

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING THE REGISTRATION OF SPECIAL MOBILE MACHINERY FLEETS.

Prime Sponsors: Senator Cadman

JBC Analyst: David Meng
Phone: 303-866-2061
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Summary of Amendments Made to the Bill After the 05/04/12 Legislative Council Staff Fiscal Note Was Prepared (Amended by the Senate Finance Committee 05/07/12)

The Senate Finance Committee Report, dated May 7, 2012, made a technical change to a reference to fleet vehicles, changing the language from "all fleet vehicles" to "each fleet vehicle".

This change does not affect the fiscal impact of the bill.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

Concurs

Does Not Concur

Updated Analysis

Reason for the Update

The Legislative Council Staff Fiscal Note indicates that there will be \$63,087 in revenue for FY 2012-13 to the SMM Administration and Enforcement Fund. This fund does not exist, nor is it created in the bill. In similar instances that currently exist, the revenues are credited to the Highway Users Tax Fund (HUTF). Thus, \$63,807 will be credited to the HUTF; according to existing statutory formulas, \$41,008 will be transferred to the State Highway Fund and \$22,079 will be transferred to counties and municipalities for highway and road purposes.

There is also several technical errors in the Fiscal Note. For FY 2012-13 the Fiscal Note understates total expenditures by \$100 due to a math error. For FY 2013-14 the Fiscal Note erroneously reflects one-time expenditures as recurring, overstating expenditures by \$174,830. This reduces FY 2013-14 appropriations from \$199,171 cash funds and 0.9 FTE to \$24,341 cash funds and 0.1 FTE.

Amendments/Appropriation Status

The bill requires but does not contain an appropriation clause. Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$126,563 cash funds and 0.8 FTE from the Colorado State Titling and Registration Account of the HUTF for FY 2012-13 to the Department of Revenue for personal services for processing registrations, operating expenses and capital outlay, postage for mailing plates, and computer programming. Of this amount, \$76,220 is reappropriated to the Governor's Office of Information Technology for the provision of computer programming services

provided to the Department of Revenue. In addition, the amendment adds a provision appropriating \$124,492 cash funds from the License Plate Cash Fund for FY 2012-13 to the Department of Revenue for the purchase of special mobile machinery license plates from Correctional Industries in the Department of Corrections.

Bill Sponsor Amendments

Staff is not aware of any sponsor amendments to be offered.

Points to Consider

Of the \$7.00 charge per special mobile machinery item, \$3.60 is retained by the authorized agent or department issuing the plates, stickers, or certificates; \$0.40 is to be credited to the Highway Users Tax Fund (HUTF); and \$3.00 is available, upon appropriation by the General Assembly, to fund the administration and enforcement of the provisions of the bill. Where this language exists elsewhere in statutes, the revenues are credited to the HUTF. The administration and enforcement of these provisions of the bill will be funded by the Colorado State Titling and Registration Account of the HUTF, but the bill does not direct any revenue to the Account. According to projections for the Account, the Account will have sufficient moneys available to fund the required appropriations in the bill.