



**Legislative Council Staff**

*Nonpartisan Services for Colorado's Legislature*

**Revised Fiscal Note**

(replaces fiscal note dated March 21, 2023)

<b>Drafting Number:</b>	LLS 23-0863	<b>Date:</b>	April 14, 2023
<b>Prime Sponsors:</b>	Sen. Winter F.; Rodriguez Rep. Froelich; Bacon	<b>Bill Status:</b>	House Trans. & Local Govt.
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**Bill Topic: PUC ADMINISTRATIVE FEE SETTING TRANSPORTATION SERVICES**

<b>Summary of Fiscal Impact:</b>	<input checked="" 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

The bill authorizes the Public Utilities Commission to set fees for motor carriers and transportation network companies administratively. It minimally increases state workload in FY 2023-24, and potentially impacts future fee revenue.

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

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

**Summary of Legislation**

Under current law, some fee levels for motor carriers and transportation network companies (TNCs) are specified in statute. The bill repeals existing statutory fees and gives the Public Utilities Commission (PUC) authority to set fees on motor carriers and transportation network companies administratively, except that the annual permit fee for TNCs may not exceed \$111,250. The PUC may adopt rules to establish different tiers of per fees for TNCs based on market factors outlined in the bill; and if it adopts permit tiers, it must publish the criteria used to establish the fee tiers on the PUC website. The PUC must notify TNCs at least 30 days before increasing their fees.

**Background**

The Motor Carrier Fund and the Motor Carrier Safety Fund are subject to annual appropriation by the General Assembly. The Motor Carrier Fund pays for the PUC's administrative expenses to supervise and regulate motor carriers. The Motor Carrier Safety Fund covers costs to advance highway safety relating to commercial carrier operations, in compliance with Colorado State Patrol rules.

The Transportation Network Company Fund is continuously appropriated to the PUC for its costs to supervise and regulate these companies.

## **State Revenue**

If the PUC raises or decreases fees, fee revenue will increase or decrease, respectively. As the PUC is not currently expected to update fees, the fiscal note anticipates no revenue impact in the short-term.

## **State Expenditures**

The bill increases workload in the PUC in the Department of Regulatory Agencies to conduct rulemaking to set fees. This rulemaking, conducted with support from the Department of Law, can be accommodated during the normal course of business and no change in appropriations is required.

## **Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

## **State and Local Government Contacts**

Information Technology

Law

Regulatory Agencies