



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Drafting Number: LLS 20-0707 Date: February 3, 2020
Prime Sponsors: Rep. McKean Bill Status: House Trans. & Local Govt.
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Bill Topic: MOVE OVER OR SLOW DOWN FOR OFFICIAL VEHICLE

- Summary of Fiscal Impact: State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, Statutory Public Entity

The bill defines the safe speed for vehicles overtaking an emergency, tow, or public utility vehicle. The bill minimally increases state workload in FY 2020-21 only.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

Under current law, a driver must move over or reduce and maintain a safe speed when overtaking an emergency, tow, or public utility vehicle. This bill defines safe speed as:

- 25 miles per hour (mph) if the speed limit is less than 45 mph; or
20 mph less than the speed limit if the speed limit is 45 mph or higher.

Comparable Crime Analysis

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 an existing crime. This section outlines data on crimes comparable to the offense in this bill and discusses assumptions on future rates of criminal conviction for those offense.

Prior conviction data and assumptions. This bill defines the safe speed at which a driver must maintain when overtaking an emergency, tow, or public utility vehicle. Persons who violate move over laws commit either a class A traffic infraction, careless driving, a class 1 misdemeanor, or a class 6 felony, depending on the circumstances. Because the bill defines a term used in relation to an existing offense, the fiscal note assumes that there will be minimal or no additional case filings or convictions for the offense under the bill. Because the bill is not expected to have a tangible impact on criminal justice-related expenditures or revenue at the state or local levels, these potential impacts are not discussed further in this fiscal note.

Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Expenditures

The bill minimally increases workload for the Colorado State Patrol in the Department of Public Safety and the Department of Revenue to update policies and training materials. This workload increase can be absorbed within existing appropriations.

Effective Date

The bill takes effect August 5, 2020, if the General Assembly adjourns on May 6, 2020, as scheduled, and no referendum petition is filed. The bill applies to offenses committed on or after that date.

State and Local Government Contacts

Counties	District Attorneys	Judicial
Municipalities	Public Defender	Public Safety
Revenue		