

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 15-0053
Prime Sponsor(s): Rep. Wilson

Date: January 22, 2015
Bill Status: House Transportation & Energy
Fiscal Analyst: Kerry White (303-866-3469)

BILL TOPIC: MOTOR VEHICLE IMPEDING TRAFFIC

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017
State Revenue		
Cash Funds	Potential minimal increase.	
State Expenditures	Potential minimal increase. See State Expenditures section.	
FTE Position Change		
Appropriation Required: None.		

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

Summary of Legislation

Under current law, drivers may not impede the flow of traffic on any highway, except when a reduced speed is necessary for safety purposes. This bill clarifies that impeding traffic means to impede the flow of traffic when a driver is traveling at least five miles per hour (mph) below the speed limit and is ahead of at least four vehicles on any roadway. Exceptions are provided for vehicles that are designed to travel below 25 mph or display a triangular slow-moving emblem.

State Revenue

Beginning in FY 2015-16, this bill could increase revenue by a minimal amount as a result of any additional citations on a state highway issued because of the expanded definition of impeding traffic. The fine for impeding traffic is \$50 plus a \$22 surcharge. The fine for impeding traffic in a safety zone is \$100 plus a \$33 surcharge. About 75 percent of penalty revenue is credited to the Highway Users Tax Fund (HUTF) with the remainder credited to various cash funds within the Judicial Department. Over the last three years, about 960 citations have been issued for impeding traffic.

The State Highway Fund (SHF) within the Colorado Department of Transportation (CDOT) receives 65 percent of any revenue credited to the HUTF from citations for impeding traffic. The fiscal note assumes any increase in revenue resulting from the expanded definition of impeding traffic will be minimal.

TABOR Impact

This bill increases state revenue from fines, which will increase the amount required to be refunded under TABOR. TABOR refunds are paid from the General Fund in the year following the excess collections.

State Expenditures

This bill may increase workload for the courts to hear any additional traffic infraction cases either on state highways or, because of the new provisions of the bill, on other roadways under the purview of local governments. Any increase in caseload is assumed to be minimal and will not require an increase in appropriations for the Judicial Department.

Local Government Impact

To the extent that expanding the definition of impeding traffic causes units of local government to issue additional citations on local roadways, revenue to municipalities and counties may increase. In addition, if additional citations are issued on state highways, HUTF revenue will increase. Municipalities and counties receive 35 percent of HUTF moneys from citations for impeding traffic.

Effective Date

The bill takes effect August 5, 2015, if the General Assembly adjourns on May 6, 2015, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Counties	District Attorneys	Judicial	Local Affairs
Municipalities	Revenue	Sheriffs	Transportation