



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

**SB 19-101**

# FISCAL NOTE

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<b>Drafting Number:</b>	LLS 19-0791	<b>Date:</b>	January 29, 2019
<b>Prime Sponsors:</b>	Sen. Lundeen Rep. Carver	<b>Bill Status:</b>	Senate Transportation
		<b>Fiscal Analyst:</b>	Katie Ruedebusch   303-866-3001 Katie.Ruedebusch@state.co.us

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**Bill Topic:** PREREQUISITES FOR CONSTRUCTION OF MANAGED LANES

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**Summary of Fiscal Impact:**

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

This bill creates new evaluation and reporting requirements for the Colorado Department of Transportation (CDOT) or the High-Performance Transportation Enterprise (HPTE) when considering the construction of a managed lane on a state highway. The bill increases workload and expenditures for CDOT and HPTE.

**Appropriation Summary:** No appropriation is required.

**Fiscal Note Status:** This fiscal note reflects the introduced bill.

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## Summary of Legislation

Under this bill, the Colorado Department of Transportation (CDOT) and the High-Performance Transportation Enterprise (HPTE) must evaluate alternative means of increasing highway capacity or reducing traffic congestion before the construction of a managed lane. CDOT and HPTE must publish data-based findings clearly establishing that all of the evaluated alternatives are unfeasible to implement; are unsafe; or would not provide adequate capacity expansion or congestion relief.

If either CDOT or HPTE intend to construct a managed lane, the department must provide a written report on its website detailing the results of all public outreach efforts related to the managed lane. This report must include the results of any poll conducted and a synopsis of each public outreach meeting that was held. Any report prepared for this purpose must be summarized and presented to the General Assembly at an annual meeting.

## Background

CDOT oversees the HPTE, which is a government-owned business that has the authority to issue revenue bonds, and receives less than 10 percent of its revenue from state and local government sources. The HPTE is tasked with actively pursuing innovative means of transportation finance through public-private partnerships, operation of concession agreements, and fee-based projects.

There are currently four managed lanes in operation in Colorado:

- I-25 Central, from 20th Street to I-25/US 36 intersection;
- I-25 North from US 36 to 120th Avenue;
- US 36 from Denver to Boulder; and
- I-70 Mountain Corridor, from Empire to Idaho Springs.

Additionally, managed lanes are also under construction or planned for the following interstate sections:

- C-470 from I-25 to Wadsworth Boulevard;
- Central I-70 from I-25 to Chambers Road;
- North I-25 from 120th Avenue to Fort Collins; and
- South I-25 Gap from Castle Rock to Monument.

## **State Expenditures**

This bill will increase workload and expenditures for CDOT and HPTTE to publish data-based findings, conduct public outreach, and provide a written report on its website detailing the results of all public outreach efforts when considering the construction of a managed lane.

## **Effective Date**

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

## **State and Local Government Contacts**

Transportation