

CHAPTER 8

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 14-1081

BY REPRESENTATIVE(S) Fischer and Szabo, Vigil, Fields, Melton, Mitsch Bush, Schafer;
also SENATOR(S) Baumgardner and Jahn, Schwartz.

AN ACT

CONCERNING THE MOTOR CARRIER SAFETY FUND, AND, IN CONNECTION THEREWITH, CREATING THE FUND, TRANSFERRING MONEY FROM THE HAZARDOUS MATERIALS SAFETY FUND TO THE MOTOR CARRIER SAFETY FUND, AND SPECIFYING THAT ANY EXCESS UNCOMMITTED RESERVES IN THE PUBLIC UTILITIES COMMISSION MOTOR CARRIER FUND BE TRANSFERRED TO THE MOTOR CARRIER SAFETY FUND.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 40-2-110.5, **amend** (9) (a) as follows:

40-2-110.5. Annual fees - motor carriers - public utilities commission motor carrier fund - created. (9) (a) For the ~~2006-07 fiscal year~~ 2013-14 FISCAL YEAR and for each fiscal year thereafter, if the amount of uncommitted reserves in the motor carrier fund at the conclusion of any given fiscal year exceeds ten percent of the fund's expenditures during that fiscal year, the amount of the excess that is attributable to revenues received from any motor carrier, motor private carrier, broker, freight forwarder, leasing company, or any other person required to register with the United States department of transportation under the unified carrier registration system as authorized by federal law and as provided for in section 40-10.5-102 shall be transferred to the ~~hazardous materials safety fund created in section 42-20-107, C.R.S., and the nuclear materials transportation fund created in section 42-20-511, C.R.S.,~~ proportional to the existing balances of those funds MOTOR CARRIER SAFETY FUND CREATED IN SECTION 42-4-235 (6), C.R.S.

SECTION 2. In Colorado Revised Statutes, 42-4-235, **add** (6) as follows:

42-4-235. Minimum standards for commercial vehicles - motor carrier safety fund - created - rules. (6) THE MOTOR CARRIER SAFETY FUND IS CREATED IN THE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

STATE TREASURY. THE FUND CONSISTS OF MONEYS TRANSFERRED FROM THE PUBLIC UTILITIES COMMISSION MOTOR CARRIER FUND PURSUANT TO SECTION 40-2-110.5 (9) (a), C.R.S. MONEYS IN THE FUND ARE SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND INDIRECT COSTS OF THE ADVANCEMENT OF HIGHWAY SAFETY RELATING TO COMMERCIAL CARRIER OPERATIONS PURSUANT TO THIS SECTION. ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND ARE CREDITED TO THE FUND, AND ANY MONEYS NOT APPROPRIATED REMAIN IN THE FUND AND DO NOT TRANSFER OR REVERT TO THE GENERAL FUND OR ANY OTHER FUND.

SECTION 3. In Colorado Revised Statutes, 42-20-107, **add** (4) as follows:

42-20-107. Hazardous materials safety fund. (4) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, ON THE EFFECTIVE DATE OF THIS SUBSECTION (4) THE STATE TREASURER SHALL TRANSFER ONE MILLION SEVEN HUNDRED THIRTY THOUSAND EIGHT HUNDRED THIRTY-NINE DOLLARS TO THE MOTOR CARRIER SAFETY FUND CREATED IN SECTION 42-4-235 (6).

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: February 27, 2014