

Transportation Legislation Review Committee

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November 2015

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. The committee may also conduct a postoperation review of any project completed by these entities to determine whether it was completed in the most cost-effective and efficient manner.

Committee Activities

The committee held four meetings during the 2015 interim. Briefings and presentations were made by state departments, local governments, transit authorities, public highway authorities, transportation industry associations and organizations, and members of the public on a wide range of subjects, including:

- local, state, and nationwide transportation infrastructure funding and planning;
- highway corridor maintenance and construction;
- transportation construction contracting and intergovernmental agreements (IGAs);
- traction and congestion issues on I-70;
- law enforcement data gathering for enhanced traffic safety;
- laws surrounding impeding traffic;
- challenges of current statutory definitions of motor vehicles;
- regulation of transportation network companies (TNCs) by the Public Utilities Commission (PUC);
- public highway authorities;
- regional transportation authorities; and
- low-income fare options on public transit systems.

This interim, the TLRC toured the southwest region of the state to hear feedback from the Transportation Commission, representatives of CDOT, county commissioners, local elected officials, representatives of Native American tribes, regional transit organizations, and constituents about transportation needs in their respective areas. The committee visited a number of infrastructure projects and transportation facilities throughout the southwest and held field hearings in the cities of Alamosa, Durango, and Montrose.

The committee also toured CDOT's I-70 East project and the Lockheed Martin campus in Littleton.

The following subsections discuss the TLRC's activities during the 2015 interim.

Transportation infrastructure funding. Representatives of CDOT gave an overview of CDOT's budget on the federal, state, and local levels. They discussed how inflation has impacted the federal and state gas taxes, which have not been adjusted since the early 1990s, and noted that per capita spending on transportation infrastructure in Colorado was \$125.70 in 1991 versus \$68.94 in 2015. The committee heard information on CDOT's sources of revenue, its estimated shortfall for the next 20 years, and the negative impact that uncertainty of funding can have on multi-year projects. The committee also heard about CDOT's asset management goals and the innovative ideas that its leadership has for alternative transportation funding solutions.

A representative of the National Conference of State Legislatures presented on nationwide transportation funding, noting that nearly every state considered a transportation funding bill in 2015, with over 500 of such bills being introduced, as well as over 700 similar bills being considered by state legislatures in 2013 and 2014. The committee heard about the states that have either increased their gas taxes or added a fee for electric and alternative fuel vehicles since 2013. It also heard about the bond packages and other transportation financing legislation enacted by states in 2015, upcoming ballot measures across the states that are related to transportation funding, and states that have entered into public-private partnerships (P3s) for transportation projects.

Transportation infrastructure planning. Representatives of CDOT's Transportation Commission, several Transportation Planning Regions (TPRs), and the Statewide Transportation Advisory Committee (STAC) presented on the state and local transportation planning process. The Transportation Commission representative discussed the process through which the commission sets its policy direction and budgets and allocates funds, stating that it does not generally choose projects, but rather sets policy goals and performance objectives for CDOT. The committee heard about the work of the Intermountain TPR and the Denver Regional Council of Governments, funding and transportation planning challenges faced by the TPRs, and public-public partnership strategies being employed in the state. The committee also heard an overview of the STAC, which reviews and comments on statewide transportation plan development, conflicts between TPRs and CDOT, and the integration of regional plans into the statewide plan.

As a result of the testimony and discussion, the committee recommends Bill B, which requires the STAC to provide advice and comments to both CDOT and the Transportation Commission, rather than only to CDOT. The bill also specifies that the STAC will provide advice on budgets and transportation policy, programming, and planning.

Highway corridor maintenance and construction. The committee heard from a representative of CDOT's High Performance Transportation Enterprise (HPTE), who discussed the grand opening of the US-36 Express Lane project in the summer of 2015, the procurement schedule for the I-70 East project, and the I-70 Mountain Express Lane project, which adds a third travel lane to the I-70 mountain corridor at peak travel periods and is scheduled to open for the 2015 ski season.

Contracting and intergovernmental agreements. Representatives of CDOT presented on the state's transportation construction contracting process and use of IGAs. The committee heard about challenges faced by smaller construction companies in the contracting and bonding process; CDOT's contracting with minority-owned, women-owned, and local businesses; and how CDOT plans to address payment issues that some contractors have experienced. The committee also heard how CDOT has so far issued \$250 million worth of IGAs, which it uses for any agreement with a non-state governmental entity, and how the Safe Routes to School program is an example of one such situation where IGAs are necessary because of the funneling of Federal Highway Administration revenue.

I-70 mountain corridor traction and congestion issues. Per the requirements of House Bill 15-1173, the committee studied the use of adequate and appropriate tire tread or traction equipment to reduce congestion, lane closures, and accidents in the I-70 mountain corridor. It heard from representatives of CDOT, the Colorado State Patrol (CSP), the I-70 Coalition, the Colorado Motor Carriers Association (CMCA), and the American Car Rental Association on these issues. Discussion focused on the challenges for CDOT and CSP surrounding current state chain laws for passenger and commercial vehicles, which cannot be called into effect expediently by CDOT and CSP, and which require statutory clarity for CSP to be able to enforce with passenger vehicles. The committee also heard how congestion and closures of the corridor are a major issue for the region and can cost up to \$800,000 for every hour of closure. Congestion and closure data were provided to the committee, as well as information on the strategies and campaigns that have been implemented by various entities in recent years throughout the mountain corridor to reduce traffic congestion and accidents and promote winter driving preparedness. The committee also heard about the impact of the trucking industry on traffic congestion along I-70 and the attempts made by the industry to mitigate delays caused by freight in the region. Committee concerns were raised about traction control equipment cost burdens for drivers and the rental car industry that could result from a clarification of the state's chain laws.

As a result of the testimony and discussion, the committee recommends Bill A, which will be introduced as a TLRC-recommended bill in the 2016 session, per the requirements of House Bill 15-1173. Pursuant to HB 15-1173, this bill is not subject to review or approval by the Legislative Council. The bill requires motor vehicles driving on Interstate 70 between milepost 133 (Dotsero) and milepost 259 (Morrison), when icy or snow-packed conditions are present, to be equipped with:

- tire chains or an equivalent traction control device (i.e. cable chains);
- four-wheel drive or all-wheel drive, and tires with a tread depth of one-eighth of an inch; or
- tires with any form of the mountain-snowflake symbol or "mud and snow" lettering (i.e., M/S and M+S) on the side wall of the tire and a tread depth of one-eighth of an inch.

A noncommercial violator of these requirements commits a class B traffic infraction and is subject to a \$100 fine and a \$32 surcharge. If a violation results in the closure of at least one lane of traffic, the violator is subject to an enhanced penalty of \$500 and a \$156 surcharge.

Traffic safety data gathering. Representatives of CSP, the Office of Information Technology (OIT), the Department of Revenue (DOR), and the Judicial Department gave an overview of how traffic accident data is collected and analyzed in the state, and the ways that this data can be used by and shared among agencies to reduce the number of accidents and fatalities on Colorado's roads.

Definition of a motor vehicle. The committee heard from representatives of CSP, DOR, the Colorado Automobile Dealers Association, and the motorcycle industry on how current statutory definitions of a motor vehicle need to be studied to ensure that certain vehicle types, such as tuk-tuks and kei vehicles, are not misclassified, which can result in improper taxation, the bypassing of emissions standards and safety requirements, and inaccurate traffic accident data collection.

PUC regulation of TNCs and common carriers. Representatives of the PUC gave an overview of the commission and discussed the regulation of TNCs by the PUC since the passage of Senate Bill 14-125, which created a limited regulatory structure for such companies, versus the PUC's established common carrier (taxicab) regulation system. The need for regulatory equity between taxis and TNCs was discussed, along with the PUC's plan to work with taxicab companies in revising its rules for their industry. The committee heard from representatives of the taxicab industry on how TNCs have a weaker regulatory structure than taxicab companies, and how robust regulation of both industries can help ensure public safety. A representative of the Colorado Cross-Disability Coalition also raised concerns about the number of taxicab companies and TNCs in the area that have accessible vehicles in their fleets.

Regional transportation authorities (RTAs). The committee heard from representatives of RTAs in Colorado about how they fund local transportation infrastructure projects and provide regional transit services within their boundaries through local sales taxes that have been approved by their voters. The RTAs requested that the committee extend a provision of statute that sunsets in 2019, allowing them to levy local property taxes with voter approval. The committee considered, but did not approve, a bill that would have extended the authority of RTAs to impose a property tax of five mills until January 1, 2029, if approved by voters.

Low-income transit fares. Representatives of RTD and Mile High Connects presented to the committee on the availability of reduced fares for the low-income community in the metro Denver area. The committee heard about RTD's nonprofit agency reduced fare program; new 2016 RTD fare policies that make reduced fares available for seniors, persons with disabilities, Medicare recipients, and students ages 6 through 19; and Mile High Connects' collaboration with various philanthropic organizations to subsidize low-income fare programs in and around Denver.

Other testimony. The committee heard testimony on other topics, including the role of the HPTE as a financing entity; the success of public highway authorities in managing toll roads in the state; the various rail lines and transit services provided by RTD under FasTracks; and RTD's key upcoming projects, which include: Bus Rapid Transit (BRT) service between Boulder and Denver; the "A" line between Denver Union Station and Denver International Airport (DIA); services between Westminster and Denver; the Gold Line between Union Station and Arvada; and the "R" Line, which connects Aurora to the A Line.

The committee also heard about the primary oversight responsibility the PUC has over RTD's light rail system, alongside its inability to collect money from RTD to cover the costs of oversight since the passage of the federal Moving Ahead for Progress in the 21st Century Act (MAP-21) of 2012.

Committee Recommendations

As a result of committee discussion and deliberation, the TLRC recommends five bills for consideration in the 2016 legislative session.

Bill A — Interstate 70 Motor Vehicle Traction Equipment. Bill A requires motor vehicles driving on Interstate 70 between milepost 133 (Dotsero) and milepost 259 (Morrison), when icy or snow-packed conditions are present, to be equipped with:

- tire chains or an equivalent traction control device (i.e. cable chains);
- four-wheel drive or all-wheel drive, and tires with a tread depth of one-eighth of an inch; or
- tires with any form of the mountain-snowflake symbol or "mud and snow" lettering (i.e., M/S and M+S) on the side wall of the tire and a tread depth of one-eighth of an inch.

A noncommercial violator of these requirements commits a class B traffic infraction and is subject to a \$100 fine and a \$32 surcharge. If a violation results in the closure of at least one lane of traffic, the violator is subject to an enhanced penalty of \$500 and a \$156 surcharge.

Pursuant to HB 15-1173, this bill is not subject to review or approval by the Legislative Council.

Bill B — Transportation Advisory Committee Procedures. Bill B requires the STAC to provide advice and comments to both CDOT and the Transportation Commission, rather than only to CDOT. The bill also specifies that the STAC will provide advice on budgets and transportation policy, programming, and planning.

Bill C — Modify Transportation Commission Membership. Bill C requires the TLRC to study the current statutory Transportation Commission districts during the 2016 interim to determine whether the number and boundaries of the districts should be modified. To assist the TLRC in its work, by August 1, 2016, Legislative Council Staff (LCS), with the cooperation of CDOT, must present a research study to the TLRC that documents changes in the current 11 Transportation Commission districts since the last time the General Assembly modified the districts, to include population, number of lane miles, and annual vehicle miles traveled in each of the districts. In doing so, LCS must take into account existing county and municipal boundaries, regional transportation areas and districts, and Transportation Planning Regions. The TLRC must also hold public hearings in the major geographical regions of the state regarding potential district modifications. The committee may recommend legislation to modify the Transportation Commission districts, which will not be subject to review by or approval of the Legislative Council.

Bill D — Register Title Kei Vehicle for Roadway. Bill D allows the DOR to title, register, and issue a rear license plate to kei vehicles. A person with a valid driver's license and insurance may operate a registered kei vehicle on a roadway with a posted speed limit of 55 miles per hour (MPH) or less, unless it is a limited access highway. Under the bill, it is a class B traffic infraction to operate a kei vehicle on an unauthorized roadway, without proper registration, or without the required safety equipment.

Bill E — Abandoned Motor Vehicle National Title Search. Currently, when an abandoned motor vehicle has been towed, the responsible law enforcement agency and tow operator notify the DOR, which searches its records to determine who owns the vehicle and if there is a lienholder. This information is used to return stolen vehicles and to notify the owner and any lienholder that the vehicle will be sold at an auction if it is not claimed. Bill E broadens the records used in the search to include those that can be obtained through a national title search. The bill also extends the period for a tow operator to notify the owner and any lienholder from three days to five days.

The committee also considered, but did not approve, a bill that would have allowed the DOR to certify private agents to perform certain functions related to driver's licenses, and the registration, taxation, licensing, and titling of motor vehicles.

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

BILL A

LLS NO. 16-0368.01 Jery Payne x2157

HOUSE BILL

HOUSE SPONSORSHIP

Mitsch Bush and Rankin,

SENATE SPONSORSHIP

Todd and Donovan,

House Committees

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT NONCOMMERCIAL MOTOR**
102 **VEHICLES BE APPROPRIATELY EQUIPPED WHEN DRIVING ON THE**
103 **INTERSTATE 70 MOUNTAIN CORRIDOR DURING WINTER STORM**
104 **CONDITIONS.**

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. Currently, a person is required to use certain traction control equipment, such as

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

chains or snow-rated tires, when the Colorado department of transportation restricts road use due to a winter storm. The bill broadens this law to require the traction equipment to be carried on I-70 between milepost 133 (Dotsero) and milepost 259 (Morrison) when icy or snow-packed conditions are present. The bill also requires that this traction control equipment be used when icy or snowy conditions are present.

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

2 **SECTION 1. Legislative declaration.** The general assembly
3 hereby finds, determines, and declares that:

4 (1) During heavy snow and inclement weather, both Vail Pass and
5 the Eisenhower-Johnson Memorial Tunnels, as well as other portions of
6 the Interstate 70 (I-70) mountain corridor from Idaho Springs to Dotsero,
7 have been reduced to one lane or completely closed because of passenger
8 vehicles using inadequate winter driving equipment.

9 (2) Winter closures on the I-70 mountain corridor caused by
10 passenger vehicles not equipped with either adequate tires, chains, or
11 alternative traction devices cause severe problems for mountain
12 community workers, who typically drive properly equipped vehicles
13 while commuting to their jobs. Mountain community workers who use
14 public transit to get to work along the mountain corridor are also
15 negatively affected when a lane closure occurs. Missing even a few hours'
16 pay causes hardship.

17 (3) Economic losses for communities along the I-70 mountain
18 corridor and for the entire state are estimated at \$800,000 per hour of
19 closure.

20 (4) Inadequate traction use on the I-70 mountain corridor risks
21 public safety.

22 (5) Lane closures create a competitive disadvantage for Colorado

1 businesses.

2 **SECTION 2.** In Colorado Revised Statutes, 42-4-106, **amend** (5)

3 (a) (I) as follows:

4 **42-4-106. Who may restrict right to use highways - repeal.**

5 (5) (a) (I) (A) The department of transportation ~~shall also have authority~~
6 ~~to~~ MAY close any portion of a state highway ~~to public travel or to prohibit~~
7 ~~the use thereof~~ FOR USE DURING STORMS OR OTHER DANGEROUS DRIVING
8 CONDITIONS, DURING CONSTRUCTION OR MAINTENANCE OPERATIONS, OR
9 WHENEVER THE DEPARTMENT CONSIDERS A ROAD CLOSURE NECESSARY
10 FOR THE PROTECTION AND SAFETY OF THE PUBLIC.

11 (B) ~~unless motor vehicles using the same are equipped with tire~~
12 ~~chains, four-wheel drive with adequate tires for the existing conditions,~~
13 ~~or snow tires with a "mud and snow" or all weather rating from the~~
14 ~~manufacturer having a tread of sufficient abrasive or skid-resistant design~~
15 ~~or composition and depth to provide adequate traction under existing~~
16 ~~driving conditions. during storms or when other dangerous driving~~
17 ~~conditions exist or during construction or maintenance operations~~
18 ~~whenever the department considers such closing or restriction of use~~
19 ~~necessary for the protection and safety of the public~~ THE DEPARTMENT
20 MAY RESTRICT ANY PORTION OF A STATE HIGHWAY TO TRAVEL BY ANY
21 MOTOR VEHICLE UNLESS THE MOTOR VEHICLE IS EQUIPPED WITH THE
22 FOLLOWING: TIRE CHAINS OR AN APPROVED TRACTION-CONTROL DEVICE;
23 FOUR-WHEEL DRIVE WITH TIRES THAT HAVE A TREAD DEPTH OF FOUR
24 THIRTY-SECONDS OF AN INCH; ALL-WHEEL DRIVE WITH TIRES THAT HAVE
25 A TREAD DEPTH OF FOUR THIRTY-SECONDS OF AN INCH; OR TIRES THAT ARE
26 IMPRINTED BY A MANUFACTURER WITH A MOUNTAIN-SNOWFLAKE, "M&S",
27 "M+S", OR "M/S" SYMBOL AND THAT HAVE A TREAD DEPTH OF FOUR

1 THIRTY-SECONDS OF AN INCH.

2 (C) ~~Such~~ A prohibition or restriction ~~of use shall be~~ UNDER THIS
3 SUBSECTION (5) IS effective when signs, including temporary or electronic
4 signs, ~~giving notice thereof~~ THAT NOTIFY THE PUBLIC OF THE PROHIBITION
5 OR RESTRICTION are erected upon ~~such portion of said~~ THE highway, ~~and~~
6 ~~it shall be unlawful to proceed in violation of such notice~~ AND THE
7 RESTRICTION IN SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (I) IS
8 EFFECTIVE ON INTERSTATE 70 BETWEEN MILEPOST 133 (DOTSERO) AND
9 MILEPOST 259 (MORRISON) WHEN ICY OR SNOW-PACKED CONDITIONS ARE
10 PRESENT.

11 (D) The Colorado state patrol shall cooperate with the department
12 of transportation in the enforcement of ~~any such~~ A closing or restriction.
13 ~~of use. "Tire chains", as used in this subsection (5), means metal chains~~
14 ~~which consist of two circular metal loops, one on each side of the tire,~~
15 ~~connected by not less than nine evenly spaced chains across the tire tread~~
16 ~~and any other traction devices differing from such metal chains in~~
17 ~~construction, material, or design but capable of providing traction equal~~
18 ~~to or exceeding that of such metal chains under similar conditions.~~

19 (E) The ~~operator~~ DRIVER of a commercial vehicle with four or
20 more drive wheels, other than a bus, shall affix tire chains to at least four
21 of the drive wheel tires ~~of such vehicle~~ when ~~such~~ THE vehicle is required
22 to be equipped with tire chains under this subsection (5). The ~~operator~~
23 DRIVER of a bus shall affix tire chains to at least two of the drive wheel
24 tires ~~of such vehicle~~ when ~~such~~ THE vehicle is required to be equipped
25 with tire chains under this subsection (5).

26 (F) "EQUIPPED", AS USED IN THIS SUBSECTION (5), MEANS THAT A
27 MOTOR VEHICLE USES OR CARRIES THE APPROPRIATE TRACTION

1 EQUIPMENT IF ICY OR SNOW-PACKED CONDITIONS ARE NOT PRESENT AND
2 THAT A MOTOR VEHICLE USES THE APPROPRIATE TRACTION EQUIPMENT IF
3 ICY OR SNOW-PACKED CONDITIONS ARE PRESENT.

4 (G) "TIRE CHAINS", AS USED IN THIS SUBSECTION (5), MEANS
5 METAL CHAINS CONSISTING OF TWO CIRCULAR METAL LOOPS, ONE ON EACH
6 SIDE OF THE TIRE, CONNECTED BY NO FEWER THAN NINE EVENLY SPACED
7 CHAINS ACROSS THE TIRE TREAD.

8 (H) "TRACTION CONTROL DEVICE", AS USED IN THIS SUBSECTION
9 (5), MEANS A DEVICE AFFIXED TO A WHEEL OR TIRE THAT IS APPROVED BY
10 THE COLORADO DEPARTMENT OF TRANSPORTATION AS CAPABLE OF
11 PROVIDING TRACTION EQUAL TO OR EXCEEDING THAT OF METAL CHAINS
12 UNDER SIMILAR CONDITIONS.

13 (I) A PERSON WHO VIOLATES THIS SUBPARAGRAPH (I) COMMITS A
14 TRAFFIC INFRACTION AND IS SUBJECT TO THE PENALTIES IN SECTION
15 42-4-1701 (4) (a) (I) (F).

16 **SECTION 3. Act subject to petition - effective date -**
17 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
18 the expiration of the ninety-day period after final adjournment of the
19 general assembly (August 10, 2016, if adjournment sine die is on May 11,
20 2016); except that, if a referendum petition is filed pursuant to section 1
21 (3) of article V of the state constitution against this act or an item, section,
22 or part of this act within such period, then the act, item, section, or part
23 will not take effect unless approved by the people at the general election
24 to be held in November 2016 and, in such case, will take effect on the
25 date of the official declaration of the vote thereon by the governor.

26 (2) This act applies to offenses committed on or after the effective
27 date of this act.

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

BILL B

LLS NO. 16-0367.01 Jason Gelender x4330

HOUSE BILL

HOUSE SPONSORSHIP

Carver and Mitsch Bush,

SENATE SPONSORSHIP

Todd,

House Committees

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT THE STATEWIDE**
102 **TRANSPORTATION ADVISORY COMMITTEE PROVIDE ADVICE AND**
103 **COMMENTS REGARDING TRANSPORTATION-RELATED MATTERS**
104 **TO BOTH THE DEPARTMENT OF TRANSPORTATION AND THE**
105 **TRANSPORTATION COMMISSION RATHER THAN TO THE**
106 **DEPARTMENT ONLY.**

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>.)

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Transportation Legislation Review Committee. Current law requires the statewide transportation advisory committee to advise the department of transportation on the needs of the transportation systems in the state and to review and comment on all regional transportation plans submitted for the transportation planning regions of the state. The bill more precisely specifies the matters on which advice is to be provided and requires the committee to provide its advice and comments to both the department of transportation and the transportation commission.

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

2 **SECTION 1.** In Colorado Revised Statutes, 43-1-1104, **amend**
3 (2) as follows:

4 **43-1-1104. Transportation advisory committee.** (2) The
5 committee shall provide advice to BOTH the department AND THE
6 COMMISSION on the needs of the transportation systems in Colorado,
7 INCLUDING BUT NOT LIMITED TO BUDGETS, TRANSPORTATION
8 IMPROVEMENT PROGRAMS, THE STATEWIDE TRANSPORTATION
9 IMPROVEMENT PROGRAM, TRANSPORTATION PLANS, AND STATE
10 TRANSPORTATION POLICIES, and shall review and PROVIDE comment TO
11 BOTH THE DEPARTMENT AND THE COMMISSION on all regional
12 transportation plans submitted for the transportation planning regions.
13 The activities of the committee shall not be construed to constrain or
14 replace the county hearing process.

15 **SECTION 2. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly (August
18 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
19 referendum petition is filed pursuant to section 1 (3) of article V of the
20 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect
2 unless approved by the people at the general election to be held in
3 November 2016 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

BILL C

LLS NO. 16-0369.01 Jason Gelender x4330

HOUSE BILL

HOUSE SPONSORSHIP

Carver,

SENATE SPONSORSHIP

(None),

House Committees

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT THE TRANSPORTATION
102 LEGISLATION REVIEW COMMITTEE STUDY THE
103 TRANSPORTATION COMMISSION DISTRICTS OF THE STATE TO
104 DETERMINE WHETHER THEY SHOULD BE MODIFIED.

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. Transportation

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Dashes through the words indicate deletions from existing statute.

commission members are appointed from 11 statutorily defined transportation commission districts (districts), and the general assembly has not modified the number or boundaries of the districts since 1991. The bill requires the transportation legislation review committee (TLRC) to study the districts during the 2016 legislative interim to determine whether the number and boundaries of the districts should be modified and, if so, what specific modifications should be made.

Legislative council staff, with the cooperation of the department of transportation, must assist the TLRC in conducting the study by preparing and presenting to the TLRC no later than August 1, 2016, a research study that documents changes since the last time the general assembly modified the number and boundaries of the districts, to include population, number of lane miles, and annual vehicle miles traveled for each of the districts and taking into account existing county and municipal boundaries, regional transportation areas and districts, and transportation planning regions. The committee must hold public hearings in the major geographical regions of the state regarding potential modifications to the number and boundaries of the districts and may recommend legislation to modify the number and boundaries of the districts based on the results of the research study and public comments received about the study.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 43-2-145.7 as
3 follows:

4 **43-2-145.7. Transportation legislation review committee -**
5 **study of transportation commission districts.** (1) IN ADDITION TO ITS
6 OTHER DUTIES, DURING THE 2016 LEGISLATIVE INTERIM THE
7 TRANSPORTATION LEGISLATION REVIEW COMMITTEE SHALL STUDY THE
8 TRANSPORTATION COMMISSION DISTRICTS ESTABLISHED IN SECTION
9 43-1-106 (2) TO DETERMINE:

10 (a) WHETHER THE NUMBER AND BOUNDARIES OF THE DISTRICTS
11 SHOULD BE MODIFIED TO ENSURE THAT THE COMMISSION IS ABLE TO
12 CARRY OUT ITS FUNCTIONS IN PROVIDING A SAFE AND EFFICIENT
13 TRANSPORTATION SYSTEM THAT SERVES THE NEEDS OF THE ENTIRE STATE;
14 AND

1 (b) IF MODIFICATIONS ARE APPROPRIATE, WHAT SPECIFIC
2 MODIFICATIONS SHOULD BE MADE.

3 (2) LEGISLATIVE COUNCIL STAFF SHALL ASSIST THE
4 TRANSPORTATION LEGISLATION REVIEW COMMITTEE IN CONDUCTING THE
5 STUDY REQUIRED BY SUBSECTION (1) OF THIS SECTION. SPECIFICALLY, NO
6 LATER THAN AUGUST 1, 2016, LEGISLATIVE COUNCIL STAFF, WITH THE
7 COOPERATION OF THE DEPARTMENT OF TRANSPORTATION, SHALL PREPARE
8 AND PRESENT TO THE COMMITTEE A RESEARCH STUDY THAT DOCUMENTS
9 CHANGES SINCE THE LAST TIME THE GENERAL ASSEMBLY MODIFIED THE
10 NUMBER AND BOUNDARIES OF THE TRANSPORTATION COMMISSION
11 DISTRICTS, TO INCLUDE POPULATION, NUMBER OF LANE MILES, AND
12 ANNUAL VEHICLE MILES TRAVELED FOR EACH OF THE DISTRICTS AND
13 TAKING INTO ACCOUNT EXISTING COUNTY AND MUNICIPAL BOUNDARIES,
14 REGIONAL TRANSPORTATION AREAS AND DISTRICTS, AND
15 TRANSPORTATION PLANNING REGIONS. THE COMMITTEE SHALL HOLD
16 PUBLIC HEARINGS IN THE MAJOR GEOGRAPHICAL REGIONS OF THE STATE
17 REGARDING POTENTIAL MODIFICATIONS TO THE NUMBER AND BOUNDARIES
18 OF THE DISTRICTS.

19 (3) THE COMMITTEE MAY RECOMMEND LEGISLATION TO MODIFY
20 THE NUMBER AND BOUNDARIES OF THE TRANSPORTATION COMMISSION
21 DISTRICTS BASED ON THE RESULTS OF THE RESEARCH STUDY AND PUBLIC
22 COMMENTS RECEIVED ABOUT THE STUDY. SUCH LEGISLATION IS DEEMED
23 LEGISLATION RECOMMENDED BY AN INTERIM LEGISLATIVE COMMITTEE
24 FOR PURPOSES OF ANY INTRODUCTION DEADLINES OR BILL LIMITATIONS
25 IMPOSED BY THE JOINT RULES OF THE GENERAL ASSEMBLY; EXCEPT THAT
26 THE LEGISLATION IS NOT SUBJECT TO REVIEW BY OR APPROVAL OF THE
27 LEGISLATIVE COUNCIL.

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

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

BILL D

LLS NO. 16-0365.01 Jery Payne x2157

HOUSE BILL

HOUSE SPONSORSHIP

Becker,

SENATE SPONSORSHIP

Cooke,

House Committees

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZATION TO DRIVE A KEI VEHICLE ON PUBLIC**
102 **ROADWAYS IF THE KEI VEHICLE IS REGISTERED WITH THE**
103 **STATE.**

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 authorizes a person to drive a kei vehicle on a roadway if it is registered with the division of motor vehicles. A person must be licensed to drive a

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.

kei vehicle. The registration costs \$15, specific ownership tax is \$3, and the kei vehicle is issued a license plate. Kei vehicles must follow the rules of the road and cannot be driven on limited-access highways or roads with a speed limit that is greater than 55 miles per hour. Kei vehicles must have insurance. To be used on the road, a kei vehicle must have, in good working order:

- Brakes;
- Headlamps and tail lights;
- Turn signals;
- A windshield and windshield wipers;
- Rear-view mirrors; and
- Seatbelts.

The bill provides for titling kei vehicles as off-highway vehicles. The bill also clarifies that a dealer in kei vehicles has to be licensed, but current dealers are exempt.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **add** (45.3)
3 as follows:

4 **42-1-102. Definitions.** As used in articles 1 to 4 of this title,
5 unless the context otherwise requires:

6 (45.3) (a) "KEI VEHICLE" MEANS A VEHICLE, INCLUDING TRUCKS
7 OR VANS, THAT:

8 (I) IS POWERED BY AN INTERNAL COMBUSTION ENGINE WITH A
9 DISPLACEMENT OF ONE THOUSAND CUBIC CENTIMETERS OR LESS OR AN
10 ELECTRICAL MOTOR OF FIFTY-SIX THOUSAND WATTS OR LESS;

11 (II) IS SIXTY-SEVEN INCHES OR LESS IN WIDTH;

12 (III) HAS AN EMPTY WEIGHT OF TWO THOUSAND POUNDS OR LESS;

13 (IV) TRAVELS ON FOUR OR MORE TIRES;

14 (V) HAS A TOP SPEED OF APPROXIMATELY FIFTY-FIVE MILES PER
15 HOUR;

16 (VI) IS EQUIPPED WITH A COMPARTMENT THAT IS AT LEAST
17 TWENTY-FOUR INCHES BY FIFTY INCHES OR A BED FOR HAULING;

1 (VII) HAS AN ENCLOSED PASSENGER CAB; AND

2 (VIII) IS NOT SOLD IN THE UNITED STATES FOR OPERATION ON
3 ROADWAYS.

4 (b) "KEI VEHICLES" ARE ALSO KNOWN AS "KEI TRUCKS",
5 "MICROTRUCKS", "MINITRUCKS", AND "UTILITY TRANSPORTATION
6 VEHICLES".

7 (c) A KEI VEHICLE IS NOT A MOTOR VEHICLE.

8 **SECTION 2.** In Colorado Revised Statutes, 42-1-210, **amend** (1)
9 (a) as follows:

10 **42-1-210. County clerk and recorders and manager of revenue**
11 **or other appointed official as agents - legislative declaration - fee.**

12 (1) (a) The county clerk and recorder in each county in the state of
13 Colorado, the clerk and recorder in the city and county of Broomfield,
14 and, in the city and county of Denver, the manager of revenue or such
15 other official of the city and county of Denver as may be appointed by the
16 mayor to perform functions related to the registration of motor vehicles
17 are hereby designated as the authorized agents of the department for the
18 administration of the provisions of articles 3 and 6 of this title relating to
19 registrations of motor vehicles in such counties; and for the enforcement
20 of the provisions of section 42-6-139 relating to the registering and titling
21 of motor vehicles in such counties; and for the enforcement of the
22 provisions of section 38-29-120, C.R.S., relating to the titling of
23 manufactured homes; but any such authorized agent in a county has the
24 power to appoint and employ such motor vehicle registration and license
25 clerks as are actually necessary in the issuance of motor vehicle licenses
26 and shall retain for the purpose of defraying such expenses, including
27 mailing, a sum equal to four dollars per paid motor vehicle registration,

1 ~~and~~ KEI VEHICLE REGISTRATION, registration requiring a metallic plate,
2 plates, individual temporary registration number plates, or validation tab
3 or sticker as provided in section 42-3-201. This fee of four dollars shall
4 apply to every registration of a motor vehicle that is designed primarily
5 to be operated or drawn on any highway of this state OR KEI VEHICLE,
6 except such vehicles as are specifically exempted from payment of any
7 registration fee by the provisions of article 3 of this title, and shall be in
8 addition to the annual registration fee prescribed by law for such vehicle.
9 The fee of four dollars, when collected by the department, shall be
10 credited to the same fund as registration fees collected by the department.
11 The county clerk and recorders, the clerk and recorder in the city and
12 county of Broomfield, and the manager of revenue or such other official
13 of the city and county of Denver as may be appointed by the mayor to
14 perform functions related to the registration of motor vehicles in the city
15 and county of Denver so designated as the authorized agents of the
16 department, as provided in this section, shall serve as such authorized
17 agents under the provisions of this part 2 without additional remuneration
18 or fees, except as otherwise provided in articles 1 to 6 of this title.

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

21 **42-1-211. Colorado state titling and registration system.**

22 (2) There is hereby created the Colorado state titling and registration
23 account in the highway users tax fund for the purpose of providing funds
24 for the development and operation of the Colorado state titling and
25 registration system, including: Operations performed under article 6 of
26 this title; THE REGISTRATION OF KEI VEHICLES; and to cover the costs of
27 administration and enforcement of the motorist insurance identification

1 database program created in section 42-7-604. Moneys received from the
2 fees imposed by section 38-29-138 (1), (2), (4), and (5), C.R.S., and
3 sections 42-1-206 (2) (a), 42-3-107 (22), ~~42-3-213 (1) (b) (IV), 42-6-137~~
4 ~~(1), (2), (4), (5), and (6), and 42-3-304 (18) (d)~~ 42-3-213 (1) (B) (IV),
5 42-3-304 (18) (d), 42-3-315, AND 42-6-137 (1), (2), (4), (5), AND (6), as
6 well as any moneys received through gifts, grants, and donations to the
7 account from private or public sources for the purposes of this section,
8 shall be credited by the state treasurer to the Colorado state titling and
9 registration account. The general assembly shall appropriate annually the
10 moneys in the Colorado state titling and registration account for the
11 purposes of this subsection (2). If any unexpended and unencumbered
12 moneys remain in the account at the end of a fiscal year, the balance
13 remains in the fund and is not transferred to the general fund or any other
14 fund.

15 **SECTION 4.** In Colorado Revised Statutes, 42-2-103, **add** (2.5)
16 as follows:

17 **42-2-103. Motorcycles - low-power scooters - kei vehicles -**
18 **driver's license required.** (2.5) A PERSON SHALL NOT DRIVE A KEI
19 VEHICLE ON A ROADWAY UNLESS THE PERSON POSSESSES A VALID DRIVER'S
20 LICENSE.

21 **SECTION 5.** In Colorado Revised Statutes, 42-3-103, **add** (6) as
22 follows:

23 **42-3-103. Registration required - exemptions - rules.** (6) (a) A
24 PERSON SHALL NOT DRIVE A KEI VEHICLE ON A ROADWAY UNLESS THE
25 OWNER REGISTERS THE KEI VEHICLE WITH THE DEPARTMENT OR THE KEI
26 VEHICLE IS BEING USED AS AUTHORIZED BY SECTION 33-14.5-108, C.R.S.
27 THE REGISTRATION EXPIRES ANNUALLY IF OWNERSHIP OF THE KEI VEHICLE

1 IS NOT TRANSFERRED TO ANOTHER PERSON OR UPON TRANSFER IF
2 OWNERSHIP OF THE KEI VEHICLE IS TRANSFERRED TO ANOTHER PERSON.

3 (b) A KEI VEHICLE IS NOT SUBJECT TO ANY MOTOR VEHICLE
4 REGISTRATION FEE UNLESS THE FEE IS EXPRESSLY AUTHORIZED FOR A KEI
5 VEHICLE BY ARTICLE 3 OF THIS TITLE.

6 (c) WHEN REGISTERING A KEI VEHICLE, THE OWNER SHALL, IN
7 ACCORDANCE WITH SECTION 42-3-105, SHOW PROOF OF INSURANCE OR
8 SIGN A STATEMENT OF NONUSE.

9 (d) A VIOLATION OF THIS SUBSECTION (6) IS A CLASS B TRAFFIC
10 INFRACTION.

11 **SECTION 6.** In Colorado Revised Statutes, 42-3-107, **add** (29)
12 as follows:

13 **42-3-107. Taxable value of classes of property - rate of tax -**
14 **when and where payable - department duties - apportionment of tax**
15 **collections - definitions - rules - repeal.** (29) THE ANNUAL SPECIFIC
16 OWNERSHIP TAX FOR A KEI VEHICLE IS THE SAME AS FOR CLASS C
17 PERSONAL PROPERTY.

18 **SECTION 7.** In Colorado Revised Statutes, 42-3-201, **amend** (1)
19 (a) (I) (E) and (1) (a) (I) (F); and **add** (1) (a) (I) (G) as follows:

20 **42-3-201. Number plates furnished - style - periodic reissuance**
21 **- tabs - rules.** (1) (a) (I) The department shall issue to every owner
22 whose vehicle is registered two number plates; except that the department
23 shall issue one number plate for the following:

24 (E) An item of special mobile machinery; ~~or~~

25 (F) An autocycle; OR

26 (G) A KEI VEHICLE.

27 **SECTION 8.** In Colorado Revised Statutes, 42-3-202, **amend** (1)

1 (a) as follows:

2 **42-3-202. Number plates to be attached.** (1) (a) The owner shall
3 attach the number plates assigned to a self-propelled vehicle, other than
4 a motorcycle, autocyte, KEI VEHICLE, or street rod vehicle, to the vehicle
5 with one in the front and the other in the rear. The owner shall attach the
6 number plate assigned to a motorcycle, autocyte, KEI VEHICLE, street rod
7 vehicle, trailer, semitrailer, other vehicle drawn by a motor vehicle, or
8 special mobile machinery to the rear of the vehicle. The owner shall
9 display number plates during the current registration year, except as
10 otherwise provided in this article.

11 **SECTION 9.** In Colorado Revised Statutes, 42-3-203, **amend** (3)
12 (a) (I) and (3) (b) as follows:

13 **42-3-203. Standardized plates - rules.** (3) (a) (I) The department
14 may issue individual temporary registration number plates and certificates
15 good for a period not to exceed sixty days upon application by an owner
16 of a motor vehicle OR KEI VEHICLE, or the owner's agent, and the payment
17 of a registration fee of two dollars, one dollar and sixty cents to be
18 retained by the authorized agent or department issuing the plates and
19 certificates and the remainder to be remitted monthly to the department
20 to be transmitted to the state treasurer for credit to the highway users tax
21 fund.

22 (b) The department may issue to licensed motor vehicle dealers
23 AND POWERSPORTS VEHICLE DEALERS temporary registration number
24 plates and certificates in blocks of twenty-five upon payment of a fee of
25 six dollars and twenty-five cents for each block of twenty-five. The
26 department shall transmit any money it receives from this sale to the state
27 treasurer for credit to the highway users tax fund and allocation and

1 expenditure as specified in section 43-4-205 (5.5) (b), C.R.S. The
2 department may promulgate rules creating a system for the dealer to:

3 (I) Print on the temporary plates the temporary registration
4 number, vehicle identification number, and other information required by
5 the department; and

6 (II) Print temporary registration certificates with the information
7 required by the department.

8 **SECTION 10.** In Colorado Revised Statutes, 42-3-301, **amend**
9 (1) (a) as follows:

10 **42-3-301. License plate cash fund - license plate fees.** (1) (a) In
11 addition to the payment of any fees for motor vehicle registration or for
12 the issuance of license plates, decals, or validating tabs, each owner of a
13 motor vehicle OR KEI VEHICLE issued a license plate, decal, or validating
14 tab for a motor vehicle pursuant to UNDER this article shall also pay a fee
15 to cover the direct costs of such THE plates, decals, or tabs. ~~The amount~~
16 ~~of the fee imposed pursuant to this section shall be as specified in~~
17 ~~paragraph (b) of subsection (2) of this section.~~

18 **SECTION 11.** In Colorado Revised Statutes, **add** 42-3-315 as
19 follows:

20 **42-3-315. Kei vehicle registration fee.** THE OWNER SHALL PAY
21 A FIFTEEN-DOLLAR FEE TO REGISTER A KEI VEHICLE WITH THE
22 DEPARTMENT. THE DEPARTMENT SHALL TRANSFER THE FEE TO THE STATE
23 TREASURER, WHO SHALL CREDIT THE FEE TO THE COLORADO STATE
24 TITLING AND REGISTRATION ACCOUNT CREATED IN SECTION 42-1-211 (2).

25 **SECTION 12.** In Colorado Revised Statutes, **add** 42-4-109.7 as
26 follows:

27 **42-4-109.7. Kei vehicles - rules.** (1) A PERSON DRIVING A KEI

1 VEHICLE UPON A ROADWAY HAS ALL OF THE RIGHTS AND IS SUBJECT TO
2 ALL OF THE DUTIES OF A DRIVER OF A MOTOR VEHICLE UNDER ARTICLES 1
3 TO 4 OF THIS TITLE EXCEPT THOSE PROVISIONS OF THIS ARTICLE THAT BY
4 THEIR NATURE HAVE NO APPLICATION. UNLESS THE STATUTE SETTING
5 FORTH A PENALTY FOR VIOLATION OF A DUTY SPECIFIES THAT THE
6 PENALTY APPLIES TO A KEI VEHICLE, A VIOLATION OF ANY DUTY IMPOSED
7 UNDER ARTICLES 1 TO 4 OF THIS TITLE IS A CLASS B TRAFFIC INFRACTION.

8 (2) (a) (I) EXCEPT AS PROHIBITED BY THIS SECTION AND SECTION
9 42-3-103, A PERSON MAY DRIVE A KEI VEHICLE ON A ROADWAY THAT HAS
10 A SPEED LIMIT OF FIFTY-FIVE MILES PER HOUR OR LESS.

11 (II) PROHIBITING A PERSON FROM DRIVING A KEI VEHICLE ON A
12 ROADWAY DOES NOT PROHIBIT THE PERSON FROM DRIVING ACROSS THE
13 ROADWAY AT AN AT-GRADE INTERSECTION WITH AN AUTHORIZED
14 ROADWAY.

15 (b) A PERSON SHALL NOT DRIVE A KEI VEHICLE ON A
16 LIMITED-ACCESS HIGHWAY.

17 (3) A VIOLATION OF THIS SECTION IS A CLASS B TRAFFIC
18 INFRACTION.

19 **SECTION 13.** In Colorado Revised Statutes, **add** 42-4-242 as
20 follows:

21 **42-4-242. Equipment - kei vehicles.** (1) A PERSON SHALL NOT
22 DRIVE A KEI VEHICLE ON A ROADWAY UNLESS THE VEHICLE IS EQUIPPED
23 WITH THE FOLLOWING IN GOOD WORKING ORDER:

24 (a) BRAKES THAT ENABLE THE OPERATOR TO MAKE THE WHEELS
25 SKID ON DRY, LEVEL, AND CLEAN PAVEMENT;

26 (b) A HEAD LAMP AIMED AND SUFFICIENTLY INTENSE TO REVEAL
27 PERSONS AND VEHICLES AT NIGHT AT A DISTANCE OF ONE HUNDRED FEET

1 AHEAD ON A STRAIGHT, LEVEL ROAD;

2 (c) TWO TAIL LIGHTS THAT EMIT A RED LIGHT WHEN THE HEAD

3 LAMPS ARE LIGHTED AND THAT ARE:

4 (I) VISIBLE FROM A DISTANCE OF FIVE HUNDRED FEET TO THE

5 REAR;

6 (II) MOUNTED ON THE REAR OF THE VEHICLE ON THE SAME LEVEL

7 AND AS WIDELY SPACED Laterally AS PRACTICABLE; AND

8 (III) LOCATED AT A HEIGHT OF NOT MORE THAN SEVENTY-TWO

9 INCHES NOR LESS THAN TWENTY INCHES OFF THE GROUND;

10 (d) LAMPS ON THE FRONT AND REAR OF THE VEHICLE THAT

11 INDICATE AN INTENTION TO TURN EITHER TO THE RIGHT OR TO THE LEFT BY

12 FLASHING THE LAMP ON AND OFF AND THAT:

13 (I) ARE LOCATED ON THE SAME LEVEL AND AS WIDELY SPACED

14 Laterally AS PRACTICABLE;

15 (II) DISPLAY A WHITE OR AMBER LIGHT ON THE FRONT; AND

16 (III) DISPLAY RED, ORANGE, OR AMBER LIGHT ON THE REAR;

17 (e) SAFETY GLAZING MATERIAL AT THE FRONT OF THE VEHICLE SO

18 AS TO SERVE AS A WINDSHIELD AND AS EYE PROTECTION FOR THE DRIVER;

19 (f) A DEVICE CONTROLLED BY THE DRIVER OF THE VEHICLE FOR

20 CLEANING MOISTURE FROM THE WINDSHIELD;

21 (g) A MIRROR THAT REFLECTS TO THE DRIVER AN UNOBSTRUCTED

22 VIEW OF THE ROADWAY FOR AT LEAST TWO HUNDRED FEET BEHIND THE

23 REAR OF THE VEHICLE;

24 (h) SAFETY BELTS FOR EACH PASSENGER OF THE VEHICLE; AND

25 (i) A HORN.

26 (2) A VIOLATION OF THIS SECTION IS A CLASS B TRAFFIC

27 INFRACTION.

1 **SECTION 14.** In Colorado Revised Statutes, 42-4-1409, **amend**
2 (2), (3) (a), and (5) as follows:

3 **42-4-1409. Compulsory insurance - penalty - legislative intent.**

4 (2) ~~No~~ A person shall ~~operate~~ NOT DRIVE a motor vehicle, KEI VEHICLE,
5 or low-power scooter on ~~the~~ A public ~~highways of this state~~ ROADWAY
6 without a complying policy or certificate of self-insurance in full force
7 and effect as required by law.

8 (3) (a) When an accident occurs or when requested to do so
9 following ~~any lawful~~ A traffic contact or during ~~any~~ A traffic investigation
10 by a peace officer, ~~an owner or operator~~ THE DRIVER of a motor vehicle,
11 KEI VEHICLE, or low-power scooter shall IMMEDIATELY present to the
12 requesting officer ~~immediate~~ evidence of a complying policy or certificate
13 of self-insurance in full force and effect as required by law.

14 (5) Testimony of the failure of ~~any~~ AN owner or operator of a
15 motor vehicle, KEI VEHICLE, or low-power scooter to present ~~immediate~~
16 evidence of a complying policy or certificate of self-insurance in full
17 force and effect as required by law, when requested to do so by a peace
18 officer, ~~shall constitute~~ IS prima facie evidence at a trial concerning a
19 violation charged under subsection (1) or (2) of this section that ~~such~~ THE
20 owner or operator ~~of a motor vehicle~~ violated subsection (1) or (2) of this
21 section.

22 **SECTION 15.** In Colorado Revised Statutes, 42-6-102, **amend**
23 (6.5), (11.5) (a) (III), and (11.5) (b) introductory portion; and **add** (6.6)
24 as follows:

25 **42-6-102. Definitions.** As used in this part 1, unless the context
26 otherwise requires:

27 (6.5) ~~"Kit vehicle" means a passenger-type motor vehicle~~

1 ~~assembled, by other than a licensed manufacturer, from a manufactured~~
2 ~~kit that includes a prefabricated body and chassis and is accompanied by~~
3 ~~a manufacturer's statement of origin. "KEI VEHICLE" HAS THE MEANING~~
4 SET FORTH IN SECTION 42-1-102.

5 (6.6) "KIT VEHICLE" MEANS A PASSENGER-TYPE MOTOR VEHICLE
6 ASSEMBLED, BY OTHER THAN A LICENSED MANUFACTURER, FROM A
7 MANUFACTURED KIT THAT INCLUDES A PREFABRICATED BODY AND
8 CHASSIS AND IS ACCOMPANIED BY A MANUFACTURER'S STATEMENT OF
9 ORIGIN.

10 (11.5) (a) "Off-highway vehicle" means a self-propelled vehicle
11 that is:

12 (III) Generally and commonly used to transport persons for
13 recreational OR OCCUPATIONAL purposes.

14 (b) "Off-highway vehicle" includes vehicles commonly known as
15 all-terrain vehicles, KEI VEHICLES, and snowmobiles but does not include:

16 **SECTION 16.** In Colorado Revised Statutes, 42-6-148, **amend**
17 (2) as follows:

18 **42-6-148. Off-highway vehicles - sales.** (2) (a) A current
19 off-highway vehicle registration issued under article 14.5 of title 33,
20 C.R.S., is sufficient evidence of ownership to issue a certificate of title
21 under this part 1.

22 (b) IF A KEI VEHICLE DOES NOT HAVE A MANUFACTURER'S VEHICLE
23 IDENTIFICATION NUMBER, THE DEPARTMENT MAY ISSUE A CERTIFICATE OF
24 TITLE BASED UPON:

25 (I) A MANUFACTURER'S STATEMENT OF ORIGIN;

26 (II) A PHYSICAL INSPECTION IN ACCORDANCE WITH SECTION
27 42-6-107 (1) (b);

1 (III) A BILL OF SALE; OR

2 (IV) (A) A MANUFACTURER'S CERTIFICATE, IMPORTER'S
3 CERTIFICATE, OR EXPORT CERTIFICATE FOR A KEI VEHICLE; AND

4 (B) AN AFFIDAVIT BY THE OWNER AFFIRMING OWNERSHIP.

5 **SECTION 17.** In Colorado Revised Statutes, 10-4-601, **amend**
6 (6) and (10) introductory portion; and **add** (5.3) as follows:

7 **10-4-601. Definitions.** As used in this part 6, unless the context
8 otherwise requires:

9 (5.3) "KEI VEHICLE" HAS THE MEANING SET FORTH IN SECTION
10 42-1-102, C.R.S.

11 (6) "Motor vehicle" OR "AUTOMOBILE" means a motor vehicle, ~~and~~
12 a low-power scooter, OR A KEI VEHICLE as ~~both terms are~~ EACH TERM IS
13 defined in section 42-1-102, C.R.S.; except that "motor vehicle" OR
14 "AUTOMOBILE" does not include a toy vehicle, KEI VEHICLE, snowmobile,
15 OTHER off-highway vehicle, or vehicle designed primarily for use on rails.

16 (10) "Policy" means ~~an automobile~~ A MOTOR VEHICLE insurance
17 policy providing coverage for all or any of the following coverages:
18 Collision, comprehensive, bodily injury liability, property damage
19 liability, medical payments, and uninsured motorist coverage, or a
20 combination ~~automobile~~ MOTOR VEHICLE policy providing bodily injury
21 liability, property damage liability, medical payments, uninsured motorist,
22 and physical damage coverage, delivered or issued for delivery in this
23 state, insuring a single individual, or ~~husband and wife~~, MARRIED
24 SPOUSES, or family members residing in the same household, as THE
25 named insured, and under which the insured vehicles ~~therein~~ designated
26 IN THE POLICY are of the following types only:

27 **SECTION 18.** In Colorado Revised Statutes, 12-6-502, **amend**

1 (10); and **add** (5.7) as follows:

2 **12-6-502. Definitions.** As used in this part 5, unless the context
3 otherwise requires:

4 (5.7) "KEI VEHICLE" HAS THE MEANING SET FORTH IN SECTION
5 42-1-102, C.R.S.

6 (10) "Powersports vehicle" means any of the following:

- 7 (a) An off-highway vehicle;
- 8 (b) A personal watercraft; ~~or~~
- 9 (c) A snowmobile; OR
- 10 (d) A KEI VEHICLE.

11 **SECTION 19.** In Colorado Revised Statutes, 12-6-523, **amend**
12 (2) as follows:

13 **12-6-523. Unlawful acts.** (2) (a) EXCEPT AS PROVIDED BY
14 SUBSECTION (b) OF THIS SUBSECTION (2), it is unlawful for a person to act
15 as a wholesaler, powersports vehicle dealer, used powersports vehicle
16 dealer, powersports vehicle manufacturer, powersports vehicle
17 distributor, powersports vehicle manufacturer representative, or
18 powersports vehicle salesperson unless the person has been duly licensed
19 under the provisions of this part 5.

20 (b) A PERSON WHO WAS IN THE BUSINESS OF SELLING KEI VEHICLES
21 BEFORE JULY 1, 2015, MAY CONTINUE TO SELL KEI VEHICLES SO LONG AS
22 THE PERSON CONTINUES TO OPERATE THE BUSINESS.

23 **SECTION 20.** In Colorado Revised Statutes, 33-14.5-101,
24 **amend** (3) introductory portion, (3) (d), and (3) (g) as follows:

25 **33-14.5-101. Definitions.** As used in this article, unless the
26 context otherwise requires:

27 (3) "Off-highway vehicle" means ~~any~~ A self-propelled vehicle

1 ~~which~~ THAT is designed to travel on wheels or tracks in contact with the
2 ground, ~~which~~ is designed primarily for use off of the public highways,
3 and ~~which~~ is generally and commonly used ~~to transport persons~~ for
4 recreational purposes. "Off-highway vehicle" does not include: ~~the~~
5 ~~following:~~

6 (d) Golf ~~carts~~ CARS;

7 (g) MOTOR vehicles registered ~~pursuant to~~ UNDER article 3 of title
8 42, C.R.S.

9 **SECTION 21. Act subject to petition - effective date -**
10 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
11 the expiration of the ninety-day period after final adjournment of the
12 general assembly (August 10, 2016, if adjournment sine die is on May 11,
13 2016); except that, if a referendum petition is filed pursuant to section 1
14 (3) of article V of the state constitution against this act or an item, section,
15 or part of this act within such period, then the act, item, section, or part
16 will not take effect unless approved by the people at the general election
17 to be held in November 2016 and, in such case, will take effect on the
18 date of the official declaration of the vote thereon by the governor.

19 (2) This act applies to registrations made and offenses committed
20 on or after January 1, 2017.

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

BILL E

LLS NO. 16-0363.02 Jery Payne x2157

HOUSE BILL

HOUSE SPONSORSHIP

Tyler,

SENATE SPONSORSHIP

Baumgardner and Todd,

House Committees

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT THE HOLDER OF AN ABANDONED**
102 **MOTOR VEHICLE USE THE RECORDS OF A NATIONAL TITLE**
103 **SEARCH TO NOTIFY PERSONS WITH AN INTEREST IN THE MOTOR**
104 **VEHICLE THAT THE VEHICLE HAS BEEN TOWED AND IS SUBJECT**
105 **TO SALE.**

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.>)

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

Transportation Legislation Review Committee. Currently, when an abandoned motor vehicle has been towed, the responsible law enforcement agency and tow operator notify the department of revenue, which searches its records to determine who owns the vehicle and if there is a lienholder. This information is used to return stolen vehicles and to notify the owner and any lienholder that the vehicle will be sold at an auction if it is not claimed. The bill broadens the records used in the search to include those that can be obtained through a national title search.

The bill also extends the period for a tow operator to notify the owner and any lienholder from three days to five days.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-1804, **amend**
3 (2) and (6) (a) introductory portion as follows:

4 **42-4-1804. Report of abandoned motor vehicles - owner's**
5 **opportunity to request hearing.** (2) (a) Upon ~~its~~ receipt of ~~such~~ A report
6 MADE UNDER SUBSECTION (1) OR (6) OF THIS SECTION, the department
7 shall search its records to ascertain the last-known owner of record for the
8 abandoned motor vehicle and any lienholder as those persons are
9 represented in department records.

10 (b) ~~In the event~~ If the vehicle is ~~determined by the department~~ not
11 ~~to be registered in the state of Colorado the report required by this section~~
12 ~~shall state that no Colorado title record exists regarding the vehicle~~ WITH
13 THE DEPARTMENT, THE DEPARTMENT SHALL CONDUCT A TITLE SEARCH
14 WITH AN ENTITY THAT:

15 (I) HAS A NATIONAL DATABASE;

16 (II) MAY RETRIEVE RECORDS BASED ON BOTH THE VEHICLE
17 IDENTIFICATION NUMBER AND VEHICLE REGISTRATION NUMBER (LICENSE
18 PLATE NUMBER); AND

19 (III) PROVIDES THE FOLLOWING INFORMATION: THE VEHICLE

1 IDENTIFICATION NUMBER, THE VEHICLE REGISTRATION NUMBER, THE
2 OWNER'S NAME AND CONTACT INFORMATION, AND THE LIENHOLDER'S
3 NAME AND CONTACT INFORMATION.

4 (c) Within ten working days after ~~such~~ receipt OF A REPORT MADE
5 UNDER SUBSECTION (1) OR (6) OF THIS SECTION, the department shall
6 complete its search and shall transmit ~~such~~ THE report, together with all
7 relevant information, to the responsible law enforcement agency OR TOW
8 OPERATOR.

9 (6) (a) An operator or its agent shall, no less than two days, but no
10 more than ten days after a motor vehicle has been towed, determine if
11 ~~there is an~~ WHO THE owner IS and IF THERE IS a lienholder ~~represented in~~
12 ~~department records~~ AND send a notice by certified mail, return receipt
13 requested, to the last address of the owner ~~as shown on the motor~~
14 ~~vehicle's registration, and the lienholder, as shown on the title, if either is~~
15 ~~shown in department records~~ AS DETERMINED FROM RECORDS OF THE
16 DEPARTMENT, FROM THE NATIONAL SEARCH PERFORMED BY THE
17 DEPARTMENT, OR BOTH. The cost of complying with this paragraph (a)
18 ~~shall be considered~~ IS a cost of towing; except that the total of ~~such~~ ALL
19 costs OF COMPLYING WITH THIS SECTION shall not exceed one hundred
20 fifty dollars. TO COMPLY WITH THIS SUBSECTION (6), the notice to the
21 owner and lienholder ~~shall~~ MUST be sent within ~~three~~ FIVE days after the
22 operator receives the information from the department ~~Such notice shall~~
23 AND MUST contain the following information:

24 **SECTION 2.** In Colorado Revised Statutes, 42-4-2103, **amend**
25 (3) (c) (I); and **add** (3) (b.5) as follows:

26 **42-4-2103. Abandonment of motor vehicles - private property.**

27 (3) (b.5) (I) UPON RECEIPT OF A REPORT MADE UNDER PARAGRAPHS (a)

1 AND (b) OF THIS SUBSECTION (3), THE DEPARTMENT SHALL SEARCH ITS
2 RECORDS TO ASCERTAIN THE LAST-KNOWN OWNER OF RECORD FOR THE
3 ABANDONED MOTOR VEHICLE AND ANY LIENHOLDER AS THOSE PERSONS
4 ARE REPRESENTED IN DEPARTMENT RECORDS.

5 (II) IF THE VEHICLE IS NOT REGISTERED WITH THE DEPARTMENT,
6 THE DEPARTMENT SHALL CONDUCT A TITLE SEARCH WITH AN ENTITY
7 THAT:

8 (A) HAS A NATIONAL DATABASE;

9 (B) MAY RETRIEVE RECORDS BASED ON BOTH THE VEHICLE
10 IDENTIFICATION NUMBER AND VEHICLE REGISTRATION NUMBER (LICENSE
11 PLATE NUMBER); AND

12 (C) PROVIDES THE FOLLOWING INFORMATION: THE VEHICLE
13 IDENTIFICATION NUMBER, THE VEHICLE REGISTRATION NUMBER, THE
14 OWNER'S NAME AND CONTACT INFORMATION, AND THE LIENHOLDER'S
15 NAME AND CONTACT INFORMATION.

16 (III) WITHIN TEN WORKING DAYS AFTER RECEIPT OF A REPORT
17 MADE UNDER PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (3), THE
18 DEPARTMENT SHALL COMPLETE ITS SEARCH AND SHALL TRANSMIT THE
19 REPORT, TOGETHER WITH ALL RELEVANT INFORMATION, TO THE
20 RESPONSIBLE LAW ENFORCEMENT AGENCY OR TOW OPERATOR.

21 (c) (I) An operator or its agent shall, no less than two days, but no
22 more than ten days after a motor vehicle has been towed or abandoned,
23 determine if there is an owner WHO THE owner IS and IF THERE IS a lienholder
24 ~~represented in department records~~ and send a notice by certified mail,
25 return receipt requested, to the address of the owner ~~as shown on the~~
26 ~~motor vehicle's registration, and the lienholder if either is shown in~~
27 ~~department records. Such~~ AS DETERMINED FROM RECORDS OF THE

1 DEPARTMENT, FROM THE NATIONAL SEARCH PERFORMED BY THE
2 DEPARTMENT, OR BOTH. THE notice ~~shall~~ MUST include the information
3 required by the report set forth in paragraph (b) of this subsection (3). The
4 cost of complying with ~~the provisions of~~ this paragraph (c) shall be
5 considered a cost of towing; except that the total of ~~such~~ ALL costs OF
6 COMPLYING WITH THIS SECTION shall not exceed one hundred fifty dollars.
7 The TOW OPERATOR SHALL SEND THE notice to the owner and lienholder
8 ~~shall be sent within three~~ WITHIN FIVE days after receiving the information
9 from the department.

10 **SECTION 3. Act subject to petition - effective date -**
11 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
12 the expiration of the ninety-day period after final adjournment of the
13 general assembly (August 10, 2016, if adjournment sine die is on May 11,
14 2016); except that, if a referendum petition is filed pursuant to section 1
15 (3) of article V of the state constitution against this act or an item, section,
16 or part of this act within such period, then the act, item, section, or part
17 will not take effect unless approved by the people at the general election
18 to be held in November 2016 and, in such case, will take effect on the
19 date of the official declaration of the vote thereon by the governor.
20 (2) This act applies to vehicles towed on or after January 1, 2017.

COLORADO REVISED STATUTES

*** This document reflects changes current through all laws passed at the First Regular Session
of the Seventieth General Assembly of the State of Colorado (2015) ***

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

C.R.S. 43-2-145 (2015)

43-2-145. Transportation legislation review - committee - repeal

(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.

(e) (I) Prior to January 1, 2016, the committee shall gather information and, if necessary, make recommendations concerning the use of adequate and appropriate tire tread to reduce I-70 congestion, lane closures, and accidents. The committee shall analyze the need, enforceability, costs, safety, and any other relevant factors addressing the adequacy or inadequacy of the current law regarding motor vehicle traction equipment. No later than February 1, 2016, the committee may recommend legislation to implement the recommendations, and the legislation is deemed 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 are not subject to review by or approval of legislative council.

(II) This paragraph (e) is repealed, effective September 1, 2016.

(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.

(9) In the 2015 interim between the first regular session of the seventieth general assembly and the second regular session of the seventieth general assembly, the committee shall examine:

(a) The statutory and regulatory requirements for entry into the market for taxicab service; and

(b) Regulations governing the provision of taxicab service.

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. L. 2015: (1)(e) added, (HB 15-1173), ch. 189, p. 626, § 1, effective May 13; (9) added, (HB 15-1316), ch. 339, p. 1377, § 2, effective August 5.