



## Transportation and Motor Vehicles

During the 2019 legislative session, the General Assembly considered transportation funding, policies of the Colorado Department of Transportation and the Public Utilities Commission, [motor vehicles, and other modes of transportation.] An overview of Colorado's transportation system can be found online at [https://leg.colorado.gov/sites/default/files/colorado\\_transportation\\_handbook\\_11132018.pdf](https://leg.colorado.gov/sites/default/files/colorado_transportation_handbook_11132018.pdf).

### Transportation Funding

Several bills during the 2019 session dealt with transportation funding. *Senate Bill 19-1257* created a referendum for the 2019 statewide election, asking voters to approve the state's retention of excess revenue that the state would otherwise be required to refund. If approved, the excess revenue will be shared equally between roads, bridges, and transit; public schools; and higher education.

*Senate Bill 19-262* made a one-time transfer of \$100 million from the General Fund to the Highway Users Tax Fund on July 1, 2019.

During the 2018 election, voters rejected two different transportation measures, triggering a subsequent transportation funding measure to the ballot for the 2019 election, per *Senate Bill 18-001*. *Senate Bill 19-263* delayed the ballot measure until the 2020 election. The bill changed the dollar amount of revenue bonds, a maximum of \$1.83 billion

(formerly \$2.33 billion), with a maximum repayment cost of \$2.56 billion over 20 years.

The bill also changed the amount of transfers to the State Highway Fund. A one-time transfer of \$50 million will occur June 30, 2020. If voters do not approve bonds in the 2020 general election, \$50 million will transfer to the State Highway Fund on June 30, starting in 2021 and ending in 2040. If voters approve the bonds, \$92.5 million will transfer to the State Highway Fund each year between 2021 and 2040.

Similarly, the bill made changes to the lease back of state buildings in *Senate Bill 17-267*, including no lease contracts during FY 2020-21 and FY 2021-22. This will lower the estimated annual state-funded payments, from \$150 million to \$75 million. The bill decreased the annual transfer of lease revenue to the State Highway Fund, from \$50 million to \$14.5 million.

### Colorado Department of Transportation

Several bills changed policies of the Colorado Department of Transportation (CDOT). *Senate Bill 19-017* removed the requirement that CDOT give a report to the Transportation Commission when a landowner agrees to sell their land to the department to make or change a state highway. CDOT must give a report to the commission when a landowner does not want to sell their property and CDOT decides to condemn the land.

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With the passage of *Senate Bill 19-239*, CDOT must talk with stakeholders about the use of cars for businesses. CDOT will report to the legislature on recommendations to mitigate the impacts of commercial transportation on transportation infrastructure, including fees for commercial motor vehicles. During the 2020 interim, CDOT will present a final report to the Transportation Legislation Review Committee.

*House Bill 19-1209* removed the on-time report to the Aeronautics Division for interstate air carriers creating a new business and participating in the Business Incentive Fund.

### Public Utilities Commission

*Senate Bill 19-236* continues the Public Utilities Commission until September 1, 2026. The bill creates a permit process for vehicle booting companies, effective January 1, 2020. The bill requires that fingerprints for individuals driving taxis, certain buses, and limousines be taken by local law enforcement or a company approved by the Colorado Bureau of Investigation. Finally, the commission may impose a civil penalty on a railroad that does not obey a rule to comply with railroad crossing safety.

### Motor Vehicles

*Registration.* Currently, motor vehicle owners who sell their vehicles may personally use the credit for taxes only on the future registration of a vehicle or transfer the credit to the buyer. The credit relates to taxes paid on a truck, trailer, semi-trailer, vehicles, utility trailers, camper trailers, and mobile machinery used for agriculture and construction. *House Bill 19-1138* allows for transfer of the credit for taxes, surcharges, and registration fees. Some fees are not included in the credit.

*Senate Bill 19-054* allows for the registration of military motor vehicles for recreation. The vehicle identification number inspection fee increases from \$20 to \$50 with *House Bill 19-1300*. The fee may change yearly with inflation.

*Commercial Vehicles.* The minimum age for a commercial motor vehicle driver license decreases with the passage of *Senate Bill 19-018*. Licensed drivers between 18 and less than 21 years may drive a commercial motor vehicle on highways between Colorado and other states.

*Senate Bill 18-032* requires CDOT to study allowing trucks carrying hazardous material to travel through the Eisenhower-Edwin C. Johnson Memorial Tunnel. The department will gather comments from counties and towns near the tunnel, companies transporting and selling hazardous materials, and others.

*License plates.* *House Bill 19-1255* creates the Mesa Verde National Park special license plate. Persons must donate \$25 to \$75 to a specific non-profit supporting the park and pay a one-time special license plate fee of \$50, in addition to any taxes and fees due at registration.

*Senate Bill 19-205* creates the woman veteran license plate. Honorably discharged or retired women from the United States armed forces qualify with a DD214 or other form showing service and honorable discharge or retirement.

*Senate Bill 19-167* creates the Colorado professional fire fighters license plate for current or former firefighters. Persons must donate to a specific non-profit supporting professional firefighters, first responders, or family members and pay a one-time special license plate fee of \$50, in addition to any taxes and fees due at registration.

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## Transportation and Motor Vehicles (cont'd)

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*Licenses and IDs.* *House Bill 19-1023* allows a foster parent to sign an affidavit of liability when a foster child applies for a learning permit or minor driver license. Also, a minor 16 years or older may apply for auto insurance.

*Senate Bill 19-139* adds ten or more Division of Motor Vehicles, Driver Services office locations throughout Colorado to issue IDs to undocumented immigrants.

*Safety.* *House Bill 19-1207* requires drivers traveling in icy or snow-packed conditions on I-70 between Dotsero (mile marker 133) and Morrison (mile marker 259) to have:

- tire chains or a traction device;
- tires with at least 3/16 inch tread depth if driving four-wheel or all-wheel drive vehicle; or
- all weather tires with a mountain-snowflake imprint and at least 3/16 inch tread depth.

The restriction applies September 1 through May 31. Drivers without the proper equipment are subject to a traffic ticket and fine of \$132.

*House Bill 19-1265* creates a class A traffic infraction for passing snowplows plowing in echelon formation (diagonally, behind and to the right or left of the lead snowplow). Violators may be subject to a fine of \$36 to \$121.

*Senate Bill 19-144* allows a motorcycle to drive through a malfunctioning traffic signal. A malfunctioning traffic signal is defined as one that does not recognize a motorcycle, is out of order, or stays steady red or yellow through several cycles.

*Senate Bill 19-175* creates a class one traffic misdemeanor when a driver causes serious bodily injury to a vulnerable road user. Vulnerable road users include pedestrians, road workers, bicyclists, police officers, and

others. Drivers may be subject to a driver improvement course, public service, the cost of the accident, and license suspension.

### Other Modes of Transportation

*Electric Cars.* *House Bill 19-1298* prohibits parking in an electric vehicle charging station space unless the vehicle is charging. Violation of the parking restriction is a class B traffic infraction with a \$182 fine.

*Senate Bill 19-077* allows public utilities to build and recover the cost of building electric vehicle charging stations through charges to customers. Electric public utilities must file a plan to begin and continue a program with the Public Utilities Commission every three years, after the first filing on May 15, 2020. Consumers installing their own charging station must use a licensed electrician.

*Electric Scooters.* *House Bill 19-1221* defines an electric scooter as a device:

- weighing less than 100 pounds;
- with handlebars and an electric motor; and
- traveling a maximum speed of 20 miles per hour on a paved surface.

Local authorities may regulate the operation of electric scooters, but not in a way that is more restrictive than laws for electric bicycles.