

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-1006.03 Pierce Lively x2059

HOUSE BILL 26-1430

HOUSE SPONSORSHIP

Boesenecker and Sirota,

SENATE SPONSORSHIP

Lindstedt and Amabile,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING ADJUSTMENTS TO TRANSPORTATION FUNDING.

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>.)

Contingent upon voter approval of a proposed initiative to amend the state constitution to change existing law on transportation funding and to increase the amount of state revenue dedicated to road transportation (proposed initiative), from January 1, 2027, through July 1, 2030, the bill reduces:

- The excise tax on gasoline from \$0.22 per gallon to \$0.14 per gallon;
- The excise tax on special fuel from \$0.215 to \$0.13 per

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.

- gallon;
- Certain vehicle registration fees, including late fees; and
- The road usage fees initially from \$0.06 to \$0.04 per gallon, and then as necessary to offset the amount of state revenue diverted to transportation uses as the result of a proposed initiative.

The bill also creates the support road transportation fund (fund) contingent upon voter approval of the proposed initiative. The fund consists of state revenue dedicated to road transportation by the proposed initiative. Money in the fund is used to replace certain transportation-related general fund transfers for payments for the financed purchase of assets or certificate of participation agreements, and to replace certain general fund transfers to the state highway fund. The money remaining in the fund after making these transfers is allocated as follows:

- 60% is paid to the state highway fund;
- 23% is paid to counties for certain transportation expenses; and
- 17% is paid to cities and incorporated towns for certain transportation expenses.

Lastly, the bill clarifies that state revenue collected to support road transportation, as defined in the proposed initiative, does not include enterprise fee revenue.

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

2 **SECTION 1. Short title.** The short title of this act is the
3 "Colorado Budget Protection Act".

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

6 (a) A proposed initiative for the 2026 general election could make
7 the state's already difficult-to-balance budget even harder to balance;

8 (b) A response to this proposed initiative is necessary to avoid
9 reductions of up to seven hundred million dollars in appropriations for
10 critical state services including K-12 public education, health care, and
11 higher education;

12 (c) These reduced appropriations could necessitate both a new

1 budget stabilization factor and increased higher education tuition; and

2 (d) The state has taken unprecedented steps over the last seven
3 years to increase funding for transportation programs and fully supports
4 the need for sustainable transportation investment, so long as that
5 investment does not come at the expense of critical state services for
6 those ranging from young children to elderly adults.

7 (2) Therefore, the general assembly finds and declares that, if the
8 voters approve a proposed initiative that would direct additional general
9 fund money to transportation, this act will lower the gasoline excise tax,
10 the special fuel excise tax, and the road usage fee to ensure that state
11 transportation funding is not increased at the expense of critical state
12 services that are funded by general fund money.

13 **SECTION 3.** In Colorado Revised Statutes, 24-75-219, **amend**
14 (7)(d)(II), (7)(d)(III), (7)(e); and **add** (7)(d)(II.5) and (7)(d)(III.5) as
15 follows:

16 **24-75-219. Transfers - transportation - capital construction -**
17 **definitions.**

18 (7) In addition to any other transfers required by this section:

19 (d) (II) On July 1, 2026, the state treasurer shall transfer ~~fifty~~
20 ~~million~~ five hundred thousand dollars from the general fund to the state
21 highway fund;

22 (II.5) ON JANUARY 1, 2027, OR AS SOON AS POSSIBLE THEREAFTER,
23 THE STATE TREASURER SHALL TRANSFER FIFTY MILLION DOLLARS FROM
24 THE SUPPORT ROAD TRANSPORTATION FUND CREATED IN SECTION
25 43-4-1601 TO THE STATE HIGHWAY FUND.

26 (III) On each July 1 from July 1, 2027, through ~~July 1, 2031~~, JULY
27 1, 2030, the state treasurer shall transfer one hundred million dollars from

1 the ~~general fund~~ SUPPORT ROAD TRANSPORTATION FUND CREATED IN
2 SECTION 43-4-1601 to the state highway fund; and

3 (III.5) ON JULY 1, 2031, THE STATE TREASURER SHALL TRANSFER
4 ONE HUNDRED MILLION DOLLARS FROM THE GENERAL FUND TO THE STATE
5 HIGHWAY FUND; AND

6 (e) The department of transportation shall expend ten million
7 dollars of each transfer from the general fund to the state highway fund
8 made pursuant to subsection (7)(d)(I) ~~(7)(d)(II), or (7)(d)(III)~~ of this
9 section from July 1, 2025, through July 1, 2028, solely to mitigate the
10 environmental and health impacts of increased air pollution from motor
11 vehicle emissions in nonattainment areas by funding projects that reduce
12 vehicle miles traveled or that directly reduce air pollution.

13 **SECTION 4.** In Colorado Revised Statutes, 24-82-1303, **amend**
14 (2)(d) introductory portion; and **add** (2)(d.5) as follows:

15 **24-82-1303. Financed purchase of an asset or certificate of**
16 **participation agreements for capital construction and transportation**
17 **projects.**

18 (2) (d) Any financed purchase of an asset or certificate of
19 participation agreement executed as required by subsection (2)(a) of this
20 section shall provide that all of the obligations of the state under the
21 agreement are subject to the action of the general assembly in annually
22 making money available for all payments thereunder. BEFORE JANUARY
23 1, 2027, AND ON AND AFTER JULY 1, 2031, payments under any financed
24 purchase of an asset or certificate of participation agreement must be
25 made, subject to annual allocation pursuant to section 43-1-113 by the
26 transportation commission created in section 43-1-106 (1) or subject to
27 annual appropriation by the general assembly, as applicable, from the

1 following sources of money:

2 (d.5) ANY FINANCED PURCHASE OF AN ASSET OR CERTIFICATE OF
3 PARTICIPATION AGREEMENT EXECUTED AS REQUIRED BY SUBSECTION
4 (2)(a) OF THIS SECTION SHALL PROVIDE THAT ALL OF THE OBLIGATIONS OF
5 THE STATE UNDER THE AGREEMENT ARE SUBJECT TO THE ACTION OF THE
6 GENERAL ASSEMBLY IN ANNUALLY MAKING MONEY AVAILABLE FOR ALL
7 PAYMENTS THEREUNDER. ON AND AFTER JANUARY 1, 2027, AND BEFORE
8 JULY 1, 2031, PAYMENTS UNDER ANY FINANCED PURCHASE OF AN ASSET
9 OR CERTIFICATE OF PARTICIPATION AGREEMENT MUST BE MADE, SUBJECT
10 TO ANNUAL ALLOCATION PURSUANT TO SECTION 43-1-113 BY THE
11 TRANSPORTATION COMMISSION CREATED IN SECTION 43-1-106 (1) OR
12 SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, AS
13 APPLICABLE, FROM THE FOLLOWING SOURCES OF MONEY:

14 (I) FIRST, NINE MILLION DOLLARS ANNUALLY, OR ANY LESSER
15 AMOUNT THAT IS SUFFICIENT TO MAKE EACH FULL PAYMENT DUE, SHALL
16 BE PAID FROM THE GENERAL FUND OR ANY OTHER LEGALLY AVAILABLE
17 SOURCE OF MONEY FOR THE PURPOSE OF FULLY FUNDING THE CONTROLLED
18 MAINTENANCE AND CAPITAL CONSTRUCTION PROJECTS IN THE STATE TO
19 BE FUNDED WITH THE PROCEEDS OF FINANCED PURCHASE OF AN ASSET OR
20 CERTIFICATE OF PARTICIPATION AGREEMENTS AS SPECIFIED IN SUBSECTION
21 (4)(a) OF THIS SECTION;

22 (II) NEXT, FIFTY MILLION DOLLARS ANNUALLY, OR ANY LESSER
23 AMOUNT THAT IS SUFFICIENT TO MAKE EACH FULL PAYMENT DUE, SHALL
24 BE PAID FROM ANY LEGALLY AVAILABLE MONEY UNDER THE CONTROL OF
25 THE TRANSPORTATION COMMISSION SOLELY FOR THE PURPOSE OF
26 ALLOWING THE CONSTRUCTION, SUPERVISION, AND MAINTENANCE OF
27 STATE HIGHWAYS TO BE FUNDED WITH THE PROCEEDS OF FINANCED

1 PURCHASE OF AN ASSET OR CERTIFICATE OF PARTICIPATION AGREEMENTS
2 AS SPECIFIED IN SUBSECTION (4)(b) OF THIS SECTION AND SECTION
3 43-4-206 (1)(b)(V); AND

4 (III) THE REMAINDER OF THE AMOUNT NEEDED, IN ADDITION TO
5 THE AMOUNTS SPECIFIED IN SUBSECTIONS (2)(d.5) AND (2)(d.5)(II) OF THIS
6 SECTION, TO MAKE EACH FULL PAYMENT DUE SHALL BE PAID FROM THE
7 SUPPORT ROAD TRANSPORTATION FUND CREATED IN SECTION 43-4-1601.

8 **SECTION 5.** In Colorado Revised Statutes, 39-26-123, **add**
9 (3)(c) as follows:

10 **39-26-123. Receipts - disposition - transfers of general fund**
11 **surplus - sales tax holding fund - creation - definitions.**

12 (3) For any state fiscal year commencing on or after July 1, 2013,
13 the state treasurer shall credit eighty-five percent of all net revenue
14 collected under this article 26 to the old age pension fund created in
15 section 1 of article XXIV of the state constitution. The state treasurer
16 shall credit to the general fund the remaining fifteen percent of the net
17 revenue, less:

18 (c) THE AMOUNT CREDITED TO THE SUPPORT ROAD
19 TRANSPORTATION FUND CREATED IN SECTION 43-4-1601, AS REQUIRED BY
20 SECTION 43-4-1601 (5).

21 **SECTION 6.** In Colorado Revised Statutes, 39-27-102, **amend**
22 (1)(a)(II)(A) and (1)(a)(II)(B) as follows:

23 **39-27-102. Tax imposed on gasoline and special fuel - deposits**
24 **- penalties.**

25 (1) (a) (II) (A) Except as provided in subsection (1)(a)(IV) of this
26 section, the excise tax imposed on gasoline is twenty-two cents per gallon
27 or fraction thereof; EXCEPT THAT, ON AND AFTER JANUARY 1, 2027, BUT

1 BEFORE JULY 1, 2030, THE EXCISE TAX IMPOSED ON GASOLINE IS
2 FOURTEEN CENTS PER GALLON OR FRACTION THEREOF.

3 (B) The excise tax imposed on special fuel by subsection (1)(a)(I)
4 of this section is twenty and one-half cents per gallon or a fraction
5 thereof; EXCEPT THAT, ON AND AFTER JANUARY 1, 2027, BUT BEFORE JULY
6 1, 2030, THE EXCISE TAX IMPOSED ON SPECIAL FUEL BY SUBSECTION
7 (1)(a)(I) OF THIS SECTION IS THIRTEEN CENTS PER GALLON OR A FRACTION
8 THEREOF. This subsection (1)(a)(II)(B) does not apply to any special fuel
9 specified in subsections (1)(a)(VI), (1)(a)(VII), and (1)(a)(VIII) of this
10 section.

11 **SECTION 7.** In Colorado Revised Statutes, 42-3-112, **add** (1.6)
12 as follows:

13 **42-3-112. Failure to pay tax - penalty - rules - repeal.**

14 (1.6) (a) NOTWITHSTANDING SUBSECTION (1)(a)(I) OF THIS
15 SECTION, ON AND AFTER JANUARY 1, 2027, AND BEFORE JULY 1, 2030, THE
16 LATE FEE IMPOSED IN SUBSECTION (1)(a)(I) OF THIS SECTION IS SET AT
17 FIFTEEN DOLLARS FIFTY CENTS FOR EACH MONTH OR PORTION OF A MONTH
18 FOLLOWING THE EXPIRATION OF THE REGISTRATION PERIOD, OR, IF
19 APPLICABLE, THE EXPIRATION OF THE GRACE PERIOD DESCRIBED IN
20 SECTION 42-3-114 FOR WHICH THE VEHICLE IS UNREGISTERED; EXCEPT
21 THAT THE AMOUNT OF THE LATE FEE MUST NOT EXCEED SIXTY-TWO
22 DOLLARS.

23 (b) THIS SUBSECTION (1.6) IS REPEALED, EFFECTIVE JULY 1, 2030.

24 **SECTION 8.** In Colorado Revised Statutes, 42-3-304, **amend**
25 (25)(a), (25)(a.5)(II), and (25)(a.5)(IV) as follows:

26 **42-3-304. Registration fees - passenger-mile taxes - clean**
27 **screen fund - fees - report - rules - definitions - repeal.**

1 (25) (a) (I) In addition to any other fee imposed by this section, for
2 registration periods beginning during state fiscal years prior to state fiscal
3 year 2022-23, each authorized agent shall annually collect a fee of fifty
4 dollars at the time of registration on every electric motor vehicle. For
5 registration periods beginning during state fiscal year 2022-23 or during
6 any subsequent state fiscal year, each authorized agent shall continue to
7 collect the fee, and the amount of the fee for registration periods
8 beginning during any given state fiscal year is the amount of the fee
9 collected for registration periods beginning during the prior state fiscal
10 year, adjusted for inflation; except that an adjustment shall be made only
11 if the rate of inflation is positive and the adjustment must be the lesser of
12 the actual rate of inflation or five percent. The department of revenue
13 shall annually calculate the inflation-adjusted amount of the fee for
14 registration periods beginning during each state fiscal year and shall
15 publish the amount no later than April 15 of the calendar year in which
16 the state fiscal year begins. The authorized agent shall transmit the fee to
17 the state treasurer, who shall credit thirty dollars, adjusted for inflation,
18 of each fee to the highway users tax fund created in section 43-4-201, and
19 twenty dollars, adjusted for inflation, of each fee to the electric vehicle
20 grant fund created in section 24-38.5-103.

21 (II) (A) NOTWITHSTANDING SUBSECTION (25)(a)(I) OF THIS
22 SECTION, THE FEE IMPOSED IN SUBSECTION (25)(a)(I) OF THIS SECTION IS
23 SET AT THE FOLLOWING AMOUNTS DURING THE FOLLOWING FISCAL YEARS
24 BEGINNING ON JANUARY 1, 2027:

25	FISCAL YEAR	FEE
26	<i>2026-27</i>	<i>\$38.35</i>
27	<i>2027-28</i>	<i>\$39.50</i>

1 **2028-29** **\$40.68**

2 **2029-30** **\$41.91**

3 (B) THIS SUBSECTION (25)(a)(II) IS REPEALED, EFFECTIVE JULY 1,
4 2031.

5 (a.5) (II) For registration periods beginning during state fiscal
6 years 2022-23 through 2031-32, the amount of the electric motor vehicle
7 road usage equalization fee for a battery electric motor vehicle is as
8 follows:

9	Fiscal Year	Fee
10	2022-23	\$4
11	2023-24	\$8
12	2024-25	\$12
13	2025-26	\$16
14	2026-27 BEFORE JANUARY 1, 2027	
15		\$26
16	2026-27 ON AND AFTER JANUARY 1, 2027,	
17		\$16.12
18	2027-28	\$36 \$22.32
19	2028-29	\$51 \$31.62
20	2029-30	\$66 \$40.92
21	2030-31	\$81
22	2031-32	\$96

23 (IV) For registration periods beginning during state fiscal years
24 2022-23 through 2031-32, the amount of the electric motor vehicle road
25 usage equalization fee for a plug-in hybrid electric motor vehicle is:

26	Fiscal Year	Fee
27	2022-23	\$3

1 (B) THIS SUBSECTION (2)(b)(VIII) IS REPEALED, EFFECTIVE JULY
2 1, 2030.

3 (2.5) (a) NOTWITHSTANDING SUBSECTIONS (2)(a) AND (2)(b) OF
4 THIS SECTION, THE FEES IMPOSED IN SUBSECTIONS (2)(a) AND (2)(b) OF
5 THIS SECTION ARE SET AS FOLLOWS, ON AND AFTER JANUARY 1, 2027, AND
6 BEFORE JULY 1, 2030:

7 (I) MOTORCYCLES AND AUTOCYCLES, ONE DOLLAR EIGHTY-SIX
8 CENTS;

9 (II) PASSENGER CARS, STATION WAGONS, TAXICABS, AMBULANCES,
10 MOTOR HOMES, AND HEARSEs:

11 (A) WEIGHING TWO THOUSAND POUNDS OR LESS, THREE DOLLARS
12 SEVENTY-TWO CENTS;

13 (B) WEIGHING AT LEAST TWO THOUSAND ONE POUNDS AND
14 FORTY-FIVE HUNDRED POUNDS OR LESS, THREE DOLLARS SEVENTY-TWO
15 CENTS PLUS TWENTY CENTS PER ONE HUNDRED POUNDS, OR FRACTION
16 THEREOF, OF WEIGHT OVER TWO THOUSAND POUNDS; AND

17 (C) WEIGHING MORE THAN FOUR THOUSAND FIVE HUNDRED
18 POUNDS, SEVEN DOLLARS SEVENTY-FIVE CENTS PLUS SIXTY CENTS PER ONE
19 HUNDRED POUNDS, OR FRACTION THEREOF, OF WEIGHT OVER FOUR
20 THOUSAND FIVE HUNDRED POUNDS; EXCEPT THAT, FOR MOTOR HOMES
21 WEIGHING MORE THAN SIX THOUSAND FIVE HUNDRED POUNDS, SUCH FEES
22 SHALL BE TWENTY-FOUR DOLLARS FIFTY CENTS PLUS THIRTY CENTS PER
23 ONE HUNDRED POUNDS, OR FRACTION THEREOF, OF WEIGHT OVER SIX
24 THOUSAND FIVE HUNDRED POUNDS.

25 (b) THIS SUBSECTION (2.5) IS REPEALED, EFFECTIVE JULY 1, 2030.

26 **SECTION 10.** In Colorado Revised Statutes, 43-4-217, **amend**
27 (3)(b)(I)(E), (3)(b)(I)(G), (4)(b)(I)(E), and (4)(b)(I)(G); **repeal**

1 (3)(b)(I)(F) and (4)(b)(I)(F), and **add** (3)(b)(I)(E.5), (3)(b)(I)(F.5),
2 (4)(b)(I)(E.5), (4)(b)(I)(F.5), and (9) as follows:

3 **43-4-217. Additional funding - road usage fees - rules -**
4 **legislative declaration - definitions.**

5 (3) (b) (I) The amount of the road usage fee for each gallon of
6 gasoline acquired, sold, offered for sale, or used in this state from April
7 1, 2023, through June 30, 2023, and during state fiscal years 2023-24
8 through 2031-32 is:

9 (E) Six cents per gallon, ~~for state fiscal year 2026-27;~~ ON AND
10 AFTER JULY 1, 2026, BUT BEFORE JANUARY 1, 2027;

11 (E.5) FOUR CENTS PER GALLON, ON AND AFTER JANUARY 1, 2027,
12 BUT BEFORE JULY 1, 2027;

13 (F) ~~Seven cents per gallon, for state fiscal year 2027-28; and~~

14 (F.5) AN AMOUNT DETERMINED PURSUANT TO SUBSECTION (9)(b)
15 OF THIS SECTION FOR STATE FISCAL YEARS 2027-28 THROUGH 2029-30;
16 AND

17 (G) Eight cents per gallon, for state fiscal years ~~2028-29 through~~
18 2030-31 AND 2031-32.

19 (4) (b) (I) The amount of the road usage fee for each gallon of
20 special fuel acquired, sold, offered for sale, or used in this state from
21 April 1, 2023, through June 30, 2023, and during state fiscal years
22 2023-24 through 2031-32 is:

23 (E) Six cents per gallon, ~~for state fiscal year 2026-27;~~ ON AND
24 AFTER JULY 1, 2026, BUT BEFORE JANUARY 1, 2027;

25 (E.5) FOUR CENTS PER GALLON, ON AND AFTER JANUARY 1, 2027,
26 BUT BEFORE JULY 1, 2027;

27 (F) ~~Seven cents per gallon, for state fiscal year 2027-28; and~~

1 (F.5) AN AMOUNT DETERMINED PURSUANT TO SUBSECTION (9)(b)
2 OF THIS SECTION FOR STATE FISCAL YEARS 2027-28 THROUGH 2029-30;
3 AND

4 (G) Eight cents per gallon, for state fiscal years ~~2028-29 through~~
5 2030-31 AND 2031-32.

6 (9) (a) AS PART OF THE MARCH REVENUE FORECAST, PREPARED IN
7 MARCH OF 2027, 2028, AND 2029, LEGISLATIVE COUNCIL STAFF AND THE
8 OFFICE OF STATE PLANNING AND BUDGETING SHALL PROJECT THE ROAD
9 USAGE FEE RATES NECESSARY FOR THE AMOUNT OF THE REDUCED ROAD
10 USAGE FEES REVENUE IN THE NEXT FISCAL YEAR, ASSUMING THAT THE
11 ROAD USAGE FEE RATES ESTABLISHED IN SUBSECTIONS (3)(b) AND (4)(b)
12 OF THIS SECTION ARE EQUAL, TO EQUAL THE LESSER OF:

13 (I) THE TOTAL OF REQUIRED STATE REVENUE TRANSPORTATION
14 DIVERSION FOR THE NEXT STATE FISCAL YEAR MINUS THE SUM OF, FOR THE
15 NEXT FISCAL YEAR:

- 16 (A) REDUCED GASOLINE EXCISE TAX REVENUE;
- 17 (B) REDUCED SPECIAL FUEL EXCISE TAX REVENUE;
- 18 (C) REDUCED VEHICLE REGISTRATION FEE REVENUE; AND
- 19 (D) REDUCED TRANSPORTATION LEASE AND STATE HIGHWAY FUND
20 PAYMENT AMOUNTS; OR

21 (II) REVENUE FROM THE BASE ROAD USAGE FEES.

22 (b) IN MARCH OF 2027, 2028, AND 2029, UPON ADOPTING A
23 MARCH REVENUE FORECAST TO PREPARE THE GENERAL ANNUAL
24 APPROPRIATION ACT FOR THE NEXT STATE FISCAL YEAR, THE JOINT
25 BUDGET COMMITTEE OF THE GENERAL ASSEMBLY SHALL NOTIFY THE
26 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE OF THE ROAD
27 USAGE FEE RATES PROJECTED IN THE ADOPTED REVENUE FORECAST, AND

1 THAT RATE IS THE RATE OF THE ROAD USAGE FEE FOR THE NEXT STATE
2 FISCAL YEAR.

3 (c) AS USED IN THIS SUBSECTION (9), UNLESS THE CONTEXT
4 OTHERWISE REQUIRES:

5 (I) "ADJUSTED ROAD USAGE FEES" MEANS THE RATE OF THE ROAD
6 USAGE FEES ON GASOLINE AND SPECIAL FUEL FOR A STATE FISCAL YEAR
7 ESTABLISHED IN ACCORDANCE WITH SUBSECTION (9)(a) OF THIS SECTION.

8 (II) "BASE ROAD USAGE FEES" MEANS:

9 (A) FOR STATE FISCAL YEAR 2027-28, SEVEN CENTS PER GALLON;
10 AND

11 (B) FOR STATE FISCAL YEARS 2028-29 AND 2029-30, EIGHT CENTS
12 PER GALLON.

13 (III) "REDUCED GASOLINE EXCISE TAX REVENUE" MEANS THE
14 DIFFERENCE IN REVENUE COLLECTED FOR A STATE FISCAL YEAR, IF THE
15 EXCISE TAX IMPOSED ON GASOLINE PURSUANT TO SECTION 39-27-102
16 (1)(a)(II)(A) WERE IMPOSED AT A RATE OF TWENTY-TWO CENTS PER
17 GALLON OR A FRACTION THEREOF OR WERE IMPOSED AT A RATE OF
18 FOURTEEN CENTS PER GALLON OR A FRACTION THEREOF.

19 (IV) "REDUCED ROAD USAGE FEES REVENUE" MEANS THE
20 DIFFERENCE IN REVENUE COLLECTED FROM THE FEE ON GASOLINE AND
21 SPECIAL FUEL FOR A STATE FISCAL YEAR BETWEEN THE AMOUNT BASED ON
22 THE BASE ROAD USAGE FEES AND THE AMOUNT BASED ON THE ADJUSTED
23 ROAD USAGE FEES.

24 (V) "REDUCED SPECIAL FUEL EXCISE TAX REVENUE" MEANS THE
25 DIFFERENCE IN REVENUE COLLECTED FOR A STATE FISCAL YEAR, IF THE
26 EXCISE TAX IMPOSED ON SPECIAL FUEL PURSUANT TO SECTION 39-27-102
27 (1)(a)(II)(B) WERE IMPOSED AT A RATE OF TWENTY AND ONE-HALF CENTS

1 PER GALLON OR A FRACTION THEREOF OR WERE IMPOSED AT A RATE OF
2 THIRTEEN CENTS PER GALLON OR A FRACTION THEREOF.

3 (VI) "REDUCED TRANSPORTATION LEASE AND STATE HIGHWAY
4 FUND PAYMENTS" MEANS AN AMOUNT EQUAL TO THE SUM OF THE
5 TRANSFERS DESCRIBED IN SECTIONS 24-82-1303 (2)(d.5)(II), 24-82-1303
6 (2)(d.5)(III), 24-75-219 (7)(d)(II.5), AND 24-75-219 (7)(d)(III) FOR THE
7 APPLICABLE STATE FISCAL YEAR.

8 (VII) "REDUCED VEHICLE REGISTRATION FEE REVENUE" MEANS
9 THE DIFFERENCE IN REVENUE COLLECTED FOR A STATE FISCAL YEAR, AS A
10 RESULT OF THE REDUCTION OF ANY FEES IN SECTION 42-3-112, 42-3-304,
11 42-3-306, AND 43-4-804 PURSUANT TO THIS HOUSE BILL _____, ENACTED
12 IN 2026.

13 (VIII) "REQUIRED STATE REVENUE TRANSPORTATION DIVERSION"
14 MEANS THE TOTAL AMOUNT APPROPRIATED OR TRANSFERRED FROM THE
15 SUPPORT ROAD TRANSPORTATION FUND CREATED IN SECTION 43-4-1601
16 FOR A STATE FISCAL YEAR.

17 **SECTION 11.** In Colorado Revised Statutes, **add** 43-4-219 as
18 follows:

19 **43-4-219. State revenue collected to support road**
20 **transportation.**

21 STATE REVENUE COLLECTED TO SUPPORT ROAD TRANSPORTATION,
22 AS DEFINED IN SECTION 22 (3)(c) OF THE STATE CONSTITUTION, DOES NOT
23 INCLUDE FEE REVENUE RESULTING FROM A FEE IMPOSED BY ANY
24 ENTERPRISE.

25 **SECTION 12.** In Colorado Revised Statutes, 43-4-804, **add** (2)
26 as follows:

27 **43-4-804. Highway safety projects - surcharges, fees, and fines**

1 **- crediting of money to highway users tax fund - rules - definitions -**
2 **repeal.**

3 (2) (a) NOTWITHSTANDING SUBSECTIONS (1)(a)(I) AND (1)(a)(IX)
4 OF THIS SECTION, THE ROAD SAFETY SURCHARGE IMPOSED IN SUBSECTION
5 (1)(a) OF THIS SECTION IS SET AT THE FOLLOWING AMOUNTS:

6 (I) FOR A MOTORCYCLE, AS DEFINED IN SECTION 42-1-102 (55); A
7 TRAILER COACH, AS DEFINED IN SECTION 42-1-102 (106); AN AUTOCYCLE,
8 AS DEFINED IN SECTION 42-1-102 (7.5); OR ANY VEHICLE THAT WEIGHS
9 TWO THOUSAND POUNDS OR LESS:

10 (A) SEVEN DOLLARS SIXTY-THREE CENTS ON AND AFTER JANUARY
11 1, 2027, AND BEFORE JULY 1, 2027; OR

12 (B) TEN DOLLARS ON AND AFTER JULY 1, 2027;

13 (II) FOR ANY VEHICLE THAT WEIGHS MORE THAN TWO THOUSAND
14 POUNDS BUT NOT MORE THAN FIVE THOUSAND POUNDS:

15 (A) ELEVEN DOLLARS NINETY-SEVEN CENTS ON AND AFTER
16 JANUARY 1, 2027, AND BEFORE JULY 1, 2027; OR

17 (B) FOURTEEN DOLLARS ON AND AFTER JULY 1, 2027;

18 (III) FOR ANY VEHICLE THAT WEIGHS MORE THAN FIVE THOUSAND
19 POUNDS BUT NOT MORE THAN TEN THOUSAND POUNDS:

20 (A) FIFTEEN DOLLARS SEVEN CENTS ON AND AFTER JANUARY 1,
21 2027, AND BEFORE JULY 1, 2027; OR

22 (B) SEVENTEEN DOLLARS ON AND AFTER JULY 1, 2027;

23 (IV) FOR ANY VEHICLE THAT IS A PASSENGER BUS OR THAT WEIGHS
24 MORE THAN TEN THOUSAND POUNDS BUT NOT MORE THAN SIXTEEN
25 THOUSAND POUNDS:

26 (A) TWENTY DOLLARS SIXTY-FIVE CENTS ON AND AFTER JANUARY
27 1, 2027, AND BEFORE JULY 1, 2027; OR

- 1 (B) TWENTY-THREE DOLLARS ON AND AFTER JULY 1, 2027;
- 2 (V) FOR ANY VEHICLE THAT WEIGHS MORE THAN SIXTEEN
- 3 THOUSAND POUNDS:
- 4 (A) TWENTY-ONE DOLLARS EIGHTY-NINE CENTS ON AND AFTER
- 5 JANUARY 1, 2027, AND BEFORE JULY 1, 2027; OR
- 6 (B) TWENTY-FOUR DOLLARS ON AND AFTER JULY 1, 2027;
- 7 (b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2030.

8 **SECTION 13.** In Colorado Revised Statutes, **add** part 16 to
 9 article 4 of title 43 as follows:

10 **PART 16**
 11 **SUPPORT ROAD TRANSPORTATION FUND**

12 **43-4-1601. Support road transportation fund - definitions.**

13 (1) THE SUPPORT ROAD TRANSPORTATION FUND IS CREATED IN THE
 14 STATE TREASURY. THE FUND CONSISTS OF STATE REVENUE COLLECTED TO
 15 SUPPORT ROAD TRANSPORTATION CREDITED TO THE FUND BY THE STATE
 16 TREASURER PURSUANT TO SUBSECTION (5) OF THIS SECTION.

17 (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
 18 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
 19 FUND TO THE FUND.

20 (3) (a) THE MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED
 21 TO THE DEPARTMENT OF TRANSPORTATION FOR USE BY THE
 22 TRANSPORTATION COMMISSION FOR PAYMENTS MADE IN ACCORDANCE
 23 WITH SECTION 24-82-1303 (2)(d.5)(II) AND (2)(d.5)(III).

24 (b) THE STATE TREASURER SHALL APPORTION THE MONEY IN THE
 25 FUND MONTHLY, EXCLUDING MONEY NECESSARY FOR THE TRANSFERS OR
 26 PAYMENTS FROM THE FUND REQUIRED PURSUANT TO SECTIONS 24-82-1303
 27 (2)(d.5)(II), 24-82-1303 (2)(d.5)(III), 24-75-219 (7)(d)(II.5), AND

1 24-75-219 (7)(d)(III), BASED UPON ESTIMATES FROM THE DEPARTMENT OF
2 REVENUE OF CURRENT MONTHLY COLLECTIONS OF STATE REVENUE
3 COLLECTED TO SUPPORT ROAD TRANSPORTATION, WITH MONTHLY
4 RECONCILIATION OF THE STATE, COUNTY, AND MUNICIPAL ACCOUNTS IN
5 EACH SUCCESSIVE MONTH. THE DEPARTMENT OF REVENUE SHALL PROVIDE
6 ESTIMATES TO THE STATE TREASURER BY THE SEVENTH WORKING DAY OF
7 EACH MONTH. THE STATE TREASURER SHALL APPORTION THE MONEY IN
8 THE FUND WITHIN FIVE WORKING DAYS OF RECEIVING ESTIMATES FROM
9 THE DEPARTMENT OF REVENUE.

10 (c) THE STATE TREASURER SHALL APPORTION MONEY FROM THE
11 FUND AS FOLLOWS:

12 (I) SIXTY PERCENT IS PAID TO THE STATE HIGHWAY FUND AND
13 EXPENDED AS DESCRIBED IN SECTION 43-4-206;

14 (II) TWENTY-THREE PERCENT IS PAID TO THE COUNTY TREASURERS
15 OF THE RESPECTIVE COUNTIES AND ALLOCATED AND EXPENDED AS
16 DESCRIBED IN SECTION 43-4-207; AND

17 (III) SEVENTEEN PERCENT IS PAID TO CITIES AND INCORPORATED
18 TOWNS WITHIN THE LIMITS OF THE RESPECTIVE COUNTIES AND ALLOCATED
19 AND EXPENDED AS DESCRIBED IN SECTION 43-4-208 (2).

20 (4) NOTWITHSTANDING ANY PROVISION TO THE CONTRARY, MONEY
21 ALLOCATED UNDER SUBSECTION (3) OF THIS SECTION SHALL NOT BE USED
22 FOR ANY PURPOSE THAT IS NOT AUTHORIZED BY SECTION 22 OF ARTICLE X
23 OF THE STATE CONSTITUTION.

24 (5) BEGINNING JANUARY 1, 2027, THE STATE TREASURER SHALL
25 CREDIT TO THE FUND STATE REVENUE COLLECTED TO SUPPORT ROAD
26 TRANSPORTATION AS REQUIRED BY SECTION 22 OF ARTICLE X OF THE
27 STATE CONSTITUTION.

1 (6) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
2 REQUIRES:

3 (a) "FUND" MEANS THE SUPPORT ROAD TRANSPORTATION FUND
4 CREATED IN SUBSECTION (1) OF THIS SECTION.

5 (b) "STATE REVENUE COLLECTED TO SUPPORT ROAD
6 TRANSPORTATION" HAS THE SAME MEANING AS IN SECTION 22 (3)(c) OF
7 ARTICLE X OF THE STATE CONSTITUTION.

8 **SECTION 14. Effective date.** This act takes effect only if an
9 initiative that amends the state constitution to change existing law on
10 transportation funding and to increase the amount of state revenue
11 dedicated to road transportation is approved by the people at the next
12 general election, in which case this act takes effect on the date of the
13 official declaration of the vote thereon by the governor or January 1,
14 2027, whichever is later.

15 **SECTION 15. Safety clause.** The general assembly finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, or safety or for appropriations for
18 the support and maintenance of the departments of the state and state
19 institutions.