



Transportation & Telecommunications Steering Committee Friday, April 29, 2022

Agenda updated 4/28/2022

Welcome/Introductions

Chair: Commissioner Holly Williams, El Paso County
 Vice Chair: Commissioner Jim Candelaria, Montezuma County
 CCI Staff: Eric Bergman (ebergman@ccionline.org | 303-915-2909)

New Legislation for Discussion (2 Bills)

<u>HB22-1388, Vehicle Registration & Certificate of Title</u>			
H-Spon	Valdez, A.	S-Spon	
Summary	<p>Current law allows the department of revenue (department) to register a vehicle for less than a year so that all the vehicle owner's registrations for all of the owner's vehicles expire at the same time. The taxes and fees are prorated. Section 2 of the bill clarifies that the surcharges are also prorated.</p> <p>Current law sets the late registration fee for camper trailers and multipurpose trailers at \$10. Section 3 sets trailer coaches at the same late registration fee.</p> <p>Current law prohibits transferring a license plate with a vehicle, but exempts certain plates. Section 4 adds distinctive special license plates, group special license plates, and special alumni license plates to the exemption. Section 5 clarifies that the owner of an inoperable vehicle undergoing maintenance, repair, restoration, rebuilding, or renovation must pay an annual specific ownership tax. Upon payment of the tax, the owner will receive evidence of registration to affix to the vehicle, such as a license plate or decal, and isn't charged surcharges or fees if the owner keeps the vehicle on private property for the purposes of maintenance, repair, restoration, rebuilding, or renovation.</p> <p>Senate Bill 22-108 requires the owner of a truck to present a certified scale ticket showing the weight of the truck if the truck is subject to certain weight-based fees, has not been modified, and weighs between 4,500 pounds and 10,000 pounds. Section 6 amends Senate Bill 22-108 to authorize the owner to present a manufacturer's certificate of origin, certificate of title, certified scale ticket, or other documents or systems as determined by rule.</p> <p>Under current law, the department uses a table to compute certain registration fees that are based on weight for vehicles that weigh less than 10,000 pounds. Section 7 lowers this weight to 6,000 pounds.</p> <p>Current law requires an applicant for a certificate of title for a motor or off-highway vehicle to provide any lien document as an original or as a copy, which must be certified by the lienholder to be a true copy of the original lien. Similarly, a lienholder that is filing a lien must file any lien document as an original or a copy, which the lienholder must certify is a true copy. Sections 8, 9, and 10 repeal the requirement that the lienholder certify the copy. Sections 8 and 10 also remove language that says that vehicle lien filings are public records.</p>		

	<p>To release a lien on a motor or off-highway vehicle, current law requires the lienholder to file a lien release, which must include a written declaration that is made under penalty of perjury. Section 11 adds an option that the lienholder may file a notarized declaration.</p> <p>Current law requires a motor vehicle dealer to pay a \$25 fee to the executive director of the department of revenue (department) for a certificate of title. Section 12 clarifies that the fee can be paid to a county clerk or third-party vendor, which is typically the entity that is processing the transaction. Section 13 splits this \$25 dollar fee, if paid to the county clerk, so that the county clerk retains \$21.80 and forwards the rest to the department.</p> <p>Current law requires a vehicle owner to obtain a bonded certificate of title if the vehicle owner cannot present the ordinary proof of ownership. To obtain a title in lieu of a bonded title on a collector's item, street-rod vehicle, or horseless carriage of 25 years old or older, the applicant must present, among other things, a notarized bill of sale. Section 14 repeals the requirement that the bill of sale be notarized.</p> <p>To register a motor vehicle, current law requires vehicle owners to pay a road safety surcharge and a bridge safety surcharge. Section 15 sets the road safety surcharge at \$16 for trailer coaches, which are trailers that are at least 26 feet long and used for temporary living quarters. Section 16 sets the bridge safety surcharge at \$13 for trailer coaches.</p>
Status	House Committee on Transportation & Local Government Refer Amended to Finance
Position	Pending

<u>SB22-180, Programs To Reduce Ozone Through Increased Transit</u>			
H-Spon	M. Gray & J. Bacon	S-Spon	F. Winter & N. Hinrichsen
Summary	<p>The bill creates the Ozone Season Transit Grant Program (program) in the Colorado Energy Office (office). The program provides grants to the Regional Transportation District (RTD) and transit associations in order to provide free transit services for at least 30 days during ozone season. A transit association receiving a grant may use the money to make grants to eligible transit agencies. The eligible transit agencies may use the money to provide at least 30 days of new or expanded free transit services during ozone season. The RTD may use grant money to cover up to 80% of the costs of providing free transit for at least 30 days on all services offered by the RTD during ozone season. Eligible transit agencies and the RTD can use the money to cover lost fare box revenues and to pay for other expenses necessary to implement the program, including expenses associated with an increase in ridership as a result of the program. The RTD and a transportation association receiving a grant are required to report to the office on the services offered and estimates of the change in ridership as a result of the program.</p> <p>The office is required to establish policies governing the program and to report to the house and senate transportation committees by December 31 of each year of the program. The program is repealed, effective July 1, 2024.</p> <p>The transit and rail division (division) in the department of transportation is required to create a 3-year pilot project to extend state-run transit services throughout the state with the goals of reducing ground level ozone, increasing ridership, and reducing vehicle miles traveled in the state. The division is required to report to the transportation legislation review committee on the pilot project. The pilot project is repealed, effective July 1, 2026.</p>		
Status	Senate Third Reading Passed - No Amendments		
Position	Pending		

Legislation to Revisit/for Updates

<u>HB22-1351, Temporarily Reduce Road User Charges</u>			
H-Spon	B. McLachlan & D. Roberts	S-Spon	B. Pettersen
Summary	<p>Senate Bill 21-260:</p> <ul style="list-style-type: none"> Created phased-in road usage fees on gasoline and diesel that increase from 2 cents per gallon for state fiscal year (FY) 2022-23, when they are first imposed, to 8 cents per gallon for FYs 2028-29 through 2031-32, and thereafter continue to increase to account for inflation; and Temporarily reduced the amount of the road safety surcharge, which is imposed annually when a motor vehicle is registered by \$11.10 for registration periods beginning in 2022 and \$5.55 for registration periods beginning in 2023. <p>The bill delays the initial imposition of the road usage fees from July 1, 2022, to <u>April 1, 2023</u>, and increases the amount of the reduction in the road safety surcharge for registration periods beginning in 2023 from \$5.55 to \$11.10. The bill also requires transfers to be made from the general fund to the state highway fund and the highway users tax fund to hold the department of transportation, counties, and municipalities harmless from the reductions in road usage fee and road safety surcharge revenue.</p>		
Status	Introduced In Senate - Assigned to Appropriations		
Position	Amend		
	CCI is seeking an amendment that would extend the fee reduction for a full year.		

Past Legislation for Updates and/or Reference

<u>HB22-1028, Statewide Regulation Of Controlled Intersections</u>			
H-Spon	M. Gray & E. Hooton	S-Spon	F. Winter
Summary	<p>Transportation Legislation Review Committee. An existing statute allows a municipality or county to adopt an ordinance or resolution specifying that a person riding a bicycle, electrical assisted bicycle, or electric scooter may make a safety stop, rather than a full stop, under certain circumstances when approaching an intersection that is controlled by a stop sign or a traffic control signal as follows:</p> <p>When approaching a stop sign, if it is safe to proceed, the person may, after slowing to a reasonable speed of 15 miles per hour or less, or 10 or 20 miles per hour or less if so specified by municipality or county for a particular intersection and marked with appropriate signage, and yielding the right-of-way to any traffic or pedestrian in or approaching the intersection, continue through the intersection without stopping; and</p> <p>When approaching an illuminated red traffic control signal, the person must first stop at the intersection and yield to all other traffic and pedestrians and then, when safe to do so, may proceed straight or make a right turn through the intersection or, subject to specified conditions, make a left turn onto a one-way street only.</p> <p>The bill amends the statute to make the substantive requirements described above uniform statewide for most persons approaching a controlled intersection who are not operating a motor vehicle; except that the statewide "reasonable speed" is 10 rather than 15 miles per hour or less and the only municipal or county "reasonable speed" variance option is to increase the maximum "reasonable speed" for a particular intersection to 20 miles per hour. Such persons include</p>		

	<p>pedestrians (approaching a controlled intersection with a stop sign) and operators of low-speed conveyances, as defined in the bill (approaching a controlled intersection with a stop sign or a traffic control signal).</p> <p>The regulation of persons approaching controlled intersections is declared to be a matter of mixed state and local concern, and the amended statute is thus declared to supersede any conflicting local ordinance or resolution but not to affect the validity of any nonconflicting local ordinance or resolution that regulates the conduct of persons approaching controlled intersections. The bill does not create any right for a pedestrian or the operator of a low-speed conveyance to travel on any portion of a roadway where travel is otherwise prohibited by state law or a local ordinance or resolution.</p> <p>The department of transportation, in collaboration with the departments of education and public safety and appropriate nonprofit organizations and advocacy groups, is required to incorporate legal requirements and safe practices for approaching controlled intersections as a pedestrian or while operating a low-speed conveyance into educational materials for persons under the age of 18 and the general public. The division of motor vehicles in the department of revenue is required to include in updates to the "Colorado Driver Handbook" updated information regarding legal requirements and safe practices for approaching controlled intersections that reflect the changes made by the bill.</p> <p>The bill was amended in the Senate to apply only to riders who are 15 or older or are accompanied by an adult. The bill was also amended to allow local jurisdictions to post traffic signs at controlled intersections that require riders to come to a full stop.</p>
Status	Governor Signed
Position	Oppose

HB22-1046, Local Designation Of Over-snow Use Only Highways

H-Spon	B. McLachlan & M. Catlin	S-Spon	F. Winter
Summary	<p>The bill authorizes a local government to designate all or a portion of a highway under its jurisdiction for over-snow use only when snow-packed conditions exist on the highway or for a designated continuous seasonal period for which the local government determines that snow-packed conditions are likely to exist on the highway. "Over-snow use" is defined as travel on top of snow by human-powered or animal-powered means or by an off-highway vehicle that is primarily designed or altered for use over snow and runs without tires on a continuous belt track or on one or more skis while in use over snow. A local government may limit an over-snow use designation to human-powered or animal-powered travel, or both.</p>		
Status	Governor Signed		
Position	Support (CCI Priority bill)		

HB22-1074, Traffic Violations on Interstate 70 Shoulder Lanes

H-Spon	J. Amabile	S-Spon	D. Hisey
Summary	<p>The bill prohibits the drivers of motor vehicles from driving on the interstate 70 peak period shoulder lanes (PPSL) while the lanes are closed and prohibits the drivers of motor vehicles with more than 2 axles or that are 25 feet long or longer from driving on the PPSL at any time. The high-performance transportation enterprise is authorized to assess civil penalties and enforce violations.</p>		
Status	Governor Signed		
Position	Support		

<u>HB22-1254, Vehicle Taxes & Fees Late Registration</u>			
H-Spon	Valdez, A.	S-Spon	F. Winter
Summary	<p>Current law gives a person who moves to Colorado 90 days to register the person's motor vehicle. Section 2 of the bill requires a person who registers a vehicle after moving to Colorado to:</p> <ul style="list-style-type: none"> • Provide documentation of the vehicle's previous registration that contains the registration dates or the vehicle's bill of sale; • Provide evidence of the date that the person became a Colorado resident; and • Pay the vehicle's registration taxes and fees that are prorated from the date the person became a Colorado resident to the date the person applied to register the vehicle, unless the vehicle is used for interstate commerce or unless the owner registered the vehicle within 90 days after becoming a resident. <p>The effect of these listed changes is that an owner who fails to register the vehicle within 90 days will be assessed back taxes and fees. The allocation and use of the taxes and fees does not change.</p> <p>Current law exempts people with expired temporary tags from paying the late fees for failing to register a vehicle. Section 3 repeals this exemption. Section 3 also imposes prorated registration taxes and fees to capture missed revenue if a person fails to register a vehicle when required by law. Section 4 lowers the registration fee that is based on the age of a vehicle:</p> <ul style="list-style-type: none"> • For motor vehicles less than 7 years old, the fee is lowered from \$12 to \$9; • For motor vehicles at least 7 years old but less than 10 years old, the fee is lowered from \$10 to \$7; and • For motor vehicles 10 years old or older, the fee is lowered from \$7 to \$5. <p>The department of revenue (department) may adjust the fees to make the bill revenue neutral but may not lower a fee below one dollar or raise the fees above the amount from which the bill lowers the fees. In 2026, this fee decrease repeals, so the fees return to their original amounts. One dollar of the fee is retained by the department and used to offset the cost to the department and the authorized agents to implement the bill.</p> <p>Current law imposes a fee of \$1.50 on motor vehicles, trailers, and semitrailers. The fee is sent to the county where the vehicle is registered for its road and bridge fund. Section 5 lowers this fee to \$0.94 to offset the increased taxes and fees collected by the county under sections 2 and 3. The department will annually adjust the fee amount to keep the bill revenue neutral to the counties.</p>		
Status	Introduced In Senate - Assigned to Transportation & Energy		
Position	No Position		

<u>HB22-1306, Broadband Deployment Board Grant Processes</u>			
H-Spon	M. Baisley & B. Titone	S-Spon	K. Priola & J. Bridges
Summary	<p>Joint Technology Committee. In 2021, the general assembly authorized the broadband deployment board (board) to award money that the state received under the federal "American Rescue Plan Act of 2021" (act) for broadband deployment projects. The bill updates the requirements for awarding grant money pursuant to the act to require that applications comply with finalized federal regulations regarding use of money under the act. The bill also:</p> <ul style="list-style-type: none"> • Reduces the notice and comment period for an interested party to review and comment on a grant application from at least 60 days to 45 days; • Exempts a grantee from the requirement to complete an approved project in 2 years or less if the grantee demonstrates to the board that the project is delayed due to a relevant disruption in the supply chain; 		

	<ul style="list-style-type: none"> Requires the board to apply the updated requirements to previously denied applications that sought grant awards under the act; and Establishes a process and remedies for appeals of a board decision regarding a grant application.
Status	Senate Third Reading Passed - No Amendments
Position	Support

<u>SB22-001, Crime Prevention Through Safer Streets</u>			
H-Spon	N. Ricks & K. Tipper	S-Spon	J. Buckner & L. Garcia
Summary	<p>The bill creates the crime prevention through safer streets grant program (grant program) in the department of public safety (DPS). The bill requires DPS to issue requests for proposals to local governmental agencies for the agencies to identify areas where crime is prevalent. After identifying such areas, local governmental agencies can apply to DPS for grants for improvements designed to create safer streets.</p> <p>The bill directs DPS to establish policies and procedures for the grant program. It also creates an advisory committee to review grant requests and make recommendations to the executive director of DPS. The executive director reviews responses to the requests for proposals and grants and determines which local governmental agencies will receive money and the amount of each grant.</p> <p>The bill appropriates \$10.3 million to DPS for the grant program.</p> <p>The bill was amended in committee to expand the advisory committee that makes grant recommendations by adding two local elected officials, one from a rural area and one from an urban area.</p>		
Status	House Third Reading Laid Over Daily - No Amendments		
Position	Support CCI secured an amendment guarantee that grant funds would be made available to both rural and urban communities. The amendment also adds a rural elected official to the advisory board that will make grant funding recommendations.		

<u>SB22-016, Modifying Department of Transportation Governance</u>			
H-Spon		S-Spon	R. Scott
Summary	<p>The membership of the transportation commission (commission) currently consists of 11 members appointed by the governor with the consent of the senate from statutorily designated districts. If the bill is approved by the voters of the state at the November 2022 general election, on February 1, 2025, section 2 of the bill will replace the current membership of the commission with 9 members elected at the November 2024 general election, one from each congressional district of the state and one from the state at large. Thereafter, whenever the number of congressional districts in the state is odd, the membership of the commission consists of one member elected from each congressional district of the state, and whenever the number of congressional districts in the state is even, the membership of the commission consists of one member elected from each congressional district of the state and one member elected from the state at large. Commission members' terms are 4 years; except that:</p> <ul style="list-style-type: none"> The initial terms of the members elected at the 2024 general election from the first, third, fifth, and seventh congressional districts and the initial term of the member elected from the state at large are 2 years; and 		

	<ul style="list-style-type: none"> Whenever congressional redistricting changes the number of congressional districts from even to odd, the term of the member of the commission elected from the state at large who is serving on the effective date of the redistricting ends upon the commencement of the terms of the members of the commission elected at the first general election held after the redistricting occurs. <p>The governor is required to fill any vacancy that may occur in the commission. An individual appointed to fill a vacancy remains a member of the commission until the next general election and until the individual's successor is elected and duly qualified. On and after February 1, 2025, each member of the commission elected from a congressional district must actually reside in the congressional district that the member represents and any member elected from the state at large must actually reside in the state. If a member elected from a congressional district ceases to reside in the district or a member elected from the state at large ceases to live in the state, the members shall be deemed to have resigned as a member of the commission.</p> <p>On and after February 1, 2025, section 1 requires the commission to select the executive director of the department of transportation and specifies that the executive director serves at the pleasure of the commission; except that the executive director appointed by the governor with the consent of the senate who is serving as of February 1, 2025, remains the executive director until the commission appoints a successor, which the commission is required to do no later than July 1, 2025. Sections 3 through 10 make conforming amendments to the "Uniform Election Code of 1992" to ensure that candidates for the commission and members of the commission are treated similarly to candidates for and members of the state board of education and the regents of the university of Colorado with respect to membership on party committees, nomination as candidates, resolution of tie vote situations, election contests, and campaign finance disclosure requirements.</p>
Status	Postpone Indefinitely
Position	Oppose

<u>SB22-083, Broadband Provider's Use of Public Rights-of-way</u>			
H-Spon	M. Catlin	S-Spon	D. Coram
Summary	As amended, the bill now directs CDOT to develop a schedule of fees for non-governmental entities that are utilizing CDOT rights-of-way for broadband development.		
Status	Governor Signed		
Position	Support		

<u>SB22-123, Late Vehicle Titling & Registration Penalties</u>			
H-Spon		S-Spon	P. Lundeen
Summary	<p>If the owner of a vehicle fails to title or register the vehicle as required by statute, current law imposes the following penalties, when applicable:</p> <ul style="list-style-type: none"> For failing to register a motor vehicle, trailer, semitrailer, or vehicle within 60 days after purchase, a penalty of \$50 and a surcharge of \$16; For failing to title or register a vehicle within 90 days after becoming a resident: <ul style="list-style-type: none"> A fine of \$300 or 10 days in county jail; A supplemental unregistered vehicle fine of \$25 to \$100 for each month after the 90-day period; and A civil penalty of \$500; For failing to apply for a certificate of title within 60 days after purchasing a motor vehicle or off-highway vehicle, a penalty of \$15 to \$100; 		

	<ul style="list-style-type: none"> • For failing to follow any part of the titling statute, including applying for or obtaining a certificate of title, a fine of \$300 or 10 days in county jail; • For failing to register a vehicle, a late fee of \$25 to \$100 for each month after the expiration of the registration; and • For failing to register a vehicle that is without motive power and weighs 16,000 pounds or less or a camper trailer or a multipurpose trailer, a late fee of \$10. <p>If an owner failed to title or register a vehicle within the 60- or 90-day period required by law between January 1, 2021, and January 1, 2023, and the owner titles or registers the vehicle by June 1, 2023, the bill exempts the owner from the penalties, fines, surcharges, and late fees imposed by statute.</p> <p>If a person has already paid statutory penalties, fines, surcharges, and late fees incurred on or after January 1, 2021, and before January 1, 2023, the person may apply to the department of revenue (department) for reimbursement. The department will reimburse the person from money appropriated for that purpose from the general fund. The highway users tax fund is reimbursed from the general fund for the portion of these penalties, fines, surcharges, and late fees that are not paid to the highway users tax fund.</p>
Status	Postpone Indefinitely
Position	No Position

Adjourn