



**Colorado
Legislative
Council
Staff**

SB16-018

**FINAL
FISCAL NOTE**

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

Drafting Number: LLS 16-0597
Prime Sponsor(s): Sen. Merrifield

Date: June 13, 2016
Bill Status: Postponed Indefinitely
Fiscal Analyst: Matt Kiszka (303-866-6275)

BILL TOPIC: MOTOR VEHICLE IMPEDE TRAFFIC

| Fiscal Impact Summary | FY 2016-2017 | FY 2017-2018 |
|--------------------------------------|-------------------------------------------------------------------------|--------------|
| State Revenue Cash Funds | Potential minimal increase. | |
| State Expenditures | Potential minimal workload increase. See State Expenditures section. | |
| TABOR Impact | Potential minimal increase. | |
| FTE Position Change | | |
| Appropriation Required: None. | | |
| Future Year Impacts: None. | | |

NOTE: This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

Under current law, drivers may not impede the flow of traffic on any highway, except when a reduced speed is necessary for safety purposes. This bill clarifies that impeding traffic means to drive at such a slow speed as to block the normal and reasonable forward movement of traffic, or five or more motor vehicles following immediately behind.

State Revenue

Beginning in FY 2016-17, this bill could increase revenue by a minimal amount as a result of any additional citations on a state highway issued because of the expanded definition of impeding traffic. The fine for impeding traffic is \$50 plus a \$22 surcharge. The fine for impeding traffic in a safety zone is \$100 plus a \$33 surcharge. About 75 percent of penalty revenue is credited to the Highway Users Tax Fund (HUTF) with the remainder credited to various cash funds within the Judicial Department. Over the last three years, about 900 citations have been issued for impeding traffic.

The State Highway Fund within the Colorado Department of Transportation (CDOT) receives 65 percent of any revenue credited to the HUTF from citations for impeding traffic. The fiscal note assumes any increase in revenue resulting from the expanded definition of impeding traffic will be minimal.

TABOR Impact

This bill may increase state revenue from fines, which will increase the amount of money required to be refunded under TABOR. TABOR refunds are paid out of the General Fund.

State Expenditures

This bill may increase workload for the courts to hear any additional traffic infraction cases either on state highways or, because of the new provisions of the bill, on other roadways under the purview of local governments. Any increase in caseload is assumed to be minimal and will not require an increase in appropriations for the Judicial Department.

Department of Revenue Impact

Because the bill is not expected to result in a measurable change in citations or Department of Revenue (DOR) hearings, the DOR will only need to update manuals and train staff. This workload can be accomplished within current resources and does not require an appropriation.

Local Government Impact

To the extent that expanding the definition of impeding traffic causes units of local government to issue additional citations on local roadways, revenue to municipalities and counties may increase. In addition, if additional citations are issued on state highways, HUTF revenue will increase. Municipalities receive 9 percent and counties 26 percent of HUTF moneys from citations for impeding traffic.

Effective Date

The bill was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on February 1, 2016.

State and Local Government Contacts

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|----------------|------------------------|----------------|
| Counties | Information Technology | Judicial |
| Law | Local Affairs | Municipalities |
| Public Safety | Revenue | Sheriffs |
| Transportation | | |