



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

SB 18-028

**FINAL
FISCAL NOTE**

Drafting Number: LLS 18-0534
Prime Sponsors: Sen. Scott
Rep. Bridges

Date: July 20, 2018
Bill Status: Signed into Law
Fiscal Analyst: Ryan Long | 303-866-2066
RyanC.Long@state.co.us

Bill Topic: MOTOR VEHICLE LICENSE PLATE MOUNTING REQUIREMENTS

Summary of Fiscal Impact:

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

This bill modifies the mounting requirements for front vehicle license plates. Beginning in the current FY 2017-18, this bill will decrease state revenue and workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

This bill modifies the mounting requirements for front license plates. The bill removes the requirement that the front license plate be at least 12 inches from the ground, and specifies that the front license plate must be displayed horizontally on the front of a motor vehicle in the location designated by a motor vehicle manufacturer.

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. Driving without a clearly visible license plate is a class B traffic infraction, punishable by a fine of \$15. Between January 2015 to December 2017, there were 2,214 violations with a least one charge for not having a clearly visible license plate, or an average of about 738 cases annually. Of this number, there were 1,683 males, 498 females, and 33 for whom gender information was not available; 1,738 were Caucasian, 266 were African American, 127 were Hispanic, 16 were Asian, 12 were American Indian, and 55 for whom race information was not available. It is assumed that modifying the mounting requirements for the front license plate may minimally reduce the number of infractions for driving without a clearly visible license plate.

State Revenue

Beginning in the current FY 2017-18, this bill may minimally reduce fine revenue to the Highway Users Tax Fund by modifying the mounting requirements for front license plates. It is assumed that modifying these requirements may minimally reduce the number of class B traffic infractions related to driving without a clearly visible license plate. Of this fine revenue: 65 percent is distributed to the State Highway Fund, which is administered by the Colorado Department of Transportation, 26 percent is distributed to counties, and 9 percent is distributed to municipalities.

Tolling revenue. This bill is not expected to impact license plate toll revenue collected by the state's High Performance Transportation Enterprise (HPTE), which currently manages a section of toll lanes on I-25. Under current practice, five photos are taken of the front of the vehicle and five photos of the back to determine the license plate number for vehicles using license plate tolling. Of these photos, the clearest photo is used to complete the transaction.

TABOR Refund

The bill minimally may decrease state revenue subject to TABOR in FY 2018-19 and FY 2019-20. State revenue is not currently expected to exceed the TABOR limit in either year and no refund is required. Therefore, the bill is not expected to impact TABOR refunds in these years. However, refunds in future years when the state next collects a TABOR surplus will be minimally reduced.

State Expenditures

Beginning in the current FY 2017-18, this bill will minimally reduce workload in the Judicial Department due to a decrease in license plate violations, and no change in appropriations is required. One full time judicial officer can process 30,207 traffic infractions in a year. As there are a number of requirements listed in statute to ensure that license plates are clearly visible, it is expected that any reduction in violations related only to the position of the front license plate will be minimal.

Local Government

The bill will minimally decrease local government HUTF revenue. HUTF revenue generated by court fines is distributed to counties (26 percent) and municipalities (9 percent) for transportation needs.

Effective Date

The bill was signed into law by the Governor and takes effect March 29, 2018.

State and Local Government Contacts

Counties
Public Safety
Transportation

Judicial
Revenue

Municipalities
Sheriffs