


Colorado Legislative Council Staff Fiscal Note
STATE
FISCAL IMPACT

Drafting Number: LLS 11-0302
Prime Sponsor(s): Rep. Vaad
 Sen. Tochtrop

Date: February 21, 2011
Bill Status: House Transportation
Fiscal Analyst: Kurtis Morrison (303-866-3140)

TITLE: CONCERNING THE ISSUANCE BY THE DEPARTMENT OF TRANSPORTATION OF PERMITS FOR THE MOVEMENT OF SUPER LOADS ON THE HIGHWAYS.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
Cash Funds		
State Highway Fund	\$3,750	\$3,750
Other Cash Funds	less than 25,000	less than 25,000
State Expenditures		
Cash Funds		
State Highway Fund	Increase	
Other Cash Funds	less than \$25,000	less than \$25,000
FTE Position Change		
Effective Date: August 10, 2011, assuming the General Assembly adjourns 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

House Bill 11-1163 permits the Colorado Department of Transportation (CDOT) to issue "super-load" permits for vehicles that weigh 500,000 pounds or more and occupy 2 lanes, or unladen combination vehicles with a trailer that occupies 2 lanes.

Permit issuance and denial. The bill authorizes CDOT to place restrictions on permit use and to refuse to issue a permit for disobeying restrictions or administrative regulations. To ensure compliance, CDOT is required to establish a tracking system to record permit-holder noncompliance. CDOT is also required to promulgate administrative regulations setting standards for denying permits to noncompliant persons. Upon application, permit applicants must provide acceptable documents affirming the gross weight of the load; such documents must be carried in the vehicle and be available upon request. CDOT may refuse a permit if the applicant does not break its load down to the lowest size and weight possible.

Speed restrictions. Under the bill, vehicles with "super-load" permit are restricted to a speed limit of 25 miles-per-hour (mph) on highways and 10 mph on structures. However, CDOT may modify required speed limits when necessary for safety or to prevent structural damage.

Inspections and enforcement. The bill authorizes CDOT, the Colorado State Patrol (CSP), and the ports of entry (PoE) to inspect a super-load permitted vehicle either upon entering Colorado or at the load's point of origin. Inspections are to ensure compliance with permit requirements, state law, and administrative regulations. Permit violations are a Class 1 traffic misdemeanor, punishable by imprisonment of 10 days to 1 year, a fine of \$300 to \$1,000, or both.

Fees. The bill establishes a fee of \$400 for super-load permits.

State Revenue

The bill increases State Highway Fund revenue by about \$3,750 in FY 2011-12 and each year thereafter, and increases other state cash fund revenue by less than \$25,000.

Permit Revenue. The bill would charge an additional \$150 per permit for vehicles weighing 500,000 pounds and over, as displayed in Table 1.

	Permits Issued	Current Law	HB 11-1163	
		\$250 Permit Fee	\$400 Permit Fee	Difference
Superload Permit (>500,000 lbs.)	25	\$6,250	\$10,000	\$3,750

Table 1 assumes that permit issuances for vehicles weighing 200,000 pounds and greater will continue at current levels of approximately 1,870 per year, and that about 25 vehicles will be subject to the superload permit for weighing in excess of 500,000 pounds.

Inspection Revenue. The bill also requires that super-load permitted vehicles be inspected at the expense of the permit holder. The bill states that either the CDOT, CSP, or PoE conduct inspections; the bill does not specify inspection fee amounts or funds credited with inspection reimbursement revenue. This fiscal note assumes that all travel, personnel, and other related inspection costs will be billed directly to the owner of the permitted vehicle.

State Expenditures

The bill will increase staff time by less than \$25,000 and will increase costs to process additional permits by an unknown amount. Increased staff time will be necessary to inspect superload-permitted vehicles. It is estimated that each inspection of a superload permitted vehicle

will require approximately 5 personnel to complete the inspection. However, cumulative staff needs are minimal (not exceeding 0.3 FTE) and will be required irregularly according to inspection needs. As such, no FTE increase is provided in the fiscal note. Additional travel expenses will be necessary for ports of entry staff to conduct inspections at a vehicle's point of origin or upon crossing state borders into Colorado. However, such costs are dependent upon the number of permits issued and inspection locations. All such costs will be billed to the permitted vehicle owner.

Departmental Difference. To process the new superload permits, it is the position of CDOT that a new permitting system must be acquired. According to CDOT, the current oversize/overweight permit system is operating at its maximum number of permits. Therefore, a new system is required in order to process additional superload permits. CDOT anticipates that such a system will cost approximately \$1.6 million to \$2.1 million, based on comparable permit systems obtained in other states.

Staff does not concur with the need for a new permit system without additional facts and analyses. As such, this fiscal note indicates an indeterminate increase in state cash fund expenditures, payable through the State Highway Fund (SHF). The SHF is continuously appropriated; therefore, no appropriation is necessary.

State Appropriations

To the degree that inspections of super-load permitted vehicles are conducted by CDOT, since CDOT has continuous spending authority from the SHF, no new appropriation is needed. Should either the CSP or PoE conduct inspections, an appropriation may be required for inspection-related expenditures.

Departments Contacted

Public Safety

Revenue

Transportation