

Resolution HPTE #494

Approving the Annual Adjustment to the Congestion Impact Fee.

Approved by the HPTE Board of Directors on April 15, 2026.

WHEREAS, pursuant to C.R.S. § 43-4-806, *et seq.*, the General Assembly of the State of Colorado created the Colorado High Performance Transportation Enterprise (“HPTE”)¹ as a government-owned business within the Colorado Department of Transportation (“CDOT”) to pursue innovative means of more efficiently financing important surface transportation projects that will improve the safety, capacity, and accessibility of the surface transportation system; and

WHEREAS, the purpose of the HPTE is to aggressively pursue innovative means of more efficiently financing important surface transportation projects that will improve the safety, capacity, and accessibility of the surface transportation system, will provide diverse, multimodal transportation options that reduce traffic congestion and degradation of existing surface transportation infrastructure and offer more transportation choices for system users, can feasibly be commenced in a reasonable amount of time, will allow more efficient movement of people, goods, and information throughout Colorado, and will accelerate the economic recovery of Colorado; and

WHEREAS, the General Assembly of the State of Colorado enacted Senate Bill 24-184, which was signed by Governor Jared Polis on May 16, 2024, which amended C.R.S. § 43-4-806 to require HPTE to impose a Congestion Impact Fee as a new user fee, in maximum amounts of up to \$3 per day, that shall be adjusted annually for inflation as set forth in subpart (2)(c). Specifically, Subpart (2)(c)(II) defines “inflation” to mean “the average annual percentage change in the United States department of labor, bureau of labor statistics, consumer price index for the Denver-Aurora-Lakewood for all items and all urban consumers, or its applicable predecessor or successor index, for the five years ending on the last December 31 before a state fiscal year for which an annual adjustment to the congestion impact fee is to be made begins; and

WHEREAS, on September 23, 2024, the HPTE Board of Directors approved Resolution #451, which approved the imposition of the Congestion Impact Fee at the maximum rates established by the Colorado General Assembly. The Resolution also contained an Exhibit A of the amounts for the Congestion Impact Fee for FY 2024-25 and estimated adjusted amounts through FY 2029-30; and

WHEREAS, the adjustment for inflation to the Congestion Impact Fee needs to be based on annual inflation data. The amount of the Congestion Impact Fee for FY 2026-27 adjusted for inflation as provided in C.R.S. § 43-4-806(2)(c) is \$3.13.

¹The High Performance Transportation Enterprise (HPTE) is now doing business as the Colorado Transportation Investment Office (CTIO). CTIO is how the enterprise refers to itself now and in the future. However, the HPTE name is retained for legislative and legal documents.

Now therefore be it resolved, the Board of the High Performance Transportation Enterprise hereby approves the annual adjustment of the Congestion Impact Fee in the amount of \$3.13 for FY 2026-27.

Simon Logan, Secretary
HPTE Board of Directors