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# Final Fiscal Note

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<b>Drafting Number:</b>	LLS 24-1180	<b>Date:</b>	June 24, 2024
<b>Prime Sponsors:</b>	Sen. Pelton R.; Hinrichsen Rep. Winter T.; Lukens	<b>Bill Status:</b>	Signed into Law
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**Bill Topic:**                    **OVERWEIGHT & OVERSIZE MOTOR VEHICLE PERMITS**

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

The bill creates new rules and requirements for the issuance of overweight and oversize motor vehicle permits. It may increase state and local revenue and expenditures on an ongoing basis.

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

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

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## Summary of Legislation

The bill creates new requirements for overweight motor vehicle permits.

**Third-party documentation.** The bill requires an applicant for an overweight motor vehicle permit to provide the Department of Transportation (CDOT), the Colorado State Patrol (CSP), or local authorities with third-party documentation establishing the load's gross weight if the applicant's combined vehicle and load weight is between 200,000 pounds and 500,000 pounds. Acceptable third-party documentation includes:

- a manufacturer's certification of the load's weight;
- a certified weight ticket from a certified public scale;
- a clearance certification from a law enforcement; and,
- a third-party bill of lading.

**Penalties.** Carriers without the required documentation are subject to a penalty of \$1 per pound in excess of the gross weight authorized by the permit. Any penalty revenue is credited to the Statewide Bridge and Tunnel Enterprise Special Revenue Fund.

**Emergency permits.** The bill allows CDOT to issue a single-use overweight permit to use in an emergency or to provide aid to people affected by an emergency. If the permit is a local permit, the state agency must make a reasonable attempt to contact and obtain the approval of the

local authorities. If CDOT is unable to contact or obtain the approval of a local authority within a reasonable amount of time, it may issue the local permit. If a law enforcement escort is needed, CDOT must obtain approval from the CSP. Local permit fees must be collected and remitted to the local authorities.

### **State Revenue**

The bill may increase revenue to the Statewide Bridge and Tunnel Enterprise Special Revenue Fund in CDOT from penalties for failing to carry proper documentation to be credited to the fund. However, the fiscal note assumes most carriers will comply with the bill, and any revenue impact is expected to be minimal. This revenue is subject to TABOR.

### **State Expenditures**

The bill will minimally increase CDOT workload to integrate the third-party documentation into its permitting process and to issue single-use permits on an expedited basis to help in an emergency.

### **Local Government**

Revenue and expenditures may increase for any local government that issues additional permits or coordinates with state agencies for emergency permits. These impacts are expected to be minimal.

### **Effective Date**

The bill was signed into law by the Governor on May 31, 2024, and takes effect on August 7, 2024, assuming no referendum petition is filed.

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

Counties	Judicial	Local Affairs
Public Safety	Transportation	

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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](#).