

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 19-0960.02 Jason Gelender x4330

SENATE BILL 19-239

SENATE SPONSORSHIP

Winter and Bridges,

HOUSE SPONSORSHIP

Gray and Hansen,

Senate Committees
Transportation & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING MEANS OF ADDRESSING THE IMPACTS OF**
102 **TECHNOLOGICAL AND BUSINESS MODEL CHANGES RELATED TO**
103 **COMMERCIAL VEHICLES, AND, IN CONNECTION THEREWITH,**
104 **REQUIRING THE DEPARTMENT OF TRANSPORTATION TO**
105 **CONVENE AND CONSULT WITH A STAKEHOLDER GROUP TO**
106 **EXAMINE IMPACTS OF NEW TRANSPORTATION TECHNOLOGIES**
107 **AND BUSINESS MODELS, IDENTIFY MEANS OF ADDRESSING**
108 **IMPACTS, AND REPORT FINDINGS AND MAKE RECOMMENDATIONS**
109 **TO THE GENERAL ASSEMBLY.**

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

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

applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the department of transportation (CDOT) to convene and engage in robust consultation with a stakeholder group comprised of representatives of specified industries, workers, governmental entities, planning organizations, and interest groups that will potentially be affected by the adoption of new and emerging transportation technologies and business models. The stakeholder group is required to:

- ! Examine the economic, environmental, and transportation system impacts of the adoption of new and emerging transportation technologies and business models;
- ! Identify potential means of addressing the impacts that increase positive impacts and mitigate negative impacts; and
- ! Present to CDOT, no later than November 1, 2019, a report of policy recommendations regarding the impacts examined and means of addressing those impacts with funding from the imposition of fees on the use of motor vehicles used for commercial purposes, as defined by the bill. The report must identify potential fees that are structured and reasonably calculated to:
 - ! Avoid causing the state to incur new or additional obligations to refund excess state revenue;
 - ! Generate sufficient revenue for the state and local governments to mitigate specified impacts to the transportation system;
 - ! Fund needed transportation infrastructure, including multimodal infrastructure and the infrastructure needed to support the adoption of zero-emissions vehicles;
 - ! Defray the administrative costs of fee collection;
 - ! Incentivize the adoption of zero-emissions vehicles for utilization as motor vehicles used for commercial purposes; and
 - ! Incentivize multiple passenger ride sharing for motor vehicles used for commercial purposes and the use of such vehicles as a first and last mile solution for users of public transit.

CDOT is required to report on the progress and policy recommendations of the stakeholder group, CDOT's preliminary plans and recommendations regarding the development and promulgation of rules, and any recommendations that CDOT has regarding the need for related legislation during its 2019 annual presentation to legislative

oversight committees required by the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act". No later than October 1, 2020, within any statutory parameters established by the general assembly through legislation enacted during the 2020 legislative session, and giving strong consideration to the policy recommendations report provided by the stakeholder group, CDOT is required to promulgate rules to the extent necessary to effectively implement the bill. If the general assembly does not impose fees on motor vehicles used for commercial purposes through legislation enacted during the 2020 legislative session and instead enacts legislation that authorizes CDOT or any CDOT enterprise to impose such fees, the rules may impose fees to the extent authorized by the legislation. During the 2020 legislative interim, CDOT must present a final written report regarding the stakeholder group, rule-making processes, and rules promulgated to the transportation legislation review committee.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 43-1-125 as
3 follows:

4 **43-1-125. Motor vehicles used for commercial purposes -**
5 **stakeholder group - reporting - rules - legislative declaration -**

6 **definition.** (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES
7 THAT:

8 (a) THE WAY IN WHICH COLORADANS TRAVEL IS RAPIDLY
9 CHANGING, AND THE ADOPTION OF NEW TECHNOLOGIES IMPACTS BOTH THE
10 MANNER IN WHICH PEOPLE TRAVEL AND THE NUMBER OF VEHICLES ON
11 COLORADO ROADS;

12 (b) THE STATE MUST ADAPT TO THESE CHANGES BY ENCOURAGING
13 THEM TO THE EXTENT THAT THEY BENEFIT THE ENVIRONMENT AND
14 FACILITATE THE EFFECTIVE MOVEMENT OF PEOPLE WHILE BEING
15 PROACTIVE IN ADDRESSING ANY NEGATIVE IMPACTS. SPECIFICALLY, THE
16 STATE MUST:

17 (I) ENSURE ONGOING FUNDING FOR THE TRANSPORTATION

1 INFRASTRUCTURE NEEDED TO SUPPORT THE CHANGES, INCLUDING THE
2 INFRASTRUCTURE NEEDED TO SUPPORT THE ADOPTION OF ZERO-EMISSIONS
3 VEHICLES; AND

4 (II) REDUCE AND MITIGATE THE IMPACT ON THE ENVIRONMENT
5 AND THE TRANSPORTATION SYSTEM RESULTING FROM THE INCREASING
6 COMMERCIAL USE OF PERSONAL VEHICLES FOR THE PURPOSES OF RIDE
7 SHARING PROVIDED THROUGH TRANSPORTATION NETWORK COMPANIES, AS
8 DEFINED IN SECTION 40-10.1-602 (3), AND CAR SHARING AND PERSONAL
9 AND FLEET VEHICLES FOR CERTAIN OTHER COMMERCIAL PURPOSES BY
10 INCENTIVIZING AMELIORATIVE PRACTICES SUCH AS THE ADOPTION OF
11 ZERO-EMISSIONS VEHICLES FOR SUCH COMMERCIAL USE, MULTIPLE
12 PASSENGER RIDE SHARING, AND THE USE OF RIDE SHARING AS A FIRST AND
13 LAST MILE SOLUTION FOR USERS OF PUBLIC TRANSIT.

14 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
15 IT IS NECESSARY, APPROPRIATE, AND IN THE BEST INTEREST OF THE STATE
16 TO:

17 (a) REQUIRE THE DEPARTMENT TO CONVENE, ENGAGE IN ROBUST
18 CONSULTATION WITH, AND STRONGLY CONSIDER THE FORMAL POLICY
19 RECOMMENDATIONS OF A STAKEHOLDER GROUP COMPRISED OF
20 REPRESENTATIVES OF POTENTIALLY AFFECTED INDUSTRIES, WORKERS,
21 GOVERNMENTAL ENTITIES, PLANNING ORGANIZATIONS, AND INTEREST
22 GROUPS FOR THE PURPOSES OF:

23 (I) EXAMINING THE ECONOMIC, ENVIRONMENTAL, AND
24 TRANSPORTATION SYSTEM IMPACTS OF THE ADOPTION OF NEW AND
25 EMERGING TECHNOLOGIES AND TRANSPORTATION BUSINESS MODELS; AND

26 (II) RECOMMENDING TO THE DEPARTMENT:

27 (A) MEANS OF ADDRESSING THE IMPACTS THAT INCREASE POSITIVE

1 IMPACTS AND MITIGATE NEGATIVE IMPACTS; AND

2 (B) FEES THAT CAN BE LEVIED UPON THE USE OF MOTOR VEHICLES
3 USED FOR COMMERCIAL PURPOSES IN ORDER TO FUND THE MEANS OF
4 ADDRESSING THE IMPACTS; AND

5 (b) AUTHORIZE THE DEPARTMENT TO PROMULGATE RULES THAT
6 IMPLEMENT STAKEHOLDER GROUP AND LEGISLATIVE RECOMMENDATIONS.

7 (3) (a) AS USED IN THIS SECTION, UNLESS THE CONTEXT
8 OTHERWISE REQUIRES, "MOTOR VEHICLE USED FOR COMMERCIAL
9 PURPOSES" MEANS A MOTOR VEHICLE, AS DEFINED IN SECTION 42-1-102
10 (58), THAT IS OWNED BY A BUSINESS OR AN INDIVIDUAL AND NOT BY A
11 GOVERNMENTAL OR PUBLIC ENTITY AND THAT IS USED, WHOLLY OR IN
12 PART, IN THE ORDINARY COURSE OF A BUSINESS FOR ONE OF THE
13 FOLLOWING PRIMARY BUSINESS PURPOSES OF THE BUSINESS FOR WHICH IT
14 IS USED:

15 (I) THE TRANSPORTATION OF INDIVIDUALS OR THE DELIVERY OF
16 GOODS TO THE END USER OF SUCH GOODS; OR

17 (II) RENTAL BY THE OWNER TO INDIVIDUALS FOR PERSONAL USE,
18 INCLUDING RENTAL BY A RENTAL CAR COMPANY OR THROUGH A CAR
19 SHARING PROGRAM.

20 (b) "MOTOR VEHICLE USED FOR COMMERCIAL PURPOSES" DOES
21 NOT INCLUDE:

22 (I) A MOTOR VEHICLE USED TO DELIVER GOODS TO PERSONS OTHER
23 THAN END USERS OF THE GOODS; OR

24 (II) A MOTOR VEHICLE THAT IS OPERATED FOR THE PURPOSE OF
25 TRANSPORTING PASSENGERS:

26 (A) UNDER A CONTRACT WITH THE REGIONAL TRANSPORTATION
27 DISTRICT CREATED IN SECTION 32-9-105, A REGIONAL TRANSPORTATION

1 AUTHORITY CREATED PURSUANT TO PART 6 OF ARTICLE 4 OF THIS TITLE 43,
2 OR ANY OTHER GOVERNMENTAL OR PUBLIC ENTITY; OR

3 (B) BY A COMMON CARRIER, AS DEFINED IN SECTION 40-1-102 (3).

4 (4) THE DEPARTMENT SHALL CONVENE AND ENGAGE IN ROBUST
5 CONSULTATION WITH A STAKEHOLDER GROUP CONSISTING OF:

6 (a) THE FOLLOWING STATE GOVERNMENT EMPLOYEES:

7 (I) AN EMPLOYEE OF THE DEPARTMENT WHO IS NOT AN EMPLOYEE
8 OF THE HIGH-PERFORMANCE TRANSPORTATION ENTERPRISE CREATED IN
9 SECTION 43-4-806 (2)(a)(I);

10 (II) AN EMPLOYEE OF THE HIGH-PERFORMANCE TRANSPORTATION
11 ENTERPRISE;

12 (III) AN EMPLOYEE OF THE COLORADO ENERGY OFFICE CREATED
13 IN SECTION 24-38.5-101 (1); AND

14 (IV) AN EMPLOYEE OF THE DEPARTMENT OF REVENUE;

15 (b) THE FOLLOWING REPRESENTATIVES OF STATE AND LOCAL
16 GOVERNMENTS AND TRANSPORTATION PLANNING ENTITIES:

17 (I) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT
18 REPRESENTS THE INTERESTS OF COUNTIES;

19 (II) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT
20 REPRESENTS THE INTERESTS OF MUNICIPALITIES;

21 (III) A REPRESENTATIVE OF METROPOLITAN PLANNING
22 ORGANIZATIONS, AS DEFINED IN SECTION 43-1-1102 (4); AND

23 (IV) A REPRESENTATIVE OF RURAL TRANSPORTATION PLANNING
24 ORGANIZATIONS;

25 (c) A REPRESENTATIVE OF PUBLIC TRANSIT PROVIDERS;

26 (d) REPRESENTATIVES OF THE FOLLOWING TYPES OF BUSINESSES:

27 (I) TWO REPRESENTATIVES OF TRANSPORTATION NETWORK

- 1 COMPANIES, AS DEFINED IN SECTION 40-10.1-602 (3);
- 2 (II) A REPRESENTATIVE OF A BUSINESS THAT HAS EXPERTISE
- 3 REGARDING THE TECHNOLOGY AND PROCESSES REQUIRED TO DEVELOP,
- 4 IMPLEMENT, AND ADMINISTER A ROAD USAGE CHARGE PROGRAM;
- 5 (III) A REPRESENTATIVE OF CERTIFICATED TAXI CARRIERS;
- 6 (IV) A REPRESENTATIVE OF A RENTAL CAR COMPANY;
- 7 (V) A REPRESENTATIVE OF A BUSINESS THAT IS A PEER-TO-PEER
- 8 CAR SHARING PROGRAM;
- 9 (VI) A REPRESENTATIVE OF A CAR SHARING NETWORK COMPANY
- 10 THAT DOES NOT USE A PEER-TO-PEER CAR SHARING BUSINESS MODEL;
- 11 (VII) A REPRESENTATIVE OF THE TRUCKING INDUSTRY;
- 12 (VIII) A REPRESENTATIVE OF THE CONTRACTING INDUSTRY THAT
- 13 WORKS ON OR REPRESENTS BUSINESSES THAT WORK ON TRANSPORTATION
- 14 INFRASTRUCTURE PROJECTS;
- 15 (IX) A REPRESENTATIVE OF THE CONSTRUCTION INDUSTRY;
- 16 (X) A REPRESENTATIVE OF BUSINESSES THAT PROVIDE PACKAGE
- 17 DELIVERY SERVICES TO END USERS OF THE GOODS IN THE PACKAGES FOR
- 18 OTHER BUSINESSES;
- 19 (XI) A REPRESENTATIVE OF BUSINESSES THAT HIRE DRIVERS TO
- 20 USE THEIR PERSONAL MOTOR VEHICLES TO DELIVER THEIR OWN GOODS TO
- 21 END USERS OF THE GOODS; AND
- 22 (XII) A REPRESENTATIVE OF THE AUTOMOBILE INDUSTRY;
- 23 (e) A LABOR REPRESENTATIVE;
- 24 (f) A REPRESENTATIVE OF PERSONS WITH DISABILITIES;
- 25 (g) A REPRESENTATIVE OF PERSONS WHO ADVOCATE FOR THE
- 26 PROTECTION OF THE ENVIRONMENT;
- 27 (h) A TRANSPORTATION NETWORK COMPANY DRIVER, AS DEFINED

1 IN SECTION 40-10.1-602 (4); AND

2 (i) ANY OTHER INDIVIDUALS WHO THE DEPARTMENT DEEMS
3 NECESSARY OR APPROPRIATE TO INCLUDE IN THE STAKEHOLDER GROUP.

4 (5) THE STAKEHOLDER GROUP CONVENED AS REQUIRED BY
5 SUBSECTION (4) OF THIS SECTION SHALL:

6 (a) EXAMINE THE ECONOMIC, ENVIRONMENTAL, AND
7 TRANSPORTATION SYSTEM IMPACTS OF THE ADOPTION OF NEW AND
8 EMERGING TRANSPORTATION TECHNOLOGIES AND BUSINESS MODELS AND
9 IDENTIFY POTENTIAL MEANS OF ADDRESSING THE IMPACTS THAT INCREASE
10 POSITIVE IMPACTS AND MITIGATE NEGATIVE IMPACTS. NEITHER THE
11 DEPARTMENT NOR THE STAKEHOLDER GROUP SHALL OBTAIN OR EXAMINE
12 ANY PERSONAL OR PRIVATE INFORMATION CONCERNING USERS OF RIDE
13 SHARING SERVICES AS PART OF THE EXAMINATION. THE EXAMINATION
14 SHALL INCLUDE, AT A MINIMUM:

15 (I) QUANTIFICATION OF THE AMOUNT OF CARBON EMISSIONS
16 PRODUCED BY MOTOR VEHICLES USED FOR COMMERCIAL PURPOSES;

17 (II) QUANTIFICATION OF THE AMOUNT OF SUCH CARBON EMISSIONS
18 THAT CAN BE ELIMINATED THROUGH DIFFERENT MEANS OF INCENTIVIZING
19 AND SUPPORTING THE USE OF ZERO-EMISSIONS VEHICLES AS MOTOR
20 VEHICLES USED FOR COMMERCIAL PURPOSES;

21 (III) EXAMINATION OF THE EFFECTS OF DIFFERENT MEANS OF
22 INCENTIVIZING MULTIPLE OCCUPANT TRIPS IN MOTOR VEHICLES USED FOR
23 COMMERCIAL PURPOSES;

24 (IV) IDENTIFICATION OF THE ADDITIONAL OR IMPROVED
25 TRANSPORTATION INFRASTRUCTURE, INCLUDING MULTIMODAL
26 INFRASTRUCTURE AND INFRASTRUCTURE NEEDED TO SUPPORT THE
27 ADOPTION AND USE OF ZERO-EMISSIONS VEHICLES, THAT IS REQUIRED TO

1 ACCOMMODATE THE IMPACTS ON TRANSPORTATION INFRASTRUCTURE
2 RESULTING FROM INCREASED UTILIZATION OF MOTOR VEHICLES USED FOR
3 COMMERCIAL PURPOSES;

4 (V) EVALUATION OF THE RULES OF THE PUBLIC UTILITIES
5 COMMISSION THAT IMPLEMENT THE REQUIREMENT OF SECTION
6 40-10.1-605 (1)(d)(IV) THAT A TRANSPORTATION NETWORK COMPANY, AS
7 DEFINED IN SECTION 40-10.1-602 (3), POSSESS PROOF THAT A
8 TRANSPORTATION NETWORK COMPANY DRIVER, AS DEFINED IN SECTION
9 40-10.1-602 (4), IS MEDICALLY FIT TO DRIVE TO ENSURE THAT THE RULES
10 SUFFICIENTLY PROTECT THE PUBLIC WITHOUT UNNECESSARILY LIMITING
11 DRIVER AND RIDE AVAILABILITY; AND

12 (VI) ASSESSMENT OF THE COSTS OF IMPLEMENTING IDENTIFIED
13 POTENTIAL MEANS OF ADDRESSING THE IMPACTS; AND

14 (b) PRESENT TO THE DEPARTMENT NO LATER THAN NOVEMBER 1,
15 2019, A REPORT OF POLICY RECOMMENDATIONS REGARDING THE IMPACTS
16 EXAMINED AS REQUIRED BY SUBSECTION (5)(a) OF THIS SECTION AND
17 MEANS OF ADDRESSING THOSE IMPACTS WITH FUNDING FROM THE
18 IMPOSITION OF FEES ON THE USE OF MOTOR VEHICLES USED FOR
19 COMMERCIAL PURPOSES. THE REPORT MUST, AT A MINIMUM:

20 (I) IDENTIFY POTENTIAL FEES THAT ARE STRUCTURED AND
21 REASONABLY CALCULATED TO AVOID CAUSING THE STATE TO INCUR NEW
22 OR ADDITIONAL OBLIGATIONS TO REFUND STATE REVENUE ABOVE THE
23 EXCESS STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b),
24 AND TO:

25 (A) GENERATE SUFFICIENT REVENUE FOR THE STATE AND LOCAL
26 GOVERNMENTS TO MITIGATE THE IMPACTS TO THE TRANSPORTATION
27 SYSTEM RESULTING FROM THE INCREASING COMMERCIAL USE OF

1 PERSONAL VEHICLES FOR RIDE SHARING AND CAR SHARING PURPOSES AND
2 PERSONAL AND FLEET VEHICLES FOR CERTAIN OTHER COMMERCIAL
3 PURPOSES, FUND NEEDED TRANSPORTATION INFRASTRUCTURE, INCLUDING
4 MULTIMODAL INFRASTRUCTURE AND THE INFRASTRUCTURE NEEDED TO
5 SUPPORT THE ADOPTION OF ZERO-EMISSIONS VEHICLES, AND DEFRAY THE
6 ADMINISTRATIVE COSTS OF FEE COLLECTION;

7 (B) INCENTIVIZE THE ADOPTION OF ZERO-EMISSIONS VEHICLES FOR
8 UTILIZATION AS MOTOR VEHICLES USED FOR COMMERCIAL PURPOSES; AND

9 (C) INCENTIVIZE MULTIPLE PASSENGER RIDE SHARING FOR MOTOR
10 VEHICLES USED FOR COMMERCIAL PURPOSES AND THE USE OF SUCH
11 VEHICLES AS A FIRST AND LAST MILE SOLUTION FOR PUBLIC TRANSIT
12 USERS;

13 (II) SUBJECT TO THE REQUIREMENT THAT FEES BE IMPOSED ONLY
14 ON BUSINESS ENTITIES AND NOT UPON INDIVIDUAL OWNERS OF MOTOR
15 VEHICLES THAT ARE OWNED PRIMARILY AS PERSONAL VEHICLES BUT ARE
16 ALSO USED FOR COMMERCIAL PURPOSES, PROVIDE RECOMMENDATIONS AS
17 TO WHETHER FEES SHOULD BE IMPOSED ON EVERY MOTOR VEHICLE USED
18 FOR COMMERCIAL PURPOSES OR WHETHER SOME MOTOR VEHICLES USED
19 FOR COMMERCIAL PURPOSES SHOULD BE EXEMPT FROM PAYMENT OF THE
20 FEES;

21 (III) PROVIDE RECOMMENDATIONS REGARDING THE MANNER IN
22 WHICH FEES SHOULD BE CALCULATED AND IMPOSED, INCLUDING BUT NOT
23 LIMITED TO ANALYSIS OF WHETHER FEES SHOULD BE:

24 (A) FLAT OR VARIABLE;

25 (B) CALCULATED AND IMPOSED ON A PER TRIP BASIS, A MILEAGE
26 BASIS, OR A COMBINATION OF SUCH BASES, OR IN SOME OTHER MANNER;

27 (C) IMPOSED AT DIFFERENT RATES ON DIFFERENT CLASSES OF

1 MOTOR VEHICLES;

2 (D) IMPOSED AT DIFFERENT RATES IN DIFFERENT LOCATIONS, AT
3 DIFFERENT TIMES OF DAY, OR BASED ON REAL-TIME ANALYSIS OF TRAFFIC
4 CONGESTION;

5 (E) WAIVED OR REDUCED FOR TRIPS FOR WHICH A MOTOR VEHICLE
6 USED FOR COMMERCIAL PURPOSES IS USED AS A FIRST AND LAST MILE
7 SOLUTION FOR USERS OF PUBLIC TRANSIT; OR

8 (F) CAPPED AT ONE OR MORE SPECIFIED MAXIMUM AMOUNTS; AND

9 (IV) PROVIDE RECOMMENDATIONS REGARDING THE RATE OR
10 RATES AT WHICH OR THE RANGE OR RANGES OF RATES WITHIN WHICH FEES
11 SHOULD BE IMPOSED.

12 (6) THE DEPARTMENT SHALL REPORT ON THE PROGRESS AND
13 POLICY RECOMMENDATIONS OF THE STAKEHOLDER GROUP, THE
14 PRELIMINARY PLANS AND RECOMMENDATIONS OF THE DEPARTMENT
15 REGARDING THE DEVELOPMENT AND PROMULGATION OF RULES AS
16 REQUIRED BY SUBSECTION (7)(a) OF THIS SECTION, AND ANY
17 RECOMMENDATIONS THAT THE DEPARTMENT HAS REGARDING THE NEED
18 FOR RELATED LEGISLATION DURING ITS 2019 ANNUAL PRESENTATION TO
19 LEGISLATIVE OVERSIGHT COMMITTEES REQUIRED BY SECTION 2-7-203
20 (2)(a). IN PREPARATION FOR THE PRESENTATION, THE DEPARTMENT SHALL
21 GIVE STRONG CONSIDERATION TO THE POLICY RECOMMENDATIONS REPORT
22 PROVIDED BY THE STAKEHOLDER GROUP AS REQUIRED BY SUBSECTION
23 (5)(b) OF THIS SECTION.

24 (7)(a) NO LATER THAN OCTOBER 1, 2020, WITHIN ANY STATUTORY
25 PARAMETERS ESTABLISHED BY THE GENERAL ASSEMBLY THROUGH
26 LEGISLATION ENACTED DURING THE 2020 LEGISLATIVE SESSION, AND
27 CONTINUING TO GIVE STRONG CONSIDERATION TO THE POLICY

1 RECOMMENDATIONS REPORT PROVIDED BY THE STAKEHOLDER GROUP AS
2 REQUIRED BY SUBSECTION (5)(b) OF THIS SECTION, THE DEPARTMENT
3 SHALL PROMULGATE RULES TO THE EXTENT NECESSARY TO EFFECTIVELY
4 IMPLEMENT THIS SECTION. IF THE GENERAL ASSEMBLY DOES NOT IMPOSE
5 FEES ON MOTOR VEHICLES USED FOR COMMERCIAL PURPOSES THROUGH
6 LEGISLATION ENACTED DURING THE 2020 LEGISLATIVE SESSION AND
7 INSTEAD ENACTS LEGISLATION THAT AUTHORIZES THE DEPARTMENT OR
8 ANY ENTERPRISE OF THE DEPARTMENT TO IMPOSE SUCH FEES, THE RULES
9 MAY IMPOSE FEES TO THE EXTENT AUTHORIZED BY THE LEGISLATION.

10 (b) DURING THE 2020 LEGISLATIVE INTERIM, THE DEPARTMENT
11 SHALL PRESENT A FINAL WRITTEN REPORT REGARDING THE STAKEHOLDER
12 GROUP AND RULE-MAKING PROCESSES AND ANY RULES PROMULGATED
13 PURSUANT TO SUBSECTION (7)(a) OF THIS SECTION TO THE
14 TRANSPORTATION LEGISLATION REVIEW COMMITTEE CREATED IN SECTION
15 43-2-145.

16 **SECTION 2. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.