

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 16-0008.01 Jason Gelender x4330

SENATE BILL 16-011

SENATE SPONSORSHIP

Neville T., Marble

HOUSE SPONSORSHIP

Neville P., Humphrey, Ransom, Saine

Senate Committees
Transportation

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REPEAL OF STATUTORY REQUIREMENTS THAT A**
102 **PORTION OF THE REVENUE FROM SPECIFIED MOTOR VEHICLE**
103 **RELATED FEES IMPOSED UNDER THE "FUNDING ADVANCEMENTS**
104 **FOR SURFACE TRANSPORTATION AND ECONOMIC RECOVERY**
105 **ACT OF 2009" BE USED FOR TRANSIT-RELATED PROJECTS.**

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 <http://www.leg.state.co.us/billsummaries>.)

Under current law, \$15 million per year of revenue from the road safety surcharge, daily vehicle rental fee, supplemental oversize and

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.

SENATE
2nd Reading Unamended
February 2, 2016

overweight vehicle surcharge, supplemental unregistered vehicle fine, and late vehicle registration fee imposed pursuant to the "Funding Advancements for Surface Transportation and Economic Recovery Act of 2009" (FASTER) is used for transit-related projects as follows:

- ! \$10 million is used by the department of transportation (CDOT) for the planning, designing, engineering, acquisition, installation, construction, repair, reconstruction, maintenance, operation, or administration of such projects; and
- ! \$5 million is credited to the state transit and rail fund and used by the transit and rail division of CDOT to provide grants to local governments for local transit projects.

The bill repeals the statutory provisions that require these transit-related uses of the fee revenue. As a result, the revenue must be used only for road safety projects, as defined by FASTER.

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

2 **SECTION 1.** In Colorado Revised Statutes, 43-4-206, **amend** (3)
3 as follows:

4 **43-4-206. State allocation.** (3) Notwithstanding the provisions
5 of subsection (1) of this section, the revenues credited to the highway
6 users tax fund pursuant to section 43-4-205 (6.3) shall be expended by the
7 department of transportation only for road safety projects, as defined in
8 section 43-4-803 (21). ~~except that the department shall, in furtherance of~~
9 ~~its duty to supervise state highways and as a consequence in compliance~~
10 ~~with section 43-4-810, expend ten million dollars per year of the revenues~~
11 ~~for the planning, designing, engineering, acquisition, installation,~~
12 ~~construction, repair, reconstruction, maintenance, operation, or~~
13 ~~administration of transit-related projects, including, but not limited to,~~
14 ~~designated bicycle or pedestrian lanes of highway and infrastructure~~
15 ~~needed to integrate different transportation modes within a multimodal~~
16 ~~transportation system, that enhance the safety of state highways for transit~~
17 ~~users.~~

1 **SECTION 2.** In Colorado Revised Statutes, **repeal** 43-4-811 as
2 follows:

3 **43-4-811. Transit and rail division - funding for local transit**
4 **grants.** ~~(1) Notwithstanding any other provision of law, for state fiscal~~
5 ~~year 2009-10 and for each succeeding state fiscal year the allocation of~~
6 ~~the surcharges, fees, and fines imposed and credited to the highway users~~
7 ~~tax fund created in section 43-4-201 (1) (a) pursuant to section 43-4-804~~
8 ~~(1) and allocated to the state highway fund, counties, and municipalities~~
9 ~~as specified in section 43-4-205 (6.3) shall be modified as follows:~~

10 ~~(a) The allocation to the state highway fund shall be increased by~~
11 ~~five million dollars.~~

12 ~~(b) The allocation to counties shall be reduced by two million~~
13 ~~seven hundred fifty thousand dollars.~~

14 ~~(c) The allocation to municipalities shall be reduced by two~~
15 ~~million two hundred fifty thousand dollars.~~

16 ~~(2) For state fiscal year 2009-10 and for each succeeding state~~
17 ~~fiscal year, five million dollars of the moneys allocated to the state~~
18 ~~highway fund pursuant to section 43-4-205 (6.3) shall be credited to the~~
19 ~~state transit and rail fund, which is hereby created in the state treasury,~~
20 ~~and used by the state transit and rail division created in section 43-1-117.5~~
21 ~~(1), enacted by Senate Bill 09-094, enacted in 2009, to provide grants to~~
22 ~~local governments for local transit projects; except that no funds shall be~~
23 ~~used for the condemnation of land for the purpose of relocating a rail~~
24 ~~corridor or rail line.~~

25 **SECTION 3. Act subject to petition - effective date.** This act
26 takes effect at 12:01 a.m. on the day following the expiration of the
27 ninety-day period after final adjournment of the general assembly (August

1 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
2 referendum petition is filed pursuant to section 1 (3) of article V of the
3 state constitution against this act or an item, section, or part of this act
4 within such period, then the act, item, section, or part will not take effect
5 unless approved by the people at the general election to be held in
6 November 2016 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.