



**Colorado
Legislative
Council
Staff**

HB16-1298

**FINAL
FISCAL NOTE**

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

Drafting Number: LLS 16-0888
Prime Sponsor(s): Rep. Melton
Sen. Cooke

Date: May 24, 2016
Bill Status: Signed into Law
Fiscal Analyst: Erin Reynolds (303-866-4146)

BILL TOPIC: VEHICLE HEIGHT, LENGTH, AND WEIGHT

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue	See State Revenue section.	
State Expenditures	Minimal workload increase.	
Appropriation Required: None.		
Future Year Impacts: Ongoing minimal workload increase.		

Summary of Legislation

The bill modifies the statutes related to vehicle height, length, and weight.

Height. Under current law, the maximum legal height of vehicles is 13 feet, with the exception that vehicles 14 feet 6 inches can be operated on certain highways as designated by the Colorado Department of Transportation (CDOT). The bill changes the maximum legal height of vehicles to 14 feet and 6 inches without exception. CDOT must designate highways with overhead highway structures that have less than 14 feet and 6 inches of vertical clearance, and a driver must not drive a vehicle under a structure if the vehicle's height exceeds CDOT's designated vertical clearance.

Length. The bill prohibits a driver from operating the following vehicle combinations:

- saddle mount vehicle combinations that exceed 97 feet in overall length;
- laden truck tractor-semitrailer combinations exceeding 75 feet in overall length;
- stinger-steered vehicle combinations for transporting automobiles or boats that exceed 80 feet in overall length; and
- towaway trailer transporter combinations that exceed 82 feet in overall length, carry property, exceed an overall weight of 26,000 pounds, consist of more than a single towing unit and two trailers or semitrailers, or do not constitute inventory property of a manufacturer, distributor, or dealer of the trailer or semitrailer.

Weight. The bill modifies the increased gross weight maximum for a vehicle or combinations of vehicles that contain an alternative fuel system from an additional 1,000 to an additional 2,000 pounds.

Background

FAST Act. The federal Fixing America's Surface Transportation (FAST) Act was signed into law on December 4, 2015. The FAST Act created new standards related to vehicle height, length, and weight. House Bill 16-1298 seeks to bring Colorado into compliance with the new federal regulations.

Vehicle size regulation — Department of Transportation. CDOT is responsible for regulating the movement of oversize and overweight vehicles on the state's highways and interstates and accomplishes this by issuing permits and providing route guidelines for commercial vehicles that exceed the normal size and weight limits allowed by law. CDOT currently maintains a detailed map of all state highway structures with less than 14 feet and 6 inches of vertical clearance on its website.

Vehicle weight applications — Department of Revenue. A vehicle's empty weight is captured during the titling process with the Department of Revenue (DOR). The Colorado State Title and Registration and GenTax systems rely on vehicle weight to:

- determine the vehicle's base registration fees;
- determine whether the vehicle must participate in the Federal Heavy Vehicle Use Tax program; and
- capture the operating gross vehicle weight high limit to print on the registration card that is then used by Port of Entry and law enforcement.

Depending on the vehicle's tax class, the DOR also determines in which gross vehicle weight registration type the vehicle owner will participate (i.e. private carrier or commercial carrier), or, for tax class A vehicles, reports the weight to the International Registration Plan (IRP). The IRP is an agreement between the U.S. and Canada for payment of commercial motor carrier registration fees.

Ports of Entry — Department of Public Safety. The Colorado State Patrol within the Department of Public Safety (DPS) runs the state's ten Port of Entry locations, which regulate commercial vehicles on major highways. Port of Entry weigh stations determine if commercial vehicles have violated weight limits and issue the bulk of the citations related to weight limit violations.

State Revenue

CDOT will no longer be eligible for ten percent of its annual federal highway funding, roughly \$54.0 million per year, if HB 16-1298 is not passed by the General Assembly to bring the state into compliance with new federal FAST Act regulations.

State Expenditures

The bill will increase workload in CDOT, DOR, and DPS. These workload increases are minimal and can be accomplished within existing appropriations.

Department of Transportation. CDOT will continue to maintain a detailed map of designated highways with overhead structures that have less than 14 feet and 6 inches of vertical clearance on its website — currently 46 structures as of writing. To the extent that any signage will need to be updated, CDOT is expected to accomplish that workload within existing appropriations.

Department of Revenue. The fiscal note assumes that the DOR will not issue updated registration receipts or cab cards (where a vehicle's operating high gross weight limit is printed) until the vehicle's annual registration renewal or upon request of the vehicle owner after the legislation's effective date. DOR will also be required to update gross weight vehicle information for alternative fuel vehicles in the CSTARs and GenTax databases. These technology changes are minor and can be accomplished within existing appropriations. To the extent that training and updates to rules, forms, manuals, and the DOR website are required, these too can be accomplished within existing appropriations.

Department of Public Safety. DPS will be required to train Port of Entry staff and potentially update its database. These workload impacts can be accomplished within existing appropriations.

Effective Date

The bill was signed into law by the Governor on May 4, 2016, and takes effect August 10, 2016, assuming no referendum petition is filed.

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