

**STATE and LOCAL  
FISCAL IMPACT**

**Drafting Number:** LLS 15-1005  
**Prime Sponsor(s):** Rep. Rosenthal

**Date:** April 20, 2015  
**Bill Status:** House Transportation & Energy  
**Fiscal Analyst:** Erin Reynolds (303-866-4146)

**BILL TOPIC:** LOW-SPEED ELECTRIC THREE-WHEEL MOTORCYCLE

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017
State Revenue	Minimal fee revenue reduction.	
State Expenditures	Minimal workload reduction.	
TABOR Set-Aside	Minimal fee revenue reduction.	
FTE Position Change		
<b>Appropriation Required:</b> None.		

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

**Summary of Legislation**

Current law requires that a motorcyclist obtain a motorcycle endorsement on his or her driver's license. Motorcyclists and passengers are also required by current law to wear eye protection and, if under the age of 18, a helmet.

The bill exempts motorcyclists and passengers of a three-wheel motorcycle from these requirements if the motorcycle has a top speed of 25 miles per hour, a windshield, and seatbelts (motorcycles meeting these criteria are also known as auto rickshaws or tuk-tuks).

**State Revenue**

The bill is expected to reduce fee surcharge revenue to the Motorcycle Operator Safety Training Fund (MOST fund) in the Colorado Department of Transportation (CDOT) by a minimal amount.

**Assumptions.** Data specific to the types of class 3 motorcycles registered with the Department of Revenue is not available; however, the fiscal note assumes that there are a minimal amount of class 3 motorcycles that would qualify for the bill's exemption.

**Motorcycle Operator Safety Training Fund.** The MOST fund receives a \$4 surcharge on motorcycle registrations, a \$2 surcharge on all motorcycle endorsements on driver's licenses, and a \$1 surcharge on driver's license renewal extensions where the license has a motorcycle endorsement. MOST funds are continuously appropriated to CDOT and allocated by the state Transportation Commission to CDOT's Office of Transportation Safety to be used for the administration of the Motorcycle Operator Safety program, with certain exceptions. Excluding the conditional driver's license renewal extension (\$1 surcharge), affected motorcyclists currently contribute \$6 each in fee surcharge revenue to the MOST fund each year. Therefore, the annual fee surcharge revenue reduction under the bill is estimated to be minimal.

### **TABOR Impact**

This bill minimally reduces state fee revenue, which would reduce the amount to be refunded under TABOR. TABOR refunds are paid from the General Fund.

### **State Expenditures**

The bill is expected to minimally reduce workloads in the Judicial Department and the Department of Revenue (DOR).

**Judicial Department.** Because the bill may decrease the number of citations issued to certain three-wheel motorcycles, a reduction in offenses filed in court is possible. In the past three years, an average of 257 cases were filed annually with at least one charge under one of the three statutes cited in the bill. Based on this low number of overall annual cases and the assumption that there are a minimal amount of class 3 motorcycles that would qualify for the bill's exemption, this workload reduction is expected to be minimal.

**Department of Revenue.** The bill is expected to minimally decrease the number of citations issued currently to certain three-wheel motorcycles, which will reduce DOR workload associated with providing driver's records.

### **Local Government Impact**

The bill may result in a minimal workload reduction for municipal courts, to the extent that they have adopted the model traffic code. The bill may also result in a minimal workload reduction for the Denver County Court, managed and funded by the City and County of Denver.

### **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  
Revenue

Judicial Department  
Transportation

Public Safety