



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

FINAL FISCAL NOTE

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| Drafting Number: | LLS 18-0874 | Date: | August 9, 2018 |
| Prime Sponsors: | Sen. Smallwood Rep. Kraft-Tharp | Bill Status: | Signed into Law |
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Bill Topic: SIMILAR COVERAGE INDEPENDENT COMMERCIAL VEHICLES

Summary of Fiscal Impact:

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| <input type="checkbox"/> State Revenue | <input type="checkbox"/> TABOR Refund |
| <input checked="" type="checkbox"/> State Expenditure (<i>minimal</i>) | <input type="checkbox"/> Local Government |
| <input type="checkbox"/> State Transfer | <input type="checkbox"/> Statutory Public Entity |

This bill allows commercial truckers to carry private occupational accident insurance instead of workers' compensation insurance. It will increase state workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Summary of Legislation

This bill requires an independent contractor or sole proprietor who operates a commercial truck (with a gross vehicle weight rating of at least 16,001 pounds and used in commerce on public highways), to have either workers' compensation insurance or a private occupational accident insurance policy providing similar coverage. The bill specifies what qualifies as occupational accident insurance. The director of the Division of Workers' Compensation in the Colorado Department of Labor and Employment (CDLE) is required to establish rules related to insurance election notification requirements, and the independent operator must provide proof of coverage to the Division of Workers' Compensation in CDLE and the Division of Insurance in the Colorado Department of Regulatory Agencies (DORA).

State Expenditures

This bill will increase workloads in CDLE and DORA, as discussed below.

CDLE. Assuming that the Division of Workers' Compensation is not required to review filed notices or take any other action, the division will accomplish the rulemaking required under the bill during the normal course of business and no change in appropriations is required.

DORA. The Division of Insurance will perform rulemaking during the normal course of business to implement regulation of the new insurance product; no change in appropriations is required.

Effective Date

The bill was signed into law by the Governor on May 4, 2018, and took effect August 8, 2018.

State and Local Government Contacts

Labor Law Regulatory Agencies Revenue