

TRANSPORTATION

Transportation Financing

HB 12-1012 (Enacted)

Increase Agency Displacement Expenses

HB 12-1014 (Postponed Indefinitely)

Modify Late Vehicle Registration Fee

HB 12-1222 (Enacted)

Create Colorado Department of Transportation Renovation Fund

HB 12-1291 (Postponed Indefinitely)

Collector Vehicles Registration Late Fee Exemption

Transportation Planning

HB 12-1019 (Enacted)

Transfer Ports of Entry to State Patrol

HB 12-1021 (Postponed Indefinitely)

Coordinated and Rational Transportation Planning

HB 12-1258 (Enacted)

Alternative Fuel Vehicle Charging Facilities

Colorado Department of Transportation

SB 12-076 (Postponed Indefinitely)

Bidder Prequalification for Colorado Department of Transportation Projects

HB 12-1108 (Enacted)

Department of Transportation Urban Logo Signs

Public Highway Authorities

HB 12-1171 (Postponed Indefinitely)

Limit Public Highway Authorities Noncompete Agreements

The General Assembly considered a variety of transportation-related legislation during the 2012 session. Major topics addressed include transportation financing, transportation planning, the Colorado Department of Transportation, and public highway authorities.

Transportation Financing

The General Assembly considered four bills during the 2012 session pertaining to transportation financing. Two bills were enacted; two were postponed indefinitely.

Agency displacement expenses. Current law provides that whenever a farm, nonprofit organization, or small business is displaced by the acquisition of real property by a public entity, including a political subdivision of the state, the public entity must pay the actual reasonable expenses, up to \$10,000, necessary to reestablish the farm, non-profit organization, or small business at its new site according to criteria established by the Colorado Department of Transportation (CDOT). **House Bill 12-1012** increases the amount of actual reasonable expenses the CDOT can pay to reestablish a farm, nonprofit organization, or small business that has been displaced by a highway program or project funded through the Federal Highway Administration from \$10,000 to \$50,000.

Colorado Department of Transportation Renovation Fund. **House Bill 12-1222** recreates the CDOT Renovation Fund and specifies that it consists of the balance it had when it was repealed on July 1, 2007. This fund is continuously appropriated to the CDOT to pay for the renovation of real property and to make payments under any authorized lease-purchase agreement.

Vehicle registration fees. Two bills that would have reduced or eliminated vehicle registration fees and late fees authorized by Senate Bill 09-108 (Funding Advancements for Surface Transportation and Economic Recovery Act of 2009) were postponed indefinitely. **House Bill 12-1014** would have reduced the fee for late vehicle registration from \$25 for each month late (capping at \$100) to a flat fee of \$20. This bill also would have removed exemptions on late fees for vehicles that have expired temporary registration number plates, tags, or certificates. Finally, this bill would have removed the authority of the Department of Revenue (DOR) and its agents to reduce or waive fees for idle commercial trailers. Fees would have continued to be paid when the vehicle was ultimately registered. **House Bill 12-1291** would have eliminated the late registration fee for collector items, such as a motor vehicle model year 1975 or earlier, or a horseless carriage. The current late registration fee for this type of motor vehicle is \$25 for each month late (capped at \$100.)

Transportation Planning

The General Assembly considered three bills regarding transportation planning; two were signed into law.

Ports of entry. **House Bill 12-1019** designates the Colorado State Patrol (CSP) in the Department of Public Safety as the enforcement and permit authority for Colorado ports of entry.

Beginning on July 1, 2012, the Motor Carrier Services division of the DOR is transferred to the CSP. This transfer includes all statutory authority, powers, duties, personnel, property, funding, budgeting, purchasing, and planning for the ports of entry section of the division. The DOR will retain the commercial driver's license and international registration plan functions.

The bill also specifies that a port of entry officer has the authority of a peace officer to perform and enforce his or her duties, including restraining and detaining persons or vehicles and impounding vehicles under certain conditions. It also allows CSP to set operating hours at ports of entry and all ports of entry officers to conduct safety inspections.

Alternative fuel vehicle charging facilities. **House Bill 12-1258** specifies that sellers of electricity, compressed, or liquified natural gas, or liquified petroleum gas for use as fuel in alternative fuel vehicles are not subject to the regulatory authority of the Public Utilities Commission (PUC) or any other regulatory body. The bill also provides that a seller that generates electricity for sale as an alternative fuel is not subject to PUC authority if the electricity is generated on the property which includes the fueling facilities and the electricity is generated from a renewable resource in accordance with existing retail distributed generation (DG) limitations.

In addition, the bill specifies that the sale of electricity or natural gas by a public utility to the owner of an alternative fueling facility is a retail transaction. Finally, regulated expenditures and investments made by public utilities to accommodate alternative fuel vehicles are equal in priority to other infrastructure, but subordinate to safety and reliability obligations.

Transportation planning law. **House Bill 12-1021** would have altered the coordination of transportation planning in Colorado by eliminating transportation planning regions outside of the jurisdictions of metropolitan planning organizations. The bill also would have required CDOT to directly administer planning efforts in these areas, and would have eliminated the State

Transportation Advisory Committee and Special Interim Transit and Rail Advisory Committee. The bill was postponed indefinitely.

Colorado Department of Transportation

Two bills were considered addressing the CDOT. One was signed into law; one was postponed indefinitely.

House Bill 12-1108 repeals certain sign restrictions in the CDOT and, as such, it allows the CDOT to post directional signs for tourist attractions and advertising signs for food, fuel, and lodging in urban areas on the interstate highways in urbanized areas.

Senate Bill 12-076 would have prohibited the CDOT from promulgating any rule that allows CDOT to use a bidder's lack of experience to disqualify them from bidding on CDOT projects, if the contractor has experience successfully completing local street, bridge, or county road projects or has other applicable construction experience.

Public Highway Authorities

One bill regarding public highway authorities was postponed indefinitely. Current law prohibits a toll road or toll highway company from entering into a noncompete agreement with a public entity if the agreement would degrade an existing roadway, or delay or prevent the construction or upgrade of a planned road or highway. **House Bill 12-1171** would have extended this restriction to public highway authorities.