

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 23, 2011
Date

Committee on Local Government.

After consideration on the merits, the Committee recommends the following:

HB11-1059 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, after line 1 insert:

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

4 (a) The cost of responding to motor vehicle accidents has
5 traditionally been borne by the city, county, or other local government
6 within which the accident occurs;

7 (b) A number of cities, counties, and special districts have begun
8 to impose or consider imposing accident fees upon nonresidents to pay for
9 the cost of responding to motor vehicle accidents;

10 (c) These accident fees constitute a new, nontraditional method of
11 regulating drivers in the state;

12 (d) Given the nature of metropolitan areas, a driver could pass
13 through multiple jurisdictions in a single, short trip to work, home, or
14 shopping;

15 (e) As traffic on roadways in the state and between municipalities
16 becomes more and more integrated, it becomes even more necessary to
17 have uniform laws regulating the responsibilities of drivers;

18 (f) The use of accident fees changes the nature of the enforcement
19 of laws in a fundamental way and alters Colorado citizens' basic
20 expectations about their responsibilities in the event of an accident;

21 (g) The use of accident fees by a city has a significant impact on
22 Colorado residents living outside the city and directly implicates the
23 expectations of Colorado citizens;

- 1 (h) Allowing a variety of accident fees in a multitude of
2 jurisdictions will increase the potential for driver confusion;
- 3 (i) If some cities adopt accident fees, others may adopt similar or
4 escalating fees in order to extract compensation from residents of
5 neighboring communities;
- 6 (j) Restricting accident fees will effectuate increased cooperation
7 among local governments;
- 8 (k) Article XX of the state constitution does not specifically
9 commit the regulation of fees charged for motor vehicle accidents to local
10 regulation; and
- 11 (l) The regulation of accident fees is a matter of statewide
12 concern."

13 Renumber succeeding sections accordingly.

14 Page 2, line 6, before "ON" insert "(1)".

15 Page 2, line 8, after "REIMBURSEMENT" insert "FROM A NONRESIDENT OF
16 THE LOCAL GOVERNMENT".

17 Page 2, line 9, after "PROVIDED" insert "WITHIN THE BOUNDARIES OF AN
18 URBAN MUNICIPALITY".

19 Page 2, strike lines 17 through 19 and substitute "AMBULANCE SERVICE.

20 (2) FOR PURPOSES OF THIS SECTION, UNLESS THE CONTEXT
21 OTHERWISE REQUIRES:

22 (a) "LOCAL GOVERNMENT" SHALL HAVE THE SAME MEANING AS
23 SET FORTH IN SECTION 29-1-602.

24 (b) "URBAN MUNICIPALITY" MEANS THE CITY AND COUNTIES OF
25 BROOMFIELD AND DENVER; THE CITIES OF ARVADA, AURORA, BOULDER,
26 BRIGHTON, CASTLE PINES NORTH, CENTENNIAL, CHERRY HILLS VILLAGE,
27 COLORADO SPRINGS, COMMERCE CITY, DACONO, EDGEWATER,
28 ENGLEWOOD, EVANS, FEDERAL HEIGHTS, FORT COLLINS, FORT LUPTON,
29 FOUNTAIN, GLENDALE, GOLDEN, GREELEY, GREENWOOD VILLAGE,
30 LAFAYETTE, LAKEWOOD, LITTLETON, LONE TREE, LONGMONT,
31 LOUISVILLE, LOVELAND, MANITOU SPRINGS, NORTHGLENN, SHERIDAN,
32 THORNTON, WESTMINSTER, AND WHEAT RIDGE; AND THE TOWNS OF
33 BERTHOUD, BOW MAR, COLUMBINE VALLEY, ERIE, FIRESTONE,
34 FOXFIELD, FREDERICK, GILCREST, HUDSON, JOHNSTOWN, LA SALLE,
35 LAKESIDE, LOCHBUIE, MILLIKEN, MORRISON, MOUNTAIN VIEW,
36 SUPERIOR, TIMNATH, AND WINDSOR."

1 Page 3, strike lines 4 through 11 and substitute:

2 "(I) For ambulance or emergency medical services and, SUBJECT
3 TO THE RESTRICTIONS SET FORTH IN SECTION 29-1-1003, C.R.S., FOR
4 extrication, rescue, or safety services provided in furtherance of
5 ambulance or emergency medical services. "Extrication, rescue, or safety
6 services" includes but is not limited to any:

7 (A) Services provided prior to the arrival of an ambulance;

8 (B) Rescue or extrication of trapped or injured parties at the scene
9 of a motor vehicle accident; and

10 (C) Lane safety or blocking provided by district equipment."

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