

**Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 14-0428.01 Esther van Mourik x4215

HOUSE BILL 14-1081

HOUSE SPONSORSHIP

Fischer and Szabo, Vigil

SENATE SPONSORSHIP

Baumgardner and Jahn, Schwartz

House Committees

Transportation & Energy

Senate Committees

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.**

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.*

HOUSE
2nd Reading Unamended
January 28, 2014

[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.

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

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

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

19 **SECTION 2.** In Colorado Revised Statutes, 42-4-235, **add** (6) as
20 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.