



Legislative  
Council Staff

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**FISCAL NOTE**

**Drafting Number:** LLS 20-0351  
**Prime Sponsors:** Rep. Valdez D.; Gray  
Sen. Scott; Hisey

**Date:** January 9, 2020  
**Bill Status:** House Trans. & Local Govt.  
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**Bill Topic:** **COMMERCIAL VEHICLE ANNUAL FLEET OVERWEIGHT PERMITS**

**Summary of Fiscal Impact:**

<input checked="" type="checkbox"/> State Revenue	<input checked="" type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill creates a combined non-interstate overweight divisible load annual permit for commercial motor vehicle fleets. The bill decreases state revenue beginning in FY 2020-21 and minimally increases state expenditures for FY 2020-21 only.

**Appropriation Summary:** No appropriation is required.

**Fiscal Note Status:** This fiscal note reflects the introduced bill, which was recommended by the Transportation Legislation Review Committee.

**Table 1**  
**State Fiscal Impacts Under HB 20-1030**

		<b>FY 2020-21</b>	<b>FY 2021-22</b>
Revenue	Cash Fund	(\$20,000)	(\$20,000)
<b>Expenditure</b>		-	-
<b>Transfer</b>		-	-
<b>TABOR Refund</b>	General Fund	(\$20,000)	(\$20,000)

## Summary of Legislation

Under current law, commercial motor vehicle fleet owners can apply to the Colorado Department of Transportation (CDOT) for two separate annual non-interstate overweight divisible load permits: quad axle and two or three axle trailer. The bill combines the two permits and creates one annual fleet permit for non-interstate overweight divisible load quad axles and two or three axle trailers. The fee is \$2,000 plus \$35 per vehicle permitted.

## Background

CDOT is responsible for regulating the movement of oversize and overweight vehicles on the state's highways and interstates. It accomplishes this by issuing permits and providing route guidelines for commercial vehicles that exceed the normal size and weight limits allowed by law. Federal and state limit on interstate highways is 80,000 pounds combined gross vehicle weight (CGVW). State limit on non-interstate highways is 85,000 pounds CGVW. Revenue generated through the permitting process is credited to CDOT's construction and maintenance budget.

The current fee for both the annual fleet non-interstate overweight divisible load quad axle permit and the annual fleet two or three axle trailer permit is \$2,000 plus \$35 per vehicle permitted. In FY 2018-19, CDOT issued 160 quad axle permits and 40 two or three axle trailer permits.

CDOT is primarily funded from the State Highway Fund (SHF), which is comprised of federal funds, the state's share of the Highway Users Tax Fund, and other various sources of revenue. The decision-making authority for the majority of state transportation revenue rests with the Transportation Commission, which is responsible for allocating funds from the SHF.

## Assumptions

This fiscal note assumes that 25 percent of commercial vehicle fleet owners that applied for the quad axle permit also applied for the two or three axle trailer permit, or 10 commercial vehicle fleet owners in FY 2020-21 and FY 2021-22. In addition, under the bill, commercial vehicle fleet owners will still pay the \$35 fee per vehicle, so it is assumed revenue from the \$35 fee will remain unchanged.

## State Revenue

The bill will decrease revenue to the SHF by \$20,000 in FY 2020-21 and FY 2021-22. Commercial vehicle fleet owners who currently apply for two separate annual permits will pay \$2,000 less in fees annually due to the ability to apply for a combination permit.

## State Expenditures

In FY 2020-21 only, the bill will minimally increase workload for CDOT to update procedures and information materials for the new combined permit. Funding from the SHF is allocated by the Transportation Commission, which will adjust any funds that result from a increase in CDOT workload.

**TABOR refunds.** The bill is expected to decrease state General Fund obligations for TABOR refunds by \$20,000 in FY 2020-21 and \$20,000 in FY 2021-22. Under current law and the December 2019 Legislative Council Staff forecast, the measure will correspondingly decrease the amount refunded to taxpayers via sales tax refunds made available on income tax returns for tax years 2021 and 2022, respectively. A forecast of state revenue subject to TABOR is not available beyond FY 2021-22.

## Effective Date

The bill takes effect July 1, 2020.

## State and Local Government Contacts

Public Safety                  Transportation