



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Final Fiscal Note

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<b>Drafting Number:</b>	LLS 22-0292	<b>Date:</b>	May 18, 2022
<b>Prime Sponsors:</b>	Rep. Amabile Sen. Hisey	<b>Bill Status:</b>	Signed into Law
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**Bill Topic:** TRAFFIC VIOLATIONS ON INTERSTATE 70 SHOULDER LANES

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**Summary of Fiscal Impact:**

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

The bill prohibits drivers from driving on an I-70 peak period shoulder lane when the lane is closed or if their vehicle violates lane restrictions and allows the High Performance Transportation Enterprise to enforce penalties. Starting in FY 2022-23, the bill increases state enterprise revenue and workload on an ongoing basis.

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**Appropriation Summary:** No appropriation is required.

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

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## Summary of Legislation

The bill prohibits a driver from driving on a peak period shoulder lane (PPSL) on I-70 between mile marker 230 and the Veterans Memorial Tunnel when posted signage indicates that the lane is closed or if the person is driving a motor vehicle with more than two axles or that is over 25 feet in length. The bill allows the High Performance Transportation Enterprise (HPTE) to enforce violations and assess civil penalties between \$10 and \$250.

## Background

The HPTE is a state enterprise within the Colorado Department of Transportation that administers managed lanes in the state. The PPSL on I-70 are wide shoulder lanes that operate as a third travel lane during peak travel times, otherwise they are for emergency use only. In calendar year 2020, there were 47,828 instances of vehicles using the eastbound PPSL while it was closed, about 2,000 per month one way. Currently, the HPTE has a tolling services agreement with the E-470 Public Highway Authority, which operates license plate cameras along the PPSL which would be used to enforce violations.

## State Revenue

Starting in FY 2022-23, state cash fund revenue to the HPTE will increase from civil penalties. The fiscal note assumes that enforcement will cause drivers to comply with the law; however, if ten percent of current scofflaws were fined at the minimum, that would generate approximately \$50,000 in revenue. Revenue collected by the HPTE is not subject to the state's TABOR limit.

## State Expenditures

Workload and potential expenditures in the HPTE will increase to implement the bill with its vendor, E-470. No change in appropriation is required.

## Effective Date

The bill was signed by the Governor on March 15, 2022, and takes effect on August 1, 2022, and applies to violations committed on or after this date.

## State and Local Government Contacts

Information Technology  
Revenue

Judicial  
Transportation