



COLORADO

Department of Transportation

Office of Policy and Government Relations

DATE: February 10, 2017
TO: Transportation Commissioners, Executive Director, Executive Management Team, Branch Managers, and Office Directors
FROM: Andy Karsian, Office of Policy & Government Relations
RE: Weekly Legislative Report - 2017 Session of the Colorado General Assembly

Overview

The session is already a third of the way done and much, much more is yet to come. Among the variety of happenings this week: more bills were introduced that directly impact the Department; discussions concerning how to fund transportation in the future continued from the leadership level down to the committee rooms; and, CDOT provided input on the draft bill for autonomous vehicles the sponsors circulated among stakeholders.

Legislation

As of today CDOT is tracking 29 bills for possible direct or indirect impacts on CDOT, its employees, or the state's transportation network. Below are summaries of the few bills introduced or heard this week.

Senate Bill 17-27 (Fines for Texting While Driving). This bill survived its first hurdle and passed out of the State Affairs committee this week. The sponsor and committee members amended the bill to reduce the fine from \$500 to \$300. Unfortunately, CDOT's amendment adding language that brings federal funding to Colorado was not offered because some Senate committee members did not want the State dependent on more federal funding.

CDOT Position: Support, and amend if possible

House Bill 17-1166 (Access between Highways and Adjoining Businesses). This bill mandates CDOT and local governments consider 'public convenience' when determining access to state highways for businesses. It states that failure to consider convenience or reasonable access for businesses may be a takings that would require compensation under eminent domain law. Using these additional considerations could result in access plans that otherwise would have been denied or ruled unsafe. The business could also claim that CDOT's access plan resulted in a taking of private property because 'reasonable access' or 'public convenience' was not considered. This would open the department to a host of new takings claims.

CDOT Position: Oppose

House Bill 17-1153 (Highway Congestion Mitigation). This bill dedicates future federal funding solely to I-25. Maintenance funds would be diverted to the I-25 projects, diminishing CDOT's long term asset management. The bill also reduces the state and federal planning processes to six months, which is not permitted under federal law. Finally, the bill switches the HOV3+ policy back to HOV2 statewide. The negative fiscal impacts of this bill on the department are enormous.

CDOT Position: Oppose

If you have any questions on these or any other legislative issues please contact Andy Karsian at 303-757-9073. Weekly memos and our bill tracking chart is also [available online](#).

