

Bridge and Tunnel Enterprise Resolution #BTE20260902

Approval and adoption of the First Amendment to the Fiscal Year 2026-27 Statewide Bridge and Tunnel Enterprise (BTE) Budget.

Approved by the Bridge and Tunnel Enterprise Board of Directors on September 17, 2026.

Whereas, in 2009, the Colorado General Assembly created the Colorado Bridge Enterprise (BE) in C.R.S. § 43-4-805 as a government-owned business within CDOT for the business purpose of financing, repairing, reconstructing, and replacing designated bridges, defined in C.R.S. § 43-4-803(10) as those bridges identified by CDOT as structurally deficient or functionally obsolete and rated by CDOT as poor; and

Whereas, in 2021, the Colorado General Assembly passed Senate Bill 21-260, which was signed into law by the Governor on June 17, 2021, expanding the BE to include both designated bridge projects and surface transportation infrastructure projects for tunnels and renaming the expanded enterprise the Statewide Bridge and Tunnel Enterprise (BTE), C.R.S. § 43-4-805(2)(a)(I)(2021); and

Whereas, in 2023, the Colorado General Assembly passed House Bill 23-1276, which was signed into law by the Governor on May 15, 2023, approving the expansion of the scope of the BTE authority to include preventative maintenance for bridges rated as fair and good and to include the repair, reconstruction, replacement, and maintenance of bridges rated as fair if they are bundled with a project to address a designated bridge; and

Whereas, in 2026, the Colorado General Assembly passed Senate Bill (SB) 26-141, which was signed into law by the Governor on May 27, 2026, expanding the scope of the Enterprise to include wildlife safe passage projects, defined in C.R.S. § 43-4-803(10) as one or more projects that reduce wildlife-vehicle collisions and improve habitat connectivity by providing wildlife road crossings; and; and

Whereas, pursuant to C.R.S. § 43-4-805(5)(m), the BTE Board of Directors (the “Board”) is empowered to set and adopt, on an annual basis, a program budget for the BTE; and

Whereas, the Board approved resolution #BTE20250304 on March 20, 2025 adopting the Fiscal Year (FY) 2026-27 BTE budget; and

Whereas, the Board has the authority to amend the adopted FY 2026-27 BTE budget after it has been approved; and

Whereas, the Board desires to amend the FY 2026-27 BTE budget to account for changes to BTE’s revenues and budget allocations resulting from the 2026 legislative session; and

Whereas, pursuant to C.R.S. § 43-4-815 (3), BTE is authorized to impose an optional collision prevention fee at the time of registering a passenger motor vehicle, light-weight truck, motorcycle, or recreational vehicle; and

Whereas, the revenue forecast for the optional collision prevention fee was not incorporated into FY 2026-27 BTE budget allocation plan, and the Board desires to administratively update the budget to reflect the passage of SB26-141; and

Whereas, pursuant to C.R.S. § 43-4-815 (4), BTE shall, among other things, work with various stakeholders to determine the appropriate location in the vehicle registration process for the ability to opt out of the collision fee, develop language to notify individuals about the optional collision prevention fee, conduct a public outreach campaign to educate the public about the optional collision prevention fee and what benefits the fee will provide as soon as practicable, and deliver customer facing materials to the county clerks on or before December 1, 2026, all of which must happen prior to the imposition of the optional collision prevention fee on January 1, 2027 and BTE's receipt of fee revenues; and

Whereas, CDOT is authorized, pursuant to C.R.S. § 43-4-805 (4), with budget approval from the Transportation Commission, to transfer money from the State Highway Fund to BTE for the purpose of defraying expenses incurred by the Enterprise before it receives fee revenues from the Collision Prevention Fee and such transfer is a loan from CDOT that is required to be repaid and is not a grant for the purposes of Section 20(2)(d) of Article X of the State Constitution as defined by C.R.S. § 24-77-102(7); and

Whereas, the Board has reviewed a sample CDOT and BTE Inter-Agency Loan Agreement and Promissory Note, which details the loan amount of \$610,000.00, and other terms including the interest rate and the repayment term; and

Whereas, this proposed budget amendment has been reviewed and found to be in concurrence with Policy Directive 703.0 and Procedural Directive 16.1, which establish the parameters under which BTE must seek Board approval for proposed budget amendments; and

Now Therefore Be It Resolved, after review and consideration, the First Amendment to the Fiscal Year 2026-27 BTE Budget is approved by the Bridge and Tunnel Enterprise Board.

Now Therefore Be It Further Resolved, in conjunction with the First Amendment to the Fiscal Year 2026-27 BTE Budget, the Board approves and authorizes BTE to enter into a loan agreement, in substantially the same form as reviewed by the Board, to accept the sum of \$610,000.00 from the source outlined in the budget action to the BTE Collision Prevention Fund as stipulated in C.R.S. § 43-4-805 (3.5)(a).



Herman Stockinger, Secretary
Bridge and Tunnel Enterprise Board of Directors