

**FINAL
FISCAL NOTE**

Drafting Number: LLS 14-0316 **Date:** July 11, 2014
Prime Sponsor(s): Sen. Jones; Herpin **Bill Status:** Vetoed by Governor
 Rep. Foote; Kraft-Tharp **Fiscal Analyst:** Kelli Kelty (303-866-3518)

SHORT TITLE: TRANSPORTATION ENTERPRISE TRANSPARENCY ACT

Fiscal Impact Summary*	FY 2014-2015	FY 2015-2016
State Revenue		
State Expenditures	at least \$5,000	
Cash Funds	at least \$5,000	
FTE Position Change		
Appropriation Required: None.		

* This summary shows changes from current law under the bill for each fiscal year.

Summary of Legislation

The bill requires the board of the High-Performance Transportation Enterprise (HPTE) in the Colorado Department of Transportation (CDOT) to increase public notice of and participation in, and legislative oversight of, any public-private partnership (PPP) involving the HPTE. As such, the board must, in coordination with local governments, hold public meetings throughout the PPP process and provide full and timely notice to state legislators, county and municipal governments, and the general public. After entering into a PPP, the board must provide the terms of the agreement to the Senate Transportation Committee and House Transportation & Energy Committee and post the terms of the agreement on the CDOT website. The bill also increases the membership of the board from seven to eight members.

Additionally, the bill prohibits the HPTE from entering into PPPs that contain certain provisions until the General Assembly specifically approves any such provision through the enactment of a Joint Resolution. The HPTE must provide public notice of any change in the status of a high-occupancy vehicle (HOV) lane, and when considering a project related to HOV, high-occupancy toll (HOT) lanes, or managed lanes, the HPTE must evaluate the sustainability of express bus service or bus rapid transit service. Finally, the bill allows the State Auditor to audit the HPTE.

State Expenditures

The bill is expected to increase expenditures of the HPTE by at least \$5,000 for each PPP. The increase in expenditures consists of costs necessary to hold public hearings including venue, advertising, and security. The HPTE may experience an increase in workload due to this requirement for public hearings, but the result will likely be a minimal increase and can be accomplished within existing resources. Costs are shown as occurring in FY 2014-15 only, but will be recurring with each new PPP. The HPTE operates as a government-owned business and separate division within the CDOT. It operates using money in the Statewide Transportation Enterprise Special Revenue Fund, which is continuously appropriated to the HPTE.

Effective Date

The bill was vetoed by the Governor on June 4, 2014.

State and Local Government Contacts

Local Affairs
Special Districts

State Auditor
Cities and Counties

Transportation
Regional Transportation District