



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Fiscal Note

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| <b>Drafting Number:</b> | LLS 24-1133                                       | <b>Date:</b>           | April 10, 2024  |
| <b>Prime Sponsors:</b>  | Sen. Winter F.; Cutter<br>Rep. Lindsay; Lindstedt | <b>Bill Status:</b>    | Senate Transportation & Energy                        |
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**Bill Topic:**                   **PROTECT VULNERABLE ROAD USERS**

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| <b>Summary of Fiscal Impact:</b> | <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 allows the Department of Transportation to authorize automated vehicle identification systems to detect traffic violations on state highways, and requires the department to expend a minimum amount of State Highway Fund revenue on certain road safety projects. Beginning in FY 2024-25, the bill shifts state expenditures and may increase state revenue and state and local workload on an ongoing basis.

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

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

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## Summary of Legislation

**Automated vehicle identification systems.** The bill modifies laws governing automated vehicle identification systems (AVIS) to clarify that the Department of Transportation (CDOT) has final authority to authorize the use of AVIS on any roads that are part of the state highway system. CDOT may consult with the Colorado State Patrol (CSP) to establish rules relating to the use of AVIS on state highways, including rules for approval and enforcement of the use of AVIS and amount of civil penalties for violations. State revenue collected for violations detected by AVIS must be credited to the State Highway Fund and used to fund road safety projects that protect vulnerable road users.

**Vulnerable road users—safety project funding and targets.** Beginning in FY 2025-26, after accounting for critical safety-related asset management projects as determined by the Transportation Commission, the bill requires CDOT to expend at least 10 percent of remaining State Highway Fund revenue from various fees, fines, and surcharges on road safety projects designed to reduce collisions with vulnerable road users.

In addition, the bill requires CDOT to establish declining annual targets for vulnerable road user fatalities. As part of these targets, CDOT must include engineering methodology and internal education requirements for practices to prioritize safety over speed on high-injury networks.

## **State Revenue**

By authorizing CDOT to use AVIS on state highways and determine penalty amounts, the bill may increase revenue to the State Highway Fund by increasing the number of AVIS-detected traffic violations. This revenue is subject to TABOR. The bill requires this revenue, after accounting for court and operations costs, to be used only to fund road safety projects for vulnerable road users.

## **State Expenditures**

The bill minimally impacts workload in the Department of Transportation beginning in FY 2024-25 and shifts its expenditures beginning in FY 2025-26. Any workload impact for CSP to provide input to CDOT on AVIS use is expected to be minimal. CDOT's impacts are described below.

- **Rulemaking.** The bill increases workload in FY 2024-25 for CDOT to implement declining targets for vulnerable road user fatalities into the performance plan. CDOT staff must also must develop engineering methodology and education requirements to prioritize safety over speed on high-injury networks. These workload increases can be accomplished with existing resources.
- **Road safety projects.** Based on current revenue estimates, CDOT will expend \$7 million from the State Highway Fund on designated road safety projects in FY 2025-26 and \$7.1 million in FY 2026-27, with similar amounts ongoing. This amount may increase in future years if the bill increases revenue from AVIS-detected violations on state highways.

## **Local Government**

The bill may increase workload for local governments to coordinate with CDOT and the CSP on the implementation of AVIS systems on state highways. Any workload increase is expected to be minimal and absorbable within existing resources.

## **Effective Date**

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

## **State and Local Government Contacts**

Counties  
Revenue

Local Affairs  
Transportation

Public Safety

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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](#).