

Joint Budget Committee



Staff Figure Setting FY 2025-26

Department of Transportation

JBC Working Document - Subject to Change

Staff Recommendation Does Not Represent Committee Decision

Prepared by:

Michelle Curry, JBC Staff

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How to Use this Document: The Department Overview contains a table summarizing the staff recommended changes. Brief explanations of each change follow the table. Each division description includes a similar table but does not repeat the brief explanations. Sections following the Department Overview and the division summary tables provide more details about the changes.

To find decision items, look at the Decision Items Affecting Multiple Divisions or the most relevant division. This applies to both decision items requested by the department and recommended by the staff. Decision items appear in the requested priority order within sections.

Department Overview

The Colorado Department of Transportation (CDOT) is overseen by an eleven-member Transportation Commission (TC) appointed by the governor. Its stated mission is "to provide the best multimodal transportation system for Colorado that most effectively and safely moves people, goods, and information." Despite the broad scope of this mission statement, CDOT's primary responsibility, as measured by dollars expended, is the construction, maintenance, and operation of Colorado's state highway system. In addition, the Department is responsible for other modes of transportation including aviation, transit, and rail.

CDOT's specific duties include:

- developing and implementing the Statewide Transportation Improvement Program (STIP), a federally required, 4-year planning document that identifies statewide transportation projects based on estimated revenues and priorities determined during the statewide planning process;
- maintaining the state highway system, including repairing road damage, and snow removal;
- managing operation and construction of the over 23,000 total lane miles of state highways, including 3,447 bridges and over 28.0 billion miles of vehicle travel;
- developing of a statewide, multi-modal transportation system through administration of grants to local transit systems and other multi-modal recipients;
- implementing programs to promote highway safety including education programs and efforts to combat impaired driving, encourage seatbelt use, and enforce speed limits;
- maintaining the statewide aviation system plan, including the provision of technical support to local airports, remitting reimbursement of aviation fuel tax revenues, and administering discretionary grants to local airports; and
- implementing the budget, policies and decisions made by the Transportation Commission.

The Long Bill is a consolidated version of the Transportation Commission's (TC) budget. Both the TC budget and the Long Bill budget are *revenue allocation budgets*, which show how much revenue CDOT expects to receive in FY 2025-26 and how that revenue will be allocated in the current and subsequent years.

Projected revenue changes are the primary factor driving the total CDOT Long Bill appropriation from year to year. The revenue allocated in the Long Bill includes money received from state fuel taxes and registration fees, federal funding, and appropriations from cash funds that are not controlled by CDOT (such as the Marijuana Tax Cash Fund). General Fund *appropriations* to CDOT are uncommon, but the Department's revenue does include *transfers* from the General fund, which are classified as cash funds because the money is transferred into a CDOT-controlled cash fund.

Summary of Staff Recommendations

Department of Transportation						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2024-25 Appropriation						
HB 24-1430 (Long Bill)	\$2,063,783,439	\$0	\$1,197,797,806	\$5,283,672	\$860,701,961	3,328.5
S.B. 25-109 (Supplemental)	0	0	0	0	0	0.0
Total FY 2024-25	\$2,063,783,439	\$0	\$1,197,797,806	\$5,283,672	\$860,701,961	3,328.5
FY 2025-26 Recommended Appropriation						
FY 2024-25 appropriation	\$2,063,783,439	\$0	\$1,197,797,806	\$5,283,672	\$860,701,961	3,328.5
Revenue Adjustments (FY 2025-26 revenue forecast compared to FY 2024-25 forecast)						
HPTe revenue adjustments	110,781,287	0	110,781,287	0	0	0.0
BTE revenue adjustment	17,828,905	0	12,455,144	0	5,373,761	0.0
MMOF Revenue Update	51,686,106	0	51,686,106	0	0	0.0
CTE revenue adjustment	50,315,773	0	50,315,773	0	0	0.0
CM&O revenue adjustment	4,045,977	0	51,958,972	-101,916	-47,811,079	0.0
Air Pollution Mitigation revenue update	2,495,940	0	2,495,940	0	0	0.0
Total revenue adjustments	\$237,153,988	\$0	\$279,693,222	-\$101,916	-\$42,437,318	\$0
FY 2025-26 Revenue Forecast	\$2,300,937,427	\$0	\$1,477,491,028	\$5,181,756	\$818,264,643	\$3,329
Offsetting revenue allocation adjustments						
Annualize OIT real time billing supplemental						
Admin impact	-\$77,264	\$0	-\$77,264	\$0	\$0	0.0
CM&O impact	77,264	0	77,264	0	0	0.0
Payments to OIT adjustment						
Admin impact	1,122,753	0	1,122,753	0	0	0.0
CM&O impact	-1,122,753	0	-1,122,753	0	0	0.0
Total-compensation changes in admin.						
Admin impact	779,558	0	779,558	0	0	0.0
CM&O impact	-779,558	0	-779,558	0	0	0.0
Other common policy changes in admin.						
Admin impact	-9,334	0	-9,334	0	0	0.0
CM&O impact	9,334	0	9,334	0	0	0.0
Total offsetting revenue allocation adjustments						
Admin impact	\$1,815,713	\$0	\$1,815,713	\$0	\$0	\$0
CM&O impact	-1,815,713	0	-1,815,713	0	0	0
Net impact of offsetting revenue adjustments	\$0	\$0	\$0	\$0	\$0	\$0
Non-offsetting revenue allocation adjustments						
R1 MMOF continuous spending authority	\$0	\$0	\$0	\$0	\$0	0.0
R2 Continuous spending authority for CTE	0	0	0	0	0	0.0
R3 Reduce SB 21-260 transfers	-60,000,000	0	-60,000,000	0	0	0.0
R4 Reduce Road Safety Surcharge	-32,741,661	0	-32,741,661	0	0	0.0
Staff Initiated MTCF reduction	-500,000	0	-500,000	0	0	0.0
Total non-offsetting revenue allocation adjustments	-\$93,241,661	\$0	-\$93,241,661	\$0	\$0	\$0

Department of Transportation						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Total FY 2025-26	\$2,207,695,766	\$0	\$1,384,249,367	\$5,181,756	\$818,264,643	3,328.5
Increase/-Decrease From FY 2024-25	\$143,912,327	0	\$186,451,561	-\$101,916	-\$42,437,318	0.0
Percentage Change	7.0%	n/a	15.6%	-1.9%	-4.9%	0.0%
FY 2025-26 Executive Request	\$2,196,877,749	\$0	\$1,375,660,232	\$5,181,756	\$816,035,761	3,328.5
Staff Rec. Above/-Below Request	\$10,818,017	\$0	\$8,589,135	\$0	\$2,228,882	0.0

*Admin refers to the Administration line item, and CM&O refers to the Construction, Maintenance, and Operations line item.

Description of Incremental Changes

Revenue Adjustments (FY 2025-26 revenue forecast compared to FY 2024-25 forecast)

Due to the Department’s Long Bill appropriation representing a revenue allocation budget, the summary table provided reflects changes in forecasted revenue between this year’s preliminary forecast of FY 2025-26 revenue and last year’s forecast of FY 2024-25 revenue. The Department is forecasting that its overall revenue will be \$237,153,988 higher than it was in FY 2024-25. Of the revenue increase, \$55,732,083, or 2.4 percent, is subject to TABOR. This overall revenue adjustment includes adjustments in the following continuously appropriated divisions: *(note: numbers in list denote division number in the long bill)*

- (2) Construction, Maintenance, and Operations
- (3) Statewide Bridge and Tunnel Enterprise
- (4) High Performance Transportation Enterprise
- (6) Nonattainment Area Air Pollution Mitigation Enterprise
- (8) Fuels Impact Enterprise

The following line items also reflect revenue adjustments, though portions of these allocations are subject to annual appropriations:

- (5) Special Purposes – Multimodal Transportation Projects
- (7) Clean Transit Enterprise

Non-offsetting Expenditure Adjustments

Department and Staff initiated requests that impact the revenue totals are summarized below.

R1 Multimodal Options Fund spending authority [requires legislation]: Staff recommends that the JBC sponsor legislation to provide continuous spending authority for the ongoing revenues credited to the Multimodal Transportation and Mitigation Options Fund (MMOF). The fund currently includes two types of revenue.

- Ongoing revenues are from a retail delivery fee created in S.B. 21-260 (Sustainability of the Transportation System). Transportation Planning Regions (TPRs) use these funds to award grants to local agencies for multimodal transportation projects related to greenhouse gas emissions and increased accessibility for vulnerable populations. Consistent with the Department's request, the recommendation would provide continuous spending authority over these revenues because the multi-year nature of the grants creates challenges for annual appropriation.
- Currently, the fund also includes \$117.1 million remaining American Rescue Plan Act (ARPA) funds that are allocated to local and state transportation projects but are currently unspent. Staff recommends separating this amount from the rest of the cash fund and granting roll-forward authority for this amount through FY 2026-27 to align with the original expiration date of Federal funds. While the request proposes continuous authority for the entire fund, staff is not recommending continuous spending authority for this component and is instead recommending that the Committee partition the fund.

Regardless of the choice on continuous appropriation, staff recommends reflecting an increase of \$50.4 million cash funds to reflect the projected increase in revenue. If the Committee approves the continuous appropriation, then the appropriation will be reflected for informational purposes only.

R2 Continuous spending authority for Clean Transit Enterprise Cash Fund [requires legislation]: Consistent with the request, staff recommends the JBC sponsor legislation granting continuous spending authority for the Clean Transit Enterprise (CTE) Cash Fund created by S.B. 21-260 (Sustainability of the Transportation System). The Clean Transit Enterprise received three additional revenue streams via S.B. 24-230 (Oil and Gas Production Fees), all of which are continuously appropriated. Limiting the funds in the CTE Cash Fund to annual appropriation has created administrative difficulty and hindered the Department's ability to fulfill grant requests related to purchasing electric transit vehicles and constructing EV infrastructure because projects generally span more than one fiscal year.

R3 Reduce S.B. 21-260 Transfers and extend the funding [requires legislation]: Staff recommends a reduction of General Fund transfers created by S.B. 21-260 (Sustainability of the Transportation System) to the Department totaling \$60.0 million in FY 2025-26 and \$40.0 million in FY 2026-27. This recommendation is a greater reduction than the Department's initial request but more modest than the Department's amended proposal. Additionally, staff recommends some ongoing General Fund savings while keeping a majority of the funding to the Department through FY 2032-33. This differs from the Department's request, which included being made whole with increases to General Fund transfers in out-years. The total amount of General Fund transfers to the Department would be reduced by \$45.0 million over 9 years.

R4 Reduce Road Safety Surcharge and distribution update [requires legislation]: Staff recommends reducing the road safety surcharge by \$5.50 (per vehicle per year) at all weight levels starting in FY 2025-26 and ongoing. This recommended reduction is more modest than the Department's initial request but is greater than their amended proposal. This would decrease revenue subject to TABOR in the Highway Users Tax Fund by an estimated \$32.7 million in FY 2025-26 and \$33.3 million in FY 2026-27. Although the Department's amended

proposal requests that the reduction expire after FY 2026-27, staff recommends continuing the reduced fee in years where revenue is expected to exceed the TABOR/Referendum C cap. Those cash fund revenue reductions will make an equal amount of General Fund available each year, as long as the State is above the TABOR/Referendum C cap.

Staff initiated reduction to the Marijuana Impaired Driving Program: Staff recommends a reduction of \$500,000 cash funds from the Marijuana Tax Cash Fund (MTCF) for the Marijuana Impaired Driving Program. This would result in a reduced appropriation of \$450,000 for the Marijuana Impaired Driving Program ongoing. The Department would still be able to provide a scaled down version of this program.

Major Differences from the Request

Recommendations reflect three changes from the Department’s request:

- (1) Adjustments to the Department’s initial R1 request for continuous spending authority for the MMOF. The recommendation would provide continuous spending authority for ongoing revenues but not for the ARPA-related funds.
- (2) Adjustments to the Departments R3 and R4 requests which would reduce General Fund transfers (R3) and the Road Safety Surcharge (R4). Relative to the official request, the recommendation would provide an overall General Fund savings of \$92.7 million in FY 2025-26, which is \$6.9 million greater than the Department’s amended request.
- (3) A staff-initiated reduction in appropriations from the MTCF for the Marijuana Impaired Driving Program. The Department did not request this reduction; staff is recommending it to assist with MTCF balancing.

Decision Items Affecting Multiple Divisions

→ Staff-initiated request for permission to update informational appropriations for new forecast prior to Long Bill introduction

Staff has based the recommendations in this document on CDOT’s revenue forecasts from the fall of 2024, as updated in January 2025. The Transportation Commission will finalize its FY 2025-26 revenue allocation budget in March, which will likely differ from the current forecast. As a result, the included informational appropriations for the Department’s Construction, Maintenance and Operations Division, the Multimodal Transportation and Mitigation Options Fund, and the five continuously appropriated enterprises will soon be out-of-date.

Recommendation

Staff recommends that the Committee authorize staff to incorporate updated revenue estimates from the Department’s March 2025 revenue allocation in the Long Bill. Revenue

forecast adjustments are expected to affect the following continuously appropriated divisions:
(note: numbers in list denote division number in the long bill)

- (2) Construction, Maintenance, and Operations
- (3) Statewide Bridge and Tunnel Enterprise
- (4) High Performance Transportation Enterprise
- (6) Nonattainment Area Air Pollution Mitigation Enterprise
- (8) Fuels Impact Enterprise

The following line items may also be impacted, though portions of these allocations are subject to annual appropriations:

- (5) Special Purposes – Multimodal Transportation Projects
- (7) Clean Transit Enterprise

Based on conversations with the Department, staff expects modest revisions. If they are large or unusual, staff will bring them to the Committee's attention. All of these appropriations are informational – and the adjustments will not impact the amount actually available to the Department. However, staff recommends aligning the informational appropriations with the most recent available data. Appropriations from cash funds subject to annual appropriations will not be adjusted.

(1) Administration

This single-line division provides administrative support for the Department. Section 43-1-113 (3)(a), C.R.S., creates the division and Section 43-1-113 (2)(c) (III), C.R.S., specifies that it consists of the expenditures for the salaries and expenses of the following offices:

- o Transportation Commission
- o Executive Director
- o Chief Engineer
- o District engineers
- o Budget
- o Internal audits
- o Public relations
- o Equal employment
- o Accounting
- o Administrative services
- o Building operations
- o Management systems
- o Personnel
- o Procurement
- o Insurance
- o Legal
- o Central data processing

Expenditures for these administrative expenses are contained in a single Long Bill line. Statute further requires that this line, “shall not be identified by project, program, or district.” This gives CDOT the discretion to move funds within the Administration Division without seeking approval from the General Assembly. Additionally, Section 43-1-113 (6)(a), C.R.S., limits expenditures of the Administration line item to no more than 5.0 percent of the total CDOT budget. Common policy decision items exist within the Department’s Administration line item. The Committee should note that increased cash fund appropriations in this section inherently reduce the amount available for the Construction, Maintenance, and Operations section.

The following table shows the recommendation for the Division’s single line appropriation.

Statutory authority: 43-1-113 (2)(a), C.R.S.

Administration						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2024-25 Appropriation						
HB 24-1430 (Long Bill)	\$49,906,487	\$0	\$49,836,487	\$70,000	\$0	162.5
S.B. 25-109 (Supplemental)	\$77,264	\$0	\$77,264	\$0	\$0	0.0
Total FY 2024-25	\$49,983,751	\$0	\$49,913,751	\$70,000	\$0	162.5
FY 2025-26 Recommended Appropriation						
FY 2024-25 Appropriation	\$49,983,751	\$0	\$49,913,751	\$70,000	\$0	162.5
Payments to OIT Adjustment	1,122,753	0	1,122,753	0	0	0.0
Total compensation changes in Admin.	779,558	0	779,558	0	0	0.0
Annualize OIT real time billing supplemental	-77,264	0	-77,264	0	0	0.0
Other common policy changes in Admin.	-9,334	0	-9,334	0	0	0.0
Total FY 2025-26	\$51,799,464	\$0	\$51,729,464	\$70,000	\$0	162.5
Increase/-Decrease From FY 2024-25	\$1,815,713	\$0	\$1,815,713	\$0	\$0	0.0
Percentage Change	3.6%	n/a	3.6%	0.0%	n/a	0.0%
FY 2025-26 Executive Request	\$51,799,464	\$0	\$51,729,464	\$70,000	\$0	162.5
Staff Rec. Above/-Below Request	\$0	\$0	\$0	\$0	\$0	0.0

(2) Construction, Maintenance, and Operations

The Transportation Commission controls the expenditures of the Construction, Maintenance, and Operations Division (CM&O). The appropriations are shown in the Long Bill for informational purposes only and include cash funds from various sources outlined in Long Bill letter notes. The expenditures pay for work performed by CDOT staff and its contracting partners to (1) construct, reconstruct, repair, operate, and maintain the state highway system and keep it in safe working order; (2) provide safety education; (3) pass funding through to other entities such as airports, local governments, and transit providers as formula or discretionary grants; and (4) pay for annual debt service for highway and bridge projects. Generally speaking, the CM&O Division contains the Department’s flexible funds which backfill any programmatic needs.

This division has a one-line appropriation.

Statutory authority: 43-1-113 (2)(c), C.R.S.

Construction, Maintenance, and Operations						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2024-25 Appropriation						
HB 24-1430 (Long Bill)	\$1,658,620,633	\$0	\$806,331,239	\$1,213,672	\$851,075,722	3,156.0
S.B. 25-109 (Supplemental)	-\$77,264	\$0	-\$77,264	\$0	\$0	0.0
Total FY 2024-25	\$1,658,543,369	\$0	\$806,253,975	\$1,213,672	\$851,075,722	3,156.0
FY 2025-26 Recommended Appropriation						
FY 2024-25 Appropriation	\$1,658,543,369	\$0	\$806,253,975	\$1,213,672	\$851,075,722	3,156.0
R3 Reduce SB 21-260 Transfers	-60,000,000	0	-60,000,000	0	0	0.0
R4 Reduce Road Safety Surcharge	-32,741,661	0	-32,741,661	0	0	0.0
CM&O Revenue Adjustment	4,045,977	0	51,958,972	-101,916	-47,811,079	0.0
Annualize OIT real time billing supplemental	77,264	0	77,264	0	0	0.0
Other common policy changes in Admin.	9,334	0	9,334	0	0	0.0
Payments to OIT Adjustment	-1,122,753	0	-1,122,753	0	0	0.0
Total compensation changes in Admin.	-779,558	0	-779,558	0	0	0.0
Total FY 2025-26	\$1,568,031,972		\$763,655,573	\$1,111,756	\$803,264,643	3,156.0
Increase/-Decrease From FY 2024-25	-\$90,511,397	\$0	-\$42,598,402	-\$101,916	-\$47,811,079	0.0
Percentage Change	-5.5%	n/a	-5.3%	-8.4%	-5.6%	0.0%
FY 2025-26 Executive Request						
Staff Rec. Above/-Below Request	\$1,556,713,955	\$0	\$754,566,438	\$1,111,756	\$801,035,761	3,156.0
	\$11,318,017	\$0	\$9,089,135	\$0	\$2,228,882	0.0

Decision Items

→ R3 Reduce S.B. 21-260 Transfers and Extend the Funding [Requires Legislation]

Request

The Department requests a two-year reduction in General Fund transfers to the State Highway Fund which were committed in S.B. 21-260 (Sustainability of the Transportation System). The reduction would require legislation to adjust statutory transfers.

On January 31, the Department adjusted this request in conjunction with an adjustment to their R4 Reduce FASTER Fees Request. The revised proposal would reduce the transfers by \$64.0 million in FY 2025-26 and \$49.5 million in FY 2026-27, making those amounts of General Fund available for other uses.

Both requests include adjustments to the currently scheduled transfer window, neutralizing the impact on the Department by FY 2032-33. The following table shows the Department’s request relative to current law for FY 2024-25 through FY 2032-33.

Jan. 31 Proposal: SB 21-206 Transfers to State Highway Fund (in Millions)										
	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30	FY 30-31	FY 31-32	FY 32-33	Total
Current Law	\$100.0	\$100.0	\$100.0	\$100.0	\$100.0	\$82.5	\$82.5	\$82.5	\$0.0	\$747.5
Jan. 31 Prop.	100.0	36.0	50.5	100.0	100.0	100.0	100.0	100.0	61.0	747.5
GF Savings	\$100.0	\$64.0	\$49.5	\$0.0	\$0.0	-\$17.5	-\$17.5	-\$17.5	-\$61.0	\$0.0

Recommendation

Staff recommends an alternative to the Department’s competing requests which decreases the reductions for FY 2025-26 and FY 2026-27 and reduces the overall out year appropriation. The following table summarizes the staff recommendation relative to current law for FY 2024-25 through FY 2032-33.

Staff Recommendation: SB 21-206 Transfers to State Highway Fund (in Millions)										
	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30	FY 30-31	FY 31-32	FY 32-33	Total
Current Law	\$100.0	\$100.0	\$100.0	\$100.0	\$100.0	\$82.5	\$82.5	\$82.5	\$0.0	\$747.5
Staff Rec.	100.0	40.0	60.0	75.0	82.5	90.0	90.0	90.0	75.0	702.5
GF Savings	\$0.0	\$60.0	\$40.0	\$25.0	\$17.5	-\$7.5	-\$7.5	-\$7.5	-\$75.0	\$45.0

Analysis

Senate Bill 21-260 (Sustainability of the Transportation System) created a total General Fund commitment to CDOT of \$747.5 million in transfers to the State Highway Fund over the course of ten fiscal years. The policy goals of these transfers include supporting the Department’s 10-year plan, investing in the Multimodal Options Fund, and supporting the Revitalizing Main Streets program with the overall goal of increasing the sustainability of the state’s

transportation system. Request R3 seeks to provide General Fund relief for FY 2025-26 and FY 2026-27 – but would then adjust transfers in the out-years to provide the full \$747.5 million assumed in S.B. 21-260.

While the request offers budget relief for FY2025-26 and FY2026-27, it does not provide long-term savings. Rather, the Department requests moving transfers to the end of the payment period in order to reduce impacts to the Department’s programming and long term plan. By shifting transfers, the Department does not anticipate any impact on day-to-day operations or on intended policy goals. The proposed reductions in FY 2025-26 and FY 2026-27 would not impact required transfers to the Multimodal Options Fund or Revitalizing Main Streets program, both of which are specified in statute¹.

The following tables show the original (November 1, 2024) proposal and the most recent revision proposed through a balancing letter on January 31. As shown in the tables, the Governor’s most recent revision would take larger reductions in both FY 2025-26 and FY 2026-27 (a total change of \$50.0 million over the two years). This change would be applied to out-years as shown in the tables below.

Nov. 2 Proposal: SB 21-206 Transfers to State Highway Fund (in Millions)										
	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30	FY 30-31	FY 31-32	FY 32-33	Total
Current Law	\$100.0	\$100.0	\$100.0	\$100.0	\$100.0	\$82.5	\$82.5	\$82.5	\$0.0	\$747.5
Nov. 2 Prop.	100.0	61.0	75.5	100.0	100.0	100.0	100.0	100.0	11.0	747.5
GF Savings	\$0.0	\$39.0	\$24.5	\$0.0	\$0.0	-\$17.5	-\$17.5	-\$17.5	-\$11.0	\$0.0

Jan. 31 Proposal: SB 21-206 Transfers to State Highway Fund (in Millions)										
	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30	FY 30-31	FY 31-32	FY 32-33	Total
Current Law	\$100.0	\$100.0	\$100.0	\$100.0	\$100.0	\$82.5	\$82.5	\$82.5	\$0.0	\$747.5
Jan. 31 Prop.	100.0	36.0	50.5	100.0	100.0	100.0	100.0	100.0	61.0	747.5
GF Savings	\$100.0	\$64.0	\$49.5	\$0.0	\$0.0	-\$17.5	-\$17.5	-\$17.5	-\$61.0	\$0.0

In order to create some ongoing General Fund relief, staff recommends adopting an alternative level of reductions in FY 2025-26 (a \$60.0 million reduction rather than \$64.0 million) and FY 2026-27 (\$40.0 million rather than \$49.5 million. However, staff also recommends reducing the out-year transfers. Staff’s proposal includes an overall reduction of \$45.0 million in General Fund transfers through FY 2032-33 (relative to current law).

Staff Recommendation: SB 21-206 Transfers to State Highway Fund (in Millions)										
	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30	FY 30-31	FY 31-32	FY 32-33	Total
Current Law	\$100.0	\$100.0	\$100.0	\$100.0	\$100.0	\$82.5	\$82.5	\$82.5	\$0.0	\$747.5
Staff Rec.	100.0	40.0	60.0	75.0	82.5	90.0	90.0	90.0	75.0	702.5
GF Savings	\$0.0	\$60.0	\$40.0	\$25.0	\$17.5	-\$7.5	-\$7.5	-\$7.5	-\$75.0	\$45.0

The Department’s preference is to be made whole rather than having to sustain a reduction in transfers over time. Their 10-year plan, which was adopted in 2020, assumes the full amount of

¹ §24-75-219, C.R.S.

funding from S.B. 21-260. If the transfers were not continued, the Department would have to either (1) use funds within the Construction, Maintenance, and Operations Division to backfill planned funding levels to secure Federal funds or (2) remove planned projects from the already published 10-year plan. However, because the Department regularly updates this plan to align with their Federally required, 4-year Statewide Transportation Improvement Plan (STIP), it seems reasonable that reductions of funding could be absorbed by reductions in planned capital projects. Ultimately, this decision would be made by the Transportation Commission. Notably, the Department anticipates receiving over one-third of its funding (37.8 percent) in FY 2025-26 from Federal grant programs totaling \$818,264,643. Nearly all of this requires state and/or local matches. The Department has allocated future General Fund transfers to fulfilling this requirement. Discontinuing the transfers entirely may result in backfilling this required match with other State Highway Fund revenue.

→ R4 Reduce Road Safety Surcharge and Distribution Update [Requires Legislation]

Request

The Department requests a reduction to the Road Safety Surcharge in order to decrease FASTER revenue subject to TABOR and provide General Fund relief. While their initial request made this change ongoing, the Department's amended request limits the reduction to FY 2025-26 and FY 2026-27.

The Department's November 1 request proposed a \$11.10 reduction to all weight-based fee tiers of the Road Safety Surcharge, resulting in a \$65.1 million decrease to FASTER revenue. This request was ongoing.

The Department submitted revisions to this proposal on January 31st that would change the reduction to \$3.70 and makes the reduction temporary, returning the surcharge to current levels in FY 2027-28 and allowing for adjustments based on lost revenue. The revised proposal includes a revenue savings of \$21.8 million in FY 2025-26.

Both versions of this request include updated disbursement ratios to ensure that locals are unaffected by fee changes.

Recommendation

Staff recommends an alternative fee reduction of \$5.50 ongoing with statutory provisions that would restore the full fee in years where revenue is not projected to hit the TABOR cap. Staff also recommends updating FASTER distribution ratios to avoid impacting locals.

Analysis

House Bill 09-108 (Funding Advancements for Surface Transportation and Economic Recovery, otherwise known as FASTER) created the Road Safety Surcharge to bolster revenue for the purpose of road maintenance and to fill gaps left by decreasing buying power of the state's fuel

tax. The fee is distributed as follows: 60.0 percent to the State Highway Fund, 18.0 percent to Counties and 12.0 percent to Cities. The request includes a reduction in fees as well as a statutory change in the distribution calculation to prevent local governments from losing funds.

The November 1 requested reduction in fees mirrors the reductions implemented by S.B. 21-260 (Sustainability of the Transportation System) and S.B. 22-1351 (Temporarily Reduce Road User Charges) for vehicles registered between Jan 1, 2022 and Dec 31, 2023. The fees increased back to original levels effective Jan 1, 2024. These changes are shown in the table below:

Road Safety Surcharge Fees by Weight Categories					
	Enacted 2009 (43-4-804, C.R.S.)	2022 (SB 21-260)	2023 (HB 22-1351)	2024	2025 (Proposed)
Motorcycles, autocycles, trailer coaches, and vehicles weighing 2,000 pounds or less	\$16.00	\$4.90	\$4.90	\$16.00	\$4.90
Vehicles weighing 2,001 to 5,000 pounds	\$23.00	\$11.90	\$11.90	\$23.00	\$11.90
Vehicles weighing 5,001 to 10,000 pounds	\$28.00	\$16.90	\$16.90	\$28.00	\$16.90
Passenger buses and vehicles 10,001 to 16,000 pounds	\$37.00	\$25.90	\$25.90	\$37.00	\$25.90
Vehicles weighing more than 16,000 pounds	\$39.00	\$27.90	\$27.90	\$39.00	\$27.90

Previous reductions, though, did not provide updated distributions which resulted in reduced revenue for county and local governments.

The tables below represent three different scenarios for fee reductions including updated distributions of total FASTER revenue:

Nov. 1 Proposal – Reduce fees by \$11.10

Road Safety Surcharge Fees by Weight Categories	
	Nov. 1 Proposed Fees
Motorcycles, autocycles, trailer coaches, and vehicles weighing 2,000 pounds or less	\$4.90
Vehicles weighing 2,001 to 5,000 pounds	\$11.90
Vehicles weighing 5,001 to 10,000 pounds	\$16.90
Passenger buses and vehicles 10,001 to 16,000 pounds	\$25.90
Vehicles weighing more than 16,000 pounds	\$27.90

Change to Road Safety Surcharge Revenue Under Nov. 1 Proposal (in millions)		
Item	FY 2025-26 Forecast	FY 2026-27 Forecast
Road Safety Surcharge Revenue Under Current Law	\$151.3	\$153.9
Road Safety Surcharge Revenue With Fee	\$86.2	\$87.8
Change in Revenue	-\$65.1	-\$66.2

Change to FASTER Distributions Under Nov 1 proposal (in millions)				
Item	FY 2025-26 Current Forecast	Current Distribution	FY 2025-26 Forecast Under Nov. 2 Proposal	Proposed Distribution
CDOT	\$144.2	60.0%	\$79.1	45.0%
Counties	\$52.9	22.0%	\$52.9	30.0%
Municipalities	\$43.3	18.0%	\$43.3	25.0%
Total	\$240.3	100.0%	\$175.2	100.0%

Jan. 31 Proposal – Reduce fees by \$3.70

Road Safety Surcharge Fees by Weight Categories	
	Jan 31 Proposed Fees
Motorcycles, autocycles, trailer coaches, and vehicles weighing 2,000 pounds or less	\$12.30
Vehicles weighing 2,001 to 5,000 pounds	\$19.30
Vehicles weighing 5,001 to 10,000 pounds	\$24.30
Passenger buses and vehicles 10,001 to 16,000 pounds	\$33.30
Vehicles weighing more than 16,000 pounds	\$35.30

Change to Road Safety Surcharge Revenue Under Jan. 31 Proposal (in millions)		
Item	FY 2025-26 Forecast	FY 2026-27 Forecast
Road Safety Surcharge Revenue Under Current Law	\$151.3	\$153.9
Road Safety Surcharge Revenue With Fee Reductions	\$129.5	\$131.7
Change in Revenue	-\$21.8	-\$22.2

Change to FASTER Distributions Under Jan. 31 Proposal (in millions)				
Item	FY 2025-26 Current Forecast	Current Distribution	FY 2025-26 Forecast Under Jan. 31 Proposal	Proposed Distribution
CDOT	\$144.2	60.0%	\$122.4	56.0%
Counties	\$52.9	22.0%	\$52.8	24.0%
Municipalities	\$43.3	18.0%	\$43.3	20.0%
Total	\$240.3	100.0%	\$175.2	100.0%

Staff Recommendation – Reduce fees by \$5.50

Road Safety Surcharge Fees by Weight Categories Staff Rec.	
	Staff Rec. Proposed fees
Motorcycles, autocycles, trailer coaches, and vehicles weighing 2,000 pounds or less	\$10.50
Vehicles weighing 2,001 to 5,000 pounds	\$17.50
Vehicles weighing 5,001 to 10,000 pounds	\$22.50
Passenger buses and vehicles 10,001 to 16,000 pounds	\$31.50
Vehicles weighing more than 16,000 pounds	\$33.50

Change to Road Safety Surcharge Revenue Under Staff Recommendation (in millions)		
Item	FY 2025-26 Forecast	FY 2026-27 Forecast
Road Safety Surcharge Revenue Under Current Law	\$151.3	\$153.9
Road Safety Surcharge Revenue With Fee Reductions	118.6	120.6
Total Change in Revenue	-\$32.7	-\$33.3

Change to FASTER Distributions Under Staff Recommendation (in millions)				
Item	FY 2025-26 Current Forecast	Current Distribution	FY 2025-26 Forecast Under Proposal	Proposed Distribution
CDOT	\$144.2	60.0%	\$113.5	54.0%
Counties	52.9	22.0%	52.8	25.0%
Municipalities	43.3	18.0%	43.3	21.0%
Total	\$240.3	100.0%	\$209.6	100.0%

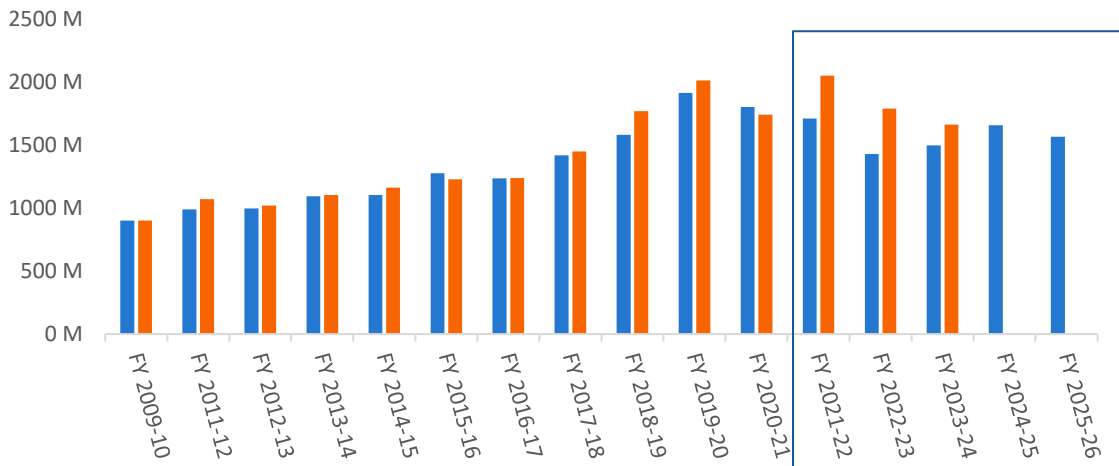
Additionally, staff recommends that any fee reduction be ongoing.

The Department has indicated that regardless of Committee decision, reduced revenue would not impact funding for vulnerable road user road safety projects created by S.B. 24-195 (Protect Vulnerable Road Users), which would be backfilled from revenue in the State Highway Fund and Highway Users Tax Fund.

Both requests and the staff recommendation include significant reductions in state FASTER revenue. Since 2022, CDOT has been absorbing the cost of reductions to the Road Safety Surcharge through backfill from the State Highway Fund and the Highway Users Tax Fund. However, as revenue from gas taxes has declined, so has the overall revenue that the Department can use for this kind of programmatic backfill, resulting in reductions of available funding for maintenance-level efforts including snow and ice control and traffic services.

In addition to the need to fulfill programmatic requirements, the State Highway Fund is the only source of revenue that the Department can use for typical road maintenance, which is represented within the Long Bill as the Department’s Construction, Maintenance, and Operations division. Compounding requests to decrease Department funding have resulted in revenue dedicated to road maintenance lagging behind inflationary pressure on highway maintenance costs.

Construction, Maintenance, and Operations Revenue has lagged Inflationary increases in Highway Maintenance Costs since the Reduction in Road Safety Surcharges



In order to maintain current levels of funding for maintenance level work, staff recommends including statutory provisions that would maintain a predictable level of FASTER revenue for the Department. Specifically, staff recommends including a provision in any legislation that reduces the Road Safety Surcharge to stipulate that fees will revert to current levels in any year where state revenue is not forecasted to reach the TABOR cap in out-year projections during the March forecast.

The Department further requested that legislation include a provision that would increase General Fund transfers if their March forecast falls below current estimates, but Staff recommends that the Department request this change during a comeback as needed.

(3) Statewide Bridge and Tunnel Enterprise

The Bridge and Tunnel Enterprise (BTE) was created by S.B. 09-108 (FASTER) and expanded to include tunnels by S.B. 21-260 (Sustainability of the Transportation System). The Enterprise is a government-owned business whose board of directors consists of the members of the Transportation Commission. The primary functions of the Enterprise are to (1) finance, repair, reconstruct and replace any bridges identified by the Department as “poor” and structurally deficient or obsolete; and (2) repair, maintain, and more safely operate tunnels.

The BTE receives revenue from three fees: (1) a bridge-safety surcharge on vehicle registrations; (2) a retail delivery fee on deliveries of tangible personal property; and (3) a tunnel impact fee on diesel fuel. Surcharge revenue is deposited directly into the Statewide Bridge and Tunnel Enterprise Special Revenue Fund, which is continuously appropriated, with expenditure authority assigned to the Bridge Enterprise Board. The amounts shown in the Long Bill are for informational purposes only.

This division has a one-line appropriation.

Statutory authority: 43-1-113 (2)(c), C.R.S.

Statewide Bridge Enterprise						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2024-25 Appropriation						
HB 24-1430 (Long Bill)	\$163,545,750	\$0	\$153,919,511	\$0	\$9,626,239	1.0
Total FY 2024-25	\$163,545,750	\$0	\$153,919,511	\$0	\$9,626,239	1.0
FY 2025-26 Recommended Appropriation						
FY 2024-25 Appropriation	\$163,545,750	\$0	\$153,919,511	\$0	\$9,626,239	1.0
BTE Revenue Adjustment	17,828,905	0	12,455,144	0	5,373,761	0.0
Total FY 2025-26	\$181,374,655		\$166,374,655		\$15,000,000	1.0
Change from FY 2024-25	\$17,828,905	\$0	\$12,455,144	\$0	\$5,373,761	0.0
Percentage change	10.9%	n/a	8.1%	n/a	55.8%	0.0%
FY 2025-26 Executive request	\$181,374,655	\$0	\$166,374,655	\$0	\$15,000,000	1.0
Staff Rec. Above/-Below Request	\$0	\$0	\$0	\$0	\$0	0.0

Decision Items (None)

The Department did not submit any decision items affecting this division.

(4) High Performance Transportation Enterprise

The High Performance Transportation Enterprise (HPTE) was established in Section 43-4-806, C.R.S., by S.B. 09-108 (FASTER). It is also known as the Colorado Transportation Investment Office (CTIO), though its original name in statute has not changed. The Enterprise is a government-owned business run by a board of directors consisting of a mix of State Transportation Commissioners and external stakeholders appointed by the Governor. The primary function of the Enterprise is to pursue innovative means of financing and operating surface transportation infrastructure projects. It has the statutory power to impose tolls and other user fees, to issue revenue bonds secured by those fees, and to enter into contracts with public and private entities to facilitate Public Private Partnerships. Two separate funds are used to manage the HPTE: (1) the Transportation Special Fund and (2) the Enterprise Operating Fund. Both of these funds receive revenues collected from tolls, fees, and other fines, mostly associated with express lane fees.

The Enterprise is continuously appropriated and projected expenditures are shown in the Long Bill for informational purposes only. This division also has a one-line appropriation.

Statutory authority: 43-4-806, C.R.S.

High Performance Transportation Enterprise						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2024-25 Appropriation						
HB 24-1430 (Long Bill)	\$127,405,835	\$0	\$123,405,835	\$4,000,000	\$0	9.0
Total FY 2024-25	\$127,405,835	\$0	\$123,405,835	\$4,000,000	\$0	9.0
FY 2025-26 recommended appropriation						
FY 2024-25 appropriation	\$127,405,835	\$0	\$123,405,835	\$4,000,000	\$0	9.0
HPTE revenue adjustments	110,781,287	0	110,781,287	0	0	0.0
Total FY 2025-26	\$238,187,122		\$234,187,122	\$4,000,000		9.0
Change from FY 2024-25	\$110,781,287	\$0	\$110,781,287	\$0	\$0	0.0
Percentage change	87.0%	n/a	89.8%	0.0%	n/a	0.0%
FY 2025-26 Executive request	\$238,187,122	\$0	\$234,187,122	\$4,000,000	\$0	9.0
Staff rec. above/-below request	\$0	\$0	\$0	\$0	\$0	0.0

Decision Items (None)

The Department did not submit any decision items affecting this division.

(5) Special Purpose

The Special Purpose Division was created in the FY 2020-21 Long Bill to combine single-line divisions and other one-time appropriations. In FY 2024-25, the Special Purpose division included two budget lines: The Marijuana Impaired Driving Program and Multimodal Transportation Projects. Any future one-time appropriations would be reflected in this division.

Special Purpose						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2024-25 Appropriation						
HB 24-1430 (Long Bill)	\$20,288,751	\$0	\$20,288,751	\$0	\$0	0.0
Total FY 2024-25	\$20,288,751	\$0	\$20,288,751	\$0	\$0	0.0
FY 2025-26 Recommended Appropriation						
FY 2024-25 Appropriation	\$20,288,751	\$0	\$20,288,751	\$0	\$0	0.0
R1 MMOF continuous spending authority	0	0	0	0	0	0.0
Staff Initiated MTCF Reduction	-500,000	0	-500,000	0	0	0.0
MMOF Revenue Update	51,686,106	0	51,686,106	0	0	0.0
Total FY 2025-26	\$71,474,857	\$0	\$71,474,857	\$0	\$0	0.0
Increase/-Decrease From FY 2024-25	\$51,186,106	\$0	\$51,186,106	\$0	\$0	0.0
Percentage Change	252.3%	n/a	252.3%	n/a	n/a	n/a
FY 2025-26 Executive Request	\$71,974,857	\$0	\$71,974,857	\$0	\$0	0.0
Staff Rec. Above/-Below Request	-\$500,000	\$0	-\$500,000	\$0	\$0	0.0

Decision Items

➔ R1 MMOF Continuous Spending Authority [Requires Legislation]

Request

The Department requests adjustments to their spending authority for the Multimodal Transportation and Mitigation Options Fund. Ideally, the Department requests that the JBC sponsor a bill permitting continuous appropriation to the Department’s Multimodal Transportation Projects line item within the Special Purpose division. If continuous spending authority is not granted, the Department requests:

- (1) An increase in cash fund spending authority of \$50.4 million to reflect forecasted MMOF revenue AND
- (2) Extended spending authority for funds that originated as federal stimulus funds from the American Rescue Plan Act of 2021 (ARPA) in S.B. 21-260 by one year. Spending authority

currently expires on June 30, 2025. The Department reports that 69.8 percent of the original \$161.3 million appropriation is encumbered and 27.5 percent is spent.

Staff Recommendation

Staff recommends separating existing ARPA funds from the remainder of the MMOF and sponsoring legislation that grants continuous spending authority for cash funds within the MMOF that did not originate as Federal ARPS dollars. Staff also recommends reflecting the requested \$50.4 million increase in revenues in the Long Bill for informational purposes. Staff recommends rolling forward ARPA dollars through FY 2026-27 with automatic reversion to the General Fund on June 30, 2027.

Analysis

The Multimodal Transportation Options Fund was created in 2018 to provide one-time state funding for multimodal transportation projects throughout the state. SB 21-260 (Sustainability of the Transportation System) renamed the fund the Multimodal Transportation and Mitigation Options Fund (MMOF) and added greenhouse gas mitigation projects to the scope of the Fund. The bill also created a retail delivery fee as an ongoing revenue stream. The bill requires the MMOF to use funds to contribute to the CDOT's 10-year plan, which includes awarding 85.0 percent of funds to local governments for projects that align with the goals of the MMOF. This funding is included in the Department's federally required Statewide Transportation Improvement Plan (STIP), which is a publicly-facing four-year plan constrained by its annually approved budget and spending authority.

Because of the STIP's long range planning, it relies on multi-year and roll-forward appropriations. Despite the current provision of 4-year spending authority for the MMOF for revenue in a given fiscal year, the Department has faced administrative and financial challenges when aligning spending authority with current revenue and project plans. The MMOF provides grant funding administered by Transportation Planning Regions (TPRs) who solicit and review grant applications from local governments and organizations for multimodal projects including building bike and pedestrian infrastructure, increasing access to public transportation, and generally reducing the amount of air pollution produced by vehicles. These TPRs maintain decades-long plans that rely on state matches to fund projects. Because of the long-range nature of these projects and the necessity to award funds long before project completion, gaps in spending authority have created administrative burden and sometimes threatened to prevent projects from being completed. These challenges have resulted in changes to STIP plans and removal of already awarded, local projects, which the Department argues damages public perception of CDOT and TPRs. Although the Department has consistently *awarded* 100.0 percent of appropriated funds each year, these funds have often not been *spent* or *contractually encumbered* until after spending authority for funds has lapsed.

If continuous authority to the fund is not granted, the Department requests roll forward authority for the remaining balance of unspent funds that originated from the American Rescue Plan Act (ARPA). Because of the Department's reliance on local government and transportation authority planning, grants have taken longer than expected to be awarded and are largely

unspent. Of the original \$161.3 million appropriated to the Department, 100.0 percent has been *awarded* to projects, but \$117.0 million has yet to be *spent*. Of this amount, \$23,200,066 was not included in the General Fund swap and remains Federal dollars. The Department is aware of and willing to take on the risk of losing this money.

Total ARPA Appropriation			
\$161,340,000			
SLFRF		General Fund Refinanced	
65,180,000		96,160,000	
Expended	Roll Forward	Expended	Roll Forward
\$41,979,934	\$23,200,066	\$2,311,742	\$93,848,258
Total Roll Forward Requested			
117,048,324			

The Department requests roll-forward of the full \$117.0 million through FY 2026-27 to align with the original timeline attached to the federal funds. This roll-forward would allow the Department to complete funding for already planned projects including \$17.3 million for Bustang operations through October 2025, \$11.0 million for the Front Range Passenger Rail District, and \$89.7 million for a variety of local projects across the state. A full list of projects that have been awarded ARPA funds can be found in Appendix B.

In addition to roll forward authority for ARPA funding, the Department requests additional spending authority to account for \$50.4 million of increased revenue. The department further requests that this authority be extended for three additional years until FY 2028-29.

Approximately 97.0 percent of CDOT's projected FY 2025-26 funding is continuously appropriated by statutory provisions and is controlled by the Transportation Commission or another Governor appointed board within CDOT. Each construction season spans two fiscal years, and projects normally span multiple construction seasons, necessitating the use of appropriations for multiple fiscal years. The fact that the MMOF is not continuously appropriated makes this fund an outlier compared to the rest of CDOT's operations, and staff believes it is reasonable for them to seek continuous spending authority as a result. Additionally, because the Fund was not originally established with a continuous source of revenue, it is unsurprising that the Department was not initially granted continuous spending authority. However, given the statutory updates, staff believes that the request is reasonable to ensure its ability to fulfill programmatic requirements. Further, the Department notes that programmatic intentions of the fund have been stymied by the need to annually request appropriations.

If the request is not approved in its entirety, the Department anticipates continuing to request increases to spending authority year over year and experiencing noticeable slowing of local multimodal project completion. Additionally, in the near future, the Department may need to rescind awards granted to local governments due to insufficient spending authority and lost

federal funds or replace those funds with revenue reserved for Construction, Maintenance, and Operations. Based on those concerns, staff is recommending approving the continuous spending authority for the ongoing fee revenues and the proposed roll-forward authority for the ARPA funds.

→ Staff initiated: Reduce Appropriation to the Marijuana Impaired Driving Program

Request

The Department requests a continuation level appropriation of \$950,000 from the Marijuana Tax Cash Fund.

Recommendation

Staff recommends a reduced appropriation of \$450,000 commensurate with the Department's funding level for FY 2020-21.

Analysis

Since FY 2014-15, the Department has received an annual appropriation of cash funds from the Marijuana Tax Cash Fund (MTCF) for the purpose of developing and implementing a public awareness campaign directed at marijuana impaired driving. Initially, this appropriation totaled \$450,000 with the specific purpose of maintaining the "Drive High, Get a DUI" campaign started in FY 2013-14 using federal funding from the National Highway Traffic Safety Administration. At that time, the Department also received an annual appropriation of \$500,000 for their "Heat is On" campaign, which funded a media campaign focused on all forms of impaired driving. The 2016 Long Bill redistributed the \$500,000 appropriation from the "Heat is On" campaign into a single "Marijuana Impaired Driving Program" totaling \$950,000. This annual appropriation has remained consistent with the exception of a \$500,000 reduction in FY 2020 as a budget balancing measure.

The Department reports continued success with their marketing campaign. In 2024, the Department reports approximately 407 million earned media impressions; 27 million paid media impressions; and a variety of instances of stakeholder engagement including contribution to industry newsletters and flyer distribution at dispensaries. The Department identifies a decline of cannabis-impaired driving rates from 22.3 percent in 2018 to 15.0 percent in 2022.

If funding were reduced, the Department would prioritize its ad campaign and partnership with the cannabis industry. Although the program would need to be considerably scaled down, a significant portion of the Department's efforts to curb impaired driving could continue by reusing previously designed materials and limiting outreach.

Staff recognizes the Department's statistics regarding the success of this program. However, staff also notes the ongoing challenges balancing MTCF appropriations with available revenues.

Based on the need to reduce MTCF appropriations, staff recommends scaling this appropriation back to historic levels (a reduction of \$500,000 per year and an ongoing annual appropriation of \$450,000 cash funds from the MTCF).

Line Item Detail

(A) First Time Drunk Driving Offender Account [discontinued line item]

Request: The Department is not requesting any appropriation for this line item for FY 2025-26 pursuant to 42-2-132 (4)(b)(II)(A), C.R.S. The line item was last funded in FY 2023-24. House Bill 23-1102 (Alcohol and Drug Impaired Driving Enforcement) adjusted the funding for high visibility enforcement to occur as an annual transfer from the HUTF to the office of transportation safety.

Recommendation: **Staff recommends the Committee approve the Department's request.**

(B) Marijuana Impaired Driving Program

The Marijuana Impaired Driving Program provides CDOT with revenue from the Marijuana Tax Cash Fund that CDOT uses to fund marijuana-impaired driving prevention efforts, including public education campaigns and data collection efforts. One of the best known parts of this program is the Department's "Drive High, Get a DUI" public awareness campaign.

Statutory authority: Section 39-28.8-501 (2)(b)(IV)(A), C.R.S.

Request: The Department requests a continuation-level appropriation of \$950,000 cash funds from the Marijuana Tax Cash Fund.

Recommendation: **Staff recommends appropriating \$450,000 cash funds from the Marijuana Tax Cash Fund** as discussed previously.

(C) Multimodal Transportation Projects

The Multimodal Transportation Options Fund was created in 2018 to provide one-time state funding for multimodal transportation projects throughout the state. SB 21-260 (Sustainability of the Transportation System) renamed the fund the Multimodal Transportation and Mitigation Options Fund (MMOF) and added greenhouse gas mitigation projects to the scope of the Fund. The bill also created a retail delivery fee as an ongoing revenue stream for the fund. Money in the Fund is allocated 85.0 percent to local governments for projects that align with the goals of the MMOF.

Statutory Authority: Section 43-4-1102 and 43-4-1103, C.R.S.

Request: The Department requests \$71,024,857 cash funds from the Multimodal Transportation and Mitigation Options Fund, which includes additional revenue of \$50,412,240. Additionally, the Department requests continuous spending authority of the fund.

Recommendation: **Staff recommends the Committee approve the Department's request for continuous spending authority as discussed previously. Staff further recommends separating funds that originated from ARPA and granting the Department roll forward authority through 2026-27.**

(D) Appropriation to the Colorado Safe Wildlife Fund [discontinued line item]

Request: The Department is not requesting an appropriation to the cash fund for FY 2025-26, as the General Fund appropriation in FY 2023-24 was one-time in nature.

Recommendation: **Staff recommends the Committee approve the Department's request.**

(6) Nonattainment Area Air Pollution Mitigation Enterprise

The Nonattainment Area Air Pollution Enterprise was created by S.B. 21-260 to mitigate transportation-related emissions in ozone nonattainment areas by funding projects that reduce traffic or directly reduce air pollution. The Enterprise is governed by a board of seven directors, five of whom are appointed by the Governor, and each of whom brings specialized skills or representation to the board. The Enterprise is authorized to impose an air pollution mitigation fee on retail deliveries and rides provided by transportation network companies (i.e. Uber). Money in the Nonattainment Area Air Pollution Mitigation Enterprise Fund is continuously appropriated to the Enterprise.

The Enterprise’s projected expenditures are shown in the Long Bill for informational purposes only. This division has a one-line appropriation.

Statutory authority: Section 43-4-1303, C.R.S.

Nonattainment Area Air Pollution Mitigation Enterprise						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2024-25 Appropriation						
HB 24-1430 (Long Bill)	\$10,881,662	\$0	\$10,881,662	\$0	\$0	0.0
Total FY 2024-25	\$10,881,662	\$0	\$10,881,662	\$0	\$0	0.0
FY 2025-26 recommended appropriation						
FY 2024-25 appropriation	\$10,881,662	\$0	\$10,881,662	\$0	\$0	0.0
Air Pollution Mitigation revenue update	2,495,940	0	2,495,940	0	0	0.0
Total FY 2025-26	\$13,377,602		\$13,377,602			0.0
Change from FY 2024-25	\$2,495,940	\$0	\$2,495,940	\$0	\$0	0.0
Percentage change	22.9%	n/a	22.9%	n/a	n/a	n/a
FY 2025-26 Executive request	\$13,377,602	\$0	\$13,377,602	\$0	\$0	0.0
Staff rec. above/-below request	\$0	\$0	\$0	\$0	\$0	0.0

Decision Items (None)

The department did not submit any decision items affecting this division.

(7) Clean Transit Enterprise

The Clean Transit Enterprise (CTE) was created by S.B. 21-260 to reduce and mitigate the adverse environmental health impacts of air pollution and greenhouse gas emissions produced by motor vehicles. The Enterprise was initially granted authority to impose a retail delivery fee, a portion of which is deposited to the Clean Transit Enterprise cash fund. S.B. 24-230 expanded the Enterprise by authorizing a production fee for clean transit which funds the Local Transit and Rail Grant Program.

The Enterprise is governed by a board of nine directors, six of whom are appointed by the Governor.

Clean Transit Enterprise						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2024-25 Appropriation						
HB 24-1430 (Long Bill)	\$18,134,321	\$0	\$18,134,321	\$0	\$0	0.0
Total FY 2024-25	\$18,134,321	\$0	\$18,134,321	\$0	\$0	0.0
FY 2025-26 Recommended Appropriation						
FY 2024-25 Appropriation	\$18,134,321	\$0	\$18,134,321	\$0	\$0	0.0
Local Transit and Rail Grant Revenue Update	56,777,910	0	56,777,910	0	0	0.0
R2 Continuous spending authority for CTE	0	0	0	0	0	0.0
CTE Revenue Adjustment	-6,462,137	0	-6,462,137	0	0	0.0
Total FY 2025-26	\$68,450,094		\$68,450,094			0.0
Increase/-Decrease From FY 2024-25	\$50,315,773	\$0	\$50,315,773	\$0	\$0	0.0
Percentage Change	277.5%*	n/a	277.5%	n/a	n/a	n/a
FY 2025-26 Executive Request	\$68,450,094	\$0	\$68,450,094	\$0	\$0	0.0
Staff Rec. Above/-Below Request	\$0	\$0	\$0	\$0	\$0	0.0

*Fiscal year 2025-26 is the first year of revenue for the Local Transit and Rail Grant line item.

Decision Items

→ R2 Continuous Spending Authority for Clean Transit Enterprise Cash Fund [legislation required]

Request

The request is submitted by the Department on behalf of the Clean Transit Enterprise Board. The Board requests continuous spending authority over the Clean Transit Enterprise Cash Fund to match spending authority to three new cash fund revenue streams created by SB 24-230.

Recommendation

Staff recommends the Committee sponsor legislation to grant continuous spending authority to all revenue for the Clean Transit Enterprise.

Analysis

The request is being submitted by the Department on behalf of the CTE Board. The Department and the Board are requesting JBC-sponsored legislation to allow the Clean Transit Enterprise Cash Fund to be continuously appropriated starting in FY 2025-26.

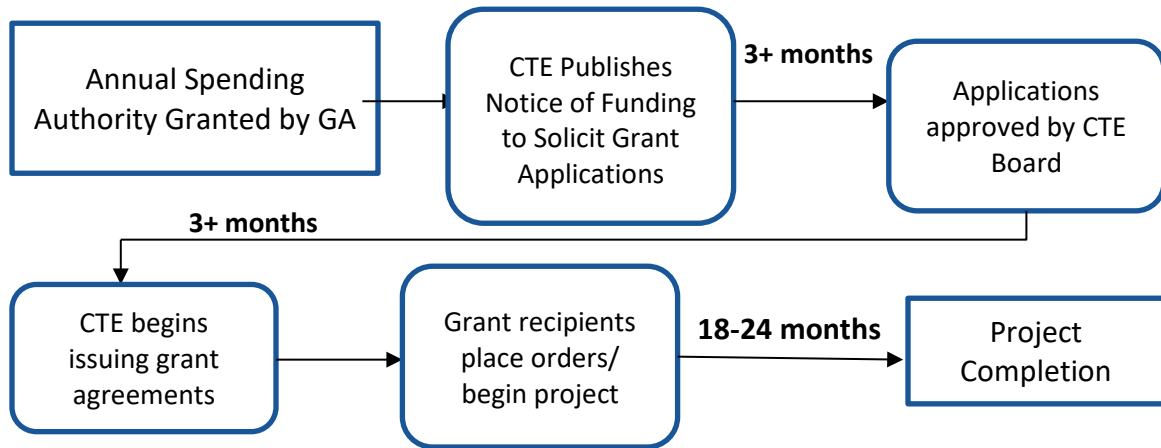
With the enactment of Senate Bill 24-230, the Clean Transit Enterprise (CTE) has four cash funds, three of which are continuously appropriated and one that is annually appropriated:

- Local Transit Operations Cash Fund (continuously appropriated);
- Local Transit Grant Program Cash Fund (continuously appropriated);
- Rail Funding Program Cash Fund (continuously appropriated); and
- Clean Transit Enterprise Fund (the original fund, which is annually appropriated).

The Clean Transit Enterprise is responsible for reducing and mitigating the adverse impact of air pollution and greenhouse gases by investing in electric delivery and transit vehicles. To do so, the Enterprise awards grants to local transit authorities for the purpose of electrifying their vehicle fleet. In addition to awarding grants, the CTE is also statutorily required to maintain and regularly update a public accountability dashboard containing information regarding the implementation of the CTE 10-Year Plan, along with providing annual updates to the Colorado Transportation Commission and the Legislature. For FY 2024-25, the dashboard reports granting approximately \$15.3 million to fund 15 projects across the state.

The Department explains that the current structure of some continuously appropriated funding and some annually appropriated funding will negatively impact the Enterprise's mission for two reasons. First, there is added administrative burden associated with tracking funds differently, especially because the Department will have to identify and request roll forward spending authority annually for awarded but unspent funds. Second, the Department explains that the

nature of their grant program necessitates spending authority that spans more than a single fiscal year since many projects that could be awarded typically take upwards of 18 + months to reach completion, as illustrated below:



As a result of this extended timeline due to project scale and supply chain needs, it is unlikely that any grantee will complete a project in a single 12-month period. While grants are awarded within the fiscal year, the award amount is typically not spent until 18-24 months after being granted. What’s more, the state’s fiscal year changes in the middle of the construction season, causing even single-season projects to extend across two fiscal years.

In addition to allowing annual grantees to complete projects in their entirety, granting continuous spending authority across all CTE funding sources would allow the Enterprise to increase their ability to award grants. In FY 2023-24, the CTE received requests exceeding \$28.0 million while only having spending authority for \$18.1 million. This resulted in denying several worthy applications, forcing those transit agencies to wait a full year to reapply, delaying their ability to contribute to the intended goals of the CTE despite the revenue that could be available in years to come.

Staff recommends the Committee run legislation that would adjust the language in 43-4-1203(5)(a), C.R.S., to allow the CTE continuous spending authority for the Clean Transit Enterprise Cash Fund. If the request were not granted, the Department anticipates requesting roll forward authority annually and necessarily limiting the number of projects awarded to avoid rescinding awards.

Line Item Detail

(A) Clean Transit Enterprise Cash Fund

This Enterprise fund supports public transit electrification planning efforts, facility upgrades, fleet motor vehicle replacement, and construction and development of electric motor vehicle

charging and fueling infrastructure. Money in the Clean Transit Enterprise Fund is subject to annual appropriation by the General Assembly.

Statutory authority: Section 43-4-1203, C.R.S.

(B) Local Transit and Rail Grant

Senate Bill 24-230 (Oil and Gas Production Fees) added a production fee for clean transit to be paid quarterly by every producer of oil and gas in the state. This fee is distributed into three different funds within the enterprise. These funds are:

- (1) the local transit operations cash fund to be used for expanding local transit service and prioritizing transit improvements in certain communities;
- (2) the local transit grant program cash fund to be used for providing competitive grants to certain eligible entities for expenses associated with providing public transportation; and
- (3) the rail funding program cash fund to be used for passenger rail projects and service.

While the original Clean Transit Enterprise Fund is subject to annual appropriation, S.B. 24-230 continuously appropriates all three of these new funds.

The Local Transit and Rail Grant Program's projected expenditures are shown in the Long Bill for informational purposes only.

Statutory authority: Section 43-4-1204, C.R.S.

(8) Fuels Impact Enterprise

The Fuels Impact Enterprise was created by S.B. 23-280 (Hazardous Material Mitigation) with the goal of providing grants to “critically impacted” communities and governments for the improvement of hazardous mitigation corridors and to support local and state government projects related to emergency responses, environmental mitigation, or projects related to the transportation of fuel within the state until January 1, 2030.

The Enterprise is required to impose a fuels impact reduction fee on licensed fuel distributors until the fund’s balance reaches \$15.0 million, at which point the fee should be reduced. The fund is continuously appropriated to the enterprise.

The Enterprise’s projected expenditures are shown in the Long Bill for informational purposes only. This division has a one-line appropriation.

Statutory authority: Section 43-4-1503, C.R.S.

Fuels Impact Enterprise						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2024-25 Appropriation						
HB 24-1430 (Long Bill)	\$15,000,000	\$0	\$15,000,000	\$0	\$0	0.0
Total FY 2024-25	\$15,000,000	\$0	\$15,000,000	\$0	\$0	0.0
FY 2025-26 Recommended Appropriation						
FY 2024-25 Appropriation	\$15,000,000	\$0	\$15,000,000	\$0	\$0	0.0
Total FY 2025-26	\$15,000,000		\$15,000,000			0.0
Percentage Change	0.0%	n/a	0.0%	n/a	n/a	n/a

Decision Items (None)

The department did not submit any decision items affecting this division.

Long Bill Footnotes

Staff recommends **continuing and modifying** the following Long Bill footnote:

110 Department of Transportation, Special Purpose, Multimodal Transportation Projects – This appropriation remains available for expenditure until the close of the fiscal year ~~2027-2028~~ 2028-29 state fiscal year.

Comment: This footnote should be discontinued if the Committee sponsors legislation associated with the Department’s R1 request for continuous spending authority.

Staff recommends the following **new** footnote:

N Department of Transportation, Clean Transit Enterprise– This appropriation remains available for expenditure until the close of the FY 2028-29 state fiscal year.

Comment: This footnote should only be included if the Committee does not sponsor legislation associated with the Department’s R2 request and staff recommendation for continuous spending authority discussed previously in this document.

Requests for Information

Staff recommends **continuing and modifying** the following request for information:

- 1 The Department is requested to submit, with its FY ~~2025-26~~ 2026-27 budget request, printed and electronic versions (transmission by email acceptable) of the following:
 - a. The draft one-sheet budget (also known as the “Revenue Allocation Plan”) on which the Long Bill request is based with an explanation that shows how the Long Bill request relates to the one-sheet budget;
 - b. A schedule or schedules showing, for each of the publishing issues that collectively show how the Administration Division request is derived from the prior year Administration Division appropriation, the incremental budget changes that make up that publishing issue;
 - c. Projected expenditures by division for all common-policy items, including common policies for total compensation, operating, and IT;
 - d. A schedule showing the projected revenues for FY ~~2025-26~~ 2026-27 on which the draft one-sheet budget and the Long Bill request are based, with revenue-source detail that is comparable to the detail in the Department's draft narrative budget (also known as the “Budget Allocation Plan”);
 - e. A schedule showing the most recent projection of revenues for FY ~~2024-25~~ 2025-26 in a form compatible with the revenue projection for FY ~~2025-26~~ 2026-27;
 - f. A schedule showing actual revenues received during FY ~~2022-23~~ 2023-2024 and FY ~~2023-24~~ 2024-2025 in a form compatible with the revenue projection for FY ~~2025-26~~ 2026-2027;
 - g. Projected state HUTF revenue for FY ~~2025-26~~ 2026-27 that shows (1) the revenue sources and (2) the allocation of that revenue among counties, municipalities, and other recipients.
 - h. Actual revenue for the two most recently completed Fiscal Years of (1) the Construction, Maintenance, and Operations Division, (2) the Bridge Enterprise, and (3) the High-performance Transportation Enterprise.
- 2 The Department is requested to submit, starting July 1, 2024, on a ~~monthly~~ SEMI-ANNUAL basis a report to the Joint Budget Committee how any fee revenue is being spent in relation to Section 38-5.5-102-109, C.R.S.

Comment: The Department submitted the documents as requested. Staff recommends adjusting the fee revenue request to semi-annually in order to ease administrative requirements for the Department and make the information more useful to the Committee.

Indirect Cost Assessment

Indirect Cost Pool

The Department's indirect cost assessment methodology is calculated based on three components: an "Indirect Cost Pool", an "Indirect Cost Base", and an "Indirect Cost Rate". The Indirect Cost Pool is comprised of accumulated costs for activities chargeable to highway projects but not attributable to a single project that fall within the Construction, Maintenance, and Operations line. The Department incurs these indirect costs in Indirect Cost Centers that are established for each CDOT Region Program Engineering Unit. Total indirect costs accumulated in these centers for the twelve-month period beginning on July 1 of the previous year and ending on June 30 of the current year make up the Indirect Cost Pool. For FY 2025-26 the Department's Indirect Cost Pool as requested is \$141,365,500. Table 1 outlines what is included in the department's Indirect Cost Pool (i.e. the total indirect cost center costs).

Table 1	
CDOT Indirect Costs Pool	
Item	FY 2025-26
Capital Construction	\$ 128,723,589
Maintenance and Operations	\$ 4,829,427
Multimodal Services	\$ 7,812,485
Total Indirect Costs	\$ 141,365,500

Indirect Cost Base

The Indirect Cost Base is comprised of all Indirect Eligible Expenditures for participating CDOT projects for the twelve-month period beginning on July 1 of the previous year and ending on June 30 of the current year. For FY 2025-26, the Department's Indirect Cost Base as requested is \$648,776,378. Table 2 outlines what is included in the department's Indirect Cost Base (i.e. the total indirect eligible expenditures within the highway construction program).

Table 2	
CDOT Indirect Cost Base	
Item	FY 2025-26
Surface Treatment	\$ 223,232,745
Structures	\$ 55,826,914
System Operations	\$ 23,296,796
Geohazards Mitigation	\$ 4,996,651
Permanent Water Quality Mitigation	\$ 6,500,000
10 Year Plan Projects - Capital AM	\$ 68,389,159
Highway Safety Improvement Program	\$ 40,230,936
Railway-Highway Crossings Program	\$ 3,486,489
Hot Spots	\$ 2,667,154
FASTER - Safety Projects	\$ 41,470,091
ADA Compliance	\$ 7,200,000

Table 2	
CDOT Indirect Cost Base	
Item	FY 2025-26
Regional Priority Program	\$ 50,000,000
10 Year Plan Projects - Capital Mobility	\$ 40,834,033
National Freight Program	\$ 22,627,196
Strategic Safety Program	\$ 12,163,953
ITS Investments	\$ 10,000,000
Innovative Mobility Programs	\$ 9,307,186
National Electric Vehicle Program	\$ 14,545,433
10 Year Plan Projects - Multimodal	\$ 12,001,642
Total Indirect Cost Base	\$ 648,776,378

Indirect Cost Rate

The Indirect Cost Rate is calculated by dividing the total indirect costs accumulated in all of CDOT's Indirect Cost Centers for the twelve-month period beginning on July 1 of the previous year and ending on June 30 of the current year by the total Indirect Eligible Expenditures from the same twelve-month period. Cost recoveries come from charging a fixed percentage (Indirect Cost Rate) of the Construction Engineering rate to a project, with the offset charged to the appropriate Indirect Cost Center. Projects that are not administered by CDOT are exempt from the allocation, and the Indirect Cost Rate in effect on the date of project award does not change for the life of that project. Table 3 illustrates how the Indirect Cost Rate is calculated.

Table 3	
CDOT Cost Rate	
Total Indirect Cost Pool	\$ 141,365,500
Total Indirect Cost Base	\$ 648,776,378
Indirect Cost Rate	12.0%
Indirect Cost Rate (Construction Engineering)	12.5%

All departmental indirect costs are recovered from and allocated back to programs housed within the non-appropriated portion of the CDOT budget. Most policy and budget authority for CDOT rests with the Transportation Commission, pursuant to Section 43-1-113 (1), C.R.S. Funds controlled by the Transportation Commission are reflected for informational purposes in three Long Bill line items: Construction, Maintenance, and Operations; the High Performance Transportation Enterprise (created by S.B. 09-108); and the Statewide Bridge Enterprise (created by S.B. 09-108). These line items are included in the Long Bill as estimates of the anticipated revenues available to the Commission.

Appendix A: Numbers Pages

Appendix A details actual expenditures for the last two state fiscal years, the appropriation for the current fiscal year, and the requested and recommended appropriations for next fiscal year. This information is listed by line item and fund source.

JBC Staff Figure Setting - FY 2025-26
Staff Working Document - Does Not Represent Committee Decision

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	FY 2025-26 Recommendation
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DEPARTMENT OF TRANSPORTATION
Shoshana Lew, Executive Director

(1) ADMINISTRATION

The Long Bill contains a single appropriation for CDOT's entire Administration division, which leaves the Transportation Commission with discretionary flexibility over allocation of the appropriation. The General Assembly sets an appropriated level for the Administration line as a total, and the balance of anticipated highway funds collected by the Department becomes available to the Construction, Maintenance, and Operation line.

Administration	<u>42,296,622</u>	<u>49,739,055</u>	<u>49,983,751</u>	<u>51,799,464</u>	<u>51,799,464</u> *
FTE	161.0	162.5	162.5	162.5	162.5
General Fund	0	0	0	0	0
Cash Funds	42,292,322	49,735,872	49,913,751	51,729,464	51,729,464
Reappropriated Funds	4,300	3,183	70,000	70,000	70,000
Federal Funds	0	0	0	0	0

TOTAL - (1) Administration	42,296,622	49,739,055	49,983,751	51,799,464	51,799,464
FTE	<u>161.0</u>	<u>162.5</u>	<u>162.5</u>	<u>162.5</u>	<u>162.5</u>
General Fund	0	0	0	0	0
Cash Funds	42,292,322	49,735,872	49,913,751	51,729,464	51,729,464
Reappropriated Funds	4,300	3,183	70,000	70,000	70,000
Federal Funds	0	0	0	0	0

JBC Staff Figure Setting - FY 2025-26
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	FY 2025-26 Recommendation
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(2) CONSTRUCTION, MAINTENANCE, AND OPERATIONS

The single informational appropriation for this division reflects the revenues that are continuously appropriated to the Transportation Commission.

Construction Maintenance, And Operations	<u>1,949,964,785</u>	<u>1,975,165,772</u>	<u>1,658,543,369</u>	<u>1,556,713,955</u>	<u>1,568,031,972</u>
FTE	3,156.0	3,156.0	3,156.0	3,156.0	3,156.0
General Fund	0	0	0	0	0
Cash Funds	1,318,415,673	1,208,854,658	806,253,975	754,566,438	763,655,573
Reappropriated Funds	792,882	758,647	1,213,672	1,111,756	1,111,756
Federal Funds	630,756,230	765,552,467	851,075,722	801,035,761	803,264,643

TOTAL - (2) Construction, Maintenance, and Operations	1,949,964,785	1,975,165,772	1,658,543,369	1,556,713,955	1,568,031,972
FTE	<u>3,156.0</u>	<u>3,156.0</u>	<u>3,156.0</u>	<u>3,156.0</u>	<u>3,156.0</u>
General Fund	0	0	0	0	0
Cash Funds	1,318,415,673	1,208,854,658	806,253,975	754,566,438	763,655,573
Reappropriated Funds	792,882	758,647	1,213,672	1,111,756	1,111,756
Federal Funds	630,756,230	765,552,467	851,075,722	801,035,761	803,264,643

JBC Staff Figure Setting - FY 2025-26
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	FY 2025-26 Recommendation
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(3) STATEWIDE BRIDGE ENTERPRISE

This TABOR enterprise operates within the Department of Transportation. It gets most of its funding from bridge-safety surcharges on vehicle registrations. Statute gives the Bridge and Tunnel Enterprise the ability to finance, repair, reconstruct, replace, operate, and/or maintain state highway bridges that it designates as "Bridge-enterprise eligible". The Enterprise's projected revenues are shown in the Long Bill for informational purposes only.

Statewide Bridge Enterprise	<u>45,492,809</u>	<u>55,447,904</u>	<u>163,545,750</u>	<u>181,374,655</u>	<u>181,374,655</u>
FTE	1.0	1.0	1.0	1.0	1.0
General Fund	0	0	0	0	0
Cash Funds	45,492,809	55,447,904	153,919,511	166,374,655	166,374,655
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	9,626,239	15,000,000	15,000,000

TOTAL - (3) Statewide Bridge Enterprise	45,492,809	55,447,904	163,545,750	181,374,655	181,374,655
FTE	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>
General Fund	0	0	0	0	0
Cash Funds	45,492,809	55,447,904	153,919,511	166,374,655	166,374,655
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	9,626,239	15,000,000	15,000,000

JBC Staff Figure Setting - FY 2025-26
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	FY 2025-26 Recommendation
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(4) HIGH PERFORMANCE TRANSPORTATION ENTERPRISE

This TABOR enterprise operates within the Department of Transportation. It pursues innovative means of financing and operating surface transportation infrastructure projects, including public-private partnerships, operating concession agreements, user fees, and design-build contracting. The Enterprise's projected revenues are shown in the Long Bill for informational purposes only.

High Performance Transportation Enterprise	<u>33,354,404</u>	<u>60,155,589</u>	<u>127,405,835</u>	<u>238,187,122</u>	<u>238,187,122</u>
FTE	9.0	9.0	9.0	9.0	9.0
General Fund	0	0	0	0	0
Cash Funds	29,354,404	57,131,441	123,405,835	234,187,122	234,187,122
Reappropriated Funds	4,000,000	3,024,148	4,000,000	4,000,000	4,000,000
Federal Funds	0	0	0	0	0

TOTAL - (4) High Performance Transportation Enterprise	33,354,404	60,155,589	127,405,835	238,187,122	238,187,122
<i>FTE</i>	<u>9.0</u>	<u>9.0</u>	<u>9.0</u>	<u>9.0</u>	<u>9.0</u>
General Fund	0	0	0	0	0
Cash Funds	29,354,404	57,131,441	123,405,835	234,187,122	234,187,122
Reappropriated Funds	4,000,000	3,024,148	4,000,000	4,000,000	4,000,000
Federal Funds	0	0	0	0	0

JBC Staff Figure Setting - FY 2025-26
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	FY 2025-26 Recommendation
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(5) SPECIAL PURPOSE

This Long Bill division was created to organize various line item appropriations, and as a place to add new or temporary appropriations without creating new Long Bill divisions.

First Time Drunk Driving Offenders Account	<u>750,515</u>	<u>916,521</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	750,515	916,521	0	0	0
Marijuana Impaired Driving Program	<u>948,270</u>	<u>944,363</u>	<u>950,000</u>	<u>950,000</u>	<u>450,000</u>
General Fund	0	0	0	0	0
Cash Funds	948,270	944,363	950,000	950,000	450,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Multimodal Transportation Projects	<u>14,432,233</u>	<u>12,321,593</u>	<u>19,338,751</u>	<u>71,024,857</u>	<u>71,024,857</u>
Cash Funds	14,432,233	12,321,593	19,338,751	71,024,857	71,024,857
Appropriation to the Colorado Safe Wildlife Fund	<u>0</u>	<u>500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	500,000	0	0	0

TOTAL - (5) Special Purpose	16,131,018	14,682,477	20,288,751	71,974,857	71,474,857
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	0	500,000	0	0	0
Cash Funds	16,131,018	14,182,477	20,288,751	71,974,857	71,474,857
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Figure Setting - FY 2025-26
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	FY 2025-26 Recommendation
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(6) NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE

The Nonattainment Area Air Pollution Enterprise was created by S.B. 21-260 and receives ongoing funding from the Air Pollution Mitigation Per Ride Fee and Air Pollution Mitigation Retail Delivery Fee. This appropriation is for informational purposes only and reflects anticipated Enterprise revenues.

Nonattainment Area Air Pollution Mitigation

Enterprise	<u>106,150</u>	<u>38,756</u>	<u>10,881,662</u>	<u>13,377,602</u>	<u>13,377,602</u>
General Fund	0	0	0	0	0
Cash Funds	106,150	38,756	10,881,662	13,377,602	13,377,602
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

TOTAL - (6) Nonattainment Area Air Pollution					
Mitigation Enterprise	106,150	38,756	10,881,662	13,377,602	13,377,602
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	0	0	0	0	0
Cash Funds	106,150	38,756	10,881,662	13,377,602	13,377,602
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Figure Setting - FY 2025-26
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	FY 2025-26 Recommendation
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(7) CLEAN TRANSIT ENTERPRISE

The Clean Transit Enterprise was created by S.B. 21-260 and receives ongoing funding from the Clean Transit Retail Delivery Fee. The Clean Transit Enterprise Fund is subject to annual appropriation by the General Assembly.

Clean Transit Enterprise	<u>95,414</u>	<u>22,462</u>	<u>18,134,321</u>	<u>11,672,184</u>	<u>11,672,184</u>
General Fund	0	0	0	0	0
Cash Funds	95,414	22,462	18,134,321	11,672,184	11,672,184
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Local Transit and Rail Grant Programs	<u>0</u>	<u>0</u>	<u>0</u>	<u>56,777,910</u>	<u>56,777,910</u>
Cash Funds	0	0	0	56,777,910	56,777,910

TOTAL - (7) Clean Transit Enterprise	95,414	22,462	18,134,321	68,450,094	68,450,094
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	0	0	0	0	0
Cash Funds	95,414	22,462	18,134,321	68,450,094	68,450,094
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Figure Setting - FY 2025-26
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	FY 2025-26 Recommendation
(8) FUELS IMPACT ENTERPRISE					
Fuels Impact Enterprise					
Fuels Impact Enterprise	0	0	<u>15,000,000</u>	<u>15,000,000</u>	<u>15,000,000</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	15,000,000	15,000,000	15,000,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
 Fuels Impact Enterprise	 0	 53	 0	 0	 0
Cash Funds	0	53	0	0	0
 Fuels Impact Enterprise	 0	 0	 0	 0	 0
Cash Funds	0	0	0	0	0
 TOTAL - (8) Fuels Impact Enterprise	 0	 53	 15,000,000	 15,000,000	 15,000,000
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	0	0	0	0	0
Cash Funds	0	53	15,000,000	15,000,000	15,000,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
 TOTAL - Department of Transportation	 2,087,441,202	 2,155,252,068	 2,063,783,439	 2,196,877,749	 2,207,695,766
<i>FTE</i>	<u>3,327.0</u>	<u>3,328.5</u>	<u>3,328.5</u>	<u>3,328.5</u>	<u>3,328.5</u>
General Fund	0	500,000	0	0	0
Cash Funds	1,451,887,790	1,385,413,623	1,197,797,806	1,375,660,232	1,384,249,367
Reappropriated Funds	4,797,182	3,785,978	5,283,672	5,181,756	5,181,756
Federal Funds	630,756,230	765,552,467	860,701,961	816,035,761	818,264,643

Appendix B: Local Projects Funded with ARPA Dollars in MMOF

Projects funded through General Fund Swapped Dollars

Program and Project Description	Allocations	Expenditures	% Expended
120TH AVE. SAFETY STUDY US85-TOWER	\$400,000	\$154,384	38.60%
22 MMA MONT Operating	\$433,091	\$0	0.00%
22 MMOF LAKE COUNTY VEHICLE PURCHASE	\$217,275	\$0	0.00%
22 MMOF-F: CRIPPLE CREEK FACILITY	50,000.00	\$0	0.00%
30th St Complete Impr. CO119 to CO7	\$200,000	\$0	0.00%
32ND AVE BIKE LANES @ I70-WHEAT RIDGE	\$500,000	\$0	0.00%
Admin set-aside	620,000.00	\$17,401	2.81%
ALL POINTS OPERATING MMOF	\$357,495	\$0	0.00%
ARAPAHOE COUNTY PLANNING MMOF	\$727,000	\$0	0.00%
Breckenridge Blue River Bike Path Design	\$675,000	\$0	0.00%
Class 2 Ford Transit Van	110,640.00	\$0	0.00%
CO-119 CORRIDOR BRANDING-WAYFINDING	\$100,000	\$0	0.00%
CO119 Safety, Mobility & Bikeway CP1	\$26,391,850	\$0	0.00%
CO42 Multimodal Improvements	\$3,200,000	\$0	0.00%
Delta County - North Fork Miners Trail	\$1,415,000	\$0	0.00%
DOUGLAS COUNTY PLANNING MMOF	\$300,000	\$0	0.00%
E.64TH AVE.STUDY:SH2-QUEBEC PKWY	\$124,000	\$0	0.00%
Eagle Valley Eco Trails	\$1,000,000	\$0	0.00%
FAIRPLAY-RIVER PARK TRAIL	\$750,000	\$0	0.00%
FOUNTAIN VALLEY SENIOR OPERATING MMOF	\$120,000	\$28,241	23.53%
GRANADA SIDEWALK IMPROVEMENTS	\$252,450.00	\$0	0.00%
Grand Ave/Hwy 160D ADA	250,000.00	\$0	0.00%
GRAND VALLEY PARATRANSIT OPERATIONS MMOF	\$2,110,583	\$1,059,395	50.19%
HAMPDEN AVE COMPLETE STREETS PROJECT	\$4,425,000	\$0	0.00%
I-25 BIKE/PED OVERPASS NEAR CASTLE PINES	\$500,000	\$0	0.00%
I-25:MOBILITY HUB (LONE TREE)	\$3,339,000	\$0	0.00%
LEWIS PALMER TRAIL & SIDEWALK PROJECT	\$97,184	\$0	0.00%
Mesa County - 32 1/2 Rd Phase 2 Design	\$78,011	\$0	0.00%
MMOF PUEBLO VAN POOLS	\$249,800	\$0	0.00%
MONTEZUMA CO PTMV PH3 SEG A	\$488,250	\$0	0.00%
NEIGHBOR 2 NEIGHBOR OPERATING MMOF	\$37,184	\$0	0.00%
NORTHERN AVENUE STREETScape PH III	\$693,494	\$0	0.00%
NRF PREMIUM TRANSIT ANALYSIS MMOF ARPA	\$125,000	\$76,389	61.11%
Ohio Ave Multimodal - Gunnison (SRTS)	\$580,000	\$0	0.00%
PALMER LAKE CO105 MAIN ST DESIGN	\$150,000	\$59,157	39.44%
Planning: Road Runner Transit Bus Facility	\$16,073	\$0	0.00%
RMS IMPROVEMENT LA VETA	\$509,708	\$59,355	11.64%
SAGUACHE CO CRESTONE PH2 MMOF	\$30,000	\$0	0.00%
SCCOG OPERATING MMOF	\$140,551	\$0	0.00%
SERPENTINE AREA IMPROVEMENTS	\$50,000	\$0	0.00%
SH119: Safety Ops & Mobility Impvts.	\$3,921,081	\$616,813	15.73%
SH145 Multimodal Planning & Design	150,000.00	\$6,953	4.64%

Program and Project Description	Allocations	Expenditures	% Expended
SH7 Corridor Improvements-95th Intrsectn	\$128,391	\$0	0.00%
SILVER KEY OPERATING MMOF	\$971,013	\$150,475	15.50%
Siphon RR Ped Overpass	\$346,643	\$0	0.00%
SMITH ROAD. MULTIMODAL IMPROVEMENT	\$2,500,000	\$0	0.00%
SOUTH BROADWAY COMPLETE STREETS PROJECT	\$3,500,000	\$0	0.00%
Steamboat Springs West Trail Connection	\$588,679	\$0	0.00%
THORNTON BIKE-PED TRAIL STUDY PRE-CON	\$855,000	\$0	0.00%
Town of Eagle Sylvan Lake Rd	\$500,000	\$0	0.00%
Town of Vail E-Courier MMOF	\$100,000	\$0	0.00%
Vital Transportation Infrastructure	250,000.00	\$0	0.00%
WELD COUNTY NORTH OPERATING MMOF	\$200,000	\$33,723	16.86%
WELD COUNTY Upper Operating MMOF	\$600,000	\$43	0.01%
West Elizabeth Corridor in Fort Collins	\$482,248	\$0	0.00%
Biking and Walking Improvements to Town Anchor Points Project	\$1,598,668	\$0	0.00%
College & 8th Safety Project	\$406,461	\$0	0.00%
Federal Blvd BRT: Englewood Station to Wagon Road Park-n-Ride - Precon	\$439,000	\$0	0.00%
Highway 291 Northwest Gateway to Salida: Connecting Jobs, Trails and Parks for All Users	\$945,842	\$0	0.00%
Lone Tree Creek Trail Underpass of Arapahoe Rd	\$2,156,000	\$0	0.00%
Pueblo County - Connecting Communities	\$124,680	\$0	0.00%
Transit Youth Ride	\$65,000	\$0	0.00%
Ward Station Multimodal Access Improvements	\$4,825,000	\$0	0.00%
Wellington - Revitalizing Main Street	\$1,349,462	\$0	0.00%
Grand Total	\$78,816,807	\$2,262,329	2.87%

Projects funded through Federal Funds from ARPA

Program and Project Description	Allocations	Expenditures	% Expended
11th St Multimodal Improvements	\$450,000	\$0	0.00%
22 MMA MONT Operating	\$100,000	\$74,648	74.65%
22 MMOF-F LAKE COUNTY OPERATING	\$57,725	\$57,725	100.00%
30th St Complete Impr. CO119 to CO7	\$300,000	\$0	0.00%
CANON CITY MULTIMODAL MASTER PLAN	\$92,686	\$92,686	100.00%
CO 60 & Carlson Blvd - Intersection Imp.	\$250,000	\$250,000	100.00%
CO SPRINGS 2 BUS EXPANSION MMOF	\$315,000	\$0	0.00%
CO-119 CORRIDOR BRANDING-WAYFINDING	\$75,000	\$36,673	48.90%
COS HANCOCK SIDEWALK	\$500,000	\$500,000	100.00%
Craig-North Yampa Ave Sidewalks MMOF	\$426,498	\$426,498	100.00%
CREEDE MAIN ST MMOF & RMS	\$125,000	\$0	0.00%
CRIPPLE CREEK TAP 18 PHASE 1	\$649,999	\$649,999	100.00%
EPC PED CROSSING IMPROVEMENTS	\$2,133,413	\$154,139	7.22%
FOUNTAIN VALLEY SENIOR OPERATING MMOF	\$40,000	\$40,000	100.00%
GRANADA SIDEWALK IMPROVEMENTS	\$80,866	\$52,129	64.46%
Hayden US 40 Sidewalk Project (SRTS)	\$175,000	\$175,000	100.00%
I-25 and SH 119 Park-N-Ride	\$500,000	\$500,000	100.00%
I-25 BIKE/PED OVERPASS NEAR CASTLE PINES	\$250,000	\$18,540	7.42%
I-25 Express Lanes Segment 6 CP 4	\$500,000	\$500,000	100.00%
I-25 North Express Lanes CP 2-3	\$2,952,981	\$2,952,981	100.00%

Staff Working Document – Does Not Represent Committee Decision

Program and Project Description	Allocations	Expenditures	% Expended
I-25 Segment 6 CP6 with PNR Buildout	\$1,547,019	\$1,547,019	100.00%
JOE MARTINEZ TRAIL	\$98,181	\$21,770	22.17%
LA JUNTA ARROYO TRAIL CONSTRUCTION	\$1,007,197	\$1,007,197	100.00%
LEWIS PALMER TRAIL & SIDEWALK PROJECT	\$6,000	\$6,000	100.00%
MESA 2 BUS EXPAND MATCH MMOF	\$29,417	\$0	0.00%
Mesa County - Riverfront Trail Design	\$102,139	\$31,388	30.73%
MONTE VISTA MMOF SIDEWALKS	\$189,600	\$189,600	100.00%
MONTEZUMA CO PTMV PH3 SEG A	\$200,000	\$115,330	57.67%
MOUNTAIN METRO OPERATING MMOF	\$635,000	\$0	0.00%
Nederland Multimodal Transportation Plan	\$99,000	\$34,947	35.30%
NEIGHBOR 2 NEIGHBOR OPERATING MMOF	\$76,000	\$60,778	79.97%
Ohio Ave Multimodal - Gunnison (SRTS)	\$180,000	\$178,400	99.11%
Owl Canyon (LCR70) Shoulder Widening	\$206,798	\$204,444	98.86%
PASSENGER RAIL ALTERNATIVES ANALYSIS	\$1,620,000	\$1,620,000	100.00%
Prairie Ave to Lake Minnequa Connector Trail	\$1,022,542	\$532,658	52.09%
Pueblo West TAP III SDS Trail	\$515,960	\$515,960	100.00%
RMS IMPROVEMENT LA VETA	\$54,116	\$54,116	100.00%
SAGUACHE CO CRESTONE PH2 MMOF	\$63,000	\$19,624	31.15%
SAGUACHE CO/CRESTONE SRTS	\$394,109	\$52,713	13.38%
SH119: Safety Ops & Mobility Impvts.	\$3,618,678	\$3,618,678	100.00%
SH82/27TH Underpass TAP RAISE C	\$1,000,000	\$1,000,000	100.00%
SILVER KEY OPERATING MMOF	\$487,019	\$487,019	100.00%
SOUTH BROADWAY COMPLETE STREETS PROJECT	\$269,000	\$84,478	31.40%
SW Weld County Trail Study	\$500,000	\$57,766	11.55%
TELLER SENIORS FACILITY DESIGN MMOF	\$22,500	\$0	0.00%
THORNTON PROTECTED BIKE FACILITY STUDY	\$255,000	\$25,901	10.16%
Town of Frisco Hwy 9 Sidewalk Imp	\$504,882	\$0	0.00%
Town of Vail E-Courier MMOF	\$150,000	\$146,535	97.69%
WELD COUNTY NORTH OPERATING MMOF	\$142,900	\$142,900	100.00%
WELD COUNTY Upper Operating MMOF	\$85,800	\$85,800	100.00%
West Elizabeth Corridor in Fort Collins	\$750,000.00	\$604,346	80.58%
WESTCLIFFE IMPROVEMENTS PH II	\$154,600	\$154,600	100.00%
WESTCLIFFE SRTS	\$395,887	\$395,887	100.00%
EPC PED CROSSINGS PHASE 2	\$1,314,642	\$0	0.00%
EPC PED CROSSINGS PHASE 3	\$2,051,945	\$0	0.00%
Ute Pass Regional Trail Phase 2	\$600,000	\$0	0.00%
Grand Total	\$30,323,099	\$19,476,872	64.23%