

# STATE OF COLORADO

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## DEPARTMENT OF TRANSPORTATION

### Office of Policy & Government Relations

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**DATE:** May 8, 2013  
**TO:** Transportation Commissioners, Executive Director, Senior Management Team, Branch Managers, and Office Directors  
**FROM:** Kurtis Morrison, Office of Policy & Government Relations  
**RE:** 2013 Regular Session of the General Assembly: Summary Report

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### Summary

On May 8, 2013, the General Assembly will adjourn on the 120<sup>th</sup> day of the legislative session, as required by the state constitution. Throughout the session, 710 bills and resolutions were introduced. Of this amount, CDOT monitored 96 measures impacting the department and transportation public policy. Of all bills and resolutions monitored by CDOT, approximately 70 bills have been signed into law or postponed indefinitely. The remaining bills are (at the time of this printing) either still under consideration or awaiting the Governor's approval. This memorandum summarizes the CDOT legislative agenda bills approved during the 2013 session, and provides a summary table of the most notable transportation measures considered by the legislature.

### CDOT Legislative Agenda Bills

This year, CDOT submitted two bills to the General Assembly and partnered with another department to develop a third agenda bill. The following subsections discuss each measure.

***House Bill 13-1083 (Motorcycle Operator Safety Training Program).*** House Bill 13-1083 codifies new improvements to the CDOT Motorcycle Operator Safety Training (MOST) program, recommended in a performance audit by the State Auditor and developed through a CDOT stakeholder outreach effort. Specifically, the bill:

- establishes a statutory prohibition on the use of MOST reimbursements by vendors for capital business expenses (i.e. motorcycles, helmets, books, etc.);<sup>1</sup>
- creates a statutory advisory committee to recommend program improvements;<sup>2</sup>
- requires CDOT to report annually on the MOST program to the General Assembly House Transportation and Energy Committee, Senate Transportation Committee, and Legislative Audit Committee;<sup>3</sup> and
- creates an affirmative repeal of the project in 2017, which requires the General Assembly to reevaluate CDOT's progress in improving the program over the next several years and determine whether the MOST program should be continued.<sup>4</sup>

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<sup>1</sup> COLO. REV. STAT. § 43-5-504(2).

<sup>2</sup> COLO. REV. STAT. § 43-5-505.

<sup>3</sup> COLO. REV. STAT. § 43-5-506.

<sup>4</sup> COLO. REV. STAT. § 43-5-507.

The bill was **signed into law by the Governor.**

**House Bill 13-1132 (Highway Vehicle Weight Limits).** Federal law dictates weight limits for vehicles traveling on federal-aid highways. All states, including Colorado, establish weight limits in state law that mirror the federal statutes. Any state weight laws that conflict with federal weight laws place CDOT at risk of losing federal transportation dollars. Last summer, CDOT determined that Colorado's vehicle weight law was inconsistent with federal weight laws. The specific federal law at issue requires that the gross weight limit of a vehicle be determined by a federal formula accounting for number of axles and length, not to exceed 80,000 pounds. Whereas, Colorado weight limit laws requires that the gross weight limit of a single vehicle be limited to no more than 36,000 pounds for a single vehicle of two axles, or no more than 54,000 for a single vehicle with three or more axles. House Bill 13-1132 reconciled this inconsistency by striking the 36,000 and 54,000 weight limits for two axle and three or more axle vehicles, leaving the federal formula limit and 80,000 pound cap in place.<sup>5</sup> The bill was **signed into law by the Governor.**

**House Bill 13-1252 (Petroleum Cleanup and Redevelopment Fund).** House Bill 13-1252 is a dual department bill crafted by the private sector, the Department of Labor and Employment (DLE), and CDOT. The bill creates a new cash fund to collect penalties from petroleum storage tank violations.<sup>6</sup> Specific to CDOT, the bill provides for a one time transfer of \$5 million from the new fund to the State Highway Fund. The bill language specifies that the \$5 million may only be used for construction of the Eisenhower-Johnson Memorial Tunnels fire suppression system. The transfer is set to take place on July 1, 2013, or once enough revenue is collected to complete the transfer.<sup>7</sup> The bill was **sent to the Governor for his signature.**

Table 1 summarizes all CDOT supported and opposed bills, as well as other key legislation related to CDOT and/or transportation public policy. At the conclusion of the session, the Office of Policy & Government Relations will provide a detailed final report on all bills signed into law. If you have any questions regarding this memorandum or legislation, please contact Kurt Morrison at (303) 757-9703 or [kurtis.morrison@dot.state.co.us](mailto:kurtis.morrison@dot.state.co.us).

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<sup>5</sup> COLO. REV. STAT. § 42-4-508.

<sup>6</sup> COLO. REV. STAT. § 8-20.5-103(9)(a).

<sup>7</sup> COLO. REV. STAT. § 8-20.5-103(9)(c).

**Table 1.  
Key Legislation Impacting CDOT  
2013 Regular Session**

<b>Bill Number</b>	<b>Short Title</b>	<b>Final Legislative Action</b>	<b>CDOT Position/ Action</b>
<b>Supported Bills</b>			
HB 13-1057	Retain Avalanche Information Center in DNR	Signed Into Law	Supported
<b>HB 13-1083*</b>	<b>Motorcycle Operator Safety Training Program</b>	<b>Signed Into Law</b>	<b>Supported/Amended</b>
HB 13-1110	Special Fuel Tax & Electric Vehicle Fee	Sent to the Governor	Supported/Amended
<b>HB 13-1132*</b>	<b>Highway Vehicle Weight Limits</b>	<b>Signed Into Law</b>	<b>Supported</b>
<b>HB 13-1252*</b>	<b>Petroleum Storage Tank Redevelopment Fund</b>	<b>Sent to the Governor</b>	<b>Supported</b>
HB 13-1325	Inferences for Marijuana and Driving Offenses	Sent to the Governor	Supported
SB 13-027	RTD Mass Transit Station Parking Facilities	Signed Into Law	Supported
<b>Opposed Bills</b>			
SB 13-035	Prohibit Red Light Camera Vehicle Identification	Postponed Indefinitely	Opposed
SB 13-068	Modify Late Vehicle Registration Fee	Postponed Indefinitely	Opposed
SB 13-128	Firefighter Motor Vehicle License Plate Fees	Postponed Indefinitely	Opposed
SB 13-203	Limit Use of Govt. Land for Auto. Service Stations	Postponed Indefinitely	Opposed
<b>Key Neutral/Amended Bills</b>			
HB 13-1030	Transportation Commission Members	Postponed Indefinitely	Neutral**
HB 13-1116	Allocation of Sales & Use Tax Revenues to HUTF	Postponed Indefinitely	Neutral
HB 13-1161	Daily Vehicle Rental Fee Exemption	Postponed Indefinitely	Neutral
HB 13-1214	Felony for Repeat DUI Offenders	Postponed Indefinitely	Neutral
HB 13-1240	Penalties for Persistent Drunk Drivers	Sent to the Governor	Neutral
HB 13-1292	Keep Jobs in Colorado Act	Sent to the Governor	Neutral/Amended**
HB 13-1299	Changes to the SMART Government Act of 2010	***	Neutral
SB 13-016	Self-driving Motor Vehicle Guidance	Postponed Indefinitely	Neutral
SB 13-021	Pipeline Rights-of-Way	Postponed Indefinitely	Neutral**
SB 13-048	Authorize Local Government Use of HUTF for Transit	Signed Into Law	Neutral**
SB 13-049	Roundabout Turn & Lane Change Signal	Postponed Indefinitely	Neutral**
SB 13-054	Underage Person Alcoh. Consumption Parent Consent	Postponed Indefinitely	Neutral
SB 13-123	Collateral Consequences	Sent to the Governor	Neutral/Amended
SB 13-158	Sunset Cost-benefit Analysis of State Rules	Sent to the Governor	Neutral/Amended
SB 13-251	Driver's License & Identification Documentation	Sent to the Governor	Neutral/Amended

\*CDOT legislative agenda bill.

\*\*Testimony or concerns expressed in committee.

\*\*\*Bill is still under consideration at the time of printing.