



COLORADO

Department of Transportation

Office of Policy and Government Relations

DATE: April 27, 2018
TO: Transportation Commissioners, Executive Director, Executive Management Team, Branch Managers, and Office Directors
FROM: Andy Karsian, Office of Policy & Government Relations
RE: Legislative Update

Overview

The final days of the session are upon us. Both chambers of the legislature are pushing to get through more than 300 bills still on their calendars. Members introduced some new bills and the House debated bills late into the night on Tuesday and Thursday. In addition to the busy legislators, traditional Mexican dancers, a giant penguin, a bald eagle, and thousands of school teachers spent time under the dome this week. There are eight more days to go.

Legislation

As of today, CDOT is tracking 35 bills for possible direct or indirect impacts on CDOT, its employees, and the state's transportation network. Below are summaries of a few bills introduced or heard this week.

Senate Bill 18-167 (Enforce Requirements 811 Utility Locate): The Senate Finance committee passed this bill early in March and then the legislation sat in the Appropriations committee for more than a month while stakeholders continued to work on language. Small water providers, counties, municipalities, and agricultural interests all had difficulties with the proposed language that requires them to call 811 for utility locates prior to excavating on a project. The main concern centered around the delay between calling for a locate and the locate itself.

This week, the Senate finally got a chance to debate the bill on the Senate floor. The bulk of the discussion came from a small group of Senators concerned about the impacts on the agricultural community and the impression that work done on private land would be delayed because of utility locate calls, and if work was done without notification then the new 811 Safety Committee would fine the farmer. The bill sponsor and others tried to assuage the fears surrounding the bill and ultimately the bill passed on a strong bipartisan voice vote.

CDOT continues to monitor the bill closely to ensure that the legislation does not interfere with the department's ongoing process to improve internal utility locate processes.

House Bill 18-1383 (Bonding Requirements for Public Projects Using Private Financing): This bill clarifies that public projects using private financing (P3s) are required to comply with certain bonding requirements. These bonds are used to cover fiscal obligations if a contractor should default on the project. CDOT already has bond requirements in place for construction projects and this bill ensures that P3 projects are also included. The department complies with federal bonding requirements on P3s, so this bill does not interfere with any existing processes.

House Bill 18-1406 (Driver's License and Judgements for Traffic Violations): People who have outstanding traffic fines or outstanding warrants out for their arrest can lose their driver's license as a result. This bill prohibits the Department of Revenue from suspending a person's license if they have unpaid fines or an outstanding warrant. The intent is to make sure poor people who have traffic fines do not lose the ability to keep employment because they cannot drive anymore. Regardless of the policy recommendations the fiscal note for the bill reduced the HUTF by around \$4M as a result of unpaid fines. The bill also reduced funding for the First Time Drunk Drivers account by \$800,000, which would kill a program already facing a funding shortage due to reduced court fines. In the House Transportation committee, the sponsors offered an amendment that protected both funding streams and brought the fiscal impact to neutral. Unfortunately,



the amendment brought opposition from other legislators. The bill did pass out of the committee on a close 8-7 vote.

