



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 23-0108	Date:	January 16, 2023
Prime Sponsors:	Rep. Boesenecker Sen. Winter F.	Bill Status:	House Trans. & Local Govt.
		Fiscal Analyst:	Aaron Carpenter 303-866-4918 aaron.carpenter@coleg.gov

Bill Topic: YIELD TO LARGER VEHICLES IN ROUNDABOUTS

Summary of Fiscal Impact:

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

The bill requires a driver to yield the right of way to a driver of a vehicle that is longer than 40 feet or wider than 10 feet when driving through a roundabout. The bill will increase state expenditures in FY 2023-24, and minimally increase state and local government revenue on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill, which was recommended by the Transportation Legislation Review Committee.

Summary of Legislation

Beginning October 1, 2023, the bill requires a driver to yield the right-of-way to the driver of a vehicle with a length of at least 40 feet or a width of at least 10 feet when driving through a roundabout. If two vehicles that are at least 40 feet in length or 10 feet in width approach a roundabout at the same time, the driver on the right must yield to the driver on the left. A person who violates these requirements commits a class A traffic infraction subject to a \$70 penalty and \$11 surcharge.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. This section outlines data on crimes comparable to the offense in this bill and discusses assumptions on future rates of conviction for that offense.

Prior conviction data and assumptions. This bill creates a new class A traffic infraction. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of failing to properly yield the right-of-way when entering or crossing a roadway as a comparable crime. From FY 2019-20 to FY 2021-22, 186 offenders have been sentenced and convicted for this existing offense. Of those, 114 were male, 70 were female, and 2 were unknown. Demographically, 162 were White,

9 were Black/African American, 9 were Hispanic, 2 were Asian, 1 was American Indian, and 3 did not have race identified. This fiscal note assumes that failure to yield is already charged under existing offenses; therefore, there will be minimal additional case filings or convictions for the new offense under the bill. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Revenue

Based on the assumptions above, this analysis assumes that there will be a minimal impact on state revenue. Under the bill, penalty and surcharge revenue, which are subject to TABOR, may increase by a minimal amount. Traffic fines are deposited to the Highway Users Trust Fund (HUTF) and are distributed to CDOT (65 percent), counties (26 percent), and municipalities (9 percent), while other criminal surcharges and court fees are distributed to various cash funds in the Judicial Department.

State Expenditures

The bill will increase state expenditures in the Department of Revenue (DOR) by \$4,594 in FY 2023-24 only from the DRIVES Vehicle Services Account. The DOR will be required to update the Driver License, Record, Identification, and Vehicle Enterprise Solutions (DRIVES) system to add the new violation. Programming costs are calculated at 16 hours at a rate of \$225/hour for a total of \$3,600. In addition, programming and testing within the innovation strategy and delivery team, which maintains the DRIVES system, will cost \$594. These costs can be accommodated within existing appropriations.

Local Government

Similar to the state, the fiscal note assumes that counties and municipalities may have a minimal increase in traffic fine revenue from the HUTF. Counties receive 26 percent and municipalities receive 9 percent of traffic fine revenue credited to the HUTF.

Effective Date

The bill takes effect on October 1, 2023, assuming no referendum petition is filed, and applies to offenses committed on or after that date.

State and Local Government Contacts

Counties	Information Technology	Judicial
Municipalities	Public Safety	Revenue
Sheriffs	Transportation	