

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

SENATE BILL 17-231

BY SENATOR(S) Moreno, Kerr, Martinez Humenik, Tate;  
also REPRESENTATIVE(S) Thurlow, Arndt, Hooton, Nordberg, Gray,  
Kraft-Tharp.

CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE DEPARTMENT OF  
TRANSPORTATION TO THE GENERAL ASSEMBLY.

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

**SECTION 1.** In Colorado Revised Statutes, 42-4-1306, **repeal** (4)  
as follows:

**42-4-1306. Colorado task force on drunk and impaired driving  
- creation - legislative declaration.** (4) ~~The task force shall report its  
findings and recommendations to the judiciary committees of the house of  
representatives and the senate, or any successor committees, on or before  
January 15, 2007, and on or before each January 15 thereafter.~~

**SECTION 2.** In Colorado Revised Statutes, 42-4-1612, **repeal** (1)  
as follows:

**42-4-1612. Accidents in state highway work areas.** (1) ~~On or  
before February 15, 2011, and on or before February 15 of each succeeding~~

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

~~year, the department of transportation and the Colorado state patrol shall present a joint report to the transportation and energy committee of the house of representatives and the transportation committee of the senate, or any successor committees, regarding fatal accidents in state highway work areas during the preceding year. The report shall include, at a minimum:~~

~~(a) A summary of the total number of fatal accidents and the total number of individuals killed;~~

~~(b) A categorization of the total number of individuals killed that identifies the individuals as employees of the department of transportation, employees of contractors or subcontractors working on a project for the department, or other individuals;~~

~~(c) A copy of the accident reporting form for each fatal accident;~~

~~(d) A description of both ongoing and newly implemented measures taken by the department of transportation to prevent fatal accidents in state highway work areas.~~

**SECTION 3.** In Colorado Revised Statutes, 43-1-123, **amend** (4) as follows:

**43-1-123. Project closure and project reporting requirements - repeal.** (4) (a) On or after July 1, 2016, and on ~~and~~ OR after July 1 of each year thereafter, the department shall report to the transportation legislation review committee created in section 43-2-145 (1) regarding all policy amendments made to the statewide transportation improvement plan that were adopted during the most recently ended fiscal year and that added or deleted a project from the plan or modified the funding priority of any project included in the plan. The report shall include an explanation of the reasons for each reported policy amendment.

(b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 2, 2019.

**SECTION 4.** In Colorado Revised Statutes, 43-4-404, **amend** (1) as follows:

**43-4-404. Formula for allocation of moneys.** (1) The office of

transportation safety shall allocate not less than thirty percent and not more than fifty percent of the moneys allocated to the office pursuant to section 43-4-402 (2) to counties that have established a qualified drunken driving prevention and law enforcement program. The intent of the general assembly is that these moneys be expended in a manner that will improve enforcement of drunken driving laws. To this end, rules for the distribution of these moneys shall be developed by the office of transportation safety. ~~The office shall report annually to the transportation legislation review committee on the distribution and expenditure of these funds and the nature and purpose of the programs.~~ All moneys appropriated hereunder shall be used for drunken driving prevention and law enforcement improvement by counties and not for statewide programs.

**SECTION 5.** In Colorado Revised Statutes, 43-4-805, **repeal** (6) as follows:

**43-4-805. Statewide bridge enterprise - creation - board - funds - powers and duties - legislative declaration.** (6) ~~No later than February 15, 2010, and no later than February 15 of each year thereafter, the bridge enterprise shall present a report to the committees of the house of representatives and the senate that have jurisdiction over transportation. The report shall include a summary of the bridge enterprise's activities for the previous year, a summary of the status of any current designated bridge projects, a statement of the enterprise's revenues and expenses, an estimate of the number of jobs created or preserved as a result of the enterprise's activities, and any recommendations for statutory changes that the enterprise deems necessary or desirable. The committees shall review the report and may recommend legislation. The report shall be public and shall be available on the website of the department on or before January 15 of the year in which the report is presented.~~

**SECTION 6.** In Colorado Revised Statutes, 43-4-806, **amend** (10) as follows:

**43-4-806. High-performance transportation enterprise - creation - board - funds - powers and duties - limitations - reporting requirements - legislative declaration.** (10) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), no later than February 15, 2010, and no later than February 15 of each year thereafter, the transportation enterprise shall present a report to the committees of the house of representatives and the

senate that have jurisdiction over transportation. The report shall include a summary of the transportation enterprise's activities for the previous year, a summary of the status of any current surface transportation infrastructure projects, a statement of the enterprise's revenues and expenses, and any recommendations for statutory changes that the enterprise deems necessary or desirable. The committees shall review the report and may recommend legislation. The report shall be public and shall be available on the website of the department on or before January 15 of the year in which the report is presented.

**SECTION 7.** In Colorado Revised Statutes, **repeal** 43-4-813 as follows:

**43-4-813. Transportation deficit report - annual reporting requirement.** ~~No later than June 30, 2009, and no later than March 1 of any fiscal year in which road or bridge safety surcharges are imposed pursuant to section 43-4-804 (1) (a) or 43-4-805 (5) (g), the department shall prepare and present to the transportation and energy committee of the house of representatives and the transportation committee of the senate, or any successor committees, a transportation deficit report that separately addresses the goals of repairing deficient highways and bridges, as evidenced by a C or D rating, sustaining existing transportation system performance levels, and achieving the corridor visions described by regional transportation plans and public preferences. For each goal, the report shall include a listing of the annual costs for each of the next ten fiscal years of achieving the goal; the annual increase and rate of increase of the costs; the factors contributing to the costs, including, but not limited to, the rate and geographic distribution of population growth, vehicle size and weight, land use policies, and work patterns; methods of reducing the impact of the cost factors, including, but not limited to, land use policy changes, increased use of transit, telecommuting, and peak transportation system demand reduction practices and economic incentives; and a comparison of the costs of mitigating the cost factors and the costs of achieving the goal by repairing, upgrading, or expanding the transportation system. The report shall explain why any cost estimate for a goal differs by more than five percent from any department estimate of such costs published before March 2, 2009, and shall separately account for cost overruns other than overruns attributable to increases in the Colorado construction cost index. The department shall publish the report on its website in a format that can be downloaded.~~

**SECTION 8.** In Colorado Revised Statutes, 43-10-109, **repeal** (4) as follows:

**43-10-109. Aviation fund created.** ~~(4) No later than November 1, 2003, and no later than November 1 of each year thereafter, the department of transportation shall submit a report to the members of the joint budget committee that includes, at a minimum, the following information:~~

~~(a) The amounts, recipients, and purposes of moneys transferred from the fund during the prior state fiscal year:~~

~~(I) (Deleted by amendment, L. 2009, (HB 09-1066), ch. 82, p. 302, § 4, effective August 5, 2009.)~~

~~(II) To the airport operating fund of the governmental entity operating the FAA-designated public-use airport pursuant to section 43-10-110 (2) (a); and~~

~~(III) For the awarding of state aviation system grants pursuant to section 43-10-108.5;~~

~~(b) The balance remaining in the fund as of June 30 of each state fiscal year and an explanation of any such balance; and~~

~~(c) Any additional information pertaining to the transfer of moneys from the fund as the joint budget committee may request in the exercise of its discretion.~~

**SECTION 9. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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Kevin J. Grantham  
PRESIDENT OF  
THE SENATE

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Crisanta Duran  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Effie Ameen  
SECRETARY OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO