



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

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| Drafting Number: | LLS 21-0169 | Date: | February 26, 2021 |
| Prime Sponsors: | Rep. Michaelson Jenet; Baisley Sen. Danielson | Bill Status: | House Trans. & Local Govt. |
| | | Fiscal Analyst: | Will Clark 303-866-4720 Will.Clark@state.co.us |

Bill Topic: **DISABILITY SYMBOL IDENTIFICATION DOCUMENT**

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|----------------------------------|---|--|
| 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 |

The bill allows individuals to request that a disability identifier symbol be added to their driver's license, and to voluntarily disclose the disability status of a person on a vehicle's registration. The bill increases state expenditures in FY 2021-22.

Appropriation Summary: For FY 2021-22, the bill requires an appropriation of \$83,100 to the Department of Revenue.

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

**Table 1
State Fiscal Impacts Under HB 21-1014**

| | | Budget Year FY 2021-22 | Out Year FY 2022-23 |
|---------------------|--------------|---------------------------|------------------------|
| Revenue | | - | - |
| Expenditures | General Fund | \$83,100 | - |
| Transfers | | - | - |
| TABOR Refund | | - | - |

Summary of Legislation

This bill allows persons with disabilities to add a disability identifier to their driver's license or identification card by disclosing such information to the Department of Revenue (DOR). Disabilities for the purposes of the bill are defined as all types of disabilities including cognitive, neurological or physical, and no documentation is required by persons requesting such an identifier.

The bill also requires the DOR to collect information that the owner of a vehicle voluntarily discloses about the disability of a person who is either authorized to drive, or a regular passenger of, the registered vehicle. The department shall make this information immediately available to a peace officer who queries information about the registered vehicle.

Additionally, the DOR is required to notify peace officers about the creation of the disability identifier symbol and the availability of information regarding the disability of a driver or passenger of a motor vehicle. The DOR is not allowed to charge a fee for these services.

Background

Colorado Driver License offices create accounts for driver license and identification card applicants in the Colorado Driver License, Record, Identification, and Vehicle Enterprise Solution (DRIVES) system. The DRIVES system currently does not link a driver record with a vehicle record, and vehicle records in the system only capture information and names for vehicle owners.

Assumptions

This fiscal note assumes that the bill will require the DOR to collect and retain information in DRIVES that is regulated by the Health Insurance Portability and Accountability Act (HIPAA). The DRIVES system is not currently programmed to be HIPAA compliant.

State Expenditures

This bill increases expenditures in the DOR by \$83,100 in FY 2021-22 from the General Fund. This includes one-time programming costs to allow DRIVES to capture and retain new information fields and to do so in a manner that complies with HIPAA. Of this amount, it is estimated that \$53,100 will be paid to the DOR's vendor responsible for maintaining the DRIVES system and \$30,000 will be used by the Office of Information Technology on hardware and other services. The DOR will provide agent and peace officer training within existing resources.

Local Government

Workload in county clerk and recorder offices will increase to provide training and education about the new identification requirements under the bill, and to ensure employees are HIPAA trained and certified.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

Technical Note

The DOR will not have the time or authority to make the system changes required for the bill to be immediately implemented on its assumed September 2021 effective date. The fiscal note assumes that system changes will begin when the bill takes effect and be completed by July 2022, at which time the provisions of the bill will be implemented.

State Appropriations

For FY 2021-22, the bill requires a General Fund appropriation of \$83,100 to the Department of Revenue, of which \$30,000 is reappropriated to the Office of Information Technology.

State and Local Government Contacts

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|------------------------|---------------------|----------------|
| Counties | County Clerks | Human Services |
| Information Technology | Local Affairs | Municipalities |
| Public Safety | Regulatory Agencies | Revenue |