



**Colorado
Legislative
Council
Staff**

HB16-1273

**REVISED
FISCAL NOTE**

(replaces fiscal note dated February 29, 2016)

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

Drafting Number: LLS 16-0831
Prime Sponsor(s): Rep. Arndt

Date: March 9, 2016
Bill Status: House Appropriations
Fiscal Analyst: Erin Reynolds (303-866-4146)

BILL TOPIC: AUTHORIZE PARKING FEES AT CDOT PARKING FACILITIES

Fiscal Impact Summary	FY 2015-2015 <i>(current year)</i>	FY 2016-2017	FY 2017-2018
State Revenue		<u>at least \$14,162</u>	<u>at least \$15,450</u>
Cash Funds		at least 14,162	at least 15,450
State Expenditures	<u>at least \$1,000</u>		
Cash Funds	at least 1,000		
TABOR Impact		at least \$14,162	at least \$15,450
Appropriation Required: None.			
Future Year Impacts: Ongoing revenue increases.			

Summary of Legislation

The bill, ***as amended by the House Transportation and Energy Committee***, authorizes the Colorado Department of Transportation (CDOT) to charge a fee for parking at any CDOT parking facility (Park-n-Rides) for more than 24 hours or in a reserved parking space, and to establish rules that restrict parking availability to those carpooling or using mass transit that is accessible from the parking facility.

CDOT may set aside 15 percent of spaces in a parking facility for reserved parking. Unless an individual opts to use reserved parking or automatic payment services, CDOT may not require an individual to provide personal information. CDOT may use the Department of Revenue's (DOR's) motor vehicle registration database to determine motor vehicle ownership on an as-needed basis.

CDOT may not begin charging parking fees until it has posted notice of fees, parking rules, and violation penalties at all entrances and exits to the parking facility where it intends to charge a fee for at least 90 days prior. As long as CDOT charges a parking fee, these signs are required to stay in place.

Parking fees are payable in advance. CDOT may impose a daily penalty for failure to pay or violation of a rule. The penalty is set in the bill at \$20 for the first offense, \$50 for the second offense, and \$100 for all subsequent offenses. The vehicle owner has 14 days to request a

hearing. The hearing must be held within 30 days, and may be conducted either in person or by phone. A vehicle left unattended with a penalty assessed for more than four days may be subject to the abandoned motor vehicle process.

Finally, CDOT and local governments must consult before establishing zoning, authorization, or contracts for privately owned or managed parking facilities that are accessible from a CDOT parking facility.

Background

Park-n-Rides. CDOT currently operates 27 Park-n-Ride facilities, mostly along the Interstate 25, Interstate 70, and State Highway 82 corridors. The Regional Transportation District (RTD) currently operates 75 Park-n-Ride facilities in the Denver metro area.

Bulk records search. Under current law, DOR provides a user interface for Colorado motor vehicle registration searches. There is no charge for vehicle records searches performed by CDOT.

State Revenue

State cash revenue from penalties is expected to increase by **at least \$14,162 in FY 2016-17 and at least \$15,450 in FY 2017-18** in the State Highway Fund in CDOT. The fiscal note assumes that CDOT will post signs at one parking facility where long-term parking has been a recent issue—the Harmony Road Park-n-Ride, west of I-25 in Fort Collins. Assuming the bill is effective by May 2016, and factoring in the 90 days required notice under the bill, revenue in FY 2016-17 has been prorated to account for penalty assessment beginning in one lot in August 2016. To the extent that CDOT exercises its authority to assess fees and penalties on additional parking lots, this amount will increase in future fiscal years.

Assumptions and data. Data from RTD Park-n-Rides shows that every six months 35 percent of parking spots have a first offense, 9 percent have a second offense, and 31 percent of spots have a third offense. Additionally, one-quarter of penalties go unpaid. The Harmony Road Park-n-Ride has 243 parking spots.

TABOR Impact

This bill increases state cash fund revenue from fees, which will increase the amount of money required to be refunded under TABOR. TABOR refunds are paid out of the General Fund. Since the bill increases the TABOR refund obligation without a corresponding change in General Fund revenue, the amount of money available in the General Fund for the budget will decrease by an identical amount.

State Expenditures

The bill will increase CDOT expenditures from the continuously appropriated State Highway Fund by **at least \$1,000 in FY 2015-16**. CDOT will print approximately 10 signs at \$100 per sign to notify Harmony Road Park-n-Ride customers of the new penalty assessment in FY 2015-16.

To the extent that CDOT adopts a fee or penalty structure at additional Park-n-Rides, it will incur additional signage costs in future fiscal years. In addition, CDOT will use a third-party vendor to handle enforcement, as well as to conduct the hearings required under the bill. The vendor will be paid an estimated \$50,000 per year, which is the amount formerly paid to the City of Fort Collins to handle enforcement. The penalty revenue authorized by the bill is expected to partially offset this cost.

Local Government Impact

To the extent that local governments zone or operate parking facilities that are accessible from CDOT parking facilities, those governments may incur planning and legal workload impacts to consult with CDOT as required under the bill.

In addition, the City of Fort Collins, which currently enforces parking at the Harmony Road Park-n-Ride, will experience a decrease in workload when CDOT's third-party enforcement contractor begins handling enforcement at that parking facility.

Effective Date

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

State and Local Government Contacts

Counties	Information Technology
Law	Local Affairs
Municipalities	Public Safety
Regional Transportation District	Revenue
Transportation	