

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 14-0228 **Date:** January 22, 2014
Prime Sponsor(s): Rep. Mitsch Bush; Hamner **Bill Status:** House Transportation and Energy
Fiscal Analyst: Kelli Kelty (303-866-3518)

SHORT TITLE: HIGHWAY RESTRICTION VIOLATION PENALTIES

Fiscal Impact Summary*	FY 2014-2015	FY 2015-2016
State Revenue	\$12,468	\$12,468
Cash Funds	\$12,468	\$12,468
State Expenditures		
FTE Position Change		
Appropriation Required: None.		

* This summary shows changes from current law under the bill for each fiscal year.

Summary of Legislation

The bill, **recommended by the Transportation Legislation Review Committee**, raises the fine from \$500 to \$2,500 for an operator of a commercial motor vehicle who violates road closures or road restrictions on state highway 82 between US Route 24 and the city of Aspen. It also increases the surcharge for such offenses from \$78 to \$156.

Background

Independence Pass is the stretch of Highway 82 that connects Twin Lakes to Aspen. It is typically open for about six months each year from Memorial Day through mid-November. Current law prohibits oversized and overweight vehicles from using the pass, including vehicles or vehicle combinations longer than 35 feet, regardless of weight or size.

State Revenue

Assuming at least one citation is issued in each of the six months that the pass is open, the bill will increase state revenue from fines and surcharges by at least \$12,468 per year beginning in FY 2014-15.

Fine Revenue. Beginning in FY 2014-15, there will be an increase in fine revenue of at least \$12,000. Fine revenue is deposited into the Highway Users Tax Fund (HUTF) and apportioned as follows: 65 percent to the State Highway Fund in the Department of Transportation, 26 percent to counties, and 9 percent to municipalities.

Surcharge Revenue. The bill increases the surcharge for offenses from \$78 to \$156, generating an estimated \$468 per year beginning in FY 2014-15. Under current law, surcharge revenue is distributed equally between the Crime Victim Compensation Fund in the Judicial Branch and the Victims and Witnesses Assistance and Law Enforcement Fund in the Department of Public Safety. Assuming six citations per year, each fund will receive an estimated \$234 per year beginning in FY 2014-15.

Local Government Impact

This bill will increase the amount of HUTF revenue distributed to counties and municipalities to fund maintenance of local roads and transit-related projects.

Effective Date

The bill takes effect August 6, 2014, if the General Assembly adjourns on May 7, 2014, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Corrections
Revenue
Municipalities

Personnel
Transportation

Public Safety
Counties