



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

**FINAL
FISCAL NOTE**

Drafting Number:	LLS 18-0945	Date:	August 7, 2018
Prime Sponsors:	Rep. Pabon Sen. Smallwood; Todd	Bill Status:	Signed into Law
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Bill Topic: REMUNERATION-EXEMPT DISABILITY PARKING PLACARD

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill creates a remuneration-exempt placard that exempts individuals with qualifying disabilities from paying for parking. This bill will increase state expenditures and workload in FY 2018-19 and will potentially increase local government revenue on an ongoing basis.

Appropriation Summary: For FY 2018-19, the bill requires an appropriation of \$9,870 to the Department of Revenue.

Fiscal Note Status: The fiscal note reflects the enacted bill.

**Table 1
State Fiscal Impacts Under HB 18-1285**

		FY 2018-19	FY 2019-20
Revenue		-	-
Expenditures	General Fund	\$9,870	-
Transfers		-	-
TABOR Refund	General Fund	-	-

Summary of Legislation

This bill creates a remuneration-exempt placard that exempts individuals with qualifying disabilities from paying for meter parking. To qualify for this placard, individuals must have a disability that limits their:

- fine motor control in both hands;
- ability to reach a height of 42 inches from the ground; or
- ability to reach or access a parking meter due to the use of a wheelchair or other device.

The remuneration-exempt placard must be renewed after three years. To qualify for the placard, an individual must submit a written statement that they have a qualifying disability, a signed affidavit, and driver license or other qualifying identification. Only the person issued the remuneration-exempt placard may use it.

Under current law, an individual is exempt from paying at a meter if his or her vehicle bears a disability placard or license plate, and the method of remuneration is not reasonably accessible to a person with the disability. This bill repeals this provision.

Background and Assumptions

Under current law, an individual with a qualifying disability may be issued:

- a 90 day identifying placard;
- a three-year placard or license plate;
- a permanent identifying placard or license plate; or
- a military special license plate.

The Department of Revenue (DOR) purchases identifying placards and validation stickers from Colorado Correctional Industries in the Department of Corrections. Applicants may have up to two placards, or a placard and license plate. Placards cost \$0.47 to produce. There are currently 588,210 three-year placards issued to persons with disabilities, with an average annual new issuance of 147,053. There are currently 45,556 persons with disabilities license plates registered to vehicles with an average annual new issuance of 11,098.

Comparable Crime

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of the existing crime that creates a new factual basis for the offense. Under this bill, using a remuneration-exempt placard that is not issued to the person using it is a misdemeanor. It is currently a misdemeanor to park in a spot reserved for persons with disabilities without a placard. This offense is punishable by a surcharge of \$32 and a fine ranging from \$350 to \$1,000 for the first offense; \$600 to \$1,000 for the second offense; and \$1,000 to \$5,000 and up to 10 hours of community service for the third and subsequent offenses. Between January 21, 2015, and January 31, 2018, there were 22 people convicted of illegally parking in a spot reserved for persons with disabilities. Of those convicted, 16 were Caucasian and there were 6 for which race data were unavailable. Of these, 10 were male, 6 were female, and there were 6 for which no data were available.

State Expenditures

For FY 2018-19 only, this bill will increase General Fund expenditures by \$9,870 to facilitate the initial issuance of remuneration-exempt placards. The fiscal note assumes that 21,000 individuals will qualify and apply for these placards, at a cost of \$0.47 per placard. Spending authority to purchase identifying placards is appropriated to the License Plate Cash Fund (LPCF), which cannot sustain any loss in order to maintain license plate and registration product inventory for registering vehicles. Therefore, General Fund will be required to reimburse the LPCF for the initial issuance of placards. It is assumed that remuneration-exempt placards will be chosen in lieu of other disability placards in future years, and will not create a net-change to LPCF expenditures in future years.

Local Government

Beginning in FY 2018-19, this bill is expected to increase revenue to local governments. Under current law, individuals are exempt from paying a required remuneration if their vehicle bears a disability placard or license plate, and the method of remuneration is not reasonably accessible to a person with the disability. Under this bill, only individuals with remuneration-exempt placards will be exempt from paying for parking, thereby increasing revenue for municipalities. This amount has not been estimated for the fiscal note.

Effective Date

The bill was signed into law by the Governor on May 29, 2018, and takes effect January 1, 2019, assuming no referendum petition is filed. It only applies to conduct occurring on or after the effective date.

State Appropriations

This bill requires an appropriation of \$9,870 from the General Fund to the Department of Revenue.

State and Local Government Contacts

Counties	County Clerks	District Attorneys
Information Technology	Judicial	Law
Municipalities	Public Safety	Sheriffs
Transportation		