

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING THE REGISTRATION OF SPECIAL MOBILE MACHINERY FLEETS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Senator Cadman

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**Summary of Amendments Made to the Bill After the 05/14/12 Legislative Council Staff Fiscal Note Was Prepared**

None.

**JBC Staff Concurrence with Legislative Council Staff Fiscal Note**

Concurs

Does Not Concur

Updated Analysis

**Reason for the Non-concurrence**

First, the fiscal note indicates that \$3.60 of the \$7.00 registration fee will be credited to the Colorado State Titling and Registration (CSTAR) Account of the Highway Users Tax Fund (HUTF) [see page 3 of the attached fiscal note, table 1]. However, the bill allows county clerks to retain this amount [see page 3 of the printed bill, lines 24 through 26]. Second, the fiscal note indicates that the full \$250,955 cash funds appropriation to the Department of Revenue should be appropriated from the CSTARS Account. However, \$63,087 if this amount should be appropriated from that portion of the registration fees that are designated for administration and enforcement expenses, and \$124,492 of this amount should be appropriated from the License Plate Cash Fund.

**Amendments/Appropriation Status**

The bill currently includes an appropriation clause that provides an appropriation of \$126,563 cash funds and 0.8 FTE from the CSTAR 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 license plates, and the purchase of computer center services. Of this amount, \$76,220 is reappropriated to the Governor's Office of Information Technology for the provision of computer programming services to the Department of Revenue. In addition, the clause provides an appropriation of \$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.

Staff has prepared amendment **J.002** (attached) to modify the appropriation clause to utilize a portion of the registration fee (\$3.00) to support the Department's administration and enforcement costs, as authorized by the bill [see page 4 of the bill, lines 2 through 4]. If **J.002** is adopted, \$63,087 is appropriated from the registration fee and only \$63,476 is appropriated from the CSTARS Account. The appropriation from the License Plate Cash Fund remains unchanged.

**Bill Sponsor Amendments**

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

**Points to Consider**

Of the \$7.00 charge for each item of special mobile machinery: \$3.60 is retained by the authorized agent (county clerks) or department issuing the plates, stickers, or certificates; \$0.40 is credited to the 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 similar language exists elsewhere in statutes to earmark a portion of the registration fee for administration and enforcement (specifically regarding the registration of rental vehicles), the latter revenues are credited to the HUTF if they are not appropriated for purposes of administration and enforcement. At least a portion of the administration and enforcement of the provisions of this bill will be funded by the CSTAR Account, but the bill does not direct any revenue to the Account. According to Department of Revenue projections for the CSTAR Account, the Account will have sufficient moneys available to fund the required appropriations.