



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 23-0653 **Date:** June 23, 2023
Prime Sponsors: Sen. Hinrichsen; Will **Bill Status:** Signed into Law
Rep. McLachlan; Soper **Fiscal Analyst:** Alexa Kelly | 303-866-3469
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Bill Topic: **REQUIREMENTS TO OPERATE A MOTORBOAT**

Summary of Fiscal Impact:

<input checked="" type="checkbox"/> State Revenue	<input 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 requires an individual be at least 14 years of age to operate a motorboat. Any motorboat operator ages 14 to 18 must also take a boating safety course and possess a boating safety certificate issued by the course provider. The bill increases state revenue and workload beginning FY 2023-24.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Table 1
State Fiscal Impacts Under SB 23-069

		Budget Year FY 2023-24	Out Year FY 2024-25
Revenue	Cash Funds	\$13,620	\$13,620
Expenditures		-	-
Transfers		-	-
Other Budget Impacts		-	-

Summary of Legislation

The bill requires a motorboat operator be at least 14 years of age. It also requires anyone under the age of 18 to take a boating safety course that is either approved by Colorado Parks and Wildlife (CPW) or meets the requirements of CPW requirements. The individual must possess a certificate of completion in order to operate a motorboat. Any individual who violates these requirements commits a civil infraction and is subject to a \$100 fine. The bill requirements apply to conduct of motorboat operators beginning on June 1, 2024, and does not apply to conduct on bodies of water on private property.

State Revenue

The bill increases state revenue from fees by \$13,620 in FY 2023-24 and FY 2024-25, and by decreasing amounts beginning in FY 2025-26 paid to the Parks and Outdoor Recreation Cash Fund; which is not subject to TABOR. Revenue from civil infraction-related fees and fines may minimally increase state revenue to the Judicial Department; this revenue is subject to TABOR.

Fee impact on boater safety course registrants. Colorado law requires legislative service agency review of measures which create or increase any fee collected by a state agency. Current law requires a motorboat operator to be at least 16, but it allows an individual aged 14 or 15 to operate a motorboat if they complete a boating safety course. CPW currently provides a boating safety course to an average of 462 students per year at a cost of \$15 per participant. This bill is estimated to increase the number of operators required to take a boating safety course by about 1,820 individuals in the first two years of implementation. This estimate is based on the percent of Coloradans that fall within the bill requirements (about 2.5 percent) measured against the number of boat registrations in 2022. The number also takes into account boat rentals and boats with multiple operators. Since it is not required that a boat operator take the course through CPW, it is estimated that about half of the total number of boat operators will choose a CPW course and the other half will choose a non-CPW course. This amounts to approximately 908 new youth operators taking a boater safety course with CPW each of the first two years of the requirement and about 110 in future years. Table 2 identifies the fee impact of this bill.

Table 2
Fee Impact on Boater Safety Course Registrants

Fiscal Year	Fee Type	Fee	Current Registrants	Additional Registrants	Revenue Change
FY 2023-24	Registration	\$15.00	462	908	\$13,620
FY 2024-25	Registration	\$15.00	462	908	\$13,620
FY 2025-26	Registration	\$15.00	462	110	\$1,350

State Expenditures

The CPW will have costs of approximately \$14,000 over the first two years of implementation to provide the boater safety course and update necessary signage. Ongoing costs are expected to be minimal beginning in FY 2025-26 related to the increased education requirements and enforcement in the field. CPW can absorb these costs and no change in appropriations is required.

Effective Date

The bill was signed into law by the Governor on May 4, 2023, and takes effect August 7, 2023, assuming no referendum petition is filed.

State and Local Government Contacts

Judicial

Law

Natural Resources