

**Summary of Representative Rice's House Transportation Committee
Amendments to SB 09-108**

Page and line numbers refer to the unofficial preamended bill that includes all five amendments.

1. L.065 (Technical/Cleanup Amendment):

A. Clarifies the lease-purchase agreement/COPs language per bond counsel recommendations and for the purpose of clarifying the role of the state treasurer with respect to lease-purchase agreements and COPs (Page 31, line 9 through page 38, line 6).

B. Clarifies the language exempting vehicles rented pursuant to a formal car sharing arrangement from the \$2 per day rental vehicle fee (Page 18, line 10 through page 19, line 3).

C. Fixes thirty-day /ninety-day inconsistencies regarding late vehicle registration to clarify that late registration for a new Colorado resident occurs ninety days after establishing Colorado residency. this is a technical amendment suggested by the Department of Revenue (Page 19, line 24; page 20, line 4; and page 71, line 4).

D. As recommended by bond counsel, more clearly establishes the bridge and road safety surcharges as fees rather than taxes by explicitly linking the fees to benefits received by fee payers using language from relevant case law interpreting TABOR (Page 5, lines 17 and 18; page 21, lines 2 through 4; and page 23, lines 16 and 17).

E. Clarifies that the bridge and road safety surcharges apply for motor vehicle registration periods that commence on or after July 1, 2009, and not simply "on and after July 1, 2009." Technical amendment requested by the Department of Revenue (Page 14, lines 18 and 19; page 26, line 27 through page 27, line 1; and page 27, lines 3 and 4).

G. Expands the definition of design-build contract (Page 77, line 16 through 25).

F. Technical amendment requested by the state controller regarding the proportional use of surface transportation infrastructure user fee revenue for high-performance transportation enterprise overhead (Page 45, lines 16 through 19).

G. Inserts the number of the bill where blanks currently are in two internal references to the bill (Page 41, line 5 and page 70, line 23).

H. Adds "traffic demand management facilities and services" to the definition of

"highway" (Page 11, line 11).

- I. Clarifies that a person paying a high performance transportation enterprise toll evasion toll, fee, or civil penalty in person may do so at the office of either the enterprise or the enterprise's collection designee (*i.e.*, E-470's office) (Page 60, lines 23 and 24).
2. L.066: Makes the triple axle amendment effective January 1, 2010, per CDOT's implementation needs (Page 80, lines 14 through 18).
3. L.067: Removes the Colorado labor preference language that was added to the bill in the Senate (Page 69, lines 21 through 23).
4. L.069: Ensures that owners of collector vehicles pay the road and bridge safety surcharges only once, not five times, when they register a collector vehicle for a five-year period (Page 73, lines 24 through 27 and page 74, lines 1 through 18).
5. L.070: Amendment requested by CDOT and DRCOG that moves the requirement that certain policy considerations be addressed in transportation planning from the regional transportation plan level to the statewide transportation plan level and modifies "fixing it first" language in the bill (Page 76, lines 4 through 25).