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MEMORANDUM

June 10, 2016

TO: Members of the Transportation Legislation Review Committee

FROM: Matt Kiszka, Research Analyst, 303-866-6275
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SUBJECT: Committee Statutory Authority and History

This memorandum provides the following information regarding the Transportation Legislation Review Committee:

- history and membership of the committee;
- the committee's statutory charge and oversight authority;
- required reports for submission to the committee;
- the committee's 2015 interim activities; and
- interim legislation proposed by the committee between 2005 and 2015.

History of the Transportation Legislation Review Committee

In 1953, the General Assembly created the Highway Legislation Review Committee to review the implementation and impact of the state highway system and its relationship to county and municipal road systems. In 1987, the General Assembly expanded the committee's charge to include oversight of public highway authorities and projects. In 1989, the General Assembly began requiring the Regional Transportation District to respond to the committee's requests for information.

In 1994, the committee's name was changed to the Transportation Legislation Review Committee (TLRC) to correspond with the renaming of the Colorado Department of Highways to the Colorado Department of Transportation (CDOT). With the name change, the scope of the committee's responsibilities expanded to parallel the department's broader focus on all transportation modes. In 1997, the committee's authority changed to include oversight of Regional Transportation Authorities. In 2001, committee membership changed from 11 members appointed by the Governor, the Speaker of the House of Representatives, and the President of the Senate, to the members of the House and Senate Transportation Committees.

In 2007, the General Assembly amended the committee's charge to include oversight over the Department of Revenue in the area of driver's licenses and motor vehicle registration, as well as any other state agency or political subdivision of the state regulating motor vehicles or traffic.

Committee Membership

The TLRC is comprised of the members of the Senate and House Transportation Committees. The Senate Transportation Committee has 5 members, and the House Transportation and Energy Committee has 13 members; therefore, the TLRC is comprised of 18 total members. The TLRC is chaired by the House Transportation and Energy Committee chair in odd-numbered years and by the Senate Transportation Committee chair in even-numbered years. The Legislative Council Staff provides staff support to the committee.¹

Statutory Charge

Pursuant to state law, the TLRC must meet at least once a year to:

- provide guidance and direction to CDOT on the development of the state transportation system;
- provide guidance and direction to the Department of Revenue or any other state agency or political subdivision of the state that regulates motor vehicles or traffic;
- provide legislative oversight of and input into such development;
- examine the problem of uninsured motorists²; and
- review all transportation, traffic, and motor vehicle legislation, and make recommendations for additional legislation as necessary.

In 2016, the General Assembly directed the TLRC to review the current boundaries of Transportation Commission districts through House Bill 16-1031. HB 16-1031 requires that Legislative Council Staff, with the cooperation of CDOT, present a report to the TLRC, no later than August 1, 2016, that details changes since the last time the Transportation Commission districts were modified in 1991. The report must include changes in population, number of lane miles, and annual vehicle miles traveled for each district. It must also consider existing county and municipal boundaries, Regional Transportation Authorities and Districts, and Transportation Planning Regions.

Oversight Role and Statutory Authority

State law provides the TLRC with authority over CDOT, the driver licensing and vehicle registration functions of the Department of Revenue, the Regional Transportation District, Public Highway Authorities, Regional Transportation Authorities, and railroads. In its oversight role, the committee is authorized to:

- develop and make state transportation system financing recommendations;
- review the operations of CDOT, the Regional Transportation District, any Public Highway Authority, and any Regional Transportation Authority;
- review completed highway projects, including whether the projects were completed in the most cost-effective and efficient manner; and
- request financial or performance audits.

Upon completion of the TLRC's review of transportation law, the committee is authorized to make recommendations for legislation deemed necessary by the TLRC. Legislation recommended by the TLRC is treated as interim committee legislation for the purposes of legislative deadlines imposed by the General Assembly rules.

¹ All TLRC policies discussed in this memorandum are covered under Section 43-2-145, *et seq.*, except where otherwise cited.

² Section 42-7-602, C.R.S.

Colorado Department of Transportation. Under state law, the TLRC is authorized to:

- provide guidance and direction to CDOT in the development of the state transportation system;
- make recommendations on the financing of the state transportation system;
- review all transportation legislation and consult with experts in the field of highway construction and planning or with CDOT personnel;
- review any phase of CDOT operations;
- conduct post-operation reviews to determine cost-effectiveness and efficiency of certain transportation projects;
- require CDOT to prepare and adopt 5-, 10-, and 15-year plans; and
- require financial or performance audits to be conducted.

Colorado Department of Revenue. The TLRC may review the activities of the Department of Revenue relating to the licensing of drivers and the registration and titling of motor vehicles.

Regional Transportation District. The TLRC is required to review the Regional Transportation District's implementation of competitive contracting for its vehicular services. State law authorizes the Regional Transportation District to contract with private businesses to provide up to 58 percent of its vehicular services.³

Public Highway Authorities and Regional Transportation Authorities. The TLRC may review any phase of a Public Highway Authority's or Regional Transportation Authority's operations. It may require these entities to prepare and adopt long-range plans for the development of public highways, and to submit to financial or performance audits.⁴

Railroads. The TLRC is directed to study CDOT recommendations and may hold hearings regarding the acquisition or use of abandoned or proposed to be abandoned railroad rights-of-way and to determine the priority of acquiring or using abandoned or proposed to be abandoned railroad rights-of-way. The TLRC is required to report its findings to the General Assembly regarding the acquisition of abandoned railroad rights-of-way.⁵

Other agencies. The TLRC may require agencies to share information and coordinate efforts for phases of transit system development to avoid overlapping mass transit systems within the state. Such agencies include state, regional, and local authorities or organizations responsible for mass transit.

Reporting Requirements

State law requires that various reports be submitted to the TLRC. Upon receipt of reports, copies are made available to TLRC members by the Legislative Council Staff. Table 1 provides a summary of each report due to the TLRC. Table 2 provides a summary of each report that is required to be submitted to the Senate and House Transportation Committees. Reports can also be accessed online at: <http://www.leg.state.co.us/library/reports.nsf/reports.xsp>.

³Section 32-9-119.5, C.R.S.

⁴Section 2-3-121, C.R.S.

⁵Section 43-1-1308, C.R.S.

Table 1
Statutorily Required Departmental Reports to the Transportation Legislation Review Committee
(as of June 1, 2016)

| Department | Report Subject/Statute | Summary |
|--|---|--|
| Department of Local Affairs (DOLA) | Public Highway Authorities <i>Section 43-4-514 (3)(a), C.R.S.</i> | The Division of Local Government in DOLA is required to provide an annual report to the TLRC regarding Public Highway Authorities. The report must include how many authorities have been created, their boundaries, and information regarding public highways to be constructed and their financing. |
| | Proposed Public Highway Authority Boundaries <i>Section 43-4-514 (1)(c), C.R.S.</i> | The Division of Local Government in DOLA is required to provide copies to the TLRC of any notice containing proposed boundaries or financing of a Public Highway Authority. |
| Department of Revenue (DOR) | Effectiveness of Emissions Programs <i>Section 42-4-305 (11), C.R.S.</i> | The DOR is required to report annually to the TLRC on the effectiveness of emissions programs. |
| Department of Transportation (CDOT) | Drunken Driving Prevention and Law Enforcement Program <i>Section 43-4-404 (2), C.R.S.</i> | The Office of Transportation Safety in CDOT is required to report annually to the TLRC on the distribution and expenditure of funds for drunk driving enforcement programs. |
| | Policy Amendments to the Statewide Transportation Improvement Plan <i>Section 43-1-123 (4)</i> | CDOT is required to submit a report to the TLRC regarding all policy amendments made to the Statewide Transportation Improvement Plan that were adopted during the most recently ended fiscal year and that added or deleted a project from the plan or modified the funding priority of any project included in the plan. The report must include an explanation of the reasons for each reported policy amendment. |
| | Potential Rail Line Acquisitions <i>Section 43-1-1303 (3), C.R.S.</i> | CDOT is required to submit a prioritized list to the TLRC concerning railroad rights-of-way or rail lines proposed to be acquired by the state and their proposed uses. |
| Regional Transportation District (RTD) | RTD Annual Budget <i>Section 32-9-119.7 (4) and (7), C.R.S.</i> | RTD is required to provide copies of the RTD annual budget to the TLRC. State law also requires the RTD to provide other information, data, testimony, or audits as requested by the TLRC. |

Source: Legislative Council Staff

Table 2
Statutorily Required Departmental Reports to the House and Senate Transportation Committees
(as of June 1, 2016)

| Department | Report Subject/Statute | Summary |
|--|---|--|
| Department of Personnel & Administration (DPA) | Natural Gas Motor Vehicle Purchases <i>Section 24-30-1104 (2) (c) (V), C.R.S.</i> | The DPA is required to submit an annual report that includes information on the number of vehicles purchased for the Motor Vehicle Fleet System (MVFS) since January 1, 2008, that operate on compressed natural gas and other alternative fuels; an estimate of the number of dedicated petroleum fuel vehicles that were purchased for the MVFS since January 1, 2008; an explanation of the compressed natural gas fueling infrastructure; and a summary of the policies or procedures in place within DPA to facilitate the purchase of compressed natural gas and other alternative fuel vehicles, among other information. |
| Department of Regulatory Agencies (DORA) | Energy Rate Cases <i>Section 40-2-103 (2), C.R.S.</i> | The Public Utilities Commission (PUC) within DORA must annually report on any energy rate cases that were brought before the PUC during the immediately preceding two years. The report must include a summary of the issues and outcomes of each case and any rate adjustments made as a result. |
| Department of Transportation (CDOT) | Capital Construction Request <i>Section 2-3-1304 (1)(a.5), C.R.S.</i> | The Transportation Commission is required to annually submit its capital construction request, based on statewide transportation improvement programs, with a prioritized list of recommended state highway construction, repair, and maintenance projects. |
| | Fatal Accidents in State Highway Work Areas <i>Section 42-4-1612, C.R.S.</i> | The CDOT and the Colorado State Patrol are required to annually submit a joint report regarding fatal accidents in state highway work areas during the preceding year. |
| | Efficiency and Accountability Committee Report <i>Section 43-1-106 (17)(b), C.R.S.</i> | The CDOT's Efficiency and Accountability Committee must annually report its activities and recommendations, and any actions taken by the CDOT or Transportation Commission to implement the committee's recommendations. The report is to be made to either the TLRC, or to the House and Senate standing committees that have oversight over transportation. |
| | Proposed Budget Allocation Plan <i>Section 43-1-113 (2), C.R.S.</i> | The Transportation Commission must annually submit a proposed budget allocation plan for moneys subject to its jurisdiction for the fiscal year beginning on July 1 of the succeeding year. |

Table 2 (Cont.)
Statutorily Required Departmental Reports to the House and Senate Transportation Committees
(as of June 1, 2016)

| Department | Report Subject/Statute | Summary |
|--|---|--|
| Department of Transportation (CDOT) (Cont.) | Colorado Bridge Enterprise <i>Section 43-4-805 (6), C.R.S.</i> | The Colorado Bridge Enterprise is required to annually submit a report that details the activities of the enterprise for the previous year, a summary of the status of any current bridge projects, a statement of the enterprise's revenues and expenses, an estimate of the number of jobs created or preserved as a result of the enterprise's activities, and any recommendations for statutory changes that the enterprise may deem necessary or desirable. |
| | Colorado High Performance Transportation Enterprise <i>Section 43-4-806 (10), C.R.S.</i> | The High Performance Transportation Enterprise is required to submit an annual report that includes the enterprise's activities for the previous year, a status summary of any current surface transportation infrastructure projects, the enterprise's revenues and expenses statement, and any recommendations for statutory changes that the enterprise may deem necessary or desirable. |
| | Transportation Deficit Report <i>Section 43-4-813, C.R.S.</i> | CDOT must annually submit a transportation deficit report that addresses the goals of repairing deficient highways and bridges, sustaining existing transportation system performance levels, and achieving the corridor visions described by regional transportation plans and public preferences. |
| | Motorcycle Operator Safety Training Program <i>Section 43-5-506, C.R.S.</i> | CDOT must submit an annual report that comments on the effectiveness of the motorcycle operator safety training program, annual motorcycle accidents or fatalities, availability of training throughout the state, historic and current training costs, and other performance measures. |
| | Transportation Revenue Anticipation Notes <i>Section 43-4-713 (1), C.R.S.</i> | The CDOT Executive Director is required to annually submit a report to the chairs of the House and Senate Transportation Committees that provides information regarding transportation revenue anticipation notes issued by the department. |
| Governor's Office | Colorado Clean Energy Finance Program <i>Section 24-38.7-104 (3)(b), C.R.S.</i> | The Governor's Energy Office is required to submit an annual report to the House Transportation and Energy committee regarding the Colorado Clean Energy Finance Program. |
| | Climate Action Plan <i>Section 24-20-111 (3)(a), C.R.S.</i> | The Governor or his or her designee must annually submit a report to the House Transportation and Energy Committee regarding climate change issues generally, the current climate action plan, and specific ways in which climate change affects the state. |
| Regional Transportation District (RTD) | District Area Description <i>Section 32-9-106.1 (2)(d) and (3)(c), C.R.S.</i> | The RTD is required to provide a map and written description within 30 days of any additional area being annexed or included in the district, or after any area is removed from the district for any reason. In addition, a separate map and description must also be provided depicting the district areas in each county. |

Source: Legislative Council Staff

2015 Interim Activities

The committee held four meetings during the 2015 interim. Briefings and presentations were made by state departments, local governments, transit authorities, Public Highway Authorities, transportation industry associations and organizations, and members of the public on a wide range of subjects, including:

- local, state, and nationwide transportation infrastructure funding and planning;
- highway corridor maintenance and construction;
- transportation construction contracting and intergovernmental agreements;
- traction and congestion issues on Interstate 70 (I-70);
- law enforcement data gathering for enhanced traffic safety;
- laws surrounding impeding traffic;
- challenges of current statutory definitions of motor vehicles;
- regulation of transportation network companies by the Public Utilities Commission;
- Public Highway Authorities;
- Regional Transportation Authorities; and
- low-income fare options on public transit systems.

The TLRC toured the southwest region of the state to visit infrastructure projects and transportation facilities throughout the southwest and to hold field hearings in the cities of Alamosa, Durango, and Montrose. At the field hearings, the TLRC heard feedback from the Transportation Commission, representatives of CDOT, county commissioners, local elected officials, representatives of Native American tribes, regional transit organizations, and constituents about transportation needs in their respective areas. The committee also toured CDOT's forthcoming I-70 East project and the Lockheed Martin campus in Littleton.

The following subsections detail the TLRC's 2015 interim activities.

Transportation infrastructure funding. Representatives of CDOT gave an overview of CDOT's budget on the federal, state, and local levels. They discussed how inflation has impacted the federal and state gas taxes, which have not been adjusted since the early 1990s, and noted that per capita spending on transportation infrastructure in Colorado is down. The committee heard information on CDOT's sources of revenue, its estimated shortfall for the next 20 years, and the negative impact that uncertainty of funding can have on multi-year projects. The committee also heard about CDOT's asset management goals and its leadership's ideas for alternative transportation funding solutions.

A representative of the National Conference of State Legislatures presented on nationwide transportation funding, noting that nearly every state considered a transportation funding bill in 2015, with over 500 of such bills being introduced, as well as over 700 similar bills being considered by state legislatures in 2013 and 2014. The committee heard about the states that have either increased their gas taxes or added a fee for electric and alternative fuel vehicles since 2013. It also heard about the bond packages and other transportation financing legislation enacted by states in 2015, upcoming ballot measures across the states that are related to transportation funding, and states that have entered into public-private partnerships (or P3s) for transportation projects.

Transportation infrastructure planning. Representatives of the Transportation Commission, several Transportation Planning Regions, and the Statewide Transportation Advisory Committee presented on the state and local transportation planning process. A representative from the Transportation Commission discussed the process through which the commission sets its policy direction and budgets and allocates funding, stating that it does not generally choose projects, but rather sets policy goals and performance objectives for CDOT.

The committee heard about the work of the Intermountain Transportation Planning Region and the Denver Regional Council of Governments (which serves as the Denver metro area's Transportation Planning Region), funding and transportation planning challenges faced by these regions, and public-public partnership strategies being employed in the state. The committee also heard an overview of the objectives of the Statewide Transportation Advisory Committee, which reviews and comments on statewide transportation plan development, conflicts between Transportation Planning Regions and CDOT, and the integration of regional plans into the statewide plan.

Highway corridor maintenance and construction. The committee heard from a representative of CDOT's High Performance Transportation Enterprise, who discussed the grand opening of the US Highway 36 Express Lane project in the summer of 2015, the procurement schedule for the I-70 East project, and the I-70 Mountain Express Lane project, which adds a third travel lane to the I-70 mountain corridor at peak travel periods and opened for the 2015 ski season.

Contracting and intergovernmental agreements. Representatives of CDOT presented on the state's transportation construction contracting process and use of intergovernmental agreements. The committee heard about challenges faced by smaller construction companies in the contracting and bonding process; CDOT's contracting with minority-owned, women-owned, and local businesses; and how CDOT plans to address payment issues that some contractors have experienced. The committee also heard how CDOT has so far issued \$250 million worth of intergovernmental agreements, which it uses for any agreement with a non-state governmental entity, and how the Safe Routes to School program is an example of one such situation where these agreements are necessary to transfer Federal Highway Administration grant money.

I-70 mountain corridor traction and congestion issues. Per the requirements of House Bill 15-1173, the committee studied the use of adequate and appropriate tire tread or traction equipment to reduce congestion, lane closures, and accidents in the I-70 mountain corridor. It heard from representatives of CDOT, the Colorado State Patrol, the I-70 Coalition, the Colorado Motor Carriers Association, and the American Car Rental Association on these issues. Discussion focused on the challenges for CDOT and the Colorado State Patrol surrounding current state chain laws for passenger and commercial vehicles, which cannot be called into effect expediently by CDOT and Colorado State Patrol, and which require statutory clarity for the Colorado State Patrol to be able to enforce with passenger vehicles.

The committee also heard how congestion and closures of the corridor are a major issue for the region and can be costly to both the tourism and motor carrier industries. Congestion and closure data were provided to the committee, as well as information on the strategies and campaigns that have been implemented by various entities in recent years throughout the mountain corridor to reduce traffic congestion and accidents and promote winter driving preparedness. The committee also heard about the impact of the trucking industry on traffic congestion along I-70 and the attempts made by the industry to mitigate delays caused by freight in the region. Committee concerns were raised about traction control equipment cost burdens for drivers and the rental car industry that could result from a clarification of the state's chain laws.

Traffic safety data gathering. Representatives of the Colorado State Patrol, the Office of Information Technology, the Department of Revenue, and the Judicial Department gave an overview of how traffic accident data is collected and analyzed in the state, and the ways that this data can be used by and shared among agencies to reduce the number of accidents and fatalities on Colorado's roads.

Definition of a motor vehicle. The committee heard from representatives of the Colorado State Patrol, the Department of Revenue, the Colorado Automobile Dealers Association, and the motorcycle industry on how current statutory definitions of a motor vehicle need to be studied to ensure that certain vehicle types, such as tuk-tuks and kei vehicles, are not misclassified, which

can result in improper taxation, the bypassing of emissions standards and safety requirements, and inaccurate traffic accident data collection.

Regulation of transportation network companies and common carriers. Representatives of the Public Utilities Commission gave an overview of the commission and discussed their regulation of transportation network companies (Uber and Lyft, for example) since the passage of Senate Bill 14-125, which created a limited regulatory structure for such companies as compared to the established common carrier (or taxicab) regulation system. The need for regulatory equity between taxis and transportation network companies was discussed, along with the commission's plan to work with taxicab companies in revising its rules for their industry. The committee heard from representatives of the taxicab industry on how transportation network companies have a less stringent regulatory structure than taxicab companies, and how robust regulation of both industries can help ensure public safety. A representative of the Colorado Cross-Disability Coalition also raised concerns about the number of accessible vehicles that area taxicab and transportation network companies have in their fleets.

Regional Transportation Authorities. The committee heard from representatives of Regional Transportation Authorities in Colorado about how they fund local transportation infrastructure projects and provide regional transit services within their boundaries through local sales taxes that have been approved by their voters. The representatives requested that the committee extend a provision of statute, which is scheduled to repeal in 2019, that allows them to levy local property taxes with voter approval.

Reduced transit fares for low-income community. Representatives of the Regional Transportation District and Mile High Connects presented to the committee on the availability of reduced fares for the low-income community in the Denver metro area. The committee heard about the Mile High Connects reduced fare program; new 2016 fare policies that make reduced fares available for seniors, persons with disabilities, Medicare recipients, and students ages 6 through 19; and Mile High Connects' collaboration with various philanthropic organizations to subsidize low-income fare programs in the Denver metro area.

Other testimony. The committee heard testimony on other topics, including the role of the High Performance Transportation Enterprise as a financing entity; the success of Public Highway Authorities in managing toll roads in the state; the various rail lines and transit services provided by the Regional Transportation District under FasTracks; and the Regional Transportation District's key upcoming projects, which include: Bus Rapid Transit service between Boulder and Denver; the "A" Line between Denver Union Station and Denver International Airport; services between Westminster and Denver; the Gold Line between Union Station and Arvada; and the "R" Line, which connects Aurora to the "A" Line.

The committee also heard about the primary oversight responsibility the Public Utilities Commission has over the Regional Transportation District's light rail system, and the commission's inability to collect money from the Regional Transportation District to cover the costs of this oversight since the passage of the federal Moving Ahead for Progress in the 21st Century Act (MAP-21) of 2012.

TLRC Proposed Legislation — 2005 to 2015

Legislation recommended by the TLRC is treated as legislation recommended by an interim committee for purposes of introduction deadlines and bill limitations imposed by the General Assembly's joint rules. From the 2005 interim to the 2015 interim, the TLRC proposed 52 bills that were approved by the Legislative Council. Of the 52 bills, 44 became law, and 8 were postponed indefinitely.

Table 3 provides legislation approved by the Legislative Council. Table 4 provides legislation not approved by the Legislative Council. Bills are labeled according to the bill numbers assigned upon introduction during session and the identifier (Bill A, Bill B, etc.) used in the final TLRC report provided to the Legislative Council.

Table 3
Transportation Legislation Review Committee
Bills Approved by the Legislative Council by Issue Area — Interim Sessions 2005 to 2015

| Bill Number and Letter | Bill Title | Brief Description of Bill | Became Law |
|--------------------------|--|---|------------|
| Driver's Licenses | | | |
| HB 13-1011 Bill F | Repeal Fee Veteran's Identifier Driver's License | House Bill 13-1011 eliminates the \$15 fee to add a military identifier to show a service member's branch of service on an applicant's driver's license or state identification card. | Yes |
| HB 12-1035 Bill E | Repeal Veterans Identifier Fee | House Bill 12-1035 would have eliminated the \$15 fee to add a military identifier to show a service member's branch of service on an applicant's driver's license or state identification card. A bill that passed in 2010 allowed a military service member or veteran to add an identifier to his or her driver's license or state identification card for a \$15 fee. The fee was eliminated the following year by HB 13-1011. | No |
| SB 10-015 Bill D | Graduated Driver's Education Licensing | Prior to the bill's passage, if a minor, under age 18, qualified for his or her driving permit by taking the 30-hour driver's education course, he or she was required to complete the additional behind-the-wheel requirements to qualify for a driver's license. In certain cases, this behind-the-wheel requirement was more stringent than what was required of those who received their permits without taking a driver's education course. Senate Bill 10-015 eliminates any differences by making the age cut-off for additional behind-the-wheel training 16.5 years. | Yes |
| SB 05-036 Bill A | Minor Passengers Minor Drivers | <p>Senate Bill 05-036 prohibits a minor driver who has held a license less than six months from transporting a passenger who is under 21 years of age. The bill also prohibits a minor driver who has held a license for less than one year from transporting more than one person under 21 years of age, with the following exceptions:</p> <ul style="list-style-type: none"> • if the motor vehicle also contains the minor's parent, legal guardian, or other responsible adult; • if the motor vehicle also contains a 21-year-old driver; • if the passenger is in the vehicle on account of a medical emergency; or • if all the passengers are members of the driver's immediate family. <p>Further, the bill prohibits a minor driver who has held a license for less than one year from driving between 12 midnight and 5 a.m., with the following exceptions:</p> <ul style="list-style-type: none"> • if the motor vehicle contains the minor's parent, legal guardian, or other responsible adult; • if the motor vehicle contains a 21-year-old driver; • if the driving is on account of a medical emergency; • if the driving is on account of school or a school-authorized activity when the school does not provide adequate transportation; • if the driving is on account of employment when necessary; or • if the minor is emancipated. <p>Finally, the bill imposes punishments for violating such prohibitions, including community service, fines, and license suspension points.</p> | Yes |

Table 3 (Cont.)
Transportation Legislation Review Committee
Bills Approved by the Legislative Council by Issue Area — Interim Sessions 2005 to 2015

| Bill Number and Letter | Bill Title | Brief Description of Bill | Became Law |
|---|--|---|------------|
| Traffic Fines, Violations, and Signage | | | |
| HB 16-1039 Bill A | Interstate 70 Motor Vehicle Traction Equipment | <p>House Bill 16-1039, as introduced, would have required motor vehicles driving on Interstate 70 between milepost 133 (Dotsero) and milepost 259 (Morrison), when icy or snow-packed conditions are present, to be equipped with:</p> <ul style="list-style-type: none"> • tire chains or an equivalent traction control device (i.e. cable chains); • four-wheel drive or all-wheel drive, and tires with a tread depth of one-eighth of an inch; or • tires with any form of the mountain-snowflake symbol or "mud and snow" lettering (i.e., M/S and M+S) on the side wall of the tire and a tread depth of one-eighth of an inch. <p>The bill defined "equipped" to mean that a motor vehicle uses or carries the appropriate traction equipment if icy or snow-packed conditions are not present, and that a motor vehicle uses the appropriate traction equipment if icy or snow-packed conditions are present.</p> <p>A noncommercial violator of these requirements would have committed an existing class B traffic infraction and been subject to a \$100 fine and a \$32 surcharge. If a violation resulted in the closure of at least one lane of traffic, the violator would have been subject to an enhanced existing penalty of \$500 and a \$156 surcharge.</p> | No |
| HB 14-1021 Bill D | Highway Restriction Violation Penalties | <p>House Bill 14-1021 raises the fine from \$500 to \$1,000 for an operator of a motor vehicle or vehicle combination over 35-feet in length, both commercial and recreational, on State Highway 82 between mile markers 47 and 72. If a violation results in the closure of a lane, the penalty is increased to \$1,500. The bill increases the surcharge for such offenses from \$78 to \$156. In addition, it requires the CDOT to erect signs by October 1, 2014, on SH 82 giving notice of the enhanced penalties.</p> | Yes |
| HB 08-1057 Bill C | Tourist-oriented Signs Along Rural Highways | <p>House Bill 08-1057 authorizes CDOT to issue permits and adopt rules allowing tourist-oriented directional signs, which identify nearby businesses for tourists traveling state roadways, along expressways and freeways in rural areas. Prior to the act, the state only permitted these signs on non-interstate highways in rural areas. The bill also expands the types of signs that may be authorized along interstate highways pursuant to federal law.</p> | Yes |
| HB 08-1074 Bill D | Nonconforming Advertising Devices on Highways | <p>House Bill 08-1074 amends state law to authorize a nonconforming advertising device that was legally erected to be maintained at the same location. Prior to the act, only nonconforming advertising devices erected prior to January 1, 1971, were authorized to remain erected. The act eliminates the date references in statute.</p> | Yes |

Table 3 (Cont.)
Transportation Legislation Review Committee
Bills Approved by the Legislative Council by Issue Area — Interim Sessions 2005 to 2015

| Bill Number and Letter | Bill Title | Brief Description of Bill | Became Law |
|---|--|---|------------|
| Traffic Fines, Violations, and Signage (Cont.) | | | |
| HB 08-1010 Bill F | Motor Vehicle Traffic Fines | <p>House Bill 08-1010 amends motor vehicle violation fines by:</p> <ul style="list-style-type: none"> • increasing the minimum fine for a class 2 traffic misdemeanor from \$10 to \$150; • increasing the minimum fine for a class 1 traffic misdemeanor from \$100 to \$300; • reducing the distribution of seat belt violation fine revenue to local jurisdictions from 100 percent to 50 percent for violations occurring on state and federal highways, with the remaining 50 percent going to the Highway Users Tax Fund; • doubling the minimum fines for driving under the influence (DUI), driving while ability impaired (DWAI), under age drinking and driving (UDD), and habitual user driving; • specifying that fine revenue from DUI, DWAI, UDD, and habitual user driving for violations occurring on a state or federal highway is credited 25 percent to the local governments and 75 percent to the Highway Users Tax Fund; and • doubling the minimum fine for vehicle eluding. | Yes |
| HB 06-1039 Bill C | Roadside Advertising at Comprehensive Developments | <p>House Bill 06-1039 allows a specified on-premise advertising device located within a comprehensive development to advertise any activity conducted in the comprehensive development. The bill defines a comprehensive development as a group of two or more lots used for commercial or industrial activities that:</p> <ul style="list-style-type: none"> • is located on one side of a highway; • consists of contiguous lots or parcels, with the exception of access roadways; • has an approved public and private improvement plan; • has common areas such as parking and landscaping; and • has an approved common ownership plan. | Yes |
| SB 05-009 Bill D | Increase Fine for Human Waste Dumping | Senate Bill 05-009 increases the fine for illicit disposal of containers of human waste upon or along a state highway from a fine of \$35 plus a \$2.50 surcharge to a flat fine of \$500. | Yes |

Table 3 (Cont.)
Transportation Legislation Review Committee
Bills Approved by the Legislative Council by Issue Area — Interim Sessions 2005 to 2015

| Bill Number and Letter | Bill Title | Brief Description of Bill | Became Law |
|----------------------------------|---|---|------------|
| License Plates | | | |
| HB 15-1004 Bill A | Firefighter Motorcycle License Plates | House Bill 15-1004 requires the Department of Revenue to issue the current Firefighter group special license plate to motorcyclists, upon receiving proof that the applicant is an active, volunteer, or retired firefighter. | Yes |
| SB 13-081 Bill C | Vehicle Registration Penalty Statement Repeal | Senate Bill 13-081 changes the stated penalty on the notice of motor vehicle registration for the act of failure to register a vehicle from \$100 to a minimum penalty of \$500. The bill also retires the U.S. Olympic Committee and Colorado Foundation for Agriculture and Natural Resources specialty license plates. | Yes |
| HB 13-1028 Bill G | Vehicle Special License Plate Limit | House Bill 13-1028 would have limited the number of designer, alumni, group special, and military license plate types (collectively known as special license plates) to 96. | No |
| SB 12-007 Bill G | Group Special License Plate Procedure | Senate Bill 12-007 alters the procedure for creating group special license plates. Specifically, the bill: <ul style="list-style-type: none"> • removes the requirement that an applicant certify that at least 3,000 plates will be issued within one year; • allows special license plates to be sold until inventories are depleted; and • removes the requirement that proof of membership be provided to obtain certain license plates. | Yes |
| HB 05-1247 Bill B | Breast Cancer Awareness License Plate | House Bill 05-1247 creates the Breast Cancer Awareness special license plate, and set requirements for the issuance of the plate. | Yes |
| Alternative Fuel Vehicles | | | |
| HB 14-1027 Bill C | Plug-in Electric Motor Vehicle Definition | House Bill 14-1027 amends and clarifies the definition of a "plug-in electric motor vehicle" for registration purposes. Formerly, a plug-in electric motor vehicle included any vehicle that draws electricity from a battery capable of being charged from an external source. The bill changes the definition to clarify that a plug-in electric motor vehicle is one that can be recharged from any external source of electricity stored in a rechargeable battery pack that propels or helps to propel the vehicle. The bill also expands the definition to include retrofitted vehicles that have been converted to a plug-in electric vehicle. | Yes |
| SB 13-070 Bill B | Alternative Fuel Fleet Vehicle | Senate Bill 13-070 requires the Department of Personnel and Administration to report on the number of alternative fuel vehicles purchased, the availability of alternative fuel, and a plan for putting in place the infrastructure necessary to support the use of alternative fuel vehicles in the state's fleet, among other related criteria. The report is to be provided to the House and Senate Transportation Committees and the Joint Budget Committee on or before November 1, 2013, and each November 1 thereafter. | Yes |

Table 3 (Cont.)
Transportation Legislation Review Committee
Bills Approved by the Legislative Council by Issue Area — Interim Sessions 2005 to 2015

| Bill Number and Letter | Bill Title | Brief Description of Bill | Became Law |
|--|-----------------------------------|--|------------|
| Alternative Fuel Vehicles (Cont.) | | | |
| SB 12-013 Bill B | Low-speed Electric Vehicles | <p>Prior to Senate Bill 12-013's passage, low-speed electric vehicles were permitted to operate on roads with speed limits of 35 miles per hour or less, or on roads with speed limits greater than 35 miles per hour if crossing at grade with the road. The bill allows operation of low-speed electric vehicles on roadways at speeds up to 35 miles per hour. The vehicles may be operated on a state highway or cross a roadway having a speed of 40 miles per hour under certain conditions. The bill also raises the age limit for driving golf cars on streets from age 14 to age 16.</p> <p>A low-speed electric vehicle is defined as:</p> <ul style="list-style-type: none"> • primarily propelled by electricity; • having at least three wheels in contact with the ground; • not requiring handlebars for steering; and • displaying a vehicle identification number pursuant to state law. | Yes |
| HB 09-1026 Bill D | Low-power Self-propelled Vehicles | <p>House Bill 09-1026 simplifies Colorado's statutory definitions applicable to low-power self-propelled vehicles (or scooters), creates a category of speeding penalties specific to these vehicles, imposes a requirement for the purchase of liability insurance, and mandates the licensure of companies selling the vehicles. Specifically, the bill:</p> <ul style="list-style-type: none"> • replaces several categories of self-propelled vehicles in Colorado law, including "motor-driven cycle," "motor scooter," and "motorized bicycle" with the two categories "motorcycle" and "low-power scooter"; • defines "low-power scooter" as a vehicle with not more than three wheels, no manual clutch, and a power capacity under 50 cubic centimeters or 4,476 watts; • put new speeding penalties in place for scooter operators who exceed 40 miles per hour, specifically: <ul style="list-style-type: none"> • a fine of \$56 for traveling 41 to 44 miles per hour; • a fine of \$85 and 2 points for traveling 45 to 49 miles per hour; and • a fine of \$116 and 4 points for traveling 50 or more miles per hour; • applies compulsory liability insurance laws to operators of low-power scooters, effective July 1, 2010; • requires persons selling low-power scooters to obtain a powersports vehicle distributor license from the DOR; and • specifies that drug and alcohol driving offenses apply to operators of low-power scooters, farm tractors, and off-highway vehicles, but not to bicycle operators. | Yes |

Table 3 (Cont.)
Transportation Legislation Review Committee
Bills Approved by the Legislative Council by Issue Area — Interim Sessions 2005 to 2015

| Bill Number and Letter | Bill Title | Brief Description of Bill | Became Law |
|----------------------------|---|---|------------|
| Commercial Vehicles | | | |
| HB 16-1056 Bill E | Tow Operator Abandoned Vehicle Title Search | <p>House Bill 16-1056 broadens the records search employed by the Department of Revenue (DOR) to locate owners and lienholders of abandoned motor vehicles. Formerly, only Colorado records were searched in order to locate the owner or lienholder of an abandoned vehicle. Under the bill, the DOR must perform a national records search using a qualified entity that has a national database and that can retrieve records based both on the vehicle identification number and registration number. The qualified entity must also be able to provide appropriate owner and lienholder contact information. The DOR may charge tow operators a fee for the national search not to exceed the lesser of \$5 or its direct and indirect costs.</p> <p>The bill also increases the notification deadline, from three to five days, in which tow operators must determine whether there is an owner or lienholder registered with the DOR and send notice to those parties, and clarifies that the time spent by the DOR conducting the national records search does not count against the tow operator's 10-day deadline to contact the motor vehicle's owner or lienholder.</p> | Yes |
| HB 07-1065 Bill A | Passenger Carrier Criminal History Check | House Bill 07-1065 requires any individual seeking employment or already employed as a charter or scenic bus, fire crew transport, luxury limousine, off-road scenic charter, or children's activity bus motor vehicle driver to comply with a criminal background check. Individuals convicted in this state or any other of a violent crime within the last 10 years, or of driving under the influence, driving with excessive alcoholic content, driving while ability impaired, or driving while an habitual user within the last two years are disqualified and prohibited from driving these types of passenger transport vehicles. | Yes |
| HB 06-1035 Bill F | Passenger Vehicles Railroad Crossings | House Bill 06-1035 requires a commercial vehicle transporting passengers, a school bus, or a vehicle carrying hazardous materials to stop before crossing street-grade railroad tracks within a residential area. | Yes |
| SB 06-008 Bill G | Hazardous Materials Commercial Vehicles | <p>Senate Bill 06-008 requires motor vehicles that weigh less than 10,000 pounds and transport hazardous materials to meet the minimum standards for commercial vehicles. The bill also:</p> <ul style="list-style-type: none"> • repeals a provision prohibiting a peace officer who has not attained Level I inspection certification from enforcing the "Hazardous Materials Transportation Act of 1987;" • changes the penalty for violating certain hazardous materials rules from a Class 3 misdemeanor criminal offense to a Class 2 misdemeanor traffic offense; and • sets the penalty for such violation at \$250 with a \$33.30 surcharge and doubles the penalty for a repeat offense that occurs within 12 months. | Yes |

Table 3 (Cont.)
Transportation Legislation Review Committee
Bills Approved by the Legislative Council by Issue Area — Interim Sessions 2005 to 2015

| Bill Number and Letter | Bill Title | Brief Description of Bill | Became Law |
|------------------------------------|---|--|------------|
| Commercial Vehicles (Cont.) | | | |
| SB 06-010 Bill E | Commercial Vehicle Owner's Documentation | <p>Senate Bill 06-010 authorizes a company to file an express consent waiver enabling the company to designate a company representative to be party of interest in court for violation of the following:</p> <ul style="list-style-type: none"> • permits for longer vehicle combinations; • permits for excess size and weight vehicle combinations; and • permits for transporting hazardous materials. <p>The bill also clarifies that the appearance of the company representative in court covering the matter does not constitute the practice of law in violation of state law.</p> | Yes |
| Public Utilities Commission | | | |
| HB 13-1103 Bill H | Public Utilities Commission Oversight of Rail Fixed Guideway System | <p>House Bill 13-1103 conforms Colorado law with federal requirements by prohibiting the Public Utilities Commission (PUC) from assessing administrative fees on any rail fixed guideway system that it regulates. The provision takes effect when federal grant moneys available under the Moving Ahead for Progress in the 21st Century Act are awarded to the state.</p> <p>The only rail fixed guideway system in the state is the Regional Transportation District (RTD) rail system. Under federal law, the PUC oversees system safety by auditing the system and relevant records, including vehicle, signal, and track maintenance. The PUC is authorized to continue to assess RTD and pay its administrative expenses from the Fixed Utilities Fund for regulation of the RTD rail system until federal grant moneys are awarded. The bill also exempts the PUC from annual reporting on the RTD rail system to the Department of Revenue.</p> | Yes |
| HB 07-1019 Bill E | Carrier Exempt Public Utilities | House Bill 07-1019 removes the definition of a luxury limousine from state law and transfers the responsibility of defining a luxury limousine from the legislature to the Public Utilities Commission. | Yes |
| Private Toll Roads | | | |
| HB 06-1003 Bill A | Requirements for Private Toll Roads | House Bill 06-1003 requires a corporation formed for the purpose of constructing a private toll road to meet specified requirements before the toll road may be constructed or approved. | Yes |
| SB 06-078 Bill B | Prohibit Eminent Domain for Private Toll Roads | Senate Bill 06-078 specifies that a private corporation formed for the purpose of constructing a private toll road may not have the power to use eminent domain, but may enter into an agreement with a public entity to enable the construction of a private toll road. | Yes |

Table 3 (Cont.)
Transportation Legislation Review Committee
Bills Approved by the Legislative Council by Issue Area — Interim Sessions 2005 to 2015

| Bill Number and Letter | Bill Title | Brief Description of Bill | Became Law |
|---------------------------------|---|--|------------|
| Special Mobile Machinery | | | |
| HB 13-1153 Bill E | Ownership Tax Rental Mobile Machinery Electronic | House Bill 13-1153 allows certain owners of special mobile machinery fleets (which include vehicles commonly used in roadway construction and maintenance, well drilling, and ditch digging) to file specific ownership tax on rental equipment, using an electronic system, directly with the Department of Revenue. The bill applies to fleet owners who belong to the 2 percent program, which allows fleet owners to pay specific ownership tax monthly in each county where the rental vehicles are used, based on 2 percent of the rental income on special mobile machinery, rather than paying the tax annually based on the equipment's value. | Yes |
| HB 09-1029 Bill A | Mobile Machinery Vehicle Registration | <p>Most of Colorado's neighboring states register special mobile machinery vehicles as Class A vehicles, while Colorado has a unique classification for special mobile machinery: Class F. This forces Colorado operators of Class F vehicles to purchase trip permits upon entering other states. Out-of-state special mobile machinery vehicles entering Colorado are also required to pay additional taxes and registration fees on their equipment, resulting in expense and delays at ports of entry.</p> <p>House Bill 09-1029 would have addressed these issues by designating Colorado special mobile machinery vehicles operated in interstate commerce as Class A vehicles for purposes of imposing the graduated annual specific ownership tax, and specified the same rate structure as is currently imposed on Class F personal property. In addition, out-of-state mobile machinery vehicles operating in Colorado would have been exempted from payment for the mounted equipment portion of the vehicle if that portion was already taxed by the registering base state, and would have been able to purchase a tab to cover the mounted equipment portion of the vehicle if taxes were due.</p> | No |
| Toll Evasion | | | |
| SB 10-016 Bill A | Modify Toll Evasion Notice Process | <p>Senate Bill 10-016 modifies how civil penalty notices of camera-detected toll evasion are provided to the vehicle's registered owner. Prior to the bill's passage, if the first penalty notice of toll evasion was unpaid or not responded to within 20 days, a second penalty notice was generated and sent by certified mail, return receipt requested. If the registered owner failed to pay or respond to the second penalty notice within 20 days, the notice constituted a complaint to appear for adjudication of a toll evasion in a court or administrative toll enforcement proceeding. The bill:</p> <ul style="list-style-type: none"> • eliminates the second penalty notice requirement; • extends the time frame for payment or response to 30 days from the penalty notice; • requires a final order of liability be entered against a registered owner who fails to respond to the penalty notice; and • clarifies that administrative toll enforcement proceedings may be appealed in the county court where the violation occurred as a de novo (new) hearing. | Yes |

Table 3 (Cont.)
Transportation Legislation Review Committee
Bills Approved by the Legislative Council by Issue Area — Interim Sessions 2005 to 2015

| Bill Number and Letter | Bill Title | Brief Description of Bill | Became Law |
|----------------------------------|---|--|------------|
| Toll Evasion (Cont.) | | | |
| SB 08-014 Bill A | Toll Enforcement Process | Prior to the bill's passage, state law required toll evasion cases to be considered by the courts in the municipality or county where the violation occurred. For some municipalities and counties, this resulted in a backlog of toll evasion cases. Senate Bill 08-014 directs the Statewide Tolling Enterprise (whose duties later transferred to the High Performance Transportation Enterprise) to consider establishing an administrative toll enforcement process for toll evasion cases. If the enterprise establishes an administrative toll enforcement process, no municipal, county, or city and county court will have the jurisdiction to hear toll evasion cases arising on a toll highway operated by the enterprise. The bill authorizes the enterprise to utilize every remedy available under the law to enforce unpaid tolls and fees as debts owed to the enterprise, and to report to the Department of Revenue (DOR) any outstanding judgement or warrant or failure to pay the toll, fee, and civil penalty for any toll evasion. Upon receipt of notice, the bill prohibits the DOR from renewing the registration of the vehicle associated with the toll evasion until the toll, fee, and civil penalty are paid in full. | Yes |
| Transportation Commission | | | |
| HB 16-1031 Bill C | Modify Transportation Commission Membership | House Bill 16-1031 requires that the Legislative Council Staff, with the cooperation of CDOT, submit a report to the TLRC, no later than August 1, 2016, that details changes since the last time the Transportation Commission districts were modified in 1991. The report must include changes in population, number of lane miles, and annual vehicle miles traveled for each district. The report must also consider existing county and municipal boundaries, Regional Transportation Authorities and Districts, and Transportation Planning Regions. | Yes |
| HB 13-1030 Bill A | Transportation Commission Members | House Bill 13-1030 would have added two at-large members to the Transportation Commission. The two at-large members would have been appointed by the Governor to represent the entire state, with one at-large member residing on the western slope and the other residing on the eastern slope. The Transportation Commission currently has 11 members who are appointed by the Governor and represent a single transportation district. The commission is required to meet at least eight times per year. | No |
| SB 08-012 Bill B | Transportation Commission Qualifications | Prior to the bill's passage, the Governor was required to consider appointing one or more individuals with knowledge or experience in aviation and one or more individuals with knowledge or experience in engineering to the state Transportation Commission. Senate Bill 08-012 eliminates the aviation consideration. | Yes |

Table 3 (Cont.)
Transportation Legislation Review Committee
Bills Approved by the Legislative Council by Issue Area — Interim Sessions 2005 to 2015

| Bill Number and Letter | Bill Title | Brief Description of Bill | Became Law |
|-------------------------------|--|---|------------|
| Vehicle Specifications | | | |
| HB 16-1029 Bill D | Kei Vehicle Roadway Registration For Use | House Bill 16-1029 would have allowed the Department of Revenue to title, register, and issue a rear license plate to kei vehicles (or microtrucks). A person with a valid driver's license and insurance would have been able to operate a registered kei vehicle on a roadway with a posted speed limit of 55 miles per hour or less, except on limited access highways. | No |
| HB 14-1160 Bill B | Divisible Loads Overweight Vehicle Permits | House Bill 14-1160 exempts wastewater vehicles operated by a city, county, municipality, or special district from wheel- and axle-load restrictions. In addition, beginning January 1, 2015, the bill authorizes an annual fleet permit fee of \$2,000 plus \$35 per vehicle for overweight vehicles with two- or three-axle divisible loads. | Yes |
| HB 12-1038 Bill A | Multi-year Class A Trailer Registration | House Bill 12-1038 establishes a permanent registration for Class A trailers and semitrailers. In order to qualify for the permanent registration, an owner must be either based outside of Colorado, or based in Colorado and in possession of a trailer 10 years or older. The new registration is permanent, but expires when the trailer or semitrailer transfers ownership. | Yes |
| SB 09-014 Bill C | Mud Flaps Vehicle Remain in Service | Senate Bill 09-014 allows commercial vehicles with damaged or missing splash guards to remain in service until the first reasonable opportunity to replace them. A splash guard is a device designed to minimize the spray of water and mud from the rear of the commercial vehicle. Current Colorado law requires trucks with an empty weight exceeding 10,000 pounds to be equipped with splash guards, and that a splash guard be at least as wide as the tire it covers. | Yes |
| Waste Tires | | | |
| HB 12-1034 Bill D | Waste Tire Processor End User Fund | The Processors and End Users Cash Fund consists of the \$1.50 fee collected on each new tire purchased in Colorado. Money in the fund is distributed to end users, retailers, and processors that develop or implement waste tire recycling technologies. House Bill 12-1034 extended the fund's repeal date from July 1, 2012, to July 1, 2015. The bill also requires the General Assembly to appropriate the money in the fund, whereas prior to the bill's passage, these funds were continuously appropriated. Finally, it prevents the state from reimbursing a tire processor if the tire processor is not an end user, or if the tire product has been sold and moved off site. | Yes |

Table 3 (Cont.)
Transportation Legislation Review Committee
Bills Approved by the Legislative Council by Issue Area — Interim Sessions 2005 to 2015

| Bill Number and Letter | Bill Title | Brief Description of Bill | Became Law |
|------------------------------|--|---|------------|
| Waste Tires (Cont.) | | | |
| <p>HB 10-1018 Bill B</p> | <p>Reduce Waste Tire Stockpile Risks</p> | <p>Several state departments previously administered waste tire reduction and recycling programs funded by the \$1.50 fee collected on each new tire purchased in Colorado. House Bill 10-1018 consolidates all waste tire programs under the Department of Public Health and Environment and establishes new education and outreach requirements, fire planning and prevention requirements, and waste tire hauler and facility regulations.</p> <p><i>Funds.</i> The bill creates the Waste Tire Fire Prevention Fund and Waste Tire Market Fund, repeals the Advanced Technology Fund, and updates state law on the Processors and End Users Fund and the Waste Tire Cleanup Fund. It redistributes waste tire fee revenue among existing funds and the three new funds.</p> <p><i>Grants and reimbursements.</i> The bill increases maximum reimbursements to processors and end users from \$50 to \$65 per ton of waste tires and repeals administration of the Waste Tire Cleanup Fund by the Department of Local Affairs.</p> <p><i>Waste tire haulers and facilities.</i> The bill establishes new regulations governing waste tire haulers, specifically requiring the display of decals and retention of travel log manifests, and prohibits haulers from transporting more than a set number of waste tires.</p> <p><i>Tire vendors' fee and sales tax.</i> Under previous law, sales tax was applied to the \$1.50 per tire fee. Tire vendors submitted fee and sales tax revenue to the Department of Revenue and retained 3.33 percent of fees for compliance costs. The bill repeals the vendors' fee and specifies that sales tax is not assessed upon tire fees paid upon new tire sales.</p> <p><i>Advisory committee.</i> The bill creates a nine-member Waste Tire Advisory Committee to provide feedback and assessment of the Waste Tire Cleanup Program, propose new rules, and make recommendations. The committee repeals on July 1, 2020, following a sunset review.</p> | <p>Yes</p> |

Table 3 (Cont.)
Transportation Legislation Review Committee
Bills Approved by the Legislative Council by Issue Area — Interim Sessions 2005 to 2015

| Bill Number and Letter | Bill Title | Brief Description of Bill | Became Law |
|-------------------------|--|---|------------|
| Work Zones | | | |
| HB 10-1014 Bill E | Work Zone Accident Reporting | <p>House Bill 10-1014 directs CDOT and the Colorado State Patrol to present a joint annual report on fatal accidents in state highway work areas to the House and Senate Transportation Committees. The report is due on or before February 15 of each year beginning in 2011, and, at a minimum, must include:</p> <ul style="list-style-type: none"> • the total number of fatal accidents and individuals killed; • a breakdown of individuals killed to include CDOT workers, CDOT contractors and subcontractors, and others; • copies of all related accident reporting forms; and • information about ongoing and newly implemented measures taken by CDOT to prevent fatal accidents in state highway work areas. | Yes |
| HB 08-1036 Bill E | Charles Mather Safety Act | <p>House Bill 08-1036 allows both CDOT and local governments to designate areas as maintenance, repair, or construction zones where such activities are occurring. The bill also:</p> <ul style="list-style-type: none"> • repeals the \$40 maximum fine limit for violations occurring in these zones when an automated vehicle identification system, like photo radar, is used; • doubles the fines for specified moving traffic violations, including speeding, within the zones designated by local governments; • requires the Department of Public Safety, upon CDOT's request, to use photo radar to detect speeding violations while maintenance, repair, or construction is occurring in these zones; • requires CDOT to reimburse the Department of Public Safety for the use of photo radar; and • requires drivers approaching these zones to exhibit due care and yield the right-of-way to maintenance, repair, or construction vehicles. | Yes |
| Disabled Parking | | | |
| HB 14-1029 Bill A | Disabled Parking License Plates Placards | <p>House Bill 14-1029 repeals and reenacts the laws governing the reserved parking for persons with disabilities program. Among its clarifying changes, the bill:</p> <ul style="list-style-type: none"> • changes the classification of several offenses, and heightens the penalty for some offenses, related to the reserved parking program; • makes personalized reserved parking license plates and an additional set of reserved parking license plates available to eligible persons; • requires the Department of Revenue to place a "C" on the license plate of a person who is a guardian of a disabled minor and who has a reserved parking placard; • requires reserved parking placards to be visible through the windshield or placed on a vehicle's dashboard; • requires reserved parking placard applicants to sign an affidavit affirming their eligibility; and • allows the Colorado Advisory Council for Persons with Disabilities to implement an education program. | Yes |

Table 3 (Cont.)
Transportation Legislation Review Committee
Bills Approved by the Legislative Council by Issue Area — Interim Sessions 2005 to 2015

| Bill Number and Letter | Bill Title | Brief Description of Bill | Became Law |
|---------------------------------|---------------------------------------|---|------------|
| Disabled Parking (Cont.) | | | |
| HB 10-1019 Bill C | Reserved Disabled Parking Enforcement | <p>House Bill 10-1019 makes several changes regarding the reserved parking program for the disabled and placards for persons with disabilities. Under the bill:</p> <ul style="list-style-type: none"> • placard applications must include documentation from a doctor or other authorized professional certifying the disability under penalty of perjury; confirmation of a disability is only required once every three years for a 3-year placard; • placards are changed to have a "punch-out" system to identify expiration dates and have a sticker applied to it; • fines are changed for illegal use of a placard or use of a parking space reserved for persons who are disabled; • the misdemeanor to make or use a counterfeit placard is expanded to include devices that mimic a placard; • peace officers are authorized to confiscate placards that are used in violation of the law; • peace officers or property owners may have a vehicle towed if it is parked illegally in a reserved space; the vehicle's owner is required to reimburse towing costs; • a person who witnesses placard misuse can notify a law enforcement agency without fear of disciplinary action from his or her employer; and • pay parking providers that do not have an accessible payment system cannot ticket or tow a person in the reserved parking program for the disabled for using a space without payment. <p>In addition, the bill creates a new cash fund, the Disabled Parking Education and Enforcement Fund, for the following uses:</p> <ul style="list-style-type: none"> • to provide moneys for a grant program or an education program about the eligibility standards, appropriate use of parking privileges, violations, and the advantages of a volunteer enforcement program; • to create or make available a training program to assist professionals in determining the standards required to obtain a placard or license plate that permits parking in the reserved parking program; and • for administration of the reserved parking program. <p>The fund receives one-half of reserved parking program ticket revenue. The grant and training programs are carried out by the Colorado Advisory Council for Persons with Disabilities in the Governor's Office.</p> | Yes |

Table 3 (Cont.)
Transportation Legislation Review Committee
Bills Approved by the Legislative Council by Issue Area — Interim Sessions 2005 to 2015

| Bill Number and Letter | Bill Title | Brief Description of Bill | Became Law |
|------------------------|--|---|------------|
| Miscellaneous | | | |
| HB 16-1018 Bill B | Transportation Advisory Committee Procedures | House Bill 16-1018 requires the Statewide Transportation Advisory Council to provide advice, as well as review and comments, to both CDOT and the Transportation Commission, rather than only to CDOT as was previously authorized. The bill also specifies that the council will provide advice on transportation budgets, policy, programming, and planning. | Yes |
| HB 15-1003 Bill B | Safe Routes to School | House Bill 15-1003, as introduced, would have appropriated \$3 million General Fund in FY 2015-16 to CDOT's Safe Routes to School program for the purposes of granting funds to projects that improve the safety of pedestrians and bicyclists in school areas. | No |
| HB 14-1031 Bill E | Nonconsensual Tow Motor Vehicle | House Bill 14-1031 creates the nine-member Towing Task Force within the Department of Regulatory Agencies and specifies its membership requirements. The task force is required to advise the Public Utilities Commission on the maximum rates that may be charged for the recovery, towing, and storage of a motor vehicle that is towed without the vehicle owner's consent. | Yes |
| HB 12-1019 Bill C | Transfer Ports of Entry to State Patrol | House Bill 12-1019 designates the Colorado State Patrol (CSP) as the enforcement and permit authority for Colorado ports of entry. As of July 1, 2012, the Motor Carrier Services Division of the Division of Motor Vehicles in the Department of Revenue (DOR) is abolished and its powers, duties and functions are transferred to the CSP, to include: statutory authority, personnel, property, funding, budgeting, purchasing, and planning for all state ports of entry. The DOR retained 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 and/or vehicles and impounding vehicles under certain conditions. It also allows the CSP to set operating hours at ports of entry and all ports of entry officers to conduct safety inspections. | Yes |
| HB 12-1030 Bill F | Repeal Transportation-related Reporting Requirements | House Bill 12-1030 would have repealed certain transportation and energy-related reports required to be submitted by the departments of Public Health and Environment, Transportation, and Revenue to various committees of the General Assembly, including the House and Senate Transportation Committees, and the TLRC. | No |
| HB 09-1027 Bill B | Yield to Transit Bus Entering Traffic | House Bill 09-1027 requires persons who are driving behind a transit bus to yield the right-of-way if the bus, after stopping to allow passengers to board or exit, signals an intention to enter traffic and if a yield sign on the back of the bus is illuminated. The bill does not require the installation of yield signs on transit buses, and does not relieve bus drivers of their duty to drive with due regard for the safety of other motorists. | Yes |

Source: Legislative Council Staff

Table 4
Transportation Legislation Review Committee
Bills Not Approved by the Legislative Council — Interim Sessions 2005 to 2015

| Bill Letter | Bill Title | Brief Description of Bill |
|---|--|---|
| Interim Session 2015 | | |
| All bills approved. | | |
| Interim Session 2014 | | |
| All bills approved. | | |
| Interim Session 2013 | | |
| All bills approved. | | |
| Interim Session 2012 | | |
| Bill D | Penalty for DUI Involving Marijuana | The TLRC recommended Bill D to expand the definition of driving under the influence (DUI) to include driving when the driver's blood contains 5 nanograms or more of delta 9-tetrahydrocannabinol per milliliter in whole blood. The bill was not approved by Legislative Council as an interim committee bill; however, the bill was introduced as a regular bill and signed into law (HB 13-1325) |
| Interim Session 2011 | | |
| All bills approved. | | |
| Interim Session 2010 | | |
| Per Senate Bill 10-213: 2010 interim committees were suspended. | | |
| Interim Session 2009 | | |
| All bills approved. | | |
| Interim Session 2008 | | |
| All bills approved. | | |
| Interim Session 2007 | | |
| Bill G | Heavy-Duty Diesel Vehicle Emissions Test | The TLRC recommended Bill G to repeal the requirement for emissions testing of newer heavy-duty diesel vehicles for introduction during the 2008 legislative session; however, at the request of the bill's sponsor, the chair withdrew the bill from consideration at the Legislative Council Committee meeting. No motion was made to approve the bill for the 2008 legislative session. |

Table 4 (Cont.)
Transportation Legislation Review Committee
Bills Not Approved by the Legislative Council — Interim Sessions 2005 to 2015

| Bill Letter | Bill Title | Brief Description of Bill |
|-----------------------------|--|---|
| Interim Session 2006 | | |
| Bill C | Repeal CDOT Full-time Employee Cap | Bill C was not approved by the Legislative Council Committee as an interim committee bill. However, the bill was introduced as a regular bill and signed into law. The bill eliminates CDOT's statutory full-time employee cap, which was set at 3,316. |
| Interim Session 2005 | | |
| Bill D | Driver's License Persistent Drunk Driver | Bill D would have required that the driver's license held by a persistent drunk driver indicate for a five-year period that the holder is a persistent drunk driver. |

Source: Legislative Council Staff