

AGENDA

Transportation Legislation Review Committee

Audit Hearing Room, First Floor
Legislative Services Building

Tuesday, June 27, 2006
9:00 a.m.

SUMMARY FOLLOWS AGENDA

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| <i>9:00 a.m. - 9:05 a.m.</i> | Call to Order <ul style="list-style-type: none">• Senator Stephanie Takis, Chair |
| <i>9:05 a.m. - 9:30 a.m.</i> | Clean Screen Program Update <ul style="list-style-type: none">• M. Michael Cooke, Executive Director, Department of Revenue (DOR) |
| <i>9:30 a.m. - 10:10 a.m.</i> | Federal Legislation - The Real ID Act <ul style="list-style-type: none">• M. Michael Cooke, Executive Director, DOR |
| <i>10:10 a.m. - 10:40 a.m.</i> | Classification of Scooters <ul style="list-style-type: none">• Marin Rubino, Director, Titles & Registrations, DOR |
| <i>10:40 a.m. - 11:15 a.m.</i> | Minor Driver Laws <ul style="list-style-type: none">• Joan Vecchi, Director, Motor Vehicle Division, DOR |
| <i>11:15 a.m. - 12:00 p.m.</i> | Special License Plates <ul style="list-style-type: none">• Marin Rubino, Director, Titles & Registrations, DOR |
| <i>12:00 p.m. - 1:30 p.m.</i> | Break for Lunch |
| <i>1:30 p.m. - 2:30 p.m.</i> | Regulation of Limousines <ul style="list-style-type: none">• Terry Willert, Transportation Chief, Public Utilities Commission |
| <i>2:30 p.m. - 3:00 p.m.</i> | Multi-State Highway Transportation Agreement <ul style="list-style-type: none">• Representative Mark Larson |
| <i>3:00 p.m.</i> | Adjourn |

Final

STAFF SUMMARY OF MEETING

TRANSPORTATION LEGISLATION REVIEW

Date:	06/27/2006	ATTENDANCE	
Time:	09:05 AM to 02:41 PM	Berens	X
		Borodkin	X
Place:	LSB B	Gardner	X
		Green	X
This Meeting was called to order by		Hagedorn	X
	<u>Senator Takis</u>	Isgar	X
		Kerr J.	X
This Report was prepared by		Larson	X
	<u>Lauren Sisneros</u>	Lindstrom	X
		May R.	X
		Pommer	X
		Ragsdale	X
		Rose	A
		Spence	X
		Wiens	E
		Williams	X
		McFadyen	X
		Takis	X
X = Present, E = Excused, A = Absent, * = Present after roll call			

Bills Addressed:	Action Taken:
Clean Screen Program	-
The Real ID Act	-
Classification of Scooters	-
Minor Driver Laws	-
Special License Plates	-
Multistate Highway Transportation Agreement	-
Regulation of Limousines by the Public Utilities Commission	-

09:05 AM -- Call to Order

Senator Takis, Chair, called the meeting to order. She reviewed the TLRC's statutory charge with the committee (Attachment A).

09:08 AM -- Clean Screen Program Update

Diane Reimer, legislative liaison, Department of Revenue (DOR) and Kirstie Nixon, Director of the Emissions Program, Motor Vehicle Division, DOR, provided information regarding the Clean Screen Program. In accordance with Section 42-4-305 (11), C.R.S., an annual report for 2005 from the DOR to the Transportation Legislation Review Committee (Attachment B) was distributed. Ms. Nixon summarized the annual report and answered questions from committee members. Ms. Nixon stated that Envirotec has a current contract, which includes the DOR and the Department of Public Health and Environment, and that it expires in 2008. She also mentioned that legislation passed during the 2006 session makes changes to the emissions program. House Bill 06-1302 eliminates the existing basic emissions program and expands the clean screen program. The legislation encourages the Department of Public Health and Environment (DPHE) to expand the clean screen program by focusing its efforts on remote sensing technology for monitoring vehicle emissions and to develop a "high emitter program" that is acceptable to the federal

Environmental Protection Agency.

Ms. Nixon continued to answer questions from committee members and stated that the DOR encourages constituents who have complaints about the emissions program to submit the appropriate complaint form to ensure that the complaints are handled correctly. She also explained the requirements for the location of rapid clean sites. The sites must be located at an entrance or exit ramp of single-laned highways. The locations of these sites are available online. Ms. Nixon stated that new vehicles that are four years within the manufacturer date are exempt from the emissions inspection.

09:33 AM -- The Real ID Act

Ms. Joan Vecchi, Director of the Motor Vehicle Division, DOR, came to the table to update the committee about federal legislation, specifically, the Real ID Act. The Real ID Act authorizes the Department of Homeland Security to establish national standards for state-issued drivers' licenses and identification cards that must be implemented by May 11, 2008. A memorandum written by Legislative Council Staff, concerning fraudulent identification cards, driver's licenses, and motor vehicle titles, was distributed (Attachment C). Ms. Vecchi stated that the DOR is currently up to speed with the provisions of the federal Real ID Act. Ms. Vecchi stated that currently, individuals are not permitted to hold a driver's license and an identification card simultaneously. She also stated that before a driver's license or identification card is issued, the DOR checks the applicant's information with a federal database to verify that they are citizens.

09:43 AM

Ms. Vecchi answered questions regarding fraudulent driver's licenses and identification cards and stated that the DOR has characteristics that make it difficult for persons to make a usable, fraudulent identification card. Ms. Vecchi answered additional questions regarding members of the DOR Identity Fraud Working Group and stated that the motor vehicle administrators who sat on the committee included the Director of Driver Licensing, the Director of Driver Control, and the Deputy Director of the Motor Vehicle Division. The Identity Fraud Working Group was comprised of 11 public and private members who addressed issues of identify theft and examined security features of Colorado's driver's licenses and identification cards. The group included representatives from financial institutions, financial service organizations, and retail merchants.

09:51 AM

Ms. Vecchi responded to questions regarding to the life span of driver's licenses. She stated that the national average for how long a driver's license is valid is eight years and currently a Colorado license is valid for five years. She also answered questions regarding the change of address for driver's licenses and identification cards and stated that the DOR keeps updated files of addresses; however, the actual driver's license may not include an updated address.

10:01 AM

Ms. Vecchi answered additional questions regard the federal Real ID Act and stated that the provisions require that the magnetic strip on the back of a driver's license include all the information contained on the front of the card. She also stated that the DOR, based on the Real ID Act's provisions, will require individuals to prove that they are a citizens of the United States. This may require the applicant to present immigration documents. She stated that the Division of Motor Vehicles clerks have been trained to ensure that immigration documents are valid.

10:07 AM

Ms. Vecchi also answered questions regarding Division of Motor Vehicles wait time to renew a driver's license. She noted that the DOR has experienced a reduction in staff and locations and is working on reducing wait times.

10:15 AM

Senator May expressed concerns about information technology resources for the DOR. He stated that House Bill 06-1157, concerning the security of communication and information resources in public agencies, will address cyber security problems in the state. The bill authorizes the Governor to appoint a chief information security officer (CISO), whose duties will include broad information security related tasks.

10:16 AM -- Classification of Scooters

Maren Rubino, Director of Titles and Registration, DOR, came to the table to discuss the classification of scooters. She distributed a handout that summarizes the statutory requirements of various motorized vehicles (Attachment D). Also distributed was a memorandum written by Legislative Council Staff concerning personal transportation devices and roadworthy vehicle standards (Attachment E). Ms. Rubino summarized Attachment D. Committee members discussed various types of personal transportation devices and their classification in statute.

10:28 AM

Ms. Rubino responded to questions regarding motorized scooters that are commonly used by children and stated that they are not allowed on roadways. She added that a bicycle is addressed in statutes and is allowed on roadways. Senator May requested information concerning the safety records of personal transportation devices.

10:35 AM -- Minor Driver Laws

Joan Vecchi, Director of Motor Vehicle Division, DOR, addressed minor driver laws. She distributed a handout that summarizes graduated driver licensing laws (Attachment F). Also distributed was an issue brief written by Legislative Council Staff concerning new laws for minor drivers (Attachment G). Ms. Vecchi stated that legislation that has impacted teen driving safety includes the prohibition on the use of cell phones and limitation on the number of passengers in vehicles of minor drivers. She added that immaturity, inexperience, risk-taking behaviors, and crowded streets have added to the difficulty of teen driving and that graduated driving licensing laws are designed to provide additional supervision. Ms. Vecchi stated that motor vehicle accidents are the number one public health issue for children. Nearly 4,000 drivers age 16 to 20 die annually in the United States.

10:44 AM

Senator May suggested that a CD be created and distributed that promotes good driving technique. Representative Berens stated that the Colorado State Patrol has showed efforts regarding teen drivers. In addition, Senator Williams mentioned that the Alive at 25 Program has proven to be beneficial but still requires volunteers. Ms. Vecchi stated that studies have showed that parental and law enforcement involvement is beneficial.

10:49 AM

Committee members expressed concerns regarding rural areas and the effects of new driving laws on those drivers. Ms. Vecchi stated that studies show that rural roads are equally dangerous as urban roads. She also stated that speed is the largest contributing factor to accidents.

10:55 AM -- Special License Plates

Maren Rubino, Director of Titles and Registrations, DOR, discussed special license plates. She distributed a handout that lists group special license plates (Attachment H). The handout summarizes plates that:

- were created by legislation passed during the 2006 session;
- are currently in the process for design and standards for approved plates;
- meet statutory requirements;
- currently have open applications.

11:01 AM

Ms. Rubino responded to questions regarding the process of creating a special license plates and stated that new approaches are being considered. Members expressed concern about the number of special license plates and the affect on county clerks. Ms. Rubino stated that the DOR has not considered limiting the number of special license plates.

11:08 AM

Ms. Rubino answered questions regarding the cost of creating special license plates and stated that for each plate there is a \$200 design fee that is paid by the group sponsoring the special license plate. Senator May stated that the purpose of license plates should not be for fund-raising.

11:21 AM

Ms. Rubino responded to questions concerning personalized license plates. Applicants for such a plate pay a \$25 fee.

11:25 AM

The committee discussed the statutory requirements for the TLRC and the authority of the committee to address special license plates. Committee

members discussed addressing legislation that would clarify the statutory requirements of the TLRC.

11:36 AM -- Multistate Highway Transportation Agreement (MHTA)

Representative Larson provided committee members with following handouts concerning the Multistate Highway Transportation Agreement (MHTA): *MHTA Resolutions, Summer Highway Transportation Conference* (Attachment I); *Headway 2006 Annual Report of the Multistate Highway Transportation Agreement*(Attachment J); and *What is MHTA? Resolutions and Model Legislation on Highway Transportation Issues* (Attachment K). Representative Larson is the Colorado representative for the MHTA. The MHTA is established to solve problems in the highway transportation industry to provide communication and information sharing among participating members and to recommend changes in law or policy with emphasis on compatibility and uniformity of administrative rules and regulations. MHTA's goal is to promote effective governmental action and coordination for the safe and efficient movement of people and goods. Representative Larson stated that MHTA representatives bring forward model legislation and that Colorado has taken a lead for bringing such legislation. Representative Larson stated that the MHTA has 11 member states, including states outside the rocky mountain region.

11:59 AM

The committee recessed.

01:31 PM -- Regulation of Limousines by the Public Utilities Commission

Terry Willert, Chief of Transportation for the Public Utilities Commission (PUC), discussed passenger carrier vehicles. Passenger carrier vehicles include, but are not limited to, taxicabs, charter buses, shuttle vans, limousines, and luxury sedans. Mr. Willert's discussion focused primarily on limousines. Mr. Willert distributed a handout (Attachment K) on limousine regulations by the PUC. He stated that the Colorado Revised Statutes regulate limousines in the following areas:

- safety requirements;
- minimum amounts of insurance;
- vehicle qualifications to operate as a luxury limousine; and
- prearranged chartered luxury limousine service.

Mr. Willert continued by outlining some of the PUC's safety rules on luxury limousines, taxicabs, shuttle vans and buses, and charter bus operations. He stated that the PUC has luxury limousine safety rules on the following areas:

- the display of the vehicle's PUC number or United States Department of Transportation number;
- the driver's qualifications;
- the maximum hours of duty and driving time for drivers; and
- vehicle inspection and record keeping.

He discussed the PUC's rules on insurance, and spoke on exemptions for certain passenger carriers. Mr. Willert also discussed the civil penalties that exist for statutory or PUC rule violations, and PUC's enforcement efforts. Finally, Mr. Willert outlined complaints against passenger carriers received by the PUC for the time period of July of 2005 through April of 2006.

01:48 PM

Responding to questions from members, Mr. Willert discussed how the PUC responds to drivers with motor-vehicle or traffic violations. He also answered questions on current requirements for designating a vehicle as a "luxury limousine." Current law requires that a limousine have beverage service, a television, and a telephone to be classified as a luxury limousine. Responding to questions from members, he stated that if the requirement for beverage service, a television, and a telephone, is removed, current law adequately outlines other requirements for a vehicle to be classified as a limousine. House Bill 06-1073 was introduced in the 2006 session to change the definition of a luxury limousine, but was defeated.

Mr. Willert discussed in further detail the complaints the PUC received on luxury limousines. He stated that the complaints ranged from unchartered vehicle service to the physical features of the limousine. Mr. Willert stated that the PUC has about 6 auditors that inspect passenger carrier companies and explained that the PUC does not have rules prohibiting individuals with poor driving records from being hired by passenger carrier companies.

02:09 PM

Responding to more questions from members, Mr. Willert explained the PUC's procedure for determining which passenger companies to inspect. He stated that the PUC uses a "risk based procedure" to determine which companies to inspect and at what time. He also discussed PUC efforts to track individuals with poor driving records.

02:23 PM

Members discussed having external indicators to distinguish different types of passenger carrier vehicles, such as having state issued license plates that would designate a vehicle as a limousine, a luxury limousine, or a taxicab.

02:30 PM

Doug Dean, Director of the PUC, answered questions for the committee. Mr. Dean stated that the PUC would like the statutory authority to prohibit certain individuals, such as sex offenders, from operating passenger carrier vehicles. Responding to questions from members, Mr. Dean stated that the PUC does not want to have oversight over driver's licenses, but that there should be certain requirements on what types of individuals passenger carrier companies may hire.

Mr. Dean stated that the PUC would consider using license plates to identify different types of passenger carrier vehicles.

02:37 PM

Ross Alexander, Vice President of the Denver Yellow Cab, answered questions for the committee. Mr. Alexander stated that there are approximately 1,000 taxicab drivers in the City of Denver.

02:41 PM

The committee adjourned.