

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 18, 2023  
Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

SB23-280 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 7, line 7, strike "FEE;" and substitute "FEE AND
- 2 THE COSTS TO THE DEPARTMENT OF REVENUE FOR ADMINISTERING THE
- 3 TAX CREDIT CREATED IN SECTION 39-30-104 (7);".
  
- 4 Page 9, lines 5 and 6, strike "LICENSED FUEL EXCISE".
  
- 5 Page 9, line 6, strike "LICENSED FUEL".
  
- 6 Page 9, strike line 12, and substitute "SIX THOUSAND ONE HUNDRED
- 7 TWENTY-FIVE MILLIONTHS OF".
  
- 8 Page 10, strike lines 3 and 4, and substitute "THE FUELS IMPACT
- 9 ENTERPRISE FUND CREATED IN SECTION 43-4-1504; AND".
  
- 10 Page 13, after line 18 insert:
- 11 "(g.5) TO IMPOSE THE HEAVY-DUTY DIESEL VEHICLE REGISTRATION
- 12 FEE AT THE MAXIMUM AMOUNT AUTHORIZED IN THIS SECTION AND TO
- 13 PROMULGATE RULES TO ADJUST THE FEE AT OR BELOW THE MAXIMUM
- 14 AMOUNT AUTHORIZED IN THIS SECTION AS REQUIRED;".
  
- 15 Page 14, line 13, strike "IN A REASONABLE AMOUNT" and "EQUAL TO".
  
- 16 Page 14, strike lines 14 and 15 and substitute "NO MORE THAN THIRTY
- 17 DOLLARS".
  
- 18 Page 14, line 17, strike "2013," and substitute "2014,".
  
- 19 Page 18, line 5, strike "OPTIONS, AND, FOR" and substitute "OPTIONS.".

- 1 Page 18, strike lines 6 through 9.
- 2 Page 19, line 19, strike "DEPARTMENT" and substitute "DIVISION".
- 3 Page 19, line 24, strike "DEPARTMENT" and substitute "DIVISION".
- 4 Page 20, line 23, strike "ENGINE." and substitute "ENGINE, OVER A GROSS  
5 VEHICLE WEIGHT RATING OF MORE THAN SIXTEEN THOUSAND POUNDS."
- 6 Page 21, line 14, strike "2016" and substitute "2015" and after "TRUCK"  
7 insert "THAT HAS BEEN REGISTERED IN COLORADO FOR AT LEAST TWO  
8 YEARS,".
- 9 Page 21, line 15, strike "2017" and substitute "2016" and after "TRUCK"  
10 insert "REGISTERED IN COLORADO".
- 11 Page 21, line 21, strike "JANUARY," and substitute "JANUARY".
- 12 Page 31, lines 26 and 27, strike "EQUAL TO NO MORE THAN TEN DOLLARS  
13 FOR HEAVY-DUTY DIESEL VEHICLES THAT ARE MODEL YEAR 2014  
14 THROUGH 2016,".
- 15 Page 32, line 1, strike "TWENTY" and substitute "THIRTY".
- 16 Page 32, line 2, strike "2013," and substitute "2014,".
- 17 Page 33, strike line 19 and substitute "IN A NONATTAINMENT AREA OF THE  
18 STATE, AS DESIGNATED BY THE UNITED STATES ENVIRONMENTAL  
19 PROTECTION AGENCY PURSUANT TO SECTION 24-38.5-116 (2)(h), ON THE  
20 FOLLOWING SCHEDULE:".
- 21 Page 33, strike line 23 and substitute "ANY STATE PROJECT SITE IN A  
22 NONATTAINMENT AREA OF THE STATE, AS DESIGNATED BY THE UNITED  
23 STATES ENVIRONMENTAL PROTECTION AGENCY PURSUANT TO SECTION  
24 24-38.5-116 (2)(h);".
- 25 Page 33, line 26, strike "2010" and substitute "2007".
- 26 Page 33, strike line 27, and substitute "ANY STATE PROJECT SITE IN A  
27 NONATTAINMENT AREA OF THE STATE, AS DESIGNATED BY THE UNITED  
28 STATES ENVIRONMENTAL PROTECTION AGENCY PURSUANT TO SECTION  
29 24-38.5-116 (2)(h); AND

1 (c) ON AND AFTER JANUARY 1, 2029, DIESEL TRUCKS WITH A  
2 GROSS VEHICLE WEIGHT OF SIXTEEN THOUSAND ONE POUND OR GREATER  
3 THAT ARE OLDER THAN MODEL YEAR 2010 SHALL NOT BE PERMITTED ON  
4 ANY STATE PROJECT SITE IN A NONATTAINMENT AREA OF THE STATE, AS  
5 DESIGNATED BY THE UNITED STATES ENVIRONMENTAL PROTECTION  
6 AGENCY PURSUANT TO SECTION 24-38.5-116 (2)(h).".

7 Page 34, strike lines 1 through 5 and substitute:

8 "(3) ON AND AFTER JANUARY 1, 2024, ALL STATE PROJECT BID  
9 REQUESTS AND PROJECT AWARDS MUST INCLUDE LANGUAGE SPECIFYING  
10 THE MODEL YEAR OF DIESEL TRUCKS PERMITTED TO OPERATE ON THE  
11 STATE PROJECT SITE. THE DEPARTMENT OF TRANSPORTATION SHALL BOTH  
12 DEVELOP A PROCEDURE FOR ENSURING COMPLIANCE WITH THIS SECTION  
13 AND OUTLINE PENALTIES FOR FAILING TO COMPLY WITH THIS SECTION.

14 (4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
15 CONTRARY, THIS SECTION SHALL NOT APPLY TO DIESEL TRUCKS USED BY  
16 THE DEPARTMENT OF TRANSPORTATION, OTHER STATE AGENCIES, OR  
17 LOCAL GOVERNMENTS TO PERFORM ROUTINE MAINTENANCE ON OR  
18 INCIDENTAL TRAVEL TO STATE PROJECTS.".

19 Renumber succeeding subsection accordingly.

20 Page 41, lines 17 and 18, strike "SIX THOUSAND ONE HUNDRED  
21 TWENTY-FIVE HUNDRED-THOUSANDTHS" and substitute "SIX THOUSAND  
22 ONE HUNDRED TWENTY-FIVE MILLIONTHS".

23 Page 42, strike line 11, and substitute "STATE PRIORITIZING USES RELATED  
24 TO SAFETY AND ENVIRONMENTAL IMPACTS:".

25 Page 42, after line 19 insert:

26 "(b) IF THE ENTERPRISE IS UNABLE TO DISTRIBUTE TEN MILLION  
27 DOLLARS PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION, THE  
28 ENTERPRISE SHALL DISTRIBUTE THE DOLLARS IT CAN DISTRIBUTE IN THE  
29 SAME PROPORTION AS DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION.".

30 Reletter succeeding paragraph accordingly.

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