



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number:	LLS 24-0218	Date:	June 24, 2024
Prime Sponsors:	Rep. Ortiz Sen. Hinrichsen	Bill Status:	Signed into Law
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Bill Topic:	MOTOR VEHICLE ACCESS INDIVIDUALS WITH DISABILITIES
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Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill creates accessibility requirements for car sharing programs and electric vehicle charging stations, and modifies the offense of blocking reasonable access to reserved parking. The bill may increase state and local revenue and expenditures starting in FY 2024-25.

Appropriation Summary:	No appropriation is required.
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Fiscal Note Status:	The final fiscal note reflects the enacted bill.
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Summary of Legislation

The bill modifies laws to increase access to car sharing programs and electric charging stations for individuals with disabilities.

Car sharing programs. The bill requires a car sharing program to ensure, by January 1, 2028, that a shared car owner can indicate whether their car is accessible to individuals with disabilities, and what modifications have been made to the car. If the car sharing program makes a reasonable effort to obtain accurate information about accessibility from the shared car owner, it is not liable for inaccurate or false information provided by the owner.

Energy Code Board. The bill requires the Energy Code Board in the Colorado Energy Office to amend the Model Low Energy and Carbon Code to include accessibility requirements for electric vehicle parking spaces.

Electric vehicle charging stations. Beginning January 1, 2026, counties and municipalities must ensure that new or modified electric vehicle charging stations incorporate federal accessible design recommendations and provide at least five percent accessible vehicle charging spaces, with no less than one accessible space. When the Department of Justice or the federal Department of Transportation publishes requirements based on proportions of parking spaces, electric vehicle charging stations must comply with these requirements.

Reserved parking. The bill modifies an existing class A traffic infraction to prohibit a person from blocking reasonable access to reserved parking, curb ramps, access aisles, and accessible routes by any means. It adds parking enforcement officers to the list of entities that may enforce reserved parking laws. If a peace officer receives a complaint related to blocking access, the officer must investigate the complaint or notify the state or local agency with jurisdiction over the complaint, which must investigate the complaint within a reasonable time.

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. The following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

Prior conviction data. This bill creates a new factual basis for the existing offense of blocking access to reserved parking, a class A traffic infraction, by prohibiting a person from blocking reasonable access to reserved parking by any means. From FY 2020-21 to FY 2022-23, zero offenders have been sentenced and convicted for this specific offense; however, in the same time period, 30 have been convicted and sentenced for improper parking in reserved parking, or 10 per year. Of the persons convicted, 11 were male, 10 were female, and 9 did not have a gender identified. Demographically, 12 were White, 1 was Black/African American, 3 were Hispanic, 10 were classified as "Other," and 4 did not have a race identified.

Assumptions. The fiscal note assumes that there will continue to be minimal criminal case filings or convictions for this offense under the bill. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Revenue

Consumer Protection Act. A person violating the Consumer Protection Act regarding car sharing may be subject to a civil penalty of up to \$20,000 for each violation, paid to the General Fund, and not subject to TABOR.

Traffic fine revenue. The bill specifies penalties for blocking reasonable access to reserved parking, a class A traffic infraction. These penalties carry a surcharge of \$32 and range from \$350 to \$1,000 for a first offense; \$600 to \$1,000 for a second offense; and \$1,000 to \$5,000 for a third offense. Surcharge revenue is deposited into judicial cash funds. Traffic fine revenue is deposited into the Highway Users Tax Fund (HUTF), with 65 percent going to the State Highway Fund, 26 percent going to counties, and 9 percent going to municipalities. However, as outlined in the Comparable Crime Analysis, the fiscal note assumes there will be few convictions and any revenue collection is expected to be minimal.

State Expenditures

The bill may increase expenditures in the Department of Transportation (CDOT) and the Department of Law as described below.

Department of Transportation. Expenditures may increase in CDOT to meet accessibility requirements for any modified or new electric vehicle charging stations after January 1, 2025. If CDOT alters any of the 40 locations where it currently has existing or in-progress charging stations, it will cost CDOT at least \$2,500 to restripe parking spaces. Costs may be higher than estimated if the restriping process reduces the overall number of parking spots and requires the relocation and reinstallation of existing charging units to align with the updated lot spacing.

Department of Law. Workload in the Department of Law will minimally increase to address any Consumer Protection Act complaints related to car sharing programs. The department will review complaints and prioritize investigations as necessary within its existing resources.

Local Government

The bill will increase workload for staff in counties and municipalities and may increase revenue from traffic fines. Staff must update policies related to accessibility requirements for electric vehicle charging stations. Similar to the state, local governments that maintain and operate their own electric vehicle charging stations may have costs to restripe parking spaces after January 1, 2025. The bill may also increase revenue from the HUTF to counties and municipalities, though any revenue impact is expected to be minimal.

Effective Date

This bill was signed into law by the Governor and took effect on June 3, 2024.

State and Local Government Contacts

Colorado	Energy Office	Counties
Judicial Law	Local Affairs	Personnel
Public Safety	Transportation	

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).