



Colorado  
Legislative  
Council  
Staff

HB16-1030

REVISED  
FISCAL NOTE

(replaces fiscal note dated January 25, 2016)

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**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

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**Drafting Number:** LLS 16-0189  
**Prime Sponsor(s):** Rep. Brown; Court  
Sen. Donovan

**Date:** February 1, 2016  
**Bill Status:** House Finance  
**Fiscal Analyst:** Erin Reynolds (303-866-4146)

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**BILL TOPIC:** OFF-HIGHWAY VEHICLES REGULATION & LOCAL GOVERNMENT

### Summary of Legislation

The bill, *as amended by the House Local Government committee*, allows local governments, acting by ordinance or resolution, to require off-highway vehicle (OHV) operators to have a driver's license and/or carry liability insurance, except that a local government cannot make these requirements for OHVs during emergency conditions or for those OHVs used for agricultural purposes. The bill also requires local governments that choose to allow at-grade crossings on a state highway to notify the Colorado Department of Transportation.

### Background

During the 2015 interim, the six-member OHV Interim Committee held five meetings during the 2015 interim in order to study safety issues, access issues, and regulation necessary to operate OHVs on roads.

Under current law, the CPW's OHV registration program issues registrations and use permits for OHVs (specifically all-terrain vehicles, utility vehicles, 3-wheelers, dirt bikes, jeeps, and dune buggies), so that these vehicles may use public lands or trails in Colorado. Certain OHVs are exempt from registration when:

- used for agricultural purposes;
- owned by a governmental entity;
- used strictly on private property;
- used for training purposes;
- participating in special events; and
- licensed or registered in another state and not domiciled Colorado for more than 30 consecutive days.

As of July 1, 2014, the Department of Revenue titles OHVs and snowmobiles purchased from powersports vehicle dealerships and, optionally, through private party sales. As of August 2015, there are about 12,000 OHVs titled in the state (excluding snowmobiles). The CPW requires proof of ownership upon registration and keeps a record of the manufacturer's numbers for all OHVs, a list of which is provided to the DOR on a monthly basis. The DOR maintains a computerized list in order to aid in the recovery of stolen OHVs.

**Local Government Impact**

Conditional upon a local government's decision to adopt a resolution or an ordinance to requiring OHV operators to have a driver's license and/or carry liability insurance, or when regulating state highway crossings, the bill will increase costs and workloads for those local governments. It is expected that costs will be related to notifying the public through signage and printed materials, while workload will involve the public input and governing process, as well as notifying affected state agencies, where applicable.

**Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

**State and Local Government Contacts**

Agriculture	Counties	Corrections
Clerk and Records	Judicial	Law
Local Affairs	Municipalities	Natural Resources
Office of Information Technology	Public Safety	Revenue
Sheriffs	Transportation	

**Research Note Available**

An LCS Research Note for HB 16-1030 is available online and through the iLegislate app. Research notes provide additional policy and background information about the bill and summarize action taken by the General Assembly concerning the bill.