

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0428.01 Esther van Mourik x4215

HOUSE BILL 14-1081

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HOUSE SPONSORSHIP

Fischer and Szabo, Vigil

SENATE SPONSORSHIP

Baumgardner and Jahn, Schwartz

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House Committees

Transportation & Energy

Senate Committees

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A BILL FOR AN ACT

101      **CONCERNING THE MOTOR CARRIER SAFETY FUND, AND, IN**  
102           **CONNECTION THEREWITH, CREATING THE FUND, TRANSFERRING**  
103           **MONEY FROM THE HAZARDOUS MATERIALS SAFETY FUND TO THE**  
104           **MOTOR CARRIER SAFETY FUND, AND SPECIFYING THAT ANY**  
105           **EXCESS UNCOMMITTED RESERVES IN THE PUBLIC UTILITIES**  
106           **COMMISSION MOTOR CARRIER FUND BE TRANSFERRED TO THE**  
107           **MOTOR CARRIER SAFETY FUND.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

[http://www.leg.state.co.us/bills/summaries.](http://www.leg.state.co.us/bills/summaries/))

**Capital Development Committee.** The bill creates the motor carrier safety fund to be used for the advancement of highway safety relating to commercial carrier operations. Beginning with the 2013-14 fiscal year, excess uncommitted reserves in the public utilities commission motor carrier fund are transferred to the motor carrier safety fund instead of the hazardous materials safety fund and the nuclear materials transportation fund. The bill also transfers money from the hazardous materials safety fund to the motor carrier safety fund.

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*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, 40-2-110.5, **amend** (9) (a) as follows:

**40-2-110.5. Annual fees - motor carriers - public utilities commission motor carrier fund - created.** (9) (a) For the ~~2006-07 fiscal year~~ 2013-14 FISCAL YEAR and for each fiscal year thereafter, if the amount of uncommitted reserves in the motor carrier fund at the conclusion of any given fiscal year exceeds ten percent of the fund's expenditures during that fiscal year, the amount of the excess that is attributable to revenues received from any motor carrier, motor private carrier, broker, freight forwarder, leasing company, or any other person required to register with the United States department of transportation under the unified carrier registration system as authorized by federal law and as provided for in section 40-10.5-102 shall be transferred to the ~~hazardous materials safety fund created in section 42-20-107, C.R.S., and the nuclear materials transportation fund created in section 42-20-511, C.R.S., proportional to the existing balances of those funds~~ MOTOR CARRIER SAFETY FUND CREATED IN SECTION 42-4-235 (6), C.R.S.

**SECTION 2.** In Colorado Revised Statutes, 42-4-235, **add** (6) as follows:

1           **42-4-235. Minimum standards for commercial vehicles - motor**  
2           **carrier safety fund - created - rules.** (6) THE MOTOR CARRIER SAFETY  
3           FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF  
4           MONEYS TRANSFERRED FROM THE PUBLIC UTILITIES COMMISSION MOTOR  
5           CARRIER FUND PURSUANT TO SECTION 40-2-110.5 (9) (a), C.R.S. MONEYS  
6           IN THE FUND ARE SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY  
7           FOR THE DIRECT AND INDIRECT COSTS OF THE ADVANCEMENT OF HIGHWAY  
8           SAFETY RELATING TO COMMERCIAL CARRIER OPERATIONS PURSUANT TO  
9           THIS SECTION. ALL INTEREST DERIVED FROM THE DEPOSIT AND  
10          INVESTMENT OF MONEYS IN THE FUND ARE CREDITED TO THE FUND, AND  
11          ANY MONEYS NOT APPROPRIATED REMAIN IN THE FUND AND DO NOT  
12          TRANSFER OR REVERT TO THE GENERAL FUND OR ANY OTHER FUND.

13           **SECTION 3.** In Colorado Revised Statutes, 42-20-107, **add** (4)  
14          as follows:

15           **42-20-107. Hazardous materials safety fund.**  
16          (4) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, ON THE  
17          EFFECTIVE DATE OF THIS SUBSECTION (4) THE STATE TREASURER SHALL  
18          TRANSFER ONE MILLION SEVEN HUNDRED THIRTY THOUSAND EIGHT  
19          HUNDRED THIRTY-NINE DOLLARS TO THE MOTOR CARRIER SAFETY FUND  
20          CREATED IN SECTION 42-4-235 (6).

21           **SECTION 4. Safety clause.** The general assembly hereby finds,  
22          determines, and declares that this act is necessary for the immediate  
23          preservation of the public peace, health, and safety.