



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Fiscal Note

---

<b>Drafting Number:</b>	LLS 24-0550	<b>Date:</b>	January 26, 2024
<b>Prime Sponsors:</b>	Sen. Hinrichsen	<b>Bill Status:</b>	Senate Transportation & Energy
		<b>Fiscal Analyst:</b>	Colin Gaiser   303-866-2677 colin.gaiser@coleg.gov

---

<b>Bill Topic:</b>	<b>OUT-OF-STATE SNOWMOBILE PERMIT &amp; SEARCH RESCUE FEE</b>
--------------------	---

---

<b>Summary of Fiscal Impact:</b>	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill requires out-of-state snowmobilers to obtain a permit, creates a registration exemption for snowmobiles on private property, and adds the backcountry search and rescue fee to out-of-state snowmobile permits and off-highway use permits. The bill will minimally impact state revenue and workload on an ongoing basis.

---

<b>Appropriation Summary:</b>	No appropriation is required.
-------------------------------	-------------------------------

---

<b>Fiscal Note Status:</b>	The fiscal note reflects the introduced bill.
----------------------------	---

---

## Summary of Legislation

The bill expands the snowmobile registration exemption to include all snowmobiles use on private property, regardless of whether the snowmobile is being used commercially.

The bill requires an owner or operator of an out-of-state snowmobile to obtain a permit when recreating on public land. Snowmobiles exempt from the permit include those owned by governments, operating in an authorized organized event, or operating for nonrecreational purposes. The Colorado Division of Parks and Wildlife (CPW) in the Department of Natural Resources must begin issuing the permits by January 1, 2025, and establish the fee for a permit, which will be deposited into the snowmobile recreation fund. Permits are valid from April 1 of the current permit year through March 31. The fine for not displaying an out-of-state permit is \$100.

The bill also adds the backcountry search and rescue fee to out-of-state snowmobile and off-highway use permits.

## **Background**

The CPW manages the [Snowmobile Program](#), which provides funding for trail grooming, trail improvements, the Snowmobile Safety Certification Program, as well as enforcement and signage. Program funding comes from registrations and out-of-state use permits. CPW also requires off-highway vehicle (OHV) registration for residents and sells OHV permits for non-residents and for resident-registered highway vehicles. These products are sold through the Integrated Parks and Wildlife System (IPAWS) and agents.

The annual snowmobile registrations and permits are each sold for \$30.25 and are valid from October 1 through September 30 each year. The annual OHV registrations and permits are each sold for \$25.25 and are valid from April 1 through March 31 each year. These costs include a \$0.25 search and rescue fee that is deposited into the Backcountry Search and Rescue (BSAR) Fund. The remaining funds are deposited into the Snowmobile Recreation Fund or OHV Recreation Fund, respectively, and fund the Snowmobile and OHV Programs appropriated annually in the Long Bill. CPW is a state enterprise, and revenue from BSAR, Snowmobile, and OHV is not subject to TABOR.

In the past two fiscal years, CPW has issued an average of 6,740 non-resident snowmobile permits per year, and an average of 49,000 off-highway vehicle permits (resident and non-resident) per year.

The CPW also issues a \$100 fine for violating the out-of-state permit requirement, though the noncompliance rate for out-of-state snowmobiles is low.

## **Assumptions**

The fiscal note assumes that the bill largely codifies existing CPW regulatory framework. The bill's change to remove commercial snowmobile users from the registration requirement if they are only operating on private land is not expected to reduce revenue by a significant amount.

## **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. The following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

**Prior conviction data and assumptions.** This bill creates the new offense of operating an out-of-state snowmobile without a permit, a civil infraction. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of operating an unregistered snowmobile as a comparable crime. From FY 2020-21 to FY 2022-23, 15 offenders have been convicted for this existing offense. Of the persons convicted, all 15 were male. Demographically, 4 were White, and 11 were classified as "Other." Based on the low occurrence

of the existing offense, the fiscal note assumes that there will be minimal additional case filings or convictions for the new offense under the bill. Because the bill is not expected to have a tangible impact on criminal justice-related expenditures or revenue at the state or local levels, these potential impacts are not discussed further in this fiscal note.

### **State Revenue and Expenditures**

The bill is not expected to have an overall impact on state revenue, as the CPW already collects permit fees from out-of-state snowmobile operators as well as the backcountry search and rescue fee. However, the permit expiration dates in the bill do not align with existing expiration dates, and may temporarily shift this revenue as snowmobile operators renew their permits. The bill minimally increases workload in the CPW to update rules; this can be accomplished within existing appropriations.

### **Effective Date**

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

### **State and Local Government Contacts**

Counties	County Clerks	Judicial
Natural Resources	Public Safety	Revenue
Transportation	Treasury	

---

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).