


Colorado Legislative Council Staff Fiscal Note
STATE
FISCAL IMPACT

Drafting Number: LLS 11-0596

Date: February 22, 2011

Prime Sponsor(s): Rep. Kerr J.
Sen. Schwartz

Bill Status: House Transportation

Fiscal Analyst: Chris Ward (303-866-5834)

TITLE: CONCERNING A REORGANIZATION OF THE STATUTES GOVERNING MOTOR CARRIERS, AND, IN CONNECTION THEREWITH, CONSOLIDATING THE FORMER ARTICLES 10, 11, 13, 14, AND 16 OF TITLE 40, COLORADO REVISED STATUTES, INTO A SINGLE ARTICLE AND MAKING SUBSTANTIVE AND NONSUBSTANTIVE AMENDMENTS TO PROVISIONS GRANTING REGULATORY AUTHORITY TO THE PUBLIC UTILITIES COMMISSION.

| Fiscal Impact Summary | FY 2011-2012 | FY 2012-2013 |
|--|--------------|--------------|
| State Revenue | | |
| Cash Funds | | |
| CBI Identification Unit Fund | | \$37,249 |
| State Expenditures | | |
| Cash Funds | | |
| CBI Identification Unit Fund | | \$20,982 |
| Pass through to FBI | | 16,267 |
| Motor Carriers Cash Fund | | 6,174 |
| FTE Position Change | | 0.1 FTE |
| Effective Date: August 10, 2011, if the General Assembly adjourns on May 11, 2011, as scheduled, and no referendum petition is filed. | | |
| Appropriation Summary for FY 2011-2012: None required. | | |
| Local Government Impact: None. | | |

Summary of Legislation

This bill recodifies the statutes governing motor carriers by the Public Utilities Commission (PUC) and makes the following substantive changes:

- clarifies the services allowed under a children's activity bus permit and a towing permit;
- limits the PUC's regulation of towing carriers to those that perform nonconsensual tows;
- standardizes the requirements for criminal history checks of motor carrier drivers;
- eliminates duplicative safety oversight by the PUC and the Colorado state patrol; and
- eliminates overlapping jurisdiction between the PUC and the state patrol regarding household goods carriers (movers) using certain vehicles.

State Revenue

Beginning in FY 2012-13, the bill will increase state revenue by **\$37,249 per year** from fees paid for background history checks, including \$20,982 in state fees to the Colorado Bureau of Investigations Identification Cash Fund and \$16,267 that will be passed through to the federal government. It requires that a fingerprint-based criminal background check be performed at the time of a driver's renewal, rather than the one-time check currently required at the time of original application. The fee for such background checks is \$39.50, including a state fee of \$22.25 and a federal fee of \$17.25. The renewal cycle for licensing motor carrier drivers has not yet been set, but this fiscal note assumes that estimated 943 drivers will seek to renew their motor carrier driver's license each year beginning in FY 2012-13.

State Expenditures

State expenditures are expected to increase by \$43,423 and 0.1 FTE per year beginning in FY 2012-13, as described below.

Department of Regulatory Agencies. The bill affects the PUC in the following ways:

- requiring that new rules be promulgated;
- requiring that new background checks be reviewed before a driver's license is renewed;
and
- limiting the PUC's regulation of nonconsensual tows.

Costs for the PUC are expected to increase \$6,174 and will be paid from the Motor Carriers Cash Fund. In addition, the PUC will pass through \$37,249 for new background checks.

Department of Public Safety. The department will incur \$20,982 in costs for conducting an estimated 943 more background checks each year beginning in FY 2012-13. This level of effort will require 0.1 FTE. Costs for background checks are paid through the Colorado Bureau of Investigation Identification Cash Fund, which is continuously appropriated.

Departments Contacted

Law Public Safety Regulatory Agencies Revenue