAY ADJUST THE FEE
9 AMOUNT UPWARD FOR INFLATION BASED ON THE ANNUAL PERCENTAGE
10 CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF
11 LABOR STATISTICS CONSUMER PRICE INDEX FOR
12 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS AND ALL URBAN
13 CONSUMERS, OR ITS APPLICABLE PREDECESSOR OR SUCCESSOR INDEX.

14 **SECTION 4.** In Colorado Revised Statutes, **add** 43-4-815 as
15 follows:

16 **43-4-815. Optional collision prevention fee - assess with**
17 **vehicle registration - option to decline to pay - legislative declaration**
18 **- definitions.**

19 (1) **Legislative declaration.** THE GENERAL ASSEMBLY:

20 (a) FINDS AND DETERMINES THAT:

21 (I) IT IS IN THE BEST INTEREST OF THE STATE AND ALL
22 COLORADANS TO GENERATE FUNDING FOR WILDLIFE CROSSINGS AND
23 RELATED PROJECTS, INCLUDING TARGETED TRANSPORTATION SYSTEM
24 INFRASTRUCTURE IMPROVEMENTS, LAND CONSERVATION TO ENSURE THE
25 FUNCTIONALITY OF WILDLIFE CROSSINGS, AND OTHER DATA-DRIVEN
26 STRATEGIES THAT WILL REDUCE THE NUMBER OF WILDLIFE-VEHICLE
27 COLLISIONS, THEREBY SAVING LIVES, PREVENTING INJURIES, AVOIDING

1 PROPERTY DAMAGE, REDUCING TRAFFIC, AND FACILITATING HEALTHY
2 WILDLIFE MIGRATION AND MOVEMENT; AND

3 (II) THE GOALS AND OBJECTIVES IDENTIFIED IN THIS SUBSECTION
4 (1) AND IN SECTION 43-4-805 CAN ONLY BE ACCOMPLISHED THROUGH
5 IMPLEMENTATION OF AN OPTIONAL FEE STRUCTURE THAT PROVIDES
6 CONSISTENT, RELIABLE FINANCIAL CONTRIBUTIONS; AND

7 (b) DECLARES THAT:

8 (I) THE OPTIONAL COLLISION PREVENTION FEE IS NOT INTENDED AS
9 A REGISTRATION FEE OR OTHER CHARGE WITH RESPECT TO THE OPERATION
10 OF ANY MOTOR VEHICLE UPON ANY PUBLIC HIGHWAY IN THE STATE;

11 (II) THE COLLECTION OF THE OPTIONAL COLLISION PREVENTION
12 FEE WITH AN ANNUAL MOTOR VEHICLE REGISTRATION IS INTENDED TO
13 CREATE AN ADMINISTRATIVE CONVENIENCE; AND

14 (III) AN INDIVIDUAL'S CHOICE NOT TO PAY THE OPTIONAL
15 COLLISION PREVENTION FEE IS NOT INTENDED TO AFFECT THE INDIVIDUAL'S
16 ABILITY TO REGISTER THE INDIVIDUAL'S MOTOR VEHICLE.

17 (2) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
18 OTHERWISE REQUIRES:

19 (a) "COLLISION PREVENTION FUND" MEANS THE COLLISION
20 PREVENTION FUND CREATED IN SECTION 43-4-805 (3.5).

21 (b) "DIVISION OF MOTOR VEHICLES" MEANS THE DIVISION OF
22 MOTOR VEHICLES IN THE DEPARTMENT OF REVENUE.

23 (c) "DIVISION OF PARKS AND WILDLIFE" HAS THE MEANING SET
24 FORTH IN SECTION 33-1-102 (10).

25 (d) "KEEP COLORADO WILD PASS" MEANS THE KEEP COLORADO
26 WILD PASS CREATED IN SECTION 33-12-108.

27 (e) "LIGHT-WEIGHT TRUCK" MEANS A TRUCK WITH A DECLARED

1 EMPTY VEHICLE WEIGHT OF LESS THAN OR EQUAL TO SIXTEEN THOUSAND
2 POUNDS.

3 (f) "MOTORCYCLE" HAS THE MEANING SET FORTH IN SECTION
4 42-1-102 (55).

5 (g) "MOTOR VEHICLE" HAS THE MEANING SET FORTH IN SECTION
6 42-1-102 (58).

7 (h) "RECREATIONAL VEHICLE" HAS THE SAME MEANING AS
8 "NONCOMMERCIAL OR RECREATIONAL VEHICLE" AS SET FORTH IN SECTION
9 42-1-102 (61).

10 (i) "REGISTRATION" REFERS TO THE REGISTRATION OF A VEHICLE
11 WITH THE DEPARTMENT OF REVENUE, AS REQUIRED BY SECTION 42-3-103.

12 (j) "TRUCK" HAS THE MEANING SET FORTH IN SECTION 42-1-102
13 (108).

14 (k) "WILDLIFE CASH FUND" MEANS THE WILDLIFE CASH FUND
15 CREATED IN SECTION 33-1-112 (1)(a).

16 (3) (a) IN FURTHERANCE OF ITS BUSINESS PURPOSE AS DESCRIBED
17 IN SECTION 43-4-805, BEGINNING ON JANUARY 1, 2027, THE BRIDGE
18 ENTERPRISE IS AUTHORIZED TO IMPOSE AN OPTIONAL COLLISION
19 PREVENTION FEE TO FUND WILDLIFE SAFE PASSAGE PROJECTS, INCREASE
20 ROAD SAFETY, AND SUPPORT WILDLIFE CONNECTIVITY. THE COLLISION
21 PREVENTION FEE IS COLLECTED AS DESCRIBED IN THIS SECTION.

22 (b) (I) THE COLLISION PREVENTION FEE IS COLLECTED BY THE
23 DEPARTMENT OF REVENUE OR AN AUTHORIZED AGENT AT THE TIME OF
24 REGISTERING A MOTOR VEHICLE THAT IS A PASSENGER MOTOR VEHICLE,
25 LIGHT-WEIGHT TRUCK, MOTORCYCLE, OR RECREATIONAL VEHICLE.

26 (II) THE COLLISION PREVENTION FEE IS COLLECTED BY THE
27 DEPARTMENT OF REVENUE OR AN AUTHORIZED AGENT ONLY FOR INITIAL

1 REGISTRATION OR RENEWAL TRANSACTIONS THAT OCCUR IN AN OFFICE OR
2 ONLINE.

3 (III) ONCE AN INDIVIDUAL OPTS TO PAY THE COLLISION
4 PREVENTION FEE AND THE FEE IS COLLECTED, THE FEE CANNOT BE
5 REFUNDED.

6 (c) AN INDIVIDUAL REGISTERING A TYPE OF MOTOR VEHICLE
7 LISTED IN SUBSECTION (3)(b) OF THIS SECTION WHO HAS BEEN ASSESSED
8 THE COLLISION PREVENTION FEE MAY DECLINE TO PAY THE FEE WHEN
9 MAKING PAYMENT DURING THE MOTOR VEHICLE REGISTRATION PROCESS.
10 NONPAYMENT OF THE FEE DOES NOT AFFECT AN INDIVIDUAL'S ABILITY TO
11 REGISTER A MOTOR VEHICLE.

12 (d) (I) THE COLLISION PREVENTION FEE IS ASSESSED WHEN A TYPE
13 OF MOTOR VEHICLE LISTED IN SUBSECTION (3)(b) OF THIS SECTION IS
14 REGISTERED AS REQUIRED BY ARTICLE 3 OF TITLE 42. EACH AUTHORIZED
15 AGENT SHALL REMIT TO THE DEPARTMENT OF REVENUE NO LESS
16 FREQUENTLY THAN ONCE A MONTH ALL COLLISION PREVENTION FEES
17 COLLECTED BY THE AUTHORIZED AGENT. THE EXECUTIVE DIRECTOR OF
18 THE DEPARTMENT OF REVENUE SHALL TRANSMIT ALL COLLISION
19 PREVENTION FEES REMITTED BY AUTHORIZED AGENTS PLUS ANY COLLISION
20 PREVENTION FEES COLLECTED DIRECTLY BY THE DEPARTMENT OF
21 REVENUE, MINUS THE DIRECT AND INDIRECT COSTS FOR THE COLLECTION
22 AND TRANSMISSION OF THE FEES AS INCURRED BY THE DEPARTMENT OF
23 REVENUE AND ITS AUTHORIZED AGENTS, TO THE STATE TREASURER NO
24 LESS FREQUENTLY THAN ONCE A MONTH, AND THE STATE TREASURER
25 SHALL CREDIT THE FEES IN ACCORDANCE WITH SUBSECTION (3)(e) OF THIS
26 SECTION.

27 (II) ANY MONEY THAT THE DEPARTMENT OF REVENUE RECEIVES

1 AND TRANSMITS TO THE STATE TREASURER PURSUANT TO SUBSECTION
2 (3)(d)(I) OF THIS SECTION AND THE STATE TREASURER CREDITS TO THE
3 COLLISION PREVENTION FUND OR TO THE WILDLIFE CASH FUND:

4 (A) IS COLLECTED FOR THE BRIDGE ENTERPRISE, WHICH IS AN
5 ENTERPRISE PURSUANT TO SECTION 43-4-805, AND THE DIVISION OF PARKS
6 AND WILDLIFE, WHICH IS AN ENTERPRISE PURSUANT TO SECTION 33-9-105;

7 (B) IS CUSTODIAL MONEY INTENDED FOR THE BRIDGE ENTERPRISE
8 AND THE DIVISION OF PARKS AND WILDLIFE THAT IS HELD TEMPORARILY
9 BY THE DEPARTMENT OF REVENUE AND THE STATE TREASURER SOLELY
10 FOR THE PURPOSE OF CREDITING THE MONEY TO THE COLLISION
11 PREVENTION FUND AND THE WILDLIFE CASH FUND; AND

12 (C) BASED ON THE STATUS OF THE BRIDGE ENTERPRISE AND THE
13 DIVISION OF PARKS AND WILDLIFE AS ENTERPRISES, IS NOT SUBJECT TO
14 SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION AT ANY TIME
15 DURING ITS COLLECTION, TRANSMISSION, OR USE.

16 (e) THE STATE TREASURER SHALL CREDIT THE REVENUE FROM THE
17 COLLISION PREVENTION FEE THAT THE EXECUTIVE DIRECTOR OF THE
18 DEPARTMENT OF REVENUE TRANSMITS PURSUANT TO SUBSECTION (3)(d)
19 OF THIS SECTION AS FOLLOWS:

20 (I) SEVENTY-FIVE PERCENT OF THE REVENUE TO THE COLLISION
21 PREVENTION FUND TO PROVIDE THE SERVICES DESCRIBED IN SECTION
22 43-4-805; AND

23 (II) TWENTY-FIVE PERCENT OF THE REVENUE TO THE WILDLIFE
24 CASH FUND TO PROVIDE SERVICES RELATED TO WILDLIFE CONNECTIVITY
25 AND WILDLIFE CROSSING-RELATED CONSERVATION EFFORTS TO FEE
26 PAYERS ON BEHALF OF THE BRIDGE ENTERPRISE.

27 (4)(a) IN CONSULTATION WITH THE DIVISION, THE DEPARTMENT OF

1 REVENUE, COUNTY CLERKS, AND THE BRIDGE ENTERPRISE SHALL
2 DETERMINE THE APPROPRIATE LOCATION IN THE VEHICLE REGISTRATION
3 PROCESS FOR THE ABILITY TO OPT OUT OF THE COLLISION PREVENTION FEE.
4 THE PROCESS TO OPT OUT OF THE COLLISION PREVENTION FEE MUST BE
5 CLEARLY DIFFERENTIATED FROM AND OCCUR AFTER THE ABILITY TO OPT
6 OUT OF THE KEEP COLORADO WILD PASS FEES.

7 (b) IN COLLABORATION WITH THE DEPARTMENT OF REVENUE AND
8 COUNTY CLERKS, THE BRIDGE ENTERPRISE SHALL DEVELOP LANGUAGE TO
9 NOTIFY INDIVIDUALS ABOUT THE OPTIONAL COLLISION PREVENTION FEE,
10 INCLUDING EXPLICIT LANGUAGE REGARDING THE ABILITY TO DECLINE TO
11 PAY THE FEE AND THE FACT THAT NONPAYMENT OF THE FEE WILL NOT
12 AFFECT THE INDIVIDUAL'S ABILITY TO REGISTER A MOTOR VEHICLE. THE
13 NOTIFICATION LANGUAGE DEVELOPED MUST BE CONSPICUOUSLY PLACED:

14 (I) ON A PUBLIC WEBSITE FOR THE BRIDGE ENTERPRISE OR THE
15 DEPARTMENT; AND

16 (II) ON THE DIVISION OF MOTOR VEHICLES' PUBLIC WEBSITE.

17 (c) IN COLLABORATION WITH THE DEPARTMENT OF REVENUE, THE
18 DEPARTMENT, COUNTY CLERKS, THE DIVISION OF PARKS AND WILDLIFE,
19 AND OTHER IMPACTED STAKEHOLDERS, THE ENTERPRISE SHALL CONDUCT
20 A PUBLIC OUTREACH CAMPAIGN TO EDUCATE THE PUBLIC ABOUT THE
21 OPTIONAL COLLISION PREVENTION FEE AND WHAT BENEFITS THE FEE WILL
22 PROVIDE. THE ENTERPRISE SHALL INITIATE THE PUBLIC OUTREACH
23 CAMPAIGN AS SOON AS PRACTICABLE FOLLOWING THE EFFECTIVE DATE OF
24 THIS SECTION AND SHALL DEVELOP AND DELIVER CUSTOMER-FACING
25 EDUCATIONAL MATERIALS TO COUNTY CLERKS ON OR BEFORE DECEMBER
26 1, 2026.

27 **SECTION 5.** In Colorado Revised Statutes, 33-1-112, **add** (1)(d)

1 as follows:

2 **33-1-112. Funds - cost accounting - definition.**

3 (1) (d) THE DIVISION SHALL USE THE MONEY FROM THE OPTIONAL
4 COLLISION PREVENTION FEE PAID PURSUANT TO SECTION 43-4-815
5 (3)(e)(II) AND DEPOSITED IN THE WILDLIFE CASH FUND FOR WILDLIFE
6 CONNECTIVITY AND WILDLIFE CROSSING-RELATED CONSERVATION
7 EFFORTS. THE MONEY FROM THE OPTIONAL COLLISION PREVENTION FEE IS
8 CONTINUOUSLY APPROPRIATED TO THE DIVISION FOR THE PURPOSES OF
9 THIS SUBSECTION (1)(d).

10 **SECTION 6.** In Colorado Revised Statutes, 33-12-108, **repeal**
11 (4)(c)(II) as follows:

12 **33-12-108. Keep Colorado wild pass - assess with vehicle**
13 **registration - option to decline to pay - rules - short title - legislative**
14 **declaration - definitions.**

15 (4) (c) (II) ~~If a person declines to pay the pass fee or otherwise~~
16 ~~fails to pay the pass fee, it shall be presumed that the person will decline~~
17 ~~to pay the pass fee in future years in which the person registers the motor~~
18 ~~vehicle, and the division, in collaboration with the division of motor~~
19 ~~vehicles in the department of revenue, shall develop an opt-in provision~~
20 ~~to be displayed on any subsequent notifications sent to the person~~
21 ~~regarding that motor vehicle.~~

22 **SECTION 7. Appropriation. (1) For the 2026-27 state fiscal**
23 **year, \$53,516 is appropriated to the department of revenue for use by the**
24 **division of motor vehicles. This appropriation is from the DRIVES cash**
25 **fund created in section 42-1-211 (2)(a), C.R.S. To implement this act, the**
26 **division may use this appropriation as follows:**

27 **(a) \$39,782 for DRIVES maintenance and support;**

1 (b) \$3,403 for use by the division of motor vehicles for personal
2 services related to vehicle services;

3 (c) \$4,715 for use by the executive director's office for personal
4 services related to administration and support; and

5 (d) \$5,616 for payments to OIT.

6 (2) For the 2026-27 state fiscal year, \$778 is appropriated to the
7 department of natural resources for use by the division of parks and
8 wildlife. This appropriation is from the parks and outdoor recreation cash
9 fund created in section 33-10-111 (1), C.R.S. To implement this act, the
10 division may use this appropriation for state park operations.

11 (3) For the 2026-27 state fiscal year, \$778 is appropriated to the
12 department of revenue for use by the division of motor vehicles. This
13 appropriation is from reappropriated funds received from the department
14 of natural resources under subsection (2) of this section. To implement
15 this act, the division may use this appropriation to for DRIVES
16 maintenance and support.

17 (4) For the 2026-27 state fiscal year, \$19,940 is appropriated to
18 the department of law. This appropriation is from the legal services cash
19 fund created in section 24-31-108 (4), C.R.S., from revenue received
20 from the department of transportation that is continuously appropriated
21 to the department of transportation from the collision prevention fund
22 created in section 43-4-805 (3.5)(a), C.R.S. The appropriation to the
23 department of law is based on an assumption that the department of law
24 will require an additional 0.1 FTE. To implement this act, the department
25 of law may use this appropriation to provide legal services for the
26 department of transportation.

27 **SECTION 8. Act subject to petition - effective date.** This act

1 takes effect October 1, 2026; except that, if a referendum petition is filed
2 pursuant to section 1 (3) of article V of the state constitution against this
3 act or an item, section, or part of this act within the ninety-day period
4 after final adjournment of the general assembly, then the act, item,
5 section, or part will not take effect unless approved by the people at the
6 general election to be held in November 2026 and, in such case, will take
7 effect on the date of the official declaration of the vote thereon by the
8 governor.