



CDOT 2015 Legislative Bill Tracking Sheet

HB15-1003

Fund Safe Routes To School Program

Bill Summary: The bill allows the Safe Routes to School (SRTS) program to continue to fund projects across the state that encourage K-8 children to walk/bike to school.

CDOT Analysis: The funding mechanism currently in the bill is problematic for the Department as it is \$3M coming out of CDOT's existing revenue. SRTS is a CDOT commitment so CDOT is working with stakeholders and the sponsor to figure out the scope of the funding.

Fiscal Impact: HB 1003 requires CDOT to use \$3 million of existing CDOT revenues to continue paying for the SRTS program. It is unlikely \$3M will be available, current funding estimates range from \$750,000 for educational grants and \$1-2M for infrastructure.

Position: **Monitor/Support**

Calendar Notification: NOT ON CALENDAR

Sponsors: TYLER / TODD

Status: 01/07/2015 Introduced In House - Assigned to Transportation & Energy

HB15-1004

Firefighter Motorcycle License Plate

Bill Summary: This bill adds motorcycles to the list of vehicles in which firefighters may apply to receive special plates. CDOT tracks license plate bills to ensure the correct portion of the fee is credited to the HUTF.

The bill passed both Houses.

CDOT Analysis: CDOT tracks license plate bills to ensure the correct portion of the fee is credited to the HUTF.

Fiscal Impact: \$2670 increase in revenue to CDOT.

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: TYLER / TODD

Status: 03/19/2015 Senate Third Reading Passed - No Amendments

HB15-1012

Sales & Use Tax Exemption For Dyed Diesel

Bill Summary: At the state level dyed diesel is already exempt. The main impact of the legislation is to cities and counties that currently opt not to exempt dyed diesel from sales and use taxes.

The bill passed the House and the Senate; sent to the Governor.

CDOT Analysis: Continuing to monitor the bill to ensure it does not expand use of dyed diesel in a way that reduces revenue to HUTF.

Fiscal Impact: Minimal and indeterminate.

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: BECKER J. / SONNENBERG

Status: 03/16/2015 Sent to the Governor

HB15-1014

Biennial Registration Seasonal Farm Motor Vehicles

Bill Summary: The bill seeks to reduce the annual registration of agricultural vehicles to every other year.

CDOT Analysis: The bill's impact is difficult to determine as written. As long as the bill does not reduce HUTF revenue, CDOT is neutral. It passed out of Transportation Committee 12-1 and is currently sitting in Finance.

Fiscal Impact: The fiscal note shows an increase of \$1.5M in revenue due to the double fees paid to cover two years. The bill, however, states the specific ownership tax and registration fees are reduced, which the fiscal note reflects in year two of the bill.

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: DORE

Status: 03/05/2015 House Committee on Finance Refer Amended to Appropriations

HB15-1026

Reserved Parking Disabled Military License Plates

Bill Summary: The bill allows any military license plate to have an identifying figure for handicapped parking if the applicant demonstrates a physical impairment affecting mobility.

The bill is currently in Appropriations.

CDOT Analysis: No policy impact to CDOT. Will continue monitoring for impacts.

Fiscal Impact: No fiscal impact to CDOT.

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: ROUPE

Status: 03/18/2015 Senate Committee on State, Veterans, & Military Affairs
Refer Unamended to Finance

HB15-1043

Felony Offense For Repeat DUI Offenders

Bill Summary: This bill creates a felony offense for 3 or more DUI/DWAI convictions under certain circumstances.

The bill continues to sit in Finance as the various stakeholders continue negotiations.

CDOT Analysis: The bill was laid over while Corrections, Public Safety and State Patrol negotiate on how to implement the policy. The Governor wants a felony DUI bill passed this year.

Fiscal Impact: None

Position: **Monitor/Support**

Calendar Notification: Wednesday, March 25 2015
Finance
1:30 p.m. Room LSB-A
(4) in house calendar.

Sponsors: SAINE / COOKE

Status: 02/05/2015 House Committee on Judiciary Refer Amended to Finance

HB15-1044

Periodic Legislative Review Executive Branch Rules

Bill Summary: The bill creates a schedule for the legislative review, including a policy review and a legal review, over a 4-year period of all of CDOT's rules. The bill died on a thin bipartisan vote in committee.

CDOT Analysis: CDOT already complies with the requirements of the bill, however the bill adds an unreasonable timeline for review of all rules. Quantifying the fiscal impact of our rules would require additional FTEs.

Fiscal Impact: Estimated additional 3,000 hours of work to comply.

Position: **Oppose**

Calendar Notification: NOT ON CALENDAR

Sponsors: KLINGENSCHMITT

Status: 03/02/2015 House Committee on State, Veterans, & Military Affairs
Postpone Indefinitely

HB15-1046 **Highway Project Contract Amount Limit Waivers**

Bill Summary: Bill allows the Executive Director to approve low bid project even if fewer than three bids applied. Transparency sideboards, such as a three year sunset and additional reporting to the General Assembly.

CDOT Analysis: This bill helps increase the number of projects CDOT may accomplish in a year. Currently, CDOT needs to re-advertise bids with fewer than three bids, and this would allow those to go forward instead. The bill passed the House and unanimously through the Senate Transportation.

Fiscal Impact: CDOT spends around \$5-10,000 to re advertise these projects.

Position: **Actively Support**

Calendar Friday, March 20 2015

Notification: GENERAL ORDERS - SECOND READING OF BILLS - CONSENT CALENDAR
(3) in senate calendar.

Sponsors: MORENO / SCOTT

Status: 03/17/2015 Senate Committee on Transportation Refer Unamended - Consent Calendar to Senate Committee of the Whole

HB15-1054 **Off-Highway Vehicle Roadway Registration**

Bill Summary: Allows OHVs onto county roads. Establishes a titling and registration process for OHVs. Would allow young children, ages 10 and up, to drive OHVs under direct parental supervision.

The bill died in the House Finance committee.

CDOT Analysis: CDOT and CSP have safety concerns about OHVs on county roads, but the sponsor amended out language allowing young kids to drive OHVs. With these amendments, CO State Patrol and CDOT are neutral on the bill.

Fiscal Impact: None

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: BROWN

Status: 02/19/2015 House Committee on Finance Postpone Indefinitely

HB15-1055 **Participation In State Employee Assistance Program**

Bill Summary: The bill clarifies that the dependant of a state employee is not eligible to be the sole and direct recipient of services from an employee assistance program, but that the program may allow the participation of a state employee's dependant or any other person who is not a state employee in an employee assistance program if such participation is necessary to provide effective counseling and assistance to a state employee.

CDOT Analysis: Under current law, state employees may participate in assistance programs to address conflict resolution, crisis intervention, anger management, employer and employee mediation, consultations regarding problem employees, violence in the workplace training, sexual harassment training, and any other facilitated groups and workshops deemed necessary to address workplace challenges. There are certain situations in which the participation of a dependent of a state employee may improve the effectiveness of the employee assistance program. The bill passed both Houses and is awaiting the Governor's signature.

Fiscal Impact: No impact

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: ESGAR

Status: 03/16/2015 Sent to the Governor

HB15-1068 **Motor Vehicle Impeding Traffic**

Bill Summary: The bill creates a presumption that a person is impeding traffic if at least 4 motor vehicles are following immediately behind and the person is traveling at least 5 miles per hour below the speed limit. Vehicles with the slow-moving vehicle emblem are exempted from the law against impeding traffic.

There would have been some small increase to the HUTF from the traffic tickets citations, but the bill was PI'd in House Transportation.

CDOT Analysis: The bill would have helped in traffic safety and flow on two lane roads.

Fiscal Impact: The fiscal impact would've been minimal and indeterminate.
Position: **Monitor**
Calendar Notification: NOT ON CALENDAR
Sponsors: WILSON
Status: 01/28/2015 House Committee on Transportation & Energy Postpone Indefinitely

HB15-1077 **Modify Late Vehicle Registration Fee**

Bill Summary: Bill seeks to create a maximum limit of \$10 for FASTER late fees. Bill died in House State Affairs.

CDOT Analysis: By reducing the amount of the FASTER late fee charge, there would have been a significant fiscal impact to the FASTER budget for the state.

Fiscal Impact: \$10,536,000 revenue loss in FY2016-17 and beyond.

Position: **Monitor/Oppose**

Calendar Notification: NOT ON CALENDAR

Sponsors: WILSON

Status: 01/28/2015 House Committee on State, Veterans, & Military Affairs Postpone Indefinitely

HB15-1089 **Register Title Kei Vehicle For Roadway**

Bill Summary: This bill authorizes a person to drive a kei vehicle on a roadway if it is registered with the division of motor vehicles. It sets the cost of registration to \$15 and specifies that the kei vehicle must follow the rules of the road and cannot be driven on limited-access highways or roads with a speed limit greater than 55 mph.

CDOT Analysis: CDOT looks at bills like these to ensure only safe vehicles are allowed on roads, and to apply appropriate FASTER fees to the vehicles. In the case of kei vehicles, they are NHTSA certified and have the ability to flow with the rest of road traffic. Unfortunately, the sponsor did not amend in all of the CDOT request on registration fees, so we continue to work with her to treat kei vehicles as Class C vehicles for registration purposes.

Fiscal Impact: Defer to DOR. No fiscal impact for CDOT.

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: PRIMAVERA
Status: 02/04/2015 House Committee on Transportation & Energy Refer
Amended to Finance

HB15-1090

County Retail Marijuana Impacts Grant Program

Bill Summary: This bill would have skimmed 30% off the top from the Marijuana Tax Cash Fund for grants to counties looking for help with the impacts of marijuana.

The bill was PI'd in Local Government Committee.

CDOT Analysis: The MTCF is \$24.3M, so around \$7M off the top would have gone to the grant program in DOLA. Eight Departments receive MTCF money, with CDPHE and DHS with the most at \$9.7M.

Fiscal Impact: CDOT administers the Marijuana Impaired Driving campaign at \$450,000/yr.

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: DORE

Status: 02/05/2015 House Committee on Local Government Postpone
Indefinitely

HB15-1098

Red Light Camera

Bill Summary: The bill would prohibit the state and local governments from using technology that captures photos of vehicles breaking traffic laws.

Right now the bill is sitting in Appropriations.

CDOT Analysis: CDOT has opposed these bills over the last years because of the negative impact a prohibition of red light cameras has on traffic safety. Additionally, CDOT would be prohibited from using red light cameras in our work zones to protect worker safety.

Fiscal Impact: No fiscal impacts to CDOT.

Position: **Monitor/Oppose**

Calendar Notification: NOT ON CALENDAR

Sponsors: HUMPHREY / NEVILLE T.
Status: 02/25/2015 House Committee on Transportation & Energy Refer
Amended to Appropriations

HB15-1109 **Additional SB09-228 Transfers To HUTF & Cap Constr**

Bill Summary: This bill continues SB228 transfers beyond the current five year limit if, during any of those years, the amount of SB228 funds zeros out because of TABOR growth limits. CDOT would receive SB228 transfers in subsequent years when the growth trigger does not apply.

CDOT Analysis: The protection of SB228 funding is of highest priority for CDOT. This bill allows additional funding to come to the Department outside of the current five year window, which is good. One risk is that this is seen as THE fix for SB228 funding and the General Assembly just kicks the problem down the road for future legislators. The bill was laid over while conversations continue about TABOR revenues.

Fiscal Impact: Significant positive impact for CDOT, with potential up to \$800M over all years of the transfer.

Position: **Monitor/Support**

Calendar Notification: NOT ON CALENDAR

Sponsors: DELGROSSO

Status: 01/15/2015 Introduced In House - Assigned to Finance + Appropriations

HB15-1110 **Review Of Principal Departments Of State Gov**

Bill Summary: Requires the OSPB to do an audit/review of every state department to recommend whether to terminate, continue or reestablish the departments.

CDOT Analysis: This would mean additional time and energy conforming with any new OSPB reviews.

Fiscal Impact: CDOT's preparation and participation in this process would occur once. It is twofold in that 1) CDOT would provide sufficient info and data to DORA upon which to make a recommendation to OLLS on whether CDOT be terminated, continue or reestablished through discussions with the CFO (10 hours), COO (5 hours) and individual management divisions and offices (5 hours). Multiply the 5 hour number by the number of management participating in any analysis; and 2) Preparing the Exec Dir and CFO for appearing at any hearing(s), a min of 2 hours, and an 3 add'l hours attending any hearing(s).

Position: **Monitor**

Calendar Notification: Monday, March 23 2015
State, Veterans, and Military Affairs

1:30 p.m. Room LSB-A
(3) in house calendar.

Sponsors: SZABO
Status: 01/15/2015 Introduced In House - Assigned to State, Veterans, & Military Affairs + Appropriations

HB15-1115 **Use Of Unmanned Aerial Vehicles**

Bill Summary: This bill defines some privacy issues surrounding the use of unmanned aerial vehicles (UAVs).

It was heard in Judiciary committee and held over for another week after members heard testimony.

CDOT Analysis: CDOT continues to monitor to ensure economic development for UAV industry isn't harmed and CDOT can still use UAVs for CDOT purposes.

Fiscal Impact: none

Position: **Monitor**

Calendar NOT ON CALENDAR

Notification:

Sponsors: LAWRENCE

Status: 03/03/2015 House Committee on Judiciary Witness Testimony and/or Committee Discussion Only

HB15-1134 **New Diesel Motor Vehicles Emissions Testing**

Bill Summary: This bill allows heavy diesel fuel vehicles above 26,000 pounds and manufactured 2014 or later an additional two years before having an emissions test.

The bill passed the House and is in the Senate.

CDOT Analysis: CDOT impact is financial as we get a portion of the emission testing costs.

Fiscal Impact: According to CDPHE, who manages the Diesel Opacity Program, the total hit to the state general fund would be just over \$3,000.

Position: **Monitor**

Calendar NOT ON CALENDAR

Notification:

Sponsors: CORAM / COOKE

Status: 03/17/2015 Senate Second Reading Referred to Appropriations - No Amendments

HB15-1148

Transfer Gen Fund Surplus To State Highway Fund

Bill Summary:	This most excellent bill takes the general fund surplus for this fiscal year and deposits it into the State Highway Fund. Unfortunately, the House committee disagreed and killed the bill.
CDOT Analysis:	This would be a nice bonus. Interestingly, the committee votes were more partisan views on TABOR than the need for transportation funding. A reflection of the understood needs for infrastructure funding while not recognizing TABOR's negative effects.
Fiscal Impact:	The latest surplus estimates range from \$125 - \$196M.
Position:	Monitor/Support
Calendar Notification:	NOT ON CALENDAR
Sponsors:	BROWN
Status:	03/02/2015 House Committee on State, Veterans, & Military Affairs Postpone Indefinitely

HB15-1173

Winter Driving I-70 Tread Depth & Tire Chains

Bill Summary:	Requires a 4/32 inch tread depth on West I-70 during certain months and bad weather conditions. Allows Colorado State Patrol to enforce. The bill passed the House with a strong bipartisan vote. There will be an amendment in the Senate that keeps the same intent, but instead of specific dates for traction control devices, they will be required when weather events occur to justify them.
CDOT Analysis:	This bill does not directly impact CDOT except we would provide information to motorists along the corridor using the electronic signs. CDOT will continue educational programs and outreach to motorists regarding adequate tire treads along the corridor.
Fiscal Impact:	Although some of the fees collected from this fine would be deposited into the Highway Users Tax Fund, the Department does not expect Colorado State Patrol to issue many tickets for this violation. CDOT

expects this bill to have a minimal and indeterminate impact on revenues.

Position: **Actively Support**

Calendar Notification: NOT ON CALENDAR

Sponsors: MITSCH BUSH

Status: 03/06/2015 House Third Reading Passed - No Amendments

HB15-1197

Indemnity In Public Construction Contracts

Bill Summary: Currently, small professional design firms that contract with some public entities are under a duty to defend clause in their contracts. This requires the firm, who doesn't have insurance to pay for litigation costs, to step up and help defend a public entity against a lawsuit. The bill also requires the public entity to face all initial legal challenges before assigning liability.

CDOT Analysis: Rep Tate is amending the bill to alleviate CDOT concerns that this bill would interfere with existing contract dispute resolution processes. After multiple meetings CDOT is comfortable with the amendments and neutral on the bill.

Fiscal Impact: Any impact will be absorbed within existing FTE resources.

Position: **Monitor**

Calendar Notification: Monday, March 23 2015
SENATE JUDICIARY COMMITTEE
1:30 PM SCR 352
(2) in senate calendar.

Sponsors: TATE / JAHN

Status: 03/12/2015 Introduced In Senate - Assigned to Judiciary

HB15-1209**CDOT Highway Maintenance Division**

Bill Summary: Currently, there are two highway divisions operating under the CDOT and this bill aligns statute with current business practice.

The bill passed out of House and Senate unanimously.

CDOT Analysis: This is a bill CDOT is running to true up statute language.

Fiscal Impact: None

Position: **Actively Support**

Calendar Notification: NOT ON CALENDAR

Sponsors: TYLER / SCOTT

Status: 03/18/2015 Senate Third Reading Passed - No Amendments

SB15-014**Medical Marijuana**

Bill Summary: This bill seeks to clarify some local government taxing authority for marijuana.

The bill is sitting in Appropriations.

CDOT Analysis: CDOT monitoring to ensure no language introduced affecting CDOT funding.

Fiscal Impact: No fiscal impact

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: AGUILAR / SINGER

Status: 02/26/2015 Senate Committee on Health & Human Services Refer
Amended to Appropriations

SB15-018 **Repeal Late Vehicle Registration Fee**

Bill Summary: This bill seeks to repeal the FASTER late fee.

CDOT Analysis: The fiscal impact on CDOT is significant and the Department opposes this loss of revenue. The bill passed through the Senate on party line votes. It died an ignoble death in the House with no testimony in support of the bill.

Fiscal Impact: \$10,536,000 in FY2016-17 and beyond.

Position: **Actively Oppose**

Calendar Notification: NOT ON CALENDAR

Sponsors: NEVILLE T. / NEVILLE P.

Status: 03/18/2015 House Committee on State, Veterans, & Military Affairs
Postpone Indefinitely

SB15-022 **Wildfire Risk Reduction Grant Program**

Bill Summary: This brings DNR money to local governments to help mitigate forest hazardous fuels (i.e. dead/dying trees). The bill is in Appropriations.

CDOT Analysis: CDOT monitoring. It is possible that CDOT could be a partner with locals on a forest thinning project along state roads.

Fiscal Impact: No CDOT impact

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: ROBERTS

Status: 01/15/2015 Senate Committee on Agriculture, Natural Resources, & Energy Refer Amended to Appropriations

SB15-023

Off-highway Vehicle State Highway

Bill Summary: Bill allows OHVs to cross state highways under certain circumstances.

The bill passed both Houses and is awaiting the Governor's signature.

CDOT Analysis: Sponsor amended the bill ensuring OHVs aren't allowed on state highways running through metropolitan areas.

Fiscal Impact: No fiscal impact to CDOT, although look into FHWA statute.

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: CROWDER

Status: 03/13/2015 Governor Signed

SB15-059

Use Of Unmanned Aerial Vehicles

Bill Summary: This bill defines the instances when a law enforcement agency may use unmanned aerial vehicles.

The bill died in Senate Judiciary.

CDOT Analysis: Many state departments worked with the sponsors to craft a strike below amendment addressing concerns. The bill now just applies to any invasion of privacy and not all use of the UAVs cameras.

Fiscal Impact: None

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: NEWELL

Status: 02/25/2015 Senate Committee on Judiciary Postpone Indefinitely

SB15-080 **Participation In PERA's Defined Contribution Plan**

Bill Summary: Currently, only certain state employees may participate in PERA's defined contribution plan. This bill allows all employees of a PERA-eligible employer to have the option of the defined contribution plan. The bill passed the Senate, but died in House State Affairs.

CDOT Analysis: Technically the change would not directly affect CDOT employees as there is already an option to choose between PERA's DB or DC plans. If this bill were to pass, however, there is an assumption that more people would choose the DC plan thereby reducing the amount of funds in the DB plan and creating a more uncertain future for the fund.

Fiscal Impact: No direct fiscal impact to CDOT, possible future impacts to the DB PERA fund due to more people choosing the DC PERA plan.

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: HILL

Status: 03/18/2015 House Committee on State, Veterans, & Military Affairs Postpone Indefinitely

SB15-081 **Use Lottery Money For Recreational Bicycle Trails**

Bill Summary: This bill allowed for lottery funds to be used to provide infrastructure projects for bicycles along state and local roads. The bill died in the Finance committee.

CDOT Analysis: While additional funding for bike lanes along roads would've been nice, there were two concerns with this bill: one, it was unclear if CDOT was going to have extra maintenance duties for bike paths in our right of ways, and two, the funding source was always problematic.

Fiscal Impact: None now.

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: CROWDER

Status: 01/29/2015 Senate Committee on Finance Postpone Indefinitely

SB15-090

Temporary Registration Document Standards

Bill Summary: Allows the Dept of Revenue to create rules guiding the development of new temporary registration tags so law enforcement and tolling technology may better read them. Also creates an electronic temporary licensing system.

CDOT Analysis: Stakeholders were able to come up with consensus language for the electronic temporary plate system. CDOT's original bill language is still included as well. This bill passed the Senate Transportation, Finance and Appropriations committees, as well as second and third readings with only one no vote. It is headed to the House.

Fiscal Impact: No fiscal impact to CDOT.

Position: **Actively Support**

Calendar Notification: NOT ON CALENDAR

Sponsors: TODD / TYLER

Status: 03/19/2015 Senate Third Reading Passed - No Amendments

[SB15-097](#) Supplemental Needs Trust For Certain PERA Benefits

Bill Summary: The bill allows a PERA retiree to designate a supplemental needs trust as a cobeneficiary eligible to receive a continuing benefit upon the PERA retiree's death. The bill also states that a supplemental needs trust is an eligible survivor under PERA law and able to receive PERA survivor benefits as provided under the PERA law and rules. The bill passed the Senate and the House.

CDOT Analysis: CDOT will continue to monitor for state employees.

Fiscal Impact: No fiscal impact

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: AGUILAR / LANDGRAF

Status: 03/17/2015 House Third Reading Passed - No Amendments

[SB15-134](#) Energy Cost-savings Contracts For Vehicle Fleets

Bill Summary: This bill allows more flexibility for state agencies in calculating annual cost payments on a vehicle fleet operational and fuel cost-savings contract. The bill died in committee.

CDOT Analysis: This bill would not apply to CDOT's fleet as the Department is not planning on entering in to new energy cost saving contracts with a third party for the Department's fleet.

Fiscal Impact: None.

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: JONES / TYLER

Status: 02/12/2015 Senate Committee on Agriculture, Natural Resources, & Energy Postpone Indefinitely

SB15-163 **Suppl Approp Dept Transportation**

Bill Summary: This is a guiding document for the JBC to do figure setting for CDOT's annual budget. The bill is on the Governor's desk.

CDOT Analysis: Appropriations also include the rollover authority for the SRTS money CDOT requested.

Fiscal Impact: The total is \$1.28 billion for the Department.

Position: **Actively Support**

Calendar Notification: NOT ON CALENDAR

Sponsors: LAMBERT / HAMNER

Status: 03/11/2015 Governor Signed

SB15-165 **Suppl Approp Capital Construction**

Bill Summary:

CDOT Analysis: Includes annual appropriation of funds dedicated to CDOT under prior Ref C language. The bill is on the Governor's desk waiting for his signature.

Fiscal Impact: \$500,000 to CDOT

Position: **Actively Support**

Calendar Notification: NOT ON CALENDAR

Sponsors: LAMBERT / HAMNER

Status: 03/13/2015 Governor Signed

SB15-172 **High-performance Transp Enterprise Accountability**

Bill Summary: This bill would make the HPTE commissioners Senate confirmed appointments and add CDOT's Executive Director as an ex officio member of the commission. The bill also requires CDOT to hold town hall meetings at various times during the P3 process, as well as provide final information to the general assembly. Additionally, the bill requires CDOT to consider various transit options for any proposed P3 project and mandates 10% of P3 funds go to transit. Finally, the bill would add 14 new reporting requirements for CDOT annually.

CDOT Analysis: This bill echos the bill last year that Sen. Jones introduced in response to the P3 agreement on US-36. While the bill codifies certain points from the Executive Order, it goes further to create additional requirements on the Dept. The bill died in Senate Transportation on a party line vote.

Fiscal Impact: There would be additional administrative costs associated with additional town hall presentations as well as the additional reporting requirements to the legislature.

Position: **Actively Oppose**

Calendar Notification: NOT ON CALENDAR

Sponsors: JONES / FOOTE

Status: 02/19/2015 Senate Committee on Transportation Postpone Indefinitely

SB15-176

Southwest Chief Rail Commission Spending Authority

Bill Summary: The bill removes the requirement for Kansas and New Mexico to agree on financial contributions prior to the Southwest Chief Rail Line Economic Development Commission to spend money on development and maintenance. It also would ask Amtrak to consider adding a rail stop in Pueblo and would require Amtrak and BNSF railroads to commit in writing to spending \$16M in repairs on the line.

CDOT Analysis:

Fiscal Impact: The bill asks for a general fund appropriation of \$8.91M.

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: GARCIA / SALAZAR

Status: 02/24/2015 Senate Committee on Local Government Refer Unamended to Appropriations

SB15-179

US Highway 50 Economic Benefits Study

Bill Summary: This bill asked CDOT to conduct a study of economic benefits provided by US-50 between the Kansas border and US-285, as well as opportunities to increase those benefits. The bill died in committee on a partisan vote, largely based off of CDOT's public commitment to participate in a study over the interim.

CDOT Analysis: CDOT is supportive of the idea that US50 is an important corridor for the southern part of the state. Before the bill died members amended it to ensure gifts/grants/and donations are the funding for any study that may occur.

Fiscal Impact: The only fiscal impact for CDOT will be staff time in contributing data to the eco devo conversations over the interim, and possibly some printing costs for a report.

Position: **Monitor/Support**

Calendar Notification: NOT ON CALENDAR

Sponsors: GARCIA / ESGAR

Status: 03/12/2015 Senate Committee on Transportation Postpone Indefinitely

SB15-180

Regulatory Reform Act 2015

Bill Summary: This bill establishes a process for small businesses to receive information about state department rules. If a small business violates a new rule, a state agency is required to issue a written warning and engage the business in educational outreach as to the methods of complying with the new rule. The bill passed the Senate and is in the House.

CDOT Analysis: The bill applies to CDOT rules only if a small business breaks a minor rule, i.e. administrative/record keeping/filing reports. If a small business breaks a rule, the Department sends them a letter first and works with them to ensure compliance in the future.

Fiscal Impact: None to CDOT

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: NEVILLE T. / NEVILLE P.

Status: 03/17/2015 Senate Third Reading Passed - No Amendments

SB15-211

Automatic Funding For Capital Assets

Bill Summary: This JBC bill seeks to implement an accounting method for State agencies to increase capital construction funds in the state. Each agency that receives an allocation of cash funds for a capital construction project, will figure out an annual depreciation-lease equivalent payment through the operating budget equal to the depreciation of the capital

asset acquired. The controller will then credit the depreciation-lease equivalent to the capital construction fund for future use for that agency.

CDOT Analysis: The bill impacts CDOT only to the extent that the capital construction funds received are used for a project that can be depreciated. CDOT makes that determination already and creates a depreciation schedule under federal accounting guidelines which would comply with this bill.

Fiscal Impact: CDOT receives \$500K annually for capital construction projects. This bill would apply to those funds if the capital construction project may be depreciated.

Position: **Monitor**

Calendar Notification: NOT ON CALENDAR

Sponsors: LAMBERT / RANKIN

Status: 03/19/2015 Senate Third Reading Passed - No Amendments

[SB15-212](#)

Storm Water Facilities Not Injure Water Rights

Bill Summary: Under current administrative practice, facilities that are designed to detain storm water for environmental and public safety purposes may be required to release water to avoid injury to water rights. The bill specifies that storm water detention and infiltration facilities and post-wildland fire facilities do not injure water rights.

CDOT Analysis: CDOT owns and operates 350 of these types of structures per regulation under the Clean Water Act as a part of our Municipal Separate Stormwater (MS4) permit. The administrative authority by the CDWR could result in the construction and ownership of these structures being subjected to water rights issues including possible restrictions and augmentation.

Fiscal Impact: CDWR has ruled that this exemption does not hold true for regional stormwater structures that collect stormwater from an area not developed as a single development. This specifically puts CDOT's newly developed MS4 New Development Redevelopment (NDRD) program in jeopardy as the new program will depend heavily on regional stormwater

detention in order to expedite projects and save money on permanent water quality structures required by our permit. If our structures are administered under this new rule, our projects will undergo a lengthy, costly process to obtain a Colorado Water Court decree to allow the construction and most likely involve an Order for augmentation of the water loss.

Position: **Deliberating**

Calendar Notification: NOT ON CALENDAR

Sponsors: SONNENBERG / WINTER

Status: 03/12/2015 Introduced In Senate - Assigned to Agriculture, Natural Resources, & Energy