



**COLORADO**  
Department of  
Transportation

## CDOT Bill Tracking Report

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### **HB19-1061**

### **Zero-based Budgeting Review Principal Departments**

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<b>Summary:</b>	Directs the JBC to use a zero based budgeting method to evaluate two state departments a year. They then make recommendations based off of their review.
<b>CDOT analysis:</b>	The impact of this bill on CDOT would be smaller than other departments. The department uses elements of zero based budgeting already and, even if the JBC made recommendations, the TC decides how state highway funds are used.
<b>Fiscal Impact:</b>	As CDOT has already incorporated elements of zero-based budgeting into its budget process, it is expected that any increase in workload to assist the JBC with their analysis can be accomplished within the department's course of work.
<b>Calendar Notification:</b>	NOT ON CALENDAR
<b>Sponsors:</b>	R. Bockenfeld
<b>Status:</b>	2/22/2019 House Committee on Appropriations Postpone Indefinitely

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### **HB19-1072**

### **Require Traffic Signals Cycle Yellow Before Green**

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<b>Summary:</b>	Sponsor withdrew the bill from consideration.  Changes the timing of traffic signals to include a yellow signal after green and red when cycling back to green.
<b>CDOT analysis:</b>	This change would not comply with the MUTCD and would cost CDOT to change the timing and light sequencing for existing lights on state highways.
<b>Fiscal Impact:</b>	Significant. OPRG working with regions to quantify what this would cost to redo all traffic signals in the state.
<b>Calendar Notification:</b>	NOT ON CALENDAR
<b>Sponsors:</b>	H. McKean
<b>Status:</b>	1/30/2019 House Committee on Transportation & Local Government Postpone Indefinitely

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### **HB19-1079**

### **End Taxpayer-funded Lobbying Act**

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<b>Summary:</b>	Bill died in House State Affairs on party line vote.
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Prohibits state departments and the Governor's office from lobbying the General Assembly.

**CDOT analysis:** If passed, this would restrict the department's ability to interact with the legislative branch of government. CDOT would not be able to take positions on legislation and could only answer technical questions.

**Fiscal Impact:** Indeterminate fiscal impact immediately, however, possible negative future impacts due to policies implemented without input from the department.

**Calendar Notification:** NOT ON CALENDAR

**Sponsors:** D. Williams

**Status:** 1/31/2019 House Committee on State, Veterans, & Military Affairs Postpone Indefinitely

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**HB19-1099**      **Eliminate Red Light Cameras**

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**Summary:** This bill prohibits all levels of government to use automated vehicle identification systems and issue tickets using these systems. Generally, CDOT does not enter into these discussions as they are focused on local governments' powers, however this one removes the ability of the state to use speed enforcement in highway work zones. It also has language exempting tolling infrastructure.

**CDOT analysis:** CDOT has requested to amend the bill to continue allowing for speed enforcement options for the state moving into the future, especially if the state wants to begin photo enforcement on managed lanes.

The bill died in the House Transportation committee

Bill sponsor agreed to amend the bill to allow for HOT enforcement in the future. Bill has not been heard in committee yet.

**Fiscal Impact:** The bill decreases the future ability to enforce laws within highway works zones and on managed lanes, but there is no fiscal impact to the department.

**Calendar Notification:** NOT ON CALENDAR

**Sponsors:** S. Humphrey | J. Melton

**Status:** 2/20/2019 House Committee on Transportation & Local Government Postpone Indefinitely

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**HB19-1157**      **Modify Specific Ownership Tax Rates**

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**Summary:** This bill modifies the specific ownership tax (SOT) on vehicles less than 25 years old, increasing the amount of tax revenue collected in the HUTF.

**CDOT analysis:** After ten years, an older vehicles' SOT is reduced significantly, so the bulk of the revenue comes from newer vehicles. This bill changes the SOT formula so that after ten years, vehicles pay .25% of taxable value. This new revenue would be deposited into the HUTF.

**Fiscal Impact:** The new revenue would be distributed via the 60/22/18 formula for HUTF

funds. Estimated to bring in around \$30 million in first few years, then grows to around \$150+ million annually after ten years.

**Calendar Notification:** Wednesday, March 20 2019  
Transportation & Local Government  
1:30 p.m. Room 0112  
(2) in house calendar.

**Sponsors:** L. Liston

**Status:** 1/29/2019 Introduced In House - Assigned to Transportation & Local Government + Finance

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**HB19-1163** **Reduce Regulatory Burden Rules On Businesses**

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**Summary:** Before promulgating any new rules, state departments must publish regulatory flexibility analysis showing how the rules will accomplish the objectives yet minimize impacts on small businesses.

**CDOT analysis:** CDOT's existing process includes procedures which take into account and weigh the impacts on small businesses. There are multiple opportunities for small businesses to be notified of rule making, provide written and in person input on the rules, and request a cost/benefit analysis if the rule is perceived to have an unfair impact on an industry or business.

**Fiscal Impact:** This bill would add additional reporting and research requirements into the existing APA process for rule making. There would be an additional administrative cost and time associated to all rule making in the future.

**Calendar Notification:** NOT ON CALENDAR

**Sponsors:** T. Carver / J. Smallwood | J. Tate

**Status:** 2/28/2019 House Committee on Energy & Environment Postpone Indefinitely

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**HB19-1199** **Colorado Clean Pass Act**

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**Summary:** This bill creates a system that allows plug in electric vehicles to travel in CDOT express lanes for 50% off the toll rate. A certain number of EV's are allowed into the program each year with an final cap of 120K.

**CDOT analysis:** The bill presents a complex policy for increasing the number of electric vehicles in the state. Other states implementing this policy increased the EV market share. The bill provides sideboards for HPTE and CDOT to modify or negate the program if there is a level of service impact, or the number of EVs impacts the ability to finance new lanes or pay debt financing on existing lanes.

**Fiscal Impact:** CDOT worked closely with the sponsor to mitigate the revenue impacts to tolling on express lanes. CDOT will continue to work closely on the bill to protect against amendments that will impact the fiscal costs to the department.

**Calendar Notification:** Monday, March 4 2019  
Energy & Environment  
1:30 p.m. Room 0112  
(4) in house calendar.

**Sponsors:** A. Valdez / B. Pettersen | F. Winter

**Status:** 2/20/2019 Introduced In House - Assigned to Energy & Environment + Appropriations

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**HB19-1207**      **Winter Conditions And Traction Control Requirements**

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**Summary:** Extends the requirement for carrying chains or alternative traction control devices to passenger vehicles travelling I-70 in the mountains during the winter.

**CDOT analysis:** Spin outs and crashes close I-70 during the winter and to reduce the number of times the highway is closed, passenger vehicles can carry traction devices during winter months. The bill also conforms statutory language with CDOT's winter driving rules.

**Fiscal Impact:** No fiscal impact on CDOT.

**Calendar Notification:** Tuesday, March 5 2019  
Transportation & Local Government  
Upon Adjournment Room 0112  
(2) in house calendar.

**Sponsors:** D. Roberts / K. Donovan | B. Rankin

**Status:** 2/21/2019 Introduced In House - Assigned to Transportation & Local Government

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**HB19-1209**      **Aeronautical Reporting Requirements**

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**Summary:** Removes obsolete language from statute regarding aeronautics reporting.

**CDOT analysis:** When there were intrastate air carriers the state had reporting requirements for them, but now that that all carriers are interstate, these reporting requirements are redundant with federal requirements.

**Fiscal Impact:** None

**Calendar Notification:** Monday, March 4 2019  
GENERAL ORDERS - SECOND READING OF BILLS  
(1) in house calendar.

**Sponsors:** M. Froelich | A. Valdez

**Status:** 2/27/2019 House Committee on Business Affairs & Labor Refer Unamended to House Committee of the Whole

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**SB19-012**      **Use Of Mobile Electronic Devices While Driving**

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**Summary:** Current law prohibits individuals younger than 18 from using mobile devices while driving. This bill extends that prohibition to all ages and extends prohibition to include all mobile electronic devices.

Stakeholders are meeting this week to see if a compromise can be reached on amending the bill. If not, the sponsor has said she will kill the bill.

**CDOT analysis:** The purpose is to reduce distracted driving by not allowing people to hold electronic devices in their hands while driving.

**Fiscal Impact:** The bill raises penalties for the second, third and subsequent penalties. If the bill passes, the new graduated fines would be \$300 (1st), \$500 (2nd), and \$750 (3rd+).

**Calendar Notification:** Friday, March 8 2019  
SENATE APPROPRIATIONS COMMITTEE  
7:30 AM LSB-B  
(2) in senate calendar.

**Sponsors:** L. Court / J. Melton

**Status:** 2/14/2019 Senate Committee on Transportation & Energy Refer Amended to Appropriations

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**SB19-017****Requirements For CDOT Colorado Department of Transportation Land Acquisitions**

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**Summary:** This bill comes out of CDOT's Efficiency and Accountability Committee and addresses the additional administrative requirements brought on by the 'Amerco' Supreme Court decision.

The bill passed the Senate unanimously and is in the House.

**CDOT analysis:** CDOT has a convoluted reporting and review system for ROW acquisition as a result of the Court's decision requiring the Transportation Commission to approve ROW acquisition along with the Chief Engineer. This bill clarifies that the TC will approve acquisitions involving condemnation, and the Chief Engineer may approve all other ROW acquisitions.

**Fiscal Impact:** There will be an positive fiscal impact in reducing the number of administrative hours necessary to create duplicate reports and inefficient approval processes.

**Calendar Notification:** NOT ON CALENDAR

**Sponsors:** R. Zenzinger / D. Roberts

**Status:** 12/26/2019 Introduced In Senate - Assigned to

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**SB19-018****Commercial Motor Vehicle Driver Age**

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**Summary:** Directs the Dept. of Revenue to promulgate rules allowing for interstate CDL drivers to be 18-21 years old. Currently, 18-21 year old CDL drivers are only allowed for intrastate travel.

**CDOT analysis:** This bill will increase the labor pool for CDL drivers in the state, which CDOT supports to fill driver vacancies; however, the interstate flexibility can only occur if the federal government allows for 18-21 year old CDL drivers, something it currently prohibits. The bill prepares Colorado for the possibility that the federal government changes the law.

**Fiscal Impact:** Could be a positive fiscal impact on CDOT by enabling the department to draw from a larger pool to fill CDL driver positions in the state.

**Calendar Notification:** NOT ON CALENDAR

**Sponsors:** R. Scott | V. Marble / B. McLachlan | L. Saine

**Status:** 2/20/2019 Governor Signed

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**SB19-032**

**Hazardous Materials Transportation Routing**

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**Summary:** SB-32 requires CDOT to convene a stakeholder group to study possible safety and infrastructure changes necessary to allow trucks delivering gas to travel through the EJMT.

The bill passed the Senate unanimously and is headed to the House.

**CDOT analysis:** Currently, gas trucks travel over Loveland Pass to deliver petroleum products to facilities on the west side of the EJMT. Occasionally, gas trucks are allowed through the tunnel if the pass is closed and only under certain circumstances. A study would afford the department and stakeholders an opportunity to quantify and clarify what improvements would be necessary to allow the trucks to travel through the EJMT on a more frequent basis.

**Fiscal Impact:** CDOT would staff and perform the study, and since most of the work could be accomplished using in house resources the fiscal impact would be limited.

**Calendar Notification:** Friday, March 1 2019  
GENERAL ORDERS - SECOND READING OF BILLS  
(4) in house calendar.

**Sponsors:** R. Scott / J. McCluskie

**Status:** 2/26/2019 House Committee on Transportation & Local Government Refer Amended to House Committee of the Whole

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**SB19-038**

**Agricultural Trailers Port Of Entry Clearance**

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**Summary:** The bill allows certain trucks carrying agricultural products to bypass ports of entry under circumstances.

**CDOT analysis:** Sponsor will be pulling this bill because of the work CSP and CDOT did over the summer to update the revocable permit process, which makes it more efficient for haulers and ensures safety on the roads.

**Fiscal Impact:** No direct fiscal impact to CDOT.

**Calendar Notification:** NOT ON CALENDAR

**Sponsors:** J. Sonnenberg / R. Pelton

**Status:** 1/22/2019 Senate Committee on Transportation & Energy Postpone Indefinitely

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**SB19-051**

**Increase General Fund Funding For Transportation**

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**Summary:** Increases the FY 19/20 SB1 transfer by \$190 million.

**CDOT analysis:** Current law has the second general fund transfer under SB1 at \$150, this bill adds funds to increase the transfer to \$340 million. This funding comes from the new funds the state will see and not out of existing general fund revenues.

**Fiscal Impact:** An additional \$161.5 million would come to state highways. An additional \$51 million would go to local governments (an increase of \$28.5 million), and multimodal funding remains the same at \$22.5 million.

**Calendar Notification:** NOT ON CALENDAR

**Sponsors:** R. Scott | J. Cooke

**Status:** 1/8/2019 Introduced In Senate - Assigned to Transportation & Energy + Appropriations

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**SB19-054**

**Military Vehicle Motor Vehicle Regulation**

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**Summary:** The bill clarifies how the DMV classifies demilitarized motor vehicles.

**CDOT analysis:** It was unclear how auto dealerships, or individuals, that bought demilitarized vehicles from the armed services get the vehicles titled and registered with the DMV. Current law says that these vehicles may be purchased but only used on private land. This bill states that these vehicles do not need an inspection to prove they are roadworthy, nor do they need to be registered.

**Fiscal Impact:** CDOT would lose minimal amounts of FASTER registration fees if these vehicles do not need to register.

**Calendar Notification:** NOT ON CALENDAR

**Sponsors:** L. Crowder / D. Valdez

**Status:** 1/28/2019 Senate Committee on State, Veterans, & Military Affairs Witness Testimony and/or Committee Discussion Only

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**SB19-062**

**Limit Agency Rule-making Authority To Amend Rules**

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**Summary:** Executive branch departments would get legislative approval for amended or reinterpreted rules. The bill died in committee on a party line vote.

**CDOT analysis:** This is an attempt for the legislature to gain more control over state departments' rule making process. The bill says if CDOT wants to amend or reinterpret any rules, the department must receive legislative permission to do so. The language would create long delays in finalizing rules and does not take into consideration the existing rule review process in place, which for CDOT is annually.

**Fiscal Impact:** Significant administrative costs associated with the delay in rule review and implementation as well as additional coordination with the legislative branch for rule review and approval.

**Calendar Notification:** NOT ON CALENDAR

**Sponsors:** J. Sonnenberg

**Status:** 1/28/2019 Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely

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**SB19-076****CDOT Colorado Department Of Transportation Consulting Engineer Contracts**

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<b>Summary:</b>	Requires consultants to provide a fixed bid when contracting with CDOT instead of the hourly rate currently used.  CDOT continues to work with the sponsor on amendments that would narrow the scope of the bill.
<b>CDOT analysis:</b>	It is uncertain how this would impact construction project bids. Consultants could raise the fixed bid amount to a level higher than what an hourly rate would be; and, it is possible that over time the fixed bids would create savings with fewer billed hours spent on long project delays.
<b>Fiscal Impact:</b>	Uncertain. Not likely to be a significant revenue loss, may be a positive cost savings if fixed bid amounts are lower than hourly costs.
<b>Calendar Notification:</b>	Wednesday, March 13 2019 Transportation & Local Government 1:30 p.m. Room 0112 (1) in house calendar.
<b>Sponsors:</b>	R. Scott / J. Rich
<b>Status:</b>	2/22/2019 Introduced In House - Assigned to Transportation & Local Government

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**SB19-101****Prerequisites For Construction Of Managed Lanes**

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<b>Summary:</b>	CDOT and HPTE must evaluate alternative means of increasing highway capacity or reducing traffic congestion before the construction of a managed lane. Additional reporting requirements are added for CDOT and HPTE including testifying in front of the legislature if a managed lane is planned on any future corridor.
<b>CDOT analysis:</b>	CDOT and HPTE follow the existing processes that complies with many of the requirements of this bill; however, the strict prohibition on action until all other avenues are explored could prohibit the construction of managed lanes in the future.
<b>Fiscal Impact:</b>	To the extent that the requirements of this bill prevent the department from pursuing a managed toll lane project, the department may not be able to leverage the financial tools and private partnerships that managed toll lanes allow for.
<b>Calendar Notification:</b>	NOT ON CALENDAR
<b>Sponsors:</b>	P. Lundeen / T. Carver
<b>Status:</b>	2/26/2019 Senate Committee on Transportation & Energy Postpone Indefinitely

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**SB19-125****Suppl Approp Dept Transportation**

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<b>Summary:</b>	This is the annual appropriations bill for CDOT. This bill allocates funds for FY 18/19.
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<b>CDOT analysis:</b>	A difference in this bill is this year there is a new line item for the CDOT state budget. SB18-001 created the Multimodal Transportation Options Fund and the allocated amount from SB1 is included in this supplemental bill.
<b>Fiscal Impact:</b>	The new amount for MTOF will be \$71.75 million for CDOT. The majority of this funding, 85%, will pass through CDOT to the TPRs and local governments. the remaining 15% stays in CDOT for state multimodal purposes.
<b>Calendar Notification:</b>	NOT ON CALENDAR
<b>Sponsors:</b>	D. Moreno / D. Esgar
<b>Status:</b>	2/21/2019 Signed by the President of the Senate

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### SB19-135

### State Procurement Disparity Study

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<b>Summary:</b>	To ascertain whether disparities exist between the participation of historically underutilized businesses and other businesses in the state procurement system, the bill directs the department of personnel to contract for a disparity study of the Colorado procurement process and to make recommendations to address any discrepancies identified by the study.
<b>CDOT analysis:</b>	The focus of the bill is on other state departments that use the traditional state procurement system. The bill is drafted to include highway construction and design which involves a different procurement process. If the sponsor's desire is to include road construction projects, then the department will cooperate with DPA in the study.
<b>Fiscal Impact:</b>	This bill will increase workload for the department to provide any information requested in connection with this study. If this bill increases workload beyond what can be accomplished in the normal course of work, additional resources will be sought in the department's annual budget process.
<b>Calendar Notification:</b>	NOT ON CALENDAR
<b>Sponsors:</b>	A. Williams   R. Rodriguez / J. Buckner   B. Buentello
<b>Status:</b>	2/25/2019 Senate Committee on Business, Labor, & Technology Refer Amended to Appropriations

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### SB19-138

### Bond Requirements For Public Projects Using Private Financing

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<b>Summary:</b>	Currently, the state requires payment and performance bonds for construction projects. This bill extends these bonding requirements to projects financed by a private entity that are located on public property.
<b>CDOT analysis:</b>	The bill codifies existing practices for CDOT on P3 contracts and has no negative impacts on our P3 contracting.
<b>Fiscal Impact:</b>	CDOT's bonding requirements are currently greater for road and bridge projects than what is mandated in the bill. Therefore, this bill will have no fiscal impact on the department.
<b>Calendar</b>	NOT ON CALENDAR

**Notification:**

**Sponsors:** F. Winter | K. Priola / S. Bird

**Status:** 2/28/2019 Senate Committee on Finance Refer Amended to Senate Committee of the Whole

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**SB19-144**

**Motorcyclists And Malfunctioning Traffic Signals**

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**Summary:** Allows motorcycles to pass through red traffic lights under certain circumstances.

**CDOT analysis:** This bill would allow motorcycles to go through traffic lights that are red or yellow for longer than 2 minutes.

**Fiscal Impact:** None to the department

**Calendar Notification:** NOT ON CALENDAR

**Sponsors:** R. Zenzinger / D. Roberts

**Status:** 2/19/2019 Introduced In Senate - Assigned to Transportation & Energy

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**SB19-169**

**Project Management Competencies For Certain Contracts**

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**Summary:** This bill increases reporting and administratively requirements for state departments issuing funding requests to the Joint Technology Committee about \$1m.

**CDOT analysis:** The bill specifies the new requirements are for JTC requests and contracts involving the CO Procurement Code. CDOT does not request funding from the JTC and is exempted from the state Procurement Code. We will actively monitor the bill to ensure there are no other impacts to non-construction elements of IT and that teh department exemption continues.

**Fiscal Impact:** None under current language.

**Calendar Notification:** NOT ON CALENDAR

**Sponsors:** J. Tate | J. Bridges / J. Arndt

**Status:** 2/27/2019 Introduced In Senate - Assigned to Business, Labor, & Technology