

**Final**  
STAFF SUMMARY OF MEETING

TRANSPORTATION LEGISLATION REVIEW COMMITTEE

Date: 07/24/2013

ATTENDANCE

Time: **10:37 AM to 12:07 PM**

Place: Morgan County Treasurer's Office

This Meeting was called to order by  
Representative Tyler

This Report was prepared by  
Kristen Johnson

Baumgardner  
Buck  
Coram  
Everett  
Fischer  
Jones  
King  
Kraft-Tharp  
Lawrence  
Lee  
Mitsch Bush  
Moreno  
Peniston  
Primavera  
Scott  
Todd  
Heath  
Tyler

X = Present, E = Excused, A = Absent, \* = Present after roll call

Bills Addressed:	Action Taken:
TLRC Field Hearing Fort Morgan	Witness Testimony and/or Committee Discussion Only

**10:37 AM -- TLRC Field Hearing Fort Morgan**

Representative Tyler, Chair, called the meeting to order and welcomed the members of the committee and the audience to the meeting. Roll was not taken. He explained that the meeting is informal and instructed the audience on how to sign up to speak. The members went around the table and introduced themselves, noting what part of the state they represent and on which legislative committees they serve. Representative Tyler explained that the committee is holding field hearings across the state in order to learn about the needs of communities that are outside of the members' own districts. Representative Sonnenberg, State Representative of House District 65, thanked the Transportation Legislation Review Committee (TLRC) members for traveling to his district.

**10:46 AM**

Commissioner Steven Hofmeister, Colorado Transportation Commission, welcomed the members of the TLRC to Fort Morgan and to Transportation Commission District 5. He introduced Mr. Johnny Olson, Regional Transportation Director, Region 4, Colorado Department of Transportation (CDOT). Mr. Olson discussed resurfacing projects that are currently taking place on I-76. Mr. Hofmeister stated that rural areas of the state are sometimes short-changed when funding is considered. He said that rural Colorado communities have miles and miles of two lane, low volume roads, but that heavy truck use in some areas makes travel dangerous and causes damage to roads.

Representative Tyler asked about the permitting process for oversized vehicles and overweight loads. Commissioner Hofmeister stated that he believes that most of the loads are permitted, but that there might be un-permitted loads on Highway 59. He added that not enough money is being charged for permits. Representative Todd asked how to remedy the dangerous road situation. Commissioner Hofmeister stated that the roads need to be widened and shoulders added. Discussion ensued about Highway 385.

**10:59 AM**

Mr. Olson stated that the number one issue in the region is roadway conditions, with the greatest focus being on safety. Commissioner Hofmeister discussed the status of Highway 23, stating that the road will need to be reconstructed because animals have burrowed under the road and have caused damage. He stated that use along Highway 23 will continue to increase as more and more commodities come into the state. He discussed commercial and agricultural use of secondary roads. Mr. Olson stated that pavement lasts between 45 and 50 years before it needs to be replaced.

**11:08 AM**

Mayor Terry McAlister, City of Fort Morgan, came to the table. Mayor McAlister stated that Highway 34 is a problem. He stated that Fort Morgan receives some funds to take care of the portion of the highway that runs through the middle of the town, but that it is not enough money to adequately maintain the stretch of road. He commented that a large amount of truck traffic on that portion of the road is taking a toll. He discussed a portion of Highway 34 that runs from Fort Morgan, past Wiggins, and into Greeley that has been named Dead Man's Highway for the several deaths that have occurred there.

**11:13 AM**

Mr. Jeffrey Wells, City Manager of Fort Morgan, came to the table. Mr. Wells stated that public transit is not heavily used in the community, although Fort Morgan does have some public transportation that is funded through federal grants. He stated that public transportation is not as important to Fort Morgan as the highways and streets. He stated that about \$300,000 a year, or about 10 to 15 percent of the city's road budget, comes from the gas tax. He said that some local sales tax goes towards road improvements. He discussed the industries that use the roads in and around Fort Morgan.

**11:17 AM**

Mr. Bradley Curtis, Municipal Engineer for Fort Morgan, came to the table. He discussed the Rainbow Bridge project on Highway 52, and stated that the bridge will be under the ownership of the city. He stated that the City of Fort Morgan is its own utilities provider. He discussed the city's work with CDOT.

Representative Peniston asked why truckers avoid I-76. Mr. Curtis responded that it has to do with where the truckers are coming from and to where they are heading. He explained that truckers find it easier to stay on Highway 52 rather than getting on I-76 and then off the highway a short distance later. Mr. Wells stated that some truckers avoid the highways because their trucks do not always meet the CDOT requirements and limitations. He said that federal highway standards on I-76 are stricter than limits on other roads in terms of weight and length restrictions. Mayor McAlister added that truckers avoid I-76 and travel Highway 34 instead because of the overload and weight limits, which are less stringent along Highway 34.

### **11:31 AM**

Commissioner Brian McCracken, Morgan County Commissioner District 1, and Commissioner Jim Zwetzig, Morgan County Commissioner District 3, came to the table to discuss the highways in Morgan County. Commissioner McCracken stated that I-76 and Highway 34 are major arteries. He said that a lot of commodities come into Morgan County through these roadways during the harvest and to supply the dairy farms in the area. He commented that Highway 71 is another narrow highway that receives a lot of truck traffic. He said that the Highway User Tax Fund (HUTF) makes up about 47 percent of the county's transportation budget. He stated that the county builds about 3 bridges per year and the cost of each bridge is about \$60,000. Senator Todd asked if the revenue generated from the sale of overweight permits goes to the county. Commissioner McCracken said that the permit is issued by the state and that a one-time permit can cost \$100-300 while an annual permit can cost \$300-500.

Representative Tyler asked about impact fees and if truckers are paying their fair share. Commissioner McCracken stated that truckers pay fuel tax and heavy vehicle tax and that he believes that truckers are paying their fair share. He added that he does not agree with impact fees since the county's economy is so largely agriculture based. Representative Coram asked if getting the traffic back onto I-76 would benefit the community. Commissioner McCracken answered in the affirmative. Representative Fischer asked about the relationship between the county and the Colorado State Patrol (CSP). Commissioner McCracken stated that the CSP uses common sense and that they understand that it is an agricultural community.

The public was invited to comment.

**11:45 AM** -- Ms. Cathy Shull, representing Progressive 15, came to the table. Ms. Shull stated that transportation in rural areas is no different than in urban areas and that congestion and transit issues exist in both areas. She said that a big challenge is transporting rural citizens who have healthcare needs. She stated that there is money to buy new buses, but not always money to keep them on the road. She said that most funding is not for operations. She discussed Responsible Acceleration of Maintenance and Partnerships (RAMP) projects, and noted that counties don't have the funds to provide a matching portion, and so most are not eligible to apply. She discussed her work with IMPACT 64, and stated that her group has been working for over a year to identify a state-wide solution. She discussed a survey that was conducted by the IMPACT 64 group. She said that citizens who are educated about the community's needs are typically more supportive.

**11:57 AM** -- Ms. Jennifer Patterson, representing herself as a citizen of Fort Morgan, stated that the community needs public transportation that runs between Fort Morgan and Brush.

An audience member asked about the quality of the construction on the state's interstates. Mr. Olson responded that many of the repairs being made are due to poor subgrade. He discussed the freeze-thaw cycle that Colorado's roads endure.

Representative Fischer asked for a breakdown of the revenues and expenditures to and from the HUTF. He also asked how much rural counties are paying versus what they are receiving back.

Mr. Kurt Morrison, representing CDOT, stated that it is hard to pinpoint where all of CDOT's funds go since the state has highways that run into other counties. Representative Fischer discussed a study conducted by the Western States Transportation Alliance. He stated that the goal is to harmonize local weight and length laws in the states with federal government regulations. He said that two sets of regulations can have adverse impacts on local secondary roads.

Representative Mitsch Bush asked about the current interstate regulations established by the federal government.

**12:07 PM**

The committee adjourned.