



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number:	LLS 22-0120	Date:	June 7, 2022
Prime Sponsors:	Rep. McLachlan; Catlin Sen. Winter; Woodward	Bill Status:	Signed into Law
		Fiscal Analyst:	Will Clark 303-866-4720 Will.Clark@state.co.us

Bill Topic:	LOCAL DESIGNATION OF OVER-SNOW USE ONLY HIGHWAYS
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Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill allows local governments to restrict use of highways under their jurisdiction to over-snow use only. Beginning in FY 2022-23, the bill may increase local government expenditures on an ongoing basis.

Appropriation Summary:	No appropriation is required.
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Fiscal Note Status:	The fiscal note reflects the enacted bill.
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Summary of Legislation

Current law allows local governments to regulate the operation of vehicles on designated highways under their jurisdiction. Specifically, local governments may prohibit vehicle operations or impose weight restrictions on their local highways for a maximum period of 90 days in any one calendar year. This bill extends that authority, and allows local governments to designate highways under their jurisdiction for over-snow use only for a continuous seasonal period or when there are snow-packed conditions. Over-snow use includes travel on top of snow by human- or animal-powered means, or by an off-highway vehicle designed primarily for use over snow. The operation of restricted vehicles on highways in violation of a local ordinance is a class B traffic offense subject to a \$35 fine and a \$10 surcharge.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. This section outlines data on crimes comparable to the offense in this bill and discusses assumptions on future rates of criminal conviction for those offense.

Prior conviction data. This bill expands the current offense of operating a vehicle in violation of a local ordinance, a class B traffic infraction, to include operation of restricted vehicles on highways designated for over-snow use only. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of disobeying a temporarily closed sign as a comparable crime. From FY 2018-19 to FY 2020-21, 49 offenders have been sentenced and convicted for this offense, of which, 38 were male, 11 were female, and 1 where gender was unknown. Demographically, 43 were White, 2 were African American, 2 were Hispanic, 1 was Asian, 1 was designated as Other, and 1 where race was not identified.

Assumptions. Because over-snow use only designations on local highways are assumed to be less prevalent than highways with closed signs, this fiscal note assumes that there will be minimal additional infractions under the bill. Because the bill is not expected to have a tangible impact on traffic infraction-related revenue or expenditures at the state or local levels, these potential impacts are not discussed further in this fiscal note. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

Local Government

Starting in FY 2022-23, if a local government decides to enact over-snow use restrictions on highways under their jurisdiction, administrative costs will increase, and there will likely be costs related to sign purchase and installation. These costs have not been estimated for this fiscal note, but will vary based on jurisdiction.

Effective Date

This bill was signed into law by the Governor and took effect on April 12, 2022.

State and Local Government Contacts

Counties

Municipalities

Information Technology

Public Safety

Local Affairs

Transportation