

Transportation Legislation Review Committee

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October 2014

Transportation Legislation Review Committee

Committee Charge

Pursuant to Section 43-2-145, C.R.S., the Transportation Legislation Review Committee (TLRC) is authorized to give guidance and direction to:

- the Colorado Department of Transportation (CDOT) in the development of the state transportation system and to provide legislative oversight of the development;
- the Colorado Department of Revenue (DOR) in the licensing of drivers, and registration and titling of motor vehicles; and
- any state agency or political subdivision of the state that regulates motor vehicles or traffic, including penalties imposed for violating traffic statutes and rules.

The committee must meet at least once each year to propose and review transportation, traffic, and motor vehicle legislation. It is permitted to review any phase of operations of the CDOT, a public highway authority, or a regional transportation authority, and may require these entities to prepare and adopt long-range plans and complete financial or performance audits.

Committee Activities

The committee held four meetings during the 2014 interim. Briefings and presentations were made by state departments, local governments, transit authorities, public highway authorities, transportation industry associations, and members of the public on a wide range of subjects, including:

- highway corridor maintenance and construction;
- Colorado's aviation industry;
- distracted driving;
- oversize and overweight permits;
- license plates; and
- regulation of motor carriers by the Public Utilities Commission (PUC).

This interim the committee also toured a precast concrete manufacturing facility, Denver Union Station, and the Denver International Airport (DIA).

The following subsections discuss the TLRC's activities during the 2014 interim.

CDOT corridor update. Representatives of CDOT gave an overview of the department and its public engagement process, and provided an update on the I-70 mountain corridor. The panel discussed methods for reducing congestion, how existing infrastructure may be preserved, and the department's budget relative to federal funding. The panel stated that CDOT's goal in the I-70 mountain corridor is to reduce congestion, and outlined plans to reduce travel times by providing peak period shoulder lanes.

Aviation industry. The committee heard from representatives of DIA, Rocky Mountain Metropolitan Airport, Yampa Valley Regional Airport, Steamboat Springs Airport, Centennial Airport, and CDOT's Division of Aeronautics about operations and economic impacts, passenger traffic, and airspace capacity at, and the economic impacts of, Colorado's airports. The panel reported that there are currently 74 airports in Colorado available for public use, of which 13 are commercial, 50 are publicly owned, and 11 are privately owned. Statewide aviation projects were also discussed, including DIA's South Terminal Redevelopment Program, which will open in 2015.

Distracted driving. The committee heard testimony from the Colorado State Patrol (CSP), insurance companies, and automobile groups on distracted driving. The panel discussed the main types of distraction encountered while driving — visual distractions, manual distractions, and cognitive distractions. The panel noted that in 2013, the CSP investigated 6,390 “front to rear” crashes, almost all of which were the result of distracted driving. The committee also heard information related to the difficulty of issuing citations for cell phone use and the need for public education and awareness campaigns.

Driver's licenses. The committee heard from representatives of the Division of Motor Vehicles (DMV) in the DOR about the DMV's strategic plan to reduce office wait times and improve customer service by expanding appointment waitlists, tracking wait times, allowing more online renewals, and using new technology. The committee also heard information on the implementation of Senate Bill 13-251, which allows qualified individuals who are unable to demonstrate lawful presence in the United States to obtain a three-year driver's license.

License plates. Representatives of the DMV presented on current license plate designs available to Colorado drivers. The panel noted that Colorado has 138 different license plates and discussed issuance requirements. The committee received information on the print-on-demand process for license plates and temporary license plate tags. As a result of the testimony and discussion, the committee recommends Bill A, which directs DOR to issue firefighter special license plates for motorcycles, passenger cars, trucks, or recreational motor vehicles that do not exceed 16,000 pounds empty weight.

Oversize and overweight commercial vehicle permits. The committee heard from a working group on oversize and overweight commercial vehicles that was convened at the request of the TLRC in the 2013 interim. Representatives of CDOT, Colorado Motor Carriers, Colorado Counties Inc., and the Colorado Municipal League updated the committee on CDOT's new permitting system for oversize and overweight vehicles and discussed how it will streamline the permitting process. The panel stated that the goal of the permitting system is to make information available to as many entities as possible. The panelists stated that the system, which is expected to be launched in October 2014, will be entirely web-based and accessible at any hour of the day.

Public Utilities Commission (PUC) regulation of motor carriers. Representatives of the PUC gave an overview of the commission and commented on how the PUC has been working with the transportation industry and law enforcement to perform investigations and enforce compliance of motor carriers. The committee heard information about the PUC's role in regulating transportation network companies and the implementation of Senate Bill 14-125, which created a limited regulatory structure for these companies.

Other. The committee heard testimony on other topics, including transit and rail, the role of the High-Performance Transportation Enterprise (HPTE) as a financing entity, and the Safe Routes to School Program. As a result of the testimony and discussion, the committee recommends Bill B, which requires CDOT to award grants under the Safe Routes to School program using state moneys available to the department in a total amount of at least \$3 million for the 2015-16 fiscal year.

Committee Recommendations

Bill A — Firefighter Motorcycle License Plate. Bill A requires the DOR to issue the current firefighter group special license plate to motorcyclists upon receiving proof that the applicant is an active, volunteer, or retired firefighter. Under current law, the firefighter group special license plate is available for passenger cars, trucks, and recreational vehicles not exceeding 16,000 pounds empty weight; however, the plate is not currently available for motorcycles.

Bill B — Funding for Safe Transportation to Schools. Bill B requires CDOT, under the Safe Routes to School Program, to award at least \$3 million in grants to political subdivisions of the state for projects that will improve the safety of pedestrians and bicyclists in school areas. The grants must be awarded during FY 2015-16. The bill requires that state moneys be used for making grant awards of at least \$3 million, unless CDOT receives federal funds specifically for the Safe Routes to School program. If CDOT receives federal funds during FY 2015-16 for the program, the \$3 million requirement is reduced by the amount of federal moneys received.

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

BILL A

LLS NO. 15-0092.01 Jery Payne x2157

INTERIM COMMITTEE BILL

Transportation Legislation Review Committee

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZATION FOR FIREFIGHTER LICENSE PLATES TO**
102 **BE ISSUED FOR MOTORCYCLES.**

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://www.leg.state.co.us/billsummaries>.)

Transportation Legislation Review Committee. The bill directs the department of revenue to issue firefighter special license plates for motorcycles, passenger cars, trucks, or recreational motor vehicles that do not exceed sixteen thousand pounds empty weight. Currently the plates are issued to every mentioned vehicle except motorcycles.

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

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-3-208, **add** (4) as
3 follows:

4 **42-3-208. Special plates - qualifications for issuance of special**
5 **license plates.** (4) THE DEPARTMENT SHALL ISSUE FIREFIGHTER LICENSE
6 PLATES, CREATED BY RULE BY THE DEPARTMENT UNDER SECTION
7 42-3-207 AS IT EXISTED WHEN THE PLATES WERE CREATED, FOR
8 MOTORCYCLES, PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR
9 RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN
10 THOUSAND POUNDS EMPTY WEIGHT.

11 **SECTION 2. Act subject to petition - effective date -**
12 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
13 the expiration of the ninety-day period after final adjournment of the
14 general assembly (August 5, 2015, if adjournment sine die is on May 6,
15 2015); except that, if a referendum petition is filed pursuant to section 1
16 (3) of article V of the state constitution against this act or an item, section,
17 or part of this act within such period, then the act, item, section, or part
18 will not take effect unless approved by the people at the general election
19 to be held in November 2016 and, in such case, will take effect on the
20 date of the official declaration of the vote thereon by the governor.

21 (2) This act applies to applications for license plates made on or
22 after January 1, 2016.

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

BILL B

LLS NO. 15-0064.01 Jason Gelender x4330

INTERIM COMMITTEE BILL

Transportation Legislation Review Committee

A BILL FOR AN ACT

101 **CONCERNING FUNDING FOR THE SAFE ROUTES TO SCHOOL PROGRAM.**

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://www.leg.state.co.us/billsummaries>.)

Transportation Legislation Review Committee. For the 2015-16 fiscal year, the bill requires the department of transportation to award grants under the safe routes to school program using state moneys available to the department in a total amount of at least \$3 million. The required total amount is reduced by the amount of any federal moneys received by the department for the program. Under current law, the

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*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

department must award at least 20% but not more than 30% of the state grant money for noninfrastructure programs.

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

2 **SECTION 1.** In Colorado Revised Statutes, 43-1-1601, **amend**
3 (3.5) (b) and (5) as follows:

4 **43-1-1601. Safe routes to school program - repeal.**

5 (3.5) (b) (I) ~~Notwithstanding the provisions of paragraph (a) of this~~
6 ~~subsection (3.5), for the state fiscal year commencing July 1, 2014, all of~~
7 ~~the grants awarded must be for noninfrastructure programs~~ EXCEPT AS
8 OTHERWISE PROVIDED IN PARAGRAPH (a) OF SUBSECTION (5) OF THIS
9 SECTION, FOR THE FISCAL YEAR COMMENCING JULY 1, 2015, THE
10 DEPARTMENT SHALL AWARD GRANTS USING STATE MONEYS AVAILABLE TO
11 THE DEPARTMENT IN A TOTAL AMOUNT OF AT LEAST THREE MILLION
12 DOLLARS.

13 (II) This paragraph (b) is repealed, effective ~~July 1, 2015~~ JULY 1,
14 2016.

15 (5) (a) For the fiscal year commencing ~~July 1, 2014~~ JULY 1, 2015,
16 if the state receives federal moneys for the safe routes to school program,
17 ~~the state general fund appropriation for~~ REQUIREMENT THAT THE
18 DEPARTMENT AWARD GRANTS UNDER the program USING STATE MONEYS
19 AVAILABLE TO THE DEPARTMENT IN A TOTAL AMOUNT OF LEAST THREE
20 MILLION DOLLARS is reduced by the amount of the federal moneys
21 received.

22 (b) This subsection (5) is repealed, effective ~~July 1, 2015~~ JULY 1,
23 2016.

24 **SECTION 2. Effective date.** This act takes effect July 1, 2015.

25 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.

COLORADO REVISED STATUTES

*** This document reflects changes current through all laws passed at the Second Regular Session of the Sixty-Ninth General Assembly of the State of Colorado (2014) ***

TITLE 43. TRANSPORTATION
HIGHWAYS AND HIGHWAY SYSTEMS
ARTICLE 2.STATE, COUNTY, AND MUNICIPAL HIGHWAYS
PART 1. STATE, COUNTY, AND CITY HIGHWAYS

GO TO COLORADO STATUTES ARCHIVE DIRECTORY

C.R.S. 43-2-145 (2014)

43-2-145. Transportation legislation review - committee

(1) (a) The transportation legislation review committee is hereby created in order to give guidance and direction to:

(I) The department of transportation in the development of the state transportation system and to provide legislative overview of and input into such development;

(II) The department of revenue in the licensing of drivers and registration and titling of motor vehicles; and

(III) Any state agency or political subdivision of Colorado that regulates motor vehicles or traffic, including, without limitation, penalties imposed for violating traffic statutes and rules.

(b) The committee shall meet at least once each year to review transportation, traffic, and motor vehicle legislation and may consult with experts in the fields of traffic regulation, the licensing of drivers, the registration and titling of motor vehicles, and highway construction and planning and may consult with the personnel of the department of transportation or the department of revenue as may be necessary; except that the committee shall not meet during the 2010 interim. All personnel of the department of transportation, department of revenue, or any state agency or political subdivision of Colorado that regulates motor vehicles or traffic shall cooperate with the committee and with any persons assisting the committee in carrying out its duties pursuant to this section. The committee may review any phase of department of transportation operations, including planning and construction of highway projects, prior to and during the completion of such projects.

(c) The committee may also conduct a postoperation review of such projects to determine whether the project was completed in the most cost-effective and efficient manner. The committee may require the department of transportation to prepare and adopt five-, ten-, and fifteen-year plans for the development of the state transportation system, and the committee shall monitor the progress of such plans. The committee may also require financial or performance audits to be conducted. Upon completion of its review of the transportation laws, the committee shall make recommendations to the governor and to the general assembly for such additional legislation as it deems necessary. The committee shall also develop and make recommendations concerning the financing of the state transportation system. Legislation recommended by the committee shall be treated as legislation recommended by an interim legislative committee for purposes of any introduction deadlines or bill limitations imposed by the joint rules of the general assembly.

(d) Prior to January 1, 2016, the committee shall develop and make recommendations concerning the financing of the completion of the strategic transportation projects identified by the department as the "seventh pot projects". No later than February 1, 2016, the committee shall recommend legislation to implement the recommendations, and such legislation shall be treated as legislation recommended by an interim legislative committee for purposes of any introduction deadlines or bill limitations imposed by the joint rules of the general assembly; except that the bills shall not be subject to review by or approval of legislative council.

(1.3) (a) (I) For purposes of this subsection (1.3), "agency" means any state, regional, or local agency, authority, department, district, or organization, other than an individual municipality or county, that:

(A) Is responsible for researching, planning, developing, or improving transportation systems, mass transit systems, or regional plans that include the provision of mass transit within the jurisdiction of the agency; and

(B) Has or may have overlapping or coterminous jurisdiction with another agency.

(II) The term "agency" includes, without limitation, the department of transportation, the regional transportation district, the Colorado intermountain fixed guideway authority, and the Denver regional council of governments.

(b) Each agency shall share information and coordinate efforts with other agencies in the research, planning, and development of mass transit systems to avoid the creation of duplicative or conflicting mass transit systems in the state. The committee may review the operations of any agency to ensure compliance with the provisions of this paragraph (b). In connection with the review of the committee, any agency required to share information and coordinate efforts in accordance with this paragraph (b) shall report to the committee no later than August 15, 2001, and each August 15 thereafter through August 15, 2009, and no later than August 15, 2011, and each August 15 thereafter regarding compliance with this paragraph (b).

(1.5) The committee may review any phase of operations of any public highway authority created pursuant to part 5 of article 4 of this title, including planning and construction of public highway projects, prior to and during the completion of such projects. The committee may also conduct a postoperation review of a project to determine whether the project was completed in the most cost-effective and efficient manner. The committee may require any public highway authority to prepare and adopt long-range plans for the development of the public highways, and the committee shall monitor the progress of such plans. The committee may also require the state auditor to conduct a financial or performance audit of any public highway authority.

(1.6) and (1.8) Repealed.

(1.9) The committee may review any phase of operations of any regional transportation authority created pursuant to part 6 of article 4 of this title, including the planning and construction of regional transportation systems, prior to and during the completion of such systems. The committee may also conduct a postoperation review of any system to determine whether the system was completed in the most cost-effective and efficient manner. The committee may require any regional transportation authority to prepare and adopt long-range plans for the development of regional transportation systems, and the committee shall monitor the progress of the plans. The committee may also require financial or performance audits to be conducted.

(2) Repealed.

(2.5) (a) Effective January 1, 2001, the committee shall be comprised of the members of the transportation and energy committee of reference of the house of representatives and the members of the transportation committee of reference of the senate. The chairman of the senate transportation committee shall be the chairman in even-numbered years and vice-chairman in odd-numbered years. The chairman of the house transportation and energy committee shall be chairman in odd-numbered years and vice-chairman in even-numbered years.

(b) The members of the respective committees of reference shall receive the usual per diem and necessary travel and subsistence expenses as provided for members of the general assembly who attend interim committee meetings pursuant to [section 2-2-307, C.R.S.](#)

(3) and (4) Repealed.

(5) The legislative council staff shall be made available to assist the committee in carrying out its duties pursuant to this section.

(6) to (8) Repealed.

HISTORY: Source: L. 53: p. 531, § 45. CRS 53: § 120-13-45. C.R.S. 1963: § 120-13-45. L. 86: Entire section amended, p. 427, § 68, effective March 26; entire section R&RE, p. 1133,

§ 10, effective July 1.L. 87: (1.5) added, p. 1856, § 3, effective August 27.L. 88: (1.6) added, p. 1387, § 13, effective July 1.L. 89, 1st Ex. Sess.: (1.8) added, p. 62, § 17, effective August 1.L. 90: (1) amended and (6) repealed, pp. 1826, 1827, § § 1, 2, effective March 13.L. 91: (1) amended, p. 1107, § 151, effective July 1.L. 94: (1) amended, p. 621, § 1, effective April 14; (7) added, p. 1388, § 4, effective May 25.L. 97: (1.9) added, p. 499, § 4, effective August 6.L. 2000: (2), (3), and (4) amended and (2.5) added, p. 116, § 4, effective March 15.L. 2001: (1.3) added, p. 298, § 1, effective August 8.L. 2005: (1.6) and (1.8) repealed, p. 291, § 47, effective August 8; (1.9) amended, p. 1069, § 18, effective January 1, 2006.L. 2007: (1.3)(b) amended, p. 2050, § 104, effective June 1; (1) amended, p. 341, § 1, effective August 3.L. 2009: (1)(d) added, ([SB 09-228](#)), [ch. 410](#), [p. 2264](#), [§ 15](#), effective July 1; (8) added, ([HB 09-1230](#)), [ch. 232](#), [p. 1067](#), [§ 3](#), effective August 5.L. 2010: (1)(b) and (1.3)(b) amended, ([SB 10-213](#)), [ch. 375](#), [p. 1765](#), [§ 14](#), effective June 7.L. 2011: (1.5) amended, ([HB 11-1118](#)), [ch. 84](#), [p. 228](#), [§ 2](#), effective March 31.