

2019

Report to the Colorado General Assembly



Transportation Legislation Review Committee



Prepared by Legislative Council Staff
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December 2019

Transportation Legislation Review Committee

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December 2019

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December 2019

To Members of the Seventy-second General Assembly:

Submitted herewith is the final report of the Transportation Legislation Review Committee. This committee was created pursuant to Section 43-2-145, C.R.S. The purpose of this committee is to give guidance and direction to the Colorado Department of Transportation on the development of the state transportation system, and to provide legislative oversight of and input into such development. The TLRC is granted statutory oversight responsibilities for certain activities of the state's regional transportation and public highway authorities, as well as the Regional Transportation District in the Denver metropolitan area. The TLRC also monitors the activities of the Colorado Department of Revenue relating to the regulation of motor vehicles and driver control, the impact of Colorado's transportation system on air quality, and the effect of traffic law enforcement on transportation in the state.

At its meeting on November 15, 2019, the Legislative Council reviewed the report of this committee. A motion to forward this report and the bills therein for consideration in the 2020 session was approved.

Sincerely,

/s/ Senator Leroy Garcia
Chair

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The text of each bill is included as Attachments A through E after the resource materials page(s).

This report is also available online at:

<http://leg.colorado.gov/committees/transportation-legislation-review-committee/2019-regular-session>

Committee Charge

The Transportation Legislation Review Committee (TLRC) is comprised of the 18 members of the House Transportation and Local Government Committee and the Senate Transportation and Energy Committee. The TLRC is granted statutory oversight responsibilities for certain activities of the Colorado Department of Transportation (CDOT), regional transportation authorities, public highway authorities, and the Regional Transportation District (RTD). In addition, the TLRC monitors the activities of the Colorado Department of Revenue (DOR) relating to the regulation of motor vehicles and driver control, the impact of Colorado's transportation system on air quality, and the effect of traffic law enforcement on transportation in the state.

Colorado Department of Transportation. Section 43-2-145 (1), C.R.S., authorizes the TLRC to:

- give guidance and direction to CDOT in the development of the state transportation system;
- provide legislative oversight of and input into such development;
- make recommendations concerning the financing of the state's transportation system;
- review any phase of CDOT's operations, including the planning and construction of highway projects;
- review such projects upon completion to determine whether a project was completed in the most cost-effective and efficient manner;
- require CDOT to conduct long-term planning efforts for the state transportation system, which may require financial and performance audits to be conducted; and
- recommend legislation to the General Assembly and Governor resulting from these oversight responsibilities.

Colorado Department of Revenue. The oversight responsibilities of the TLRC include certain activities of the DOR, including driver licensing and registration and titling of motor vehicles. The TLRC's purview includes oversight of any state department or agency that administers laws related to traffic regulation or penalties imposed for traffic law violations.

Regional transportation authorities. The TLRC is granted the authority to review the operations of regional transportation authorities in Colorado, including the planning and construction of regional transportation systems (Section 43-2-145 (1.9), C.R.S.). The TLRC may review the authorities' projects to ensure completion in the most cost-effective and efficient manner. The TLRC is authorized to require long-range planning by regional transportation authorities, and may require financial and performance audits of these entities.

Public highway authorities. The TLRC is authorized to review the operations of public highway authorities (PHA) in the state, including the planning and construction of public highway projects by these authorities (Section 43-2-145 (1.5), C.R.S.). The TLRC may review PHA projects upon completion to ensure that they were constructed in the most cost-effective and efficient manner. The TLRC may also require PHAs to develop long-range plans, and may require financial or performance audits of these entities.

Committee Activities

During the 2019 interim, the TLRC toured the mountain and western regions of the state to visit infrastructure projects, tour facilities, and meet with stakeholders. In addition, the committee held two meetings at the State Capitol. Briefings and presentations were made by a variety of state departments, regional organizations, and outside entities on a wide range of subjects. Organizations and presentations included:

- CDOT;
- the Southwest Chief and Front Range Passenger Rail Commission;
- presentation on barriers to driver licenses for foster youth;
- Colorado AAA;
- presentation on special mobile machinery;
- RTD;
- the Division of Motor Vehicles;
- public highway authorities;
- Colorado Cross Disability Coalition;
- Colorado Motor Carriers Association;
- Enterprise Holdings Rental Car Company
- Renewable Energy Group;
- ACLU of Colorado; and
- EdenCrete, LLC.

The following sections discuss the committee's activities during the 2019 interim.

Mountain and Western Tour

As part of the committee's mountain and western tour, the committee undertook discussions and tours with the following entities:

- Park County Senior Coalition;
- Breckenridge Free Ride and Summit Stage;
- Loma Port of Entry;
- Bustang;
- ECO Transit;
- I-70 Coalition;
- Clear Creek County Transportation; and
- RTD and EasyMile at the 61st and Pena RTD Station.

Park County Senior Coalition and Rocky Mountain Rural Health. The committee met with representatives from the Park County Senior Coalition and Rocky Mountain Rural Health to discuss how the organizations have provided 360,156 miles of travel for residents of Park County. The Senior Coalition handles transportation for seniors visiting doctors and shopping within and outside of the county, with funding from non-profit and for-profit organizations providing mileage reimbursement and rides from volunteers. Rocky Mountain Rural Health provides transportation for all ages needing

Medicaid-related medical visits within and outside of the county with funding from the federal government and non-profits through mileage reimbursement and rides from volunteers. Reduced funding levels and difficulty recruiting volunteers to provide rides have been challenging for both organizations.

Breckenridge Free Ride. The Town of Breckenridge discussed the Breckenridge Free Ride, transportation geared toward residents and visitors to reduce congestion at peak times. The Free Ride operates year round transporting riders on routes up the mountain, working in conjunction with resorts operating their own transportation, as well as Summit Stage. The town recently purchased an electric bus, as well as charging infrastructure, using a federal Low or No Emission Vehicle (5339 (c)) grant.

Summit Stage. Summit Stage representatives discussed their fleet of buses serving Summit County, mainly to transport the workforce. Discussions included a project to electrify the county bus fleet, using a federal grant.

Loma Port of Entry. Representatives from the Colorado State Patrol provided a tour and answered questions about the Loma Port of Entry facility. The committee watched the process as trucks rolled over the scales and received direction about the appropriate load weights and permits. The State Patrol also demonstrated the use of a mobile scale unit.

Bustang and CDOT Region 3 Updates. CDOT representatives provided a presentation about Bustang and updates for Region 3. Bustang is an interregional express bus service operated by CDOT.

ECO Transit. ECO Transit discussed how the agency provides transportation for approximately 6,000 riders daily in Eagle County, who typically work in the Vail resorts. Other mobility options are important to the county, including bike and e-bike share, taxis from transit centers, and sidewalks and crosswalks for pedestrians. Recent projects include the addition of two electric buses to ECO Transit's fleet in 2020, and a new mobile application to help riders find routes and connections.

I-70 Coalition. The committee heard a presentation from members of the I-70 Coalition, a non-profit group formed in 2004 to provide input on changes to I-70. The coalition of 28 local governments and businesses is interested in furthering discussions about transportation options along I-70. Recent priorities for the coalition include an additional westbound lane near Floyd Hill, an auxiliary lane near Vail in both directions, study of the feasibility of high-speed transit, congestion reduction, implementing Snowstang, and the launch of a carpool mobile application, Gondola. Snowstang is a CDOT bus service from Union Station to Steamboat, Loveland, and Arapahoe Basin ski areas with stops along the way at the Denver Federal Center and Idaho Springs.

Clear Creek County Prospector. Clear Creek County commissioners, transportation staff, and volunteers provided information about their only intra-county transportation, the Prospector, operated by the Senior Resource Center between Georgetown and Idaho Springs with stops along the way and a connection to Bustang. Started in December 2016, the service initially provided trips to the health clinic, grocery store, and food pantry. The Prospector is funded with a 5311 federal grant through CDOT and has served 4,000 riders to date in 2019.

EasyMile Shuttle. RTD and EasyMile representatives presented information about their autonomous shuttle project and provided a demonstration of the shuttle. The EasyMile shuttle was a partnership between the City and County of Denver, Denver International Airport, RTD, L.C. Fulenwider, EasyMile, and Panasonic to offer first and last mile electric shuttle service to and from the 61st and Pena light rail station to Panasonic and Easy Mile offices from January to July 2019. The goal of the program was to test the viability of autonomous vehicle technology for these connections. The test highlighted certain issues, such as the length of a workday for the shuttle (seven to eight hours) and conditions that interrupt the technology, including inclement weather and obstructions.

Colorado Department of Transportation Updates

Executive Director Lew and CDOT representatives updated the committee on several ongoing CDOT activities, such as the US 36 eastbound emergency bridge construction; managed lanes; the ongoing statewide project planning process; a recent nationwide pavement report; Senate Bill 17-267 projects; the work of the stakeholder group on Senate Bill 19-239; stakeholder recommendations on recent changes in Colorado's winter traction laws; multi-modal funding; and the implementation of recent audit recommendations. A representative from Plenary also answered several questions regarding the emergency bridge construction on US 36. A copy of their presentation can be found here:

http://leg.colorado.gov/sites/default/files/images/colorado_department_of_transportation.pdf

Committee recommendations. As the result of its discussions with CDOT, the committee recommend Bill B, which requires the High-Performance Transportation Enterprise to include additional information in its annual report.

Southwest Chief and Front Range Passenger Rail Commission Updates

Representatives of the Southwest Chief and Front Range Passenger Rail Commission briefed the committee on the commission's work over the past year. Representatives discussed the commission's work with Amtrak and the renewed interest in passenger rail along the Front Range. They highlighted recent federal and state funding and future commission activities. A copy of their presentation can be found here:

http://leg.colorado.gov/sites/default/files/images/southwest_chief_and_front_range_passenger_rail_commission.pdf

Barriers to Driver Licenses for Youth in Foster Care

House Bill 19-1023 required the TLRC to study the barriers to foster children meeting the 50-hour driving requirement for an instruction permit, and the ability of foster children to obtain automobile

insurance during the 2019 legislative interim. Representatives from the Colorado Department of Human Services, the Adams County Department of Human Services, the Office of the Child’s Representative, Fostering Great Ideas, and the Division of Motor Vehicles (DMV) presented on barriers to foster children receiving driver licenses, including a discussion of the options available and difficulties facing foster youth when applying for driver licenses. The representative from the Office of the Child’s Representative noted that three main statutory and rule barriers to driver licenses are funding for driver education, access to vital documents, and county vital documents requirements.

Committee recommendations. As the result of its discussions, the committee recommended Bill C. Bill C creates a grant program in the Department of Human Services to reimburse counties for the cost of driver education courses for foster youth; grants immunity from liability to counties who pay for driver education; and clarifies what documents can be accepted when applying for a minor driver license.

Colorado AAA Presentation on Driver Education

A representative from Colorado AAA presented to the committee on driver education requirement modernizations. In addition, the representative discussed traffic fatalities and driver distraction. Colorado AAA recommended that Colorado’s law on driver education be updated to require driver education for all drivers under 17 years of age. A copy of their presentation can be found here:

http://leg.colorado.gov/sites/default/files/images/colorado_aaa_presentation.pdf

Special Mobile Machinery

Representatives of United Rentals presented to the committee on special mobile machinery. The discussion highlighted issues with the current registration process. Representatives discussed the current 2 percent program, in which the owner of special mobile machinery who regularly rents or leases the equipment can collect 2 percent of the rental or lease payment from the user in lieu of specific ownership tax. They recommended eliminating the registration process for large rental businesses that currently use the 2 percent program.

Committee recommendations. The committee recommended that a bill on special mobile machinery registration be drafted, but the draft bill was not approved by the committee.

Regional Transportation District Updates

Representatives from the RTD briefed the committee on recent developments, including new line openings, service performance, the status of the upcoming N line, FasTracks investments, transit-oriented development, and mobility innovation. The representatives discussed RTD’s driver recruitment and retention issues. The committee was also updated about the 16th Street Mall project and new technology products offered by RTD, such as a current partnership with Uber. Finally, representatives discussed RTD’s future mobility plan and the public input associated with the new

plan. Representatives responded to questions from the committee about issues related to RTD's services and driver retention. A copy of their presentation can be found here:

<http://leg.colorado.gov/sites/default/files/images/rtd.pdf>

Division of Motor Vehicles Updates

Representatives from the DMV within DOR provided an overview of the division's customer service improvements and issues related to the implementation of the DRIVES system. Representatives also provided information on the DMV's relationship with county clerks and law enforcement. The committee heard about the Real ID Act, SB 13-251 driver licenses, dealership registration, the self-service kiosk pilot, license plates, and other topics related to the state's registration and titling system. DMV representatives answered several questions regarding dealership registrations, DRIVES programming costs, and out-of-state registration violation enforcement. A copy of their presentation can be found here:

http://leg.colorado.gov/sites/default/files/images/department_of_revenue.pdf

Public Highway Authorities Updates

Representatives from the E-470, Northwest Parkway, and Jefferson Parkway Public Highway Authorities provided overviews of their agencies.

E-470. The E-470 PHA is a 47-mile corridor that serves as a beltway for Denver's east side. The highway was completed in 2003, and rolled out all-electronic tolling in 2009. The E-470 representatives discussed several capital improvement projects underway on the toll road and the authority's bond debt, and highlighted the authority's plan to accommodate growth along the corridor under its 2040 traffic projections. An E-470 representative also discussed the authority's work as the state's electronic toll administrator and the increase in the usage of managed lanes. Finally, representatives highlighted several changes due to recent legislation and answered several questions about transportation in the region. A copy of their presentation can be found here:

<http://leg.colorado.gov/sites/default/files/images/e-470.pdf>

Northwest Parkway. Representatives from the Northwest Parkway PHA provided an overview of their authority, which was established in 1999 to connect E-470 to US 36 over nine miles. They provided an overview of their concession agreement, information on expansion possibilities, traffic history, and toll revenue statistics. They also highlighted the solar projects along the corridor. A copy of their presentation can be found here:

http://leg.colorado.gov/sites/default/files/images/northwest_parkway.pdf

Jefferson Parkway. The Jefferson Parkway PHA was established in 2003 to complete the last unbuilt portion of the 470 beltway in the northwest quadrant of the Denver metropolitan area. Representatives of the authority discussed the authority's history and the next steps the authority will

undertake towards completion of the parkway. The parkways is preparing to release a request for proposal documents in order to select a final team for construction of the beltway. In addition, representatives addressed the recent radiation soil sample surveys along a section of the corridor. A copy of their presentation can be found here:

http://leg.colorado.gov/sites/default/files/images/jefferson_parkway.pdf

Colorado Cross Disability Coalition

Representatives of the Colorado Cross Disability Coalition provided information on several issues related to transportation for person with disabilities, including CDOT's Bustang program, the accessibility of transportation network companies, RTD services and Access-a-Ride, and bike lane accessibility. Representatives highlighted the issues persons with disabilities face due to distracted drivers. A copy of their presentation can be found here:

http://leg.colorado.gov/sites/default/files/images/colorado_cross_disability_coalition.pdf

Colorado Motor Carriers Association

Representatives of the Colorado Motor Carriers Association provided information on freight in Colorado, highlighting trucking's impact on the Colorado economy, the revenue generated by trucking for transportation funding, truck safety, emissions in the trucking industry, and the organization's views on several committee interim bill drafts. Representatives also discussed several federal regulations affecting trucking and truck parking issues. A copy of their presentation can be found here:

<http://leg.colorado.gov/sites/default/files/images/cmca.pdf>

Committee recommendations. As a result of its discussions on freight, the committee recommends Bill D and Bill E. Bill D establishes the current pilot Commercial Vehicle VIN Inspection Program in the Colorado State Patrol as a permanent program and Bill E creates a combined non-interstate overweight divisible load annual permit for commercial motor vehicle fleets. In addition, the committee recommended that a bill on transferring motor carrier hazardous materials permitting from the Public Utilities Commission to CDOT be drafted, but the draft bill was withdrawn.

Renewable Energy Group

Representatives from the Renewable Energy Group provided information on biofuels, including biodiesel production, the benefits of biodiesel and biofuels, and the role of biofuels in Colorado's greenhouse gas reductions goals. Representatives also highlighted several policy options, such as tax-based incentives, to increase biofuel adoption. A copy of their presentation can be found here:

http://leg.colorado.gov/sites/default/files/images/renewable_energy_group_0.pdf

Enterprise Holdings Rental Car Company

Representatives from Enterprise Holdings Rental Car Company provided information on how the company is complying with the new winter traction law passed in 2019. They discussed their education campaign to customers and their work with CDOT and the Colorado State Patrol. Representatives answered several questions concerning public safety and traction checkpoints in other states, including whether information on the traction law is provided to renters.

ACLU of Colorado

Representatives of the ACLU of Colorado provided information on the cancellation of a driver license due to unpaid traffic violation debt in Colorado. They highlighted the cases of several Colorado citizens impacted by the current cancellation process and recent legislation in Colorado regarding license suspensions.

EdenCrete®

Representatives of EdenCrete, LLC, provided information to the committee on its product, EdenCrete. EdenCrete is a Colorado-based company that produces a carbon concrete additive that has been used in several construction projects around the state. The company told the committee that they would like to be involved in providing EdenCrete for CDOT projects to create longer lasting and more durable roads. Representatives discussed their nanotube technology and highlighted several projects in Colorado that used the product.

Summary of Recommendations

As a result of the committee's activities, the committee recommended five bills to the Legislative Council for consideration in the 2020 session. At its meeting on November 15, 2019, the Legislative Council approved five recommended bills for introduction. The approved bills are described below.

Bill A — License Plate Expiration on Change of Ownership

The bill creates a license plate reissuance process and changes Colorado's license plate color scheme beginning on January 2021. On or after January 1, 2021, the license plates expire for any owner who transfers or assigns their title or interest in another vehicle, and the plates may not be transferred to another vehicle. Owners of expired license plates will be required to pay any associated fees with the issuance of new license plates. The bill applies to all Class C motor vehicles, except for horseless carriages.

Bill B — Transportation Public Private Partnership Reporting

By February 15, 2021, this bill requires the HPTE to include the following information for each executed or proposed public-private partnerships in its report: a summary of HPTE's processes and activities leading up to the public-private partnership, including information on the public comment and selection processes; and a summary of the major financial, performance, and length-of-term provisions in actual or anticipated public-private partnership agreements.

Bill C — Driving Instruction for Foster Youth

The bill creates a grant program within the Department of Human Services (DHS) to reimburse counties for the cost of driver education classes for 15- to 17 year-old youth in foster care. The State Board of Human Services is required to promulgate rules for the administration of the program by December 1, 2020. Each county that receives a grant must submit an annual report to the DHS beginning November 1, 2021, and the DHS must submit an annual summary report to the General Assembly beginning January 1, 2021. The program repeals on September 1, 2030, pending a sunset review.

In addition, the bill clarifies that county departments of human or social services are not liable for any injury that may occur while a youth in foster care is receiving driving instruction. The bill also clarifies that a certified court order is sufficient documentation for eligible foster youth to apply for driver licenses.

Bill D — Commercial Vehicle VIN Verification Inspections

Under current law, the Colorado State Patrol in the Department of Public Safety administers a pilot program that allows a third-party transportation association or organization to perform Vehicle Identification Number (VIN) verifications on commercial vehicles. This bill recreates the pilot program as a permanent program.

Bill E — Commercial Vehicle Annual Fleet Overweight Permits

Under current law, commercial motor vehicle fleet owners can apply to CDOT for two separate annual non-interstate overweight divisible load permits: quad-axle and two-or-three-axle trailer. The bill combines the two permits and creates one annual fleet permit for non-interstate overweight divisible load quad-axle and two-or-three-axle trailers.

Resource Materials

Meeting summaries are prepared for each meeting of the committee and contain all handouts provided to the committee. The summaries of meetings and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303-866-2055). The listing below contains the dates of committee meetings and the topics discussed at those meetings. Meeting summaries are also available on our website at:

<https://leg.colorado.gov/content/committees>

Meeting Dates and Topics Discussed

September 16, 2019

- ◆ Presentation from CDOT
- ◆ Presentation from the Southwest Chief and Front Range Passenger Rail Commission
- ◆ Discussion of barriers to driver licenses for youth in foster care
- ◆ Presentation from Colorado AAA
- ◆ Presentation on special mobile machinery
- ◆ Interim bill draft requests

September 25-27, 2019

- ◆ Discussion and tour with Park County Senior Coalition
- ◆ Discussion and tour with Breckenridge Free Ride and Summit Stage
- ◆ Tour of the Loma Port of Entry
- ◆ Updates and discussion with CDOT regarding Bustang
- ◆ Discussion and tour with ECO Transit
- ◆ Discussion with the I-70 Coalition
- ◆ Discussion with Clear Creek County Transportation
- ◆ Discussion and demonstration with RTD and EasyMile at the 61st and Pena RTD Station

October 28, 2019

- ◆ Presentation from RTD
- ◆ Presentation from the Division of Motor Vehicles
- ◆ Presentation from Colorado's Public Highway Authorities
- ◆ Presentation from the Colorado Cross Disability Coalition

- ◆ Presentation from the Colorado Motor Carriers Association
- ◆ Presentation from Enterprise Holdings Rental Car Company
- ◆ Presentation from the Renewable Energy Group
- ◆ Presentation from the ACLU of Colorado
- ◆ Presentation on EdenCrete®
- ◆ Interim bill draft approvals

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

Attachment A

BILL A

LLS NO. 20-0343.01 Jason Gelender x4330

SENATE BILL

SENATE SPONSORSHIP

Priola, Moreno, Pettersen, Scott

HOUSE SPONSORSHIP

Valdez A., Catlin, Duran, Froelich, Gray, Hooton

Senate Committees

House Committees

A BILL FOR AN ACT

101 **CONCERNING LICENSE PLATES, AND, IN CONNECTION THEREWITH,**
102 **SPECIFYING THAT, IN ORDER TO MINIMIZE POTENTIAL LOST**
103 **REGISTRATION REVENUE, THE LICENSE PLATES OF A MOTOR**
104 **VEHICLE THAT IS CLASSIFIED AS CLASS C PERSONAL PROPERTY**
105 **EXPIRE UPON THE SALE OR TRANSFER OF THE MOTOR VEHICLE**
106 **AND THAT, IN ORDER TO IMPROVE LEGIBILITY AND**
107 **ENFORCEMENT, A REVISED COLOR SCHEME IS REQUIRED FOR**
108 **CERTAIN LICENSE PLATES MANUFACTURED ON OR AFTER A**
109 **SPECIFIED DATE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Transportation Legislation Review Committee. The bill specifies that:

- The license plates of a motor vehicle that is Class C personal property for purposes of the laws governing the levying of specific ownership tax and registration of vehicles expire upon the transfer of the owner's title or interest in the motor vehicle;
- If either the expired license plates are personalized license plates or the owner wishes to continue to use the same combination of letters or numbers on the owner's expired license plates that were not originally issued as personalized license plates, the owner retains the priority right to use the combination of letters or numbers displayed on the expired license plates to the extent provided for in current law and may apply for personalized license plates that use the combination in the manner specified in current law when registering another motor vehicle; and
- Any resulting incremental costs of producing and distributing additional new license plates are excluded from the calculation of the amount necessary to recover the costs of license plate, decal, and validating tab production, and distribution that is used to annually establish the amount of the fee charged to cover those costs.

Class C personal property includes passenger cars, noncommercial light trucks, and motorcycles. The bill does not apply to the transfer or assignment of an owner's interest in Class C personal property that is a horseless carriage.

On and after January 1, 2021, the bill also requires each type of license plate that is not a group special license plate and that, as of January 1, 2020, had a color scheme of dark green letters and numbers on a background of white mountains and a dark green sky to be manufactured to have a color scheme of white letters and numbers on a background of dark green mountains and a white sky. The department of revenue must exhaust its stock of license plates with the old color scheme before issuing license plates with the new color scheme.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

1 (a) Recent national studies have determined that 4% of vehicles
2 on the road in the United States are not properly registered or the
3 registration is expired. In Colorado it is estimated that as many as 4 out
4 of every 10 cars on the road are not properly registered and licensed.

5 (b) Vehicles out of registration compliance also commonly lack
6 insurance coverage and emissions testing documentation.

7 (c) Unregistered and improperly licensed vehicles contribute to
8 significant state and local shortfalls in revenue for critical transportation
9 and other needs.

10 (d) The financial impact of traffic congestion in the United States
11 is calculated to be \$166 billion annually, reaching \$225 billion by 2025.
12 Readable license plates may be needed to implement traffic congestion
13 mitigation measures in the future.

14 (e) Law enforcement and public safety officials rely on plate
15 readability and reflectivity to maintain safety on Colorado roads during
16 critical operations, such as an Amber alert. Seventy percent of serious
17 crimes involve a vehicle, and license plates are a low-cost and effective
18 way for law enforcement to identify vehicles. License plates must be
19 readable from a safe distance and readable from a vehicle in motion.

20 (f) License plates are often the only highly reflective element on
21 vehicles, providing a critically important safety feature for stalled
22 vehicles at night.

23 (g) Automated tolling systems on Colorado roads require legible,
24 readable license plates to ensure accurate record keeping and to capture
25 revenue from tollway users during the day and at night.

26 (h) The substantial increase in new residents from other states
27 driving vehicles that are not registered in Colorado has contributed to the

1 loss of critical revenue for transportation and other purposes.

2 (i) Despite substantial growth in the number of motor vehicles on
3 Colorado's roads, Colorado has not implemented a periodic license plate
4 replacement program in nearly 30 years.

5 (j) A phased-in license plate reissue program will provide for
6 increased public safety and effectiveness of license plates while
7 minimizing costs and maximizing convenience for drivers.

8 (k) New technology will allow for Colorado license plates to
9 return to the legacy green mountain design.

10 (l) On average, license plates lose 50% of their reflectivity within
11 5 to 10 years of use and the average age of motor vehicles in Colorado is
12 7 to 10 years.

13 (2) Therefore, the general assembly declares that it is in the best
14 interest of the people of the state of Colorado to implement a phased-in
15 license plate reissue program that will extinguish license plates upon the
16 sale or transfer to a new owner and require motorists to get new license
17 plates at no additional cost to them. Phasing in new license plates in this
18 fashion will improve registration and license plate compliance, generate
19 new and needed revenue for transportation and other purposes, improve
20 vehicle insurance compliance rates, improve vehicle emission control
21 compliance rates, enhance public safety and law enforcement, improve
22 tollway revenue capture rates, and enhance Colorado's image through a
23 return to the legacy license plate design.

24 **SECTION 2.** In Colorado Revised Statutes, 24-30-2208, **amend**
25 (2)(b) as follows:

26 **24-30-2208. Sale of registration numbers.** (2) (b) Upon
27 receiving the committee's request, the department of revenue shall verify

1 whether the plates are currently issued. FOR PURPOSES OF THIS
2 SUBSECTION (2)(b) AND SUBSECTION (2)(c) OF THIS SECTION, A PLATE
3 THAT EXPIRES DUE TO THE OPERATION OF SECTION 42-3-115 (5)(a) IS
4 CONSIDERED CURRENTLY ISSUED UNTIL THE RIGHT OF THE OWNER OF THE
5 MOTOR VEHICLE TO WHICH THE EXPIRED PLATE WAS AFFIXED TO APPLY TO
6 USE THE REGISTRATION NUMBER OF THE EXPIRED PLATE WHEN
7 REGISTERING ANOTHER MOTOR VEHICLE EXPIRES. If the plate is not
8 currently issued, the department shall reserve the registration number
9 until the committee notifies the department to release the registration
10 number.

11 **SECTION 3.** In Colorado Revised Statutes, 42-3-115, **add** (5) as
12 follows:

13 **42-3-115. Registration upon transfer.** (5) (a) EXCEPT AS
14 OTHERWISE PROVIDED IN SUBSECTION (5)(b) OF THIS SECTION, ON AND
15 AFTER JANUARY 1, 2021, WHENEVER THE OWNER OF A MOTOR VEHICLE
16 THAT IS CLASS C PERSONAL PROPERTY, AS DEFINED IN SECTION 42-3-106
17 (2)(c), TRANSFERS OR ASSIGNS THE OWNER'S TITLE OR INTEREST, THE
18 NUMBER PLATES ISSUED TO THE OWNER FOR THE VEHICLE EXPIRE AND MAY
19 NOT BE TRANSFERRED TO ANY OTHER MOTOR VEHICLE. AN OWNER OF A
20 MOTOR VEHICLE WHOSE NUMBER PLATES THAT EXPIRE DUE TO THE
21 OPERATION OF THIS SUBSECTION (5)(a) ARE PERSONALIZED LICENSE
22 PLATES ISSUED PURSUANT TO SECTION 42-3-211 RETAINS THE PRIORITY
23 RIGHT TO USE THE COMBINATION OF LETTERS OR NUMBERS DISPLAYED ON
24 THE EXPIRED PERSONALIZED LICENSE PLATES TO THE EXTENT PROVIDED
25 FOR IN SECTION 42-3-211 AND MAY APPLY FOR IDENTICAL PERSONALIZED
26 LICENSE PLATES IN THE MANNER SPECIFIED IN SECTION 42-3-211 WHEN
27 REGISTERING ANOTHER MOTOR VEHICLE. IN ADDITION, AN OWNER OF A

1 VEHICLE WHOSE NUMBER PLATES THAT EXPIRE DUE TO THE OPERATION OF
2 THIS SUBSECTION (5)(a) WERE NOT ORIGINALLY ISSUED AS PERSONALIZED
3 LICENSED PLATES, BUT WHO WISHES TO RETAIN THE SAME COMBINATION
4 OF LETTERS OR NUMBERS DISPLAYED ON THE EXPIRED LICENSE PLATES
5 RETAINS THE PRIORITY RIGHT TO USE THE COMBINATION AND MAY APPLY
6 FOR PERSONALIZED LICENSE PLATES WITH THE COMBINATION IN THE
7 MANNER SPECIFIED IN SECTION 42-3-211 WHEN REGISTERING ANOTHER
8 MOTOR VEHICLE.

9 (b) IN ACCORDANCE WITH SECTION 42-12-301 (6), SUBSECTION
10 (5)(a) OF THIS SECTION DOES NOT APPLY TO THE TRANSFER OR
11 ASSIGNMENT OF AN OWNER'S INTEREST IN CLASS C PERSONAL PROPERTY
12 THAT IS A HORSELESS CARRIAGE.

13 **SECTION 4.** In Colorado Revised Statutes, 42-3-201, **add** (8) as
14 follows:

15 **42-3-201. Number plates furnished - style - periodic reissuance**
16 **- tabs - rules.** (8) ON AND AFTER JANUARY 1, 2021, EACH TYPE OF
17 LICENSE PLATE THAT IS NOT A GROUP SPECIAL LICENSE PLATE AND THAT,
18 AS OF JANUARY 1, 2020, HAD A COLOR SCHEME OF DARK GREEN LETTERS
19 AND NUMBERS ON A BACKGROUND OF WHITE MOUNTAINS AND A DARK
20 GREEN SKY SHALL BE MANUFACTURED TO HAVE A COLOR SCHEME OF
21 WHITE LETTERS AND NUMBERS ON A BACKGROUND OF GREEN MOUNTAINS
22 AND A WHITE SKY. THE DEPARTMENT SHALL EXHAUST ITS STOCK OF
23 LICENSE PLATES WITH A COLOR SCHEME OF DARK GREEN LETTERS AND
24 NUMBERS ON A BACKGROUND OF WHITE MOUNTAINS AND A DARK GREEN
25 SKY BEFORE ISSUING LICENSE PLATES WITH A COLOR SCHEME OF WHITE
26 LETTERS AND NUMBERS ON A BACKGROUND OF GREEN MOUNTAINS AND A
27 WHITE SKY.

1 **SECTION 5.** In Colorado Revised Statutes, 42-3-211, **amend** (5)
2 as follows:

3 **42-3-211. Issuance of personalized plates authorized.** (5) An
4 applicant for issuance of personalized license plates or renewal of such
5 plates shall apply in such form and by such date as the department may
6 require, indicating thereon the combination of letters or numbers
7 requested as a registration number. There shall be no duplication of
8 registration numbers, and the department may refuse to issue any
9 combination of letters or numbers that carry connotations offensive to
10 good taste and decency, are misleading, or duplicate any other license
11 plates provided for in this article 3. THE DEPARTMENT SHALL APPROVE
12 ANY APPLICATION FOR PERSONALIZED LICENSE PLATES RECEIVED FROM AN
13 INDIVIDUAL WHO WISHES TO RETAIN THE SAME COMBINATION OF LETTERS
14 OR NUMBERS DISPLAYED ON THE INDIVIDUAL'S LICENSE PLATES THAT
15 EXPIRED DUE TO THE OPERATION OF SECTION 42-3-115 (5)(a).

16 **SECTION 6.** In Colorado Revised Statutes, 42-3-301, **amend**
17 (2)(a) as follows:

18 **42-3-301. License plate cash fund - license plate fees.**
19 (2) (a) The fees imposed pursuant to subsection (1) of this section ~~shall~~
20 ~~be~~ ARE limited to the amount necessary to recover the costs of the
21 production and distribution of any license plates, decals, or validating tabs
22 issued pursuant to this article 3 and the related support functions provided
23 to the department of revenue by the division AND THE AMOUNT OF ANY
24 GENERAL FUND APPROPRIATION FOR STATE FISCAL YEAR 2020-21 MADE TO
25 IMPLEMENT SENATE BILL 20-_____, ENACTED IN 2020. WHEN THE
26 BALANCE OF THE LICENSE PLATE CASH FUND CREATED IN SUBSECTION
27 (1)(b) OF THIS SECTION BECOMES SUFFICIENT TO COVER ALL OF THE COSTS

1 DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION AND TO REPAY THE
2 AMOUNT OF ANY GENERAL FUND APPROPRIATION FOR STATE FISCAL YEAR
3 2020-21 MADE TO IMPLEMENT SENATE BILL 20-_____, ENACTED IN 2020,
4 THE EXECUTIVE DIRECTOR SHALL INSTRUCT THE STATE TREASURER TO
5 TRANSFER AN AMOUNT EQUAL TO THE AMOUNT OF THE APPROPRIATION
6 FROM THE LICENSE PLATE CASH FUND TO THE GENERAL FUND. The
7 correctional industries advisory committee, established pursuant to
8 section 17-24-104 (2), shall annually review and recommend to the
9 director of the division the amounts of the fees to be imposed pursuant to
10 subsection (1) of this section. The director of the division, in cooperation
11 and consultation with the department of revenue and the office of state
12 planning and budgeting, shall annually establish the amounts of the fees
13 imposed pursuant to subsection (1) of this section to recover the division's
14 costs pursuant to this subsection (2).

15 **SECTION 7. Act subject to petition - effective date.** This act
16 takes effect January 1, 2021; except that, if a referendum petition is filed
17 pursuant to section 1 (3) of article V of the state constitution against this
18 act or an item, section, or part of this act within the ninety-day period
19 after final adjournment of the general assembly, then the act, item,
20 section, or part will not take effect unless approved by the people at the
21 general election to be held in November 2020 and, in such case, will take
22 effect January 1, 2021, or on the date of the official declaration of the
23 vote thereon by the governor, whichever is later.

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

Attachment B

BILL B

LLS NO. 20-0345.01 Jason Gelender x4330

SENATE BILL

SENATE SPONSORSHIP

Winter, Donovan, Foote, Hisey, Moreno, Pettersen, Priola

HOUSE SPONSORSHIP

Gray, Duran, Exum, Froelich, Hooton, Valdez A., Valdez D.

Senate Committees

House Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT THE HIGH-PERFORMANCE**
102 **TRANSPORTATION ENTERPRISE INCLUDE INFORMATION ABOUT**
103 **ITS PUBLIC-PRIVATE PARTNERSHIPS IN ITS ANNUAL REPORT TO**
104 **THE LEGISLATIVE COMMITTEES OF THE HOUSE OF**
105 **REPRESENTATIVES AND THE SENATE THAT HAVE JURISDICTION**
106 **OVER TRANSPORTATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Transportation Legislation Review Committee. Current law

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

authorizes the high-performance transportation enterprise (HPTE) to enter into public-private partnerships, which are contractual agreements between HPTE and one or more private or public entities, to deliver or contribute to the delivery of surface transportation projects and requires HPTE to provide an annual report on its activities to the legislative committees that have jurisdiction over transportation (currently the house of representatives transportation and local government committee and the senate transportation and energy committee). Beginning with the annual report due in 2021, the bill requires HPTE to include in the annual report, for each of its executed or proposed public-private partnerships, summaries of:

- The processes that HPTE has used leading up to or anticipates using to lead up to its entry into the public-private partnership, including the processes for obtaining and responding to public questions, concerns, and other comments or input and the processes for selecting each partner to the public-private partnership; and
- The actual major financial, performance, and length-of-term provisions of its executed public-private partnerships and, to the extent feasible, the anticipated major financial, performance, and length-of-term provisions of its proposed public-private partnerships.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 43-4-806, **amend**
3 (10) as follows:

4 **43-4-806. High-performance transportation enterprise -**
5 **creation - board - funds - powers and duties - limitations - reporting**
6 **requirements - legislative declaration - definition.**

7 (10) (a) Notwithstanding section 24-1-136 (11)(a)(I), no later than
8 February 15, 2010, and no later than February 15 of each year thereafter,
9 the transportation enterprise shall present a report to the committees of
10 the house of representatives and the senate that have jurisdiction over
11 transportation. The report ~~shall~~ **MUST** include a summary of the
12 transportation enterprise's activities for the previous year, a summary of
13 the status of any current surface transportation infrastructure projects, a

1 statement of the enterprise's revenues and expenses, and any
2 recommendations for statutory changes that the enterprise deems
3 necessary or desirable. The committees shall review the report and may
4 recommend legislation. The report shall be public and shall be available
5 on the website of the department on or before January 15 of the year in
6 which the report is presented.

7 (b) BEGINNING WITH THE REPORT DUE NO LATER THAN FEBRUARY
8 15, 2021, THE REPORT SHALL ALSO INCLUDE FOR EACH OF THE
9 TRANSPORTATION ENTERPRISE'S EXECUTED OR PROPOSED PUBLIC-PRIVATE
10 PARTNERSHIPS:

11 (I) A SUMMARY OF THE PROCESSES THAT THE TRANSPORTATION
12 ENTERPRISE HAS USED LEADING UP TO OR ANTICIPATES USING TO LEAD UP
13 TO ITS ENTRY INTO THE PUBLIC-PRIVATE PARTNERSHIP, INCLUDING THE
14 PROCESSES FOR OBTAINING AND RESPONDING TO PUBLIC QUESTIONS,
15 CONCERNS, AND OTHER COMMENTS OR INPUT AND THE PROCESSES FOR
16 SELECTING EACH PARTNER TO THE PUBLIC-PRIVATE PARTNERSHIP; AND

17 (II) A SUMMARY OF THE ACTUAL, OR TO THE EXTENT AVAILABLE
18 THE ANTICIPATED, MAJOR FINANCIAL, PERFORMANCE, AND
19 LENGTH-OF-TERM PROVISIONS OF THE PUBLIC-PRIVATE PARTNERSHIP.

20 **SECTION 2. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly (August
23 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
24 referendum petition is filed pursuant to section 1 (3) of article V of the
25 state constitution against this act or an item, section, or part of this act
26 within such period, then the act, item, section, or part will not take effect
27 unless approved by the people at the general election to be held in

1 November 2020 and, in such case, will take effect on the date of the
2 official declaration of the vote thereon by the governor.

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

Attachment C

BILL C

LLS NO. 20-0346.01 Richard Sweetman x4333

HOUSE BILL

HOUSE SPONSORSHIP

Duran and Exum, Carver, Catlin, Froelich, Gray, Hooton, Humphrey, Valdez A., Valdez D.

SENATE SPONSORSHIP

Donovan and Hisey, Foote, Moreno, Pettersen, Priola, Scott

House Committees

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE ACQUISITION OF DRIVERS' LICENSES BY CERTAIN
102 PERSONS IN THE CUSTODY OF THE STATE DEPARTMENT OF
103 HUMAN SERVICES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Transportation Legislation Review Committee. The bill creates the foster children's driver education grant program (program) in the state department of human services (state department) to reimburse county departments of human or social services (county departments) for costs paid to private driving schools for providing driving instruction to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 HEREBY CREATED IN THE STATE DEPARTMENT TO REIMBURSE COUNTY
2 DEPARTMENTS FOR COSTS PAID TO PRIVATE DRIVING SCHOOLS THAT
3 PROVIDE DRIVING INSTRUCTION TO PERSONS IN THE CUSTODY OF THE
4 STATE DEPARTMENT WHO ARE AT LEAST FIFTEEN YEARS AND LESS THAN
5 EIGHTEEN YEARS OF AGE. COUNTY DEPARTMENTS THAT RECEIVE GRANT
6 MONEY FROM THE PROGRAM SHALL USE THE GRANT MONEY ONLY FOR THE
7 PURPOSE SPECIFIED IN THIS SUBSECTION (1).

8 (2) THE STATE DEPARTMENT SHALL ADMINISTER THE PROGRAM
9 AND AWARD GRANTS AS PROVIDED IN THIS SECTION AND BY RULES
10 ADOPTED PURSUANT TO THIS SECTION.

11 (3) THE STATE DEPARTMENT MAY SEEK AND ACCEPT GIFTS,
12 GRANTS, AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
13 PURPOSES OF THIS SECTION; EXCEPT THAT THE STATE DEPARTMENT MAY
14 NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO
15 CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION OR ANY OTHER
16 LAW OF THE STATE.

17 (4)(a) THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY TO THE
18 STATE DEPARTMENT FOR USE IN IMPLEMENTING AND ADMINISTERING THE
19 PROGRAM.

20 (b) THE STATE DEPARTMENT MAY USE UP TO THREE PERCENT OF
21 ANY MONEY APPROPRIATED FOR THE PROGRAM TO PAY THE DIRECT AND
22 INDIRECT COSTS THAT THE STATE DEPARTMENT INCURS TO ADMINISTER
23 THE PROGRAM.

24 (5) ON OR BEFORE DECEMBER 1, 2020, THE STATE BOARD SHALL
25 PROMULGATE RULES FOR THE ADMINISTRATION OF THE PROGRAM. AT A
26 MINIMUM, THE RULES MUST SPECIFY:

27 (a) THE TIME FRAME FOR APPLYING FOR GRANTS;

- 1 (b) THE FORM OF THE PROGRAM APPLICATION;
- 2 (c) THE TIME FRAME FOR DISTRIBUTING GRANT MONEY; AND
- 3 (d) THE MINIMUM INFORMATION TO BE INCLUDED IN THE REPORTS
- 4 DESCRIBED IN SUBSECTION (6)(a) OF THIS SECTION.

5 (6) (a) ON OR BEFORE NOVEMBER 1, 2021, AND ON OR BEFORE
6 NOVEMBER 1 EACH YEAR THEREAFTER, EACH COUNTY DEPARTMENT THAT
7 RECEIVED A GRANT IN THE PRECEDING TWELVE MONTHS THROUGH THE
8 PROGRAM SHALL SUBMIT A REPORT TO THE STATE DEPARTMENT. AT A
9 MINIMUM, THE REPORT MUST INCLUDE THE INFORMATION REQUIRED BY
10 RULES PROMULGATED BY THE STATE BOARD PURSUANT TO SUBSECTION (5)
11 OF THIS SECTION.

12 (b) ON OR BEFORE JANUARY 1, 2022, AND ON OR BEFORE JANUARY
13 1 EACH YEAR THEREAFTER FOR THE DURATION OF THE PROGRAM, THE
14 STATE DEPARTMENT SHALL SUBMIT A SUMMARY REPORT TO THE PUBLIC
15 HEALTH CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF
16 REPRESENTATIVES AND THE HEALTH AND HUMAN SERVICES COMMITTEE OF
17 THE SENATE, OR THEIR SUCCESSOR COMMITTEES. AT A MINIMUM, THE
18 REPORT MUST INCLUDE THE INFORMATION SUBMITTED TO THE STATE
19 DEPARTMENT BY COUNTY DEPARTMENTS PURSUANT TO SUBSECTION (6)(a)
20 OF THIS SECTION.

21 (c) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
22 REPORTING REQUIREMENTS SET FORTH IN THIS SUBSECTION (6) CONTINUE
23 INDEFINITELY.

24 **26-25-102. No liability created.** (1) NOTHING IN THIS ARTICLE 25
25 PLACES ANY LIABILITY ON A COUNTY DEPARTMENT FOR:

- 26 (a) CONTRACTING WITH A PRIVATE DRIVING SCHOOL TO PROVIDE
- 27 DRIVING INSTRUCTION TO A PERSON WHO IS IN THE CUSTODY OF THE

1 COUNTY DEPARTMENT AND WHO IS FIFTEEN YEARS OF AGE OR OLDER BUT
2 UNDER EIGHTEEN YEARS OF AGE; OR

3 (b) AN INJURY ALLEGED TO HAVE OCCURRED WHILE A PERSON IN
4 THE CUSTODY OF THE COUNTY DEPARTMENT RECEIVES DRIVING
5 INSTRUCTION FROM A PRIVATE DRIVING SCHOOL, THE COST OF WHICH
6 INSTRUCTION MAY BE REIMBURSED TO THE COUNTY DEPARTMENT
7 PURSUANT TO THE PROGRAM.

8 (2) NOTHING IN THIS ARTICLE 25 WAIVES OR LIMITS A COUNTY
9 DEPARTMENT'S GOVERNMENTAL IMMUNITY, AS DESCRIBED IN ARTICLE 10
10 OF TITLE 24.

11 **26-25-103. Repeal of article - sunset review.** THIS ARTICLE 25
12 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2030. BEFORE THE REPEAL, THE
13 PROGRAM IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION
14 24-34-104.

15 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **add**
16 (31)(a)(V) as follows:

17 **24-34-104. General assembly review of regulatory agencies**
18 **and functions for repeal, continuation, or reestablishment - legislative**
19 **declaration - repeal.** (31) (a) The following agencies, functions, or both,
20 are scheduled for repeal on September 1, 2030:

21 (V) THE FOSTER CHILDREN'S DRIVER EDUCATION GRANT PROGRAM
22 CREATED IN ARTICLE 25 OF TITLE 26.

23 **SECTION 3.** In Colorado Revised Statutes, 42-2-108, **amend** (2);
24 and **add** (5) as follows:

25 **42-2-108. Application of minors.** (2) (a) Any negligence or
26 willful misconduct of a minor under the age of eighteen years OF AGE who
27 drives a motor vehicle upon a highway is imputed to the person who

1 signed the affidavit of liability ~~which~~ THAT accompanied the MINOR'S
2 application of ~~such~~ minor for a permit or license. ~~Such~~ THE person is
3 jointly and severally liable with ~~such~~ THE minor for any damages caused
4 by ~~such~~ THE MINOR'S negligence or willful misconduct, except as
5 otherwise provided in subsection (3) of this section.

6 (b) A GUARDIAN AD LITEM, AN OFFICIAL OF A COUNTY
7 DEPARTMENT OF HUMAN OR SOCIAL SERVICES, OR AN OFFICIAL OF THE
8 DIVISION OF YOUTH SERVICES IN THE STATE DEPARTMENT OF HUMAN
9 SERVICES WHO SIGNS A MINOR'S APPLICATION FOR A PERMIT OR LICENSE
10 BUT DOES NOT SIGN AN AFFIDAVIT OF LIABILITY DOES NOT IMPUTE
11 LIABILITY ON THEMSELVES, ON THE COUNTY, OR ON THE STATE FOR ANY
12 DAMAGES CAUSED BY THE NEGLIGENCE OR WILLFUL MISCONDUCT OF THE
13 APPLICANT.

14 (c) NOTHING IN THIS SECTION WAIVES OR LIMITS A COUNTY
15 DEPARTMENT'S GOVERNMENTAL IMMUNITY, AS DESCRIBED IN ARTICLE 10
16 OF TITLE 24.

17 (5) A CERTIFIED COURT ORDER IS SUFFICIENT TO ESTABLISH THE
18 LEGAL NAME, IDENTITY, DATE OF BIRTH, LAWFUL PRESENCE IN THE UNITED
19 STATES, AND COLORADO RESIDENCY OF A PERSON WHO IS IN THE CUSTODY
20 OF THE DEPARTMENT OF HUMAN SERVICES, IS FIFTEEN YEARS OF AGE OR
21 OLDER BUT UNDER EIGHTEEN YEARS OF AGE, AND IS APPLYING FOR A
22 DRIVER'S LICENSE.

23 **SECTION 4. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly (August
26 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
27 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act
2 within such period, then the act, item, section, or part will not take effect
3 unless approved by the people at the general election to be held in
4 November 2020 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

Attachment D

BILL D

LLS NO. 20-0347.01 Jason Gelender x4330

SENATE BILL

SENATE SPONSORSHIP

Hisey and Winter, Donovan, Foote, Moreno, Pettersen, Priola, Scott

HOUSE SPONSORSHIP

Catlin and Valdez D., Duran, Exum, Froelich, Gray, Hooton, Valdez A.

Senate Committees

House Committees

A BILL FOR AN ACT

101 **CONCERNING PERMANENT AUTHORIZATION FOR THIRD-PARTY**
102 **PROVIDERS TO PERFORM VEHICLE IDENTIFICATION NUMBER**
103 **VERIFICATION INSPECTIONS FOR COMMERCIAL VEHICLES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Transportation Legislation Review Committee. A pilot program (program) created in 2017 authorized third-party transportation associations or organizations approved by the chief of the Colorado state patrol to perform vehicle identification number (VIN) verification inspections for commercial vehicles. The statute authorizing the program

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

repealed, in accordance with its provisions as enacted, effective January 1, 2020. The bill recreates the program as a permanent program.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **recreate and**
3 **reenact, with amendments,** 42-1-232 as follows:

4 **42-1-232. Third-party VIN inspection program - rules -**
5 **definitions.** (1) FOR THE PURPOSES OF THIS SECTION:

6 (a) "CHIEF" MEANS THE CHIEF OF THE COLORADO STATE PATROL.

7 (b) "CONVICTED" MEANS A CONVICTION OF, OR PLEADING GUILTY
8 OR NOLO CONTENDERE TO, A VIOLATION OF THE LAW.

9 (c) "PERMIT" MEANS AUTHORITY FOR AN ORGANIZATION TO
10 EMPLOY PEOPLE TO VERIFY INFORMATION, INCLUDING A VIN, THAT MAY
11 BE REQUIRED TO REGISTER A COMMERCIAL VEHICLE UNDER ARTICLE 3 OF
12 THIS TITLE 42 OR TO BE ISSUED A CERTIFICATE OF TITLE UNDER ARTICLE 6
13 OF THIS TITLE 42.

14 (d) "VIN" MEANS VEHICLE IDENTIFICATION NUMBER.

15 (2) THE CHIEF SHALL CREATE A PROGRAM THAT AUTHORIZES A
16 TRANSPORTATION ASSOCIATION OR ORGANIZATION TO VERIFY
17 COMMERCIAL VEHICLE INFORMATION, INCLUDING A VIN, AS A
18 VEHICLE-RELATED ENTITY IF THE TRANSPORTATION ASSOCIATION OR
19 ORGANIZATION DEMONSTRATES TO THE SATISFACTION OF THE CHIEF THAT
20 IT AND ANY INDIVIDUALS IT MAY EMPLOY TO VERIFY INFORMATION MEET
21 THE REQUIREMENTS OF THIS SECTION AND ANY RULES PROMULGATED TO
22 IMPLEMENT THIS SECTION. UPON DETERMINING THAT A TRANSPORTATION
23 ASSOCIATION OR ORGANIZATION MEETS THE REQUIREMENTS OF THIS
24 SECTION AND ANY RULES PROMULGATED TO IMPLEMENT THIS SECTION,
25 THE CHIEF MAY ISSUE A PERMIT TO THE APPLICANT.

1 (3) TO BE ISSUED A PERMIT TO VERIFY INFORMATION, INCLUDING
2 A VIN, AS A VEHICLE-RELATED ENTITY, AN APPLICANT MUST:

3 (a) EMPLOY VERIFIERS WHO DEMONSTRATE KNOWLEDGE OF THE
4 PROCESS AND STANDARDS AND WHO HAVE NOT BEEN CONVICTED OF
5 VIOLATING ARTICLE 4 OF TITLE 18 WITHIN THE LAST TEN YEARS;

6 (b) SUBMIT THE NAME, BACKGROUND, EXPERIENCE, LOCATION OF
7 OPERATION, CONTACT INFORMATION, AND ANY OTHER INFORMATION
8 REQUIRED BY THE CHIEF OF EACH EMPLOYED VERIFIER;

9 (c) FURNISH EVIDENCE OF A SAVINGS ACCOUNT OR DEPOSIT IN A
10 CERTIFICATE OF DEPOSIT MEETING THE REQUIREMENTS OF SECTION
11 11-35-101 OR A SURETY BOND THAT:

12 (I) HOLDS HARMLESS ANY PERSON WHO SUFFERS LOSS OR DAMAGE
13 ARISING FROM THE ISSUANCE OF A CERTIFICATE OF TITLE THAT INCLUDED
14 A VERIFICATION DONE BY THE PERMIT HOLDER; AND

15 (II) IS IN THE AMOUNT OF AT LEAST TEN THOUSAND DOLLARS.

16 (4) A VEHICLE-RELATED ENTITY SHALL NOT EMPLOY A VERIFIER
17 UNTIL THE CHIEF HAS APPROVED THE VERIFIER. THE PERMIT HOLDER
18 SHALL SUBMIT TO THE CHIEF THE NAME, BACKGROUND, EXPERIENCE,
19 LOCATION OF OPERATION, CONTACT INFORMATION, AND ANY OTHER
20 INFORMATION REQUIRED BY THE CHIEF OF EACH VERIFIER. WITHIN SEVEN
21 DAYS AFTER CEASING TO EMPLOY A VERIFIER, THE VEHICLE-RELATED
22 ENTITY SHALL NOTIFY THE CHIEF THAT THE INDIVIDUAL NO LONGER
23 VERIFIES INFORMATION FOR THE VEHICLE-RELATED ENTITY.

24 (5) A VEHICLE-RELATED ENTITY SHALL NOT CHARGE MORE THAN
25 TWENTY-FIVE DOLLARS PER TRANSACTION TO VERIFY INFORMATION.

26 (6) THE CHIEF MAY DENY OR CANCEL A PERMIT FOR:

27 (a) FAILING TO COMPLY WITH THIS SECTION;

1 (b) FAILING TO MAINTAIN IN FULL FORCE THE SAVINGS ACCOUNT,
2 DEPOSIT IN A CERTIFICATE OF DEPOSIT, OR SURETY BOND REQUIRED BY
3 SUBSECTION (3) OF THIS SECTION;

4 (c) MISREPRESENTATIONS IN APPLYING FOR A PERMIT;

5 (d) BEING CONVICTED UNDER, OR EMPLOYING A VERIFIER WHO IS
6 CONVICTED UNDER, ARTICLE 4 OF TITLE 18;

7 (e) INCOMPETENCE OR FAILING TO ADEQUATELY VERIFY
8 INFORMATION, INCLUDING A VIN, AS A VEHICLE-RELATED ENTITY.

9 (7) THE CHIEF MAY PROMULGATE RULES REASONABLY NECESSARY
10 TO IMPLEMENT THIS SECTION, INCLUDING ESTABLISHING APPLICATION
11 PROCEDURES AND ANY REQUIRED FORMS AND ESTABLISHING PROCEDURES,
12 IN COMPLIANCE WITH ARTICLE 4 OF TITLE 24, FOR CANCELING A PERMIT.
13 THE CHIEF MAY SUMMARILY SUSPEND A PERMIT FOR UP TO SIXTY DAYS
14 PENDING A HEARING TO CANCEL A PERMIT IF THE CHIEF DETERMINES THAT
15 IRREPARABLE HARM MAY OCCUR IF THE PERMIT HOLDER CONTINUES TO
16 VERIFY INFORMATION, INCLUDING A VIN, AS A VEHICLE-RELATED ENTITY.

17 (8) FOR THE PURPOSES OF VERIFYING INFORMATION IN
18 ACCORDANCE WITH ARTICLES 1 TO 5 OF THIS TITLE 42, A PERMIT HOLDER
19 IS A VEHICLE-RELATED ENTITY.

20 **SECTION 2. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, or safety.

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

Attachment E

BILL E

LLS NO. 20-0351.01 Jason Gelender x4330

HOUSE BILL

HOUSE SPONSORSHIP

Valdez D. and Gray, Catlin, Duran, Exum, Froelich, Hooton, Valdez A.

SENATE SPONSORSHIP

Scott and Hisey, Donovan, Moreno, Pettersen, Priola

House Committees

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A SINGLE ANNUAL FLEET**
102 **OVERWEIGHT PERMIT FOR A COMMERCIAL MOTOR VEHICLE**
103 **FLEET THAT INCLUDES BOTH VEHICLES THAT HAVE A QUAD**
104 **AXLE GROUPING AND VEHICLE COMBINATIONS WITH A TRAILER**
105 **THAT HAS TWO OR THREE AXLES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Transportation Legislation Review Committee. Current law requires a commercial motor vehicle fleet owner that wishes to apply for

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

an annual fleet overweight permit to apply for separate annual fleet permits for vehicles that have a quad axle grouping for divisible vehicles or loads, and vehicle combinations with a trailer that have 2 or 3 axles for divisible vehicles or loads. The bill allows a fleet owner that has a fleet consisting of vehicles from both of these categories to apply for a single annual fleet overweight permit.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-510, **amend**
3 (11)(a)(VI) introductory portion and (11)(a)(VII) introductory portion;
4 **repeal** (11)(a)(VI)(C) and (11)(a)(VII)(D); and **add** (11)(a)(VIII) as
5 follows:

6 **42-4-510. Permits for excess size and weight and for**
7 **manufactured homes - rules - definition.** (11) (a) The department of
8 transportation or the Colorado state patrol may charge permit applicants
9 permit fees as follows:

10 (VI) For overweight permits for vehicles that have a quad axle
11 grouping for divisible vehicles or loads exceeding legal weight limits
12 issued pursuant to ~~subparagraph (II) of paragraph (b) of subsection (1)~~
13 ~~SUBSECTION (1)(b)(II)(A) of this section:~~

14 (C) ~~Annual fleet permits, two thousand dollars plus thirty-five~~
15 ~~dollars per vehicle to be permitted;~~

16 (VII) For overweight permits for vehicle combinations with a
17 trailer that has two or three axles for divisible vehicles or loads exceeding
18 legal weight limits established by ~~sub-subparagraph (B) of subparagraph~~
19 ~~(II) of paragraph (b) of subsection (1)~~ ~~SUBSECTION (1)(b)(II)(B) of this~~
20 section:

21 (D) ~~Effective January 1, 2015, annual fleet permit, two thousand~~
22 ~~dollars plus thirty-five dollars per vehicle to be permitted.~~

1 (VIII) FOR ANNUAL FLEET OVERWEIGHT PERMITS FOR FLEETS OF
2 VEHICLES THAT HAVE A QUAD AXLE GROUPING, FLEETS OF VEHICLE
3 COMBINATIONS WITH A TRAILER THAT HAS TWO OR THREE AXLES, AND
4 FLEETS OF BOTH VEHICLES THAT HAVE A QUAD AXLE GROUPING AND
5 VEHICLE COMBINATIONS WITH A TRAILER THAT HAS TWO OR THREE AXLES
6 FOR DIVISIBLE VEHICLES OR LOADS EXCEEDING LEGAL WEIGHT LIMITS
7 ESTABLISHED BY SUBSECTION (1)(b)(II) OF THIS SECTION, TWO THOUSAND
8 DOLLARS PLUS THIRTY-FIVE DOLLARS PER VEHICLE TO BE PERMITTED.

9 **SECTION 2. Effective date.** This act takes effect July 1, 2020.

10 **SECTION 3. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, or safety.