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Legislative
Council
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MEMORANDUM

July 1, 2009

TO: Transportation Legislation Review Committee

FROM: Kurtis Morrison, Senior Research Assistant, (303) 866-3140
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SUBJECT: Transportation Legislation Review Committee Overview

This memorandum provides the following information regarding the Transportation Legislation Review Committee (TLRC):

- history of the committee;
- the committee's statutory charge and oversight authority;
- required reports for submission to the committee;
- the committee's 2008 interim activities; and
- TLRC proposed legislation from 2003 to 2008.

History of the TLRC

In 1953, the General Assembly restructured the relationship between state highway, county road, and municipal street systems. The Highway Legislation Review Committee (HLRC) was responsible for reviewing the implementation and impact of the newly structured highway systems. In 1987, the General Assembly expanded the committee's charge to include oversight of public highway authorities and projects. In 1989, the General Assembly began requiring the Regional Transportation District (RTD) to respond to the committee's requests for information.

In 1994, the committee's name was changed to the Transportation Legislation Review Committee to correspond with the renaming of the Colorado Department of Transportation (CDOT). With the name change, the scope of the committee's responsibilities expanded to parallel the department's broader focus on all transportation modes. In 1997, the committee's authority changed to include oversight of regional transportation authorities, and in 2001 the membership of the committee changed from 11 members appointed by the governor, speaker, and the president, to the 18 members of the House and Senate transportation committees of reference.

In 2007, the General Assembly amended the committee's charge to include oversight over the Department of Revenue (DOR) in the area of driver's licenses and motor vehicle registration, as well as any other state agency or political subdivision of the state regulating motor vehicles or traffic.

Statutory Charge

Per Section 43-2-145, C.R.S., the TLRC must meet at least once a year to:

- provide guidance and direction to CDOT on the development of the state transportation system and DOR or any other state agency or political subdivision of the state that regulates motor vehicles or traffic;
- provide legislative oversight of and input into such development; and
- review all transportation, traffic, and motor vehicle legislation, and make recommendations for additional legislation as necessary.¹

The law requires the TLRC to examine the problem of uninsured motorists in the state and to recommend legislation relating to uninsured motorists.² The committee is also directed to examine the effectiveness of uninsured motorist enforcement mechanisms in use by other states. This direction was provided by the General Assembly in 1995.³

Legislation passed during the 2009 session, House Bill 09-1230, directs the TLRC during the 2009 interim to consult with DOR, automobile dealers and retailers, motor vehicle titling and registration experts, and state and local tax collection experts to determine best practices for motor vehicle sales tax collection. Specifically, the committee is required to examine:

- the accuracy and availability of state-approved sales tax databases relied upon by automobile dealers and retailers;
- the consistency of updates to the state approved sales tax databases;
- the efficiency of motor vehicle sales tax collections for counties and municipalities; and
- the number of occurrences that paperwork is returned.

The act further requires that the TLRC shall accomplish this objective prior to the start of the 2010 legislative session. These requirements are repealed effective July 1, 2010.

¹ Section 43-2-145, C.R.S.

² Section 42-7-602, C.R.S.

³ Section 42-7-602, C.R.S.

Oversight Role and Statutory Authority

State law provides the TLRC with authority over CDOT, the DOR, the Regional Transportation District (RTD), public highway authorities (PHAs), regional transportation authorities (RTAs), and railroads. In its oversight role, the committee is authorized to:

- develop and make state transportation system financing recommendations;
- review the operations of CDOT, the RTD, and any public highway authority or regional transportation authority;
- review completed highway projects, including whether the projects were completed in the most cost-effective and efficient manner; and
- request financial or performance audits.

Colorado Department of Transportation. Under Colorado law, the TLRC is authorized to:

- provide guidance and direction to CDOT in the development of the state transportation system and make recommendations on the financing of the state transportation system;
- review all transportation legislation and consult with experts in the field of highway construction and planning or with CDOT personnel;
- review any phase of CDOT operations;
- require CDOT to prepare and adopt 5-, 10-, and 15-year plans; and
- require financial or performance audits.⁴

Colorado Department of Revenue. The TLRC is required to review activities of the DOR relating to the licensing of drivers and the registration and titling of motor vehicles.

Regional Transportation District. The TLRC may review the RTD's implementation of the state's competition policy within the district, which includes ensuring that at least 58 percent of the district's vehicular service contracts are competitively negotiated.⁵

Public highway authorities and regional transportation authorities. The TLRC may review any phase of a PHA or RTA's operations and may require a PHA or RTA to prepare and adopt long-range plans for the development of public highways.⁶

Railroads. The TLRC is directed to study CDOT recommendations and may hold hearings regarding the acquisition or use of abandoned or proposed to be abandoned railroad rights-of-way and to determine the priority of acquiring or using abandoned or proposed to be

⁴ Section 43-2-145 (1), C.R.S.

⁵ Section 32-9-119.5 (2) (a), C.R.S., and (8) (a), C.R.S.

⁶ Section 43-2-145 (1.9), C.R.S.

abandoned railroad-rights-of-way. The TLRC is required to report its findings to the General Assembly regarding the acquisition of abandoned railroad rights-of-way.⁷

Other agencies. The TLRC may require agencies to share information and coordinate efforts for phases of transit system development to avoid overlapping mass transit systems within the state. Such agencies include the Denver Regional Council of Governments, the Intermountain Fixed Guideway Authority, and state, regional, and local authorities or organizations responsible for mass transit.⁸

Reporting Requirements

State law requires the following entities to submit reports to the TLRC.

Department of Transportation. CDOT's Office of Transportation Safety must submit an annual report to the TLRC on the distribution and expenditure of funds for the Drunken Driving Prevention and Law Enforcement Program.⁹

Department of Revenue. The DOR must annually report to the TLRC on the effectiveness of the state's emissions programs.¹⁰

Department of Public Health and Environment. On or before July 1, annually, the Department of Public Health and Environment (CDPHE) must report to the TLRC the total number of waste tires recycled within the state.¹¹ On or before October 15, annually, CDPHE must brief the TLRC regarding the high emitter program, specifically on cost and effectiveness compared to other emission reduction options.¹² The high emitter program is designed to identify motor vehicles that emit air pollutants substantially higher than acceptable levels.

Department of Local Affairs. The Department of Local Affairs' (DOLA) Division of Local Government is required to provide an annual report to the TLRC regarding public highway authorities. The report must include how many authorities have been created, their boundaries, and information regarding public highways to be constructed and financing.¹³

⁷ Section 43-2-145, C.R.S., Section 43-1-1307, C.R.S., and Section 43-1-1308, C.R.S.

⁸ Section 43-2-145 (1.3), C.R.S.

⁹ Section 43-4-404 (2), C.R.S.

¹⁰ Section 42-4-305 (11), C.R.S.

¹¹ Section 25-17-202.7, C.R.S.

¹² Section 42-4-307 (13), C.R.S.

¹³ Section 43-4-514 (3), C.R.S.

Regional Transportation District. The TLRC may review the annual budget of and request any type of information from the RTD.¹⁴

2008 Interim Activities

The TLRC held five meetings during the 2008 interim. The committee heard wide-ranging presentations from agencies of state, regional, and local government, and transportation industry associations. Representatives of the Governor's Transportation Finance and Implementation Panel briefed the committee on the panel's work. The TLRC heard informational briefings regarding transit, transportation finance, motor vehicle administration, tolling, energy production, and the future redevelopment of the I-70 corridor. Finally, representatives of industries involved in freight and passenger transportation also presented to the committee.

Low-power self-propelled vehicles. The TLRC heard testimony regarding the dramatic growth in sales of "scooters" in the state. Colorado law defines these vehicles as "motorized bicycles" with engine capacities under 50 cubic centimeters. Increasing sales of the vehicles are being driven by rising fuel prices, environmental concerns, and the fact that the machines are relatively inexpensive. The committee heard that current Colorado statutory definitions of these vehicles do not reflect the specifications of the vehicles currently operating on Colorado roadways. The Colorado Powersports Dealers Association testified that the state's existing statutory definitions of the terms "motor-driven cycle," "motor scooter," and "motorized bicycle" should be modernized and simplified. As a result of this testimony, the committee recommended House Bill 09-1026, which simplifies statutory definitions applicable to low-power self-propelled vehicles; creates a category of speeding penalties specific to the vehicles; imposes a requirement for the purchase of liability insurance; and mandates the licensure of companies selling the vehicles. The bill was enacted during the 2009 session.

Colorado trucking industry. A representative of the Colorado Motor Carriers Association briefed the committee on the impact of rising fuel prices and taxes paid by commercial vehicle companies on the Colorado trucking industry. The committee heard that diesel fuel prices have increased by more than 300 percent in the last decade. The representative commented on the importance of the trucking industry to the Colorado economy, noting that 83 percent of all Colorado commodities are transported by truck.

The association representative also brought to the committee's attention problems with Colorado's method of registering mobile machinery. Mobile machinery includes vehicles (and equipment attached to vehicles) commonly used in the construction industry. The committee heard that Colorado's method for registering the vehicles creates problems for Colorado companies that use the vehicles in neighboring states, as well as for companies in other states that use their equipment in Colorado. House Bill 09-1029, recommended by the TLRC, was introduced to address this registration problem by treating the registration of mobile machinery

¹⁴ Section 32-9-119.7 (4), C.R.S., and (7), C.R.S.

in Colorado in the same manner as the registration of interstate commercial carriers in the state. The bill was postponed indefinitely during the 2009 session.

The TLRC also learned that current Colorado law oftentimes results in commercial vehicles being taken out of service when law enforcement officials discover that the vehicles have damaged or missing splash guards, and that stringent enforcement of this requirement causes hardship for truck drivers and trucking companies. Thus, the committee recommended Senate Bill 09-014 to allow drivers of commercial vehicles with damaged or missing splash guards to continue operating until they reach a place where the splash guards can be replaced. The bill was enacted during the 2009 session.

Transit in Colorado. The committee received transit-related briefings from RTD and the Colorado Association of Transit Agencies (CASTA). The Regional Transportation District briefed the committee on the status of transit facility planning for the FasTracks corridors, declining RTD sales tax revenues, construction cost escalation, and increasing RTD operating expenses. RTD representatives commented on increases in RTD bus and light rail ridership, and recent legislation permitting private entities to take advantage of tax-exempt financing through private activity bonds. RTD representatives also stated their intention to increase participation in public-private partnerships for the provision of transit services.

A CASTA representative updated the committee on the status of transit in the state. The representative noted that 60 of the state's 64 counties now have some form of transit services available to their residents and stressed the importance of transit to seniors and the disabled. The committee was informed that 84 percent of funding for transit in Colorado originates with local sources and that the association supports an increasing emphasis on state funding for transit.

Additional committee discussion of transit service and safety issues resulted in the committee recommendation of House Bill 09-1027, to specify circumstances under which motorists would be required to yield the right-of-way to buses entering traffic. The bill was enacted during the 2009 session.

Governor's Transportation Finance and Implementation Panel. The committee was briefed on the activities of the Governor's Transportation Finance and Implementation Panel. The panel, originally scheduled to conclude its work in June 2008, was extended by Governor Ritter through June 2009. Panel representatives discussed their recommendations for the consideration of new transportation revenue sources, and the panel's "preferred alternative" of new transportation funding at the level of \$1.5 billion annually. According to the panel representatives, this funding level would allow for preservation of the state's existing transportation infrastructure, construction of new projects to address urban traffic congestion and regional connections, as well as funding for transit options.

Colorado's public highway authorities. The committee heard presentations from Colorado's three public highway authorities. The three public highway authorities established to date are: the E-470 Public Highway Authority (PHA), the Northwest Parkway Public Highway Authority, and the Jefferson Parkway Public Highway Authority. The E-470 PHA

presented information relating to the authority's revenues and expenditures, the condition of the authority's infrastructure, and the transition of the authority to a "cashless," electronic tolling system. The Northwest Parkway PHA briefed the committee regarding the potential future extension of the parkway, and a lease agreement that was signed by the authority allowing a concessionaire to operate the roadway beginning in 2007. Finally, the committee was briefed on the governance of the newly created Jefferson Parkway PHA, development of requests for proposals by the new authority board of directors, and communications with the City of Golden regarding completion of the metro-area beltway.

Colorado industries dependent on the state's transportation infrastructure. Several representatives of industries that rely heavily on Colorado's transportation infrastructure updated the committee in regard to the status of their industries, and the importance of these industries to Colorado's economic health. Freight rail industry representatives updated the committee on their industry's employment levels, the industry's capital spending, the relative efficiency of rail, and problems resulting from residential and commercial growth near train tracks. The committee heard that, as fuel prices increase, freight is shifting from trucks to rail.

Representatives of the airline industry updated the committee on the status of commercial aviation in the state. The committee was informed of the importance of the industry to the Colorado economy, the loss of flights originating in Colorado's smaller cities, declining employment in the industry, and the impact of increasing jet fuel costs. Finally, representatives of the Colorado Department of Agriculture briefed the committee on the contribution of agriculture to the state economy, including employment in agricultural production and food processing. Colorado has 107,000 jobs related to the agriculture industry. The representatives discussed several transportation issues in the state that are impacting agricultural production, including rising fuel prices, the condition of bridges in the state, bridge weight limits, and the issuance of temporary certifications for the transportation of seasonal crops.

Additional committee discussion. The committee considered, but declined to recommend legislation to: expand the powers of regional transportation authorities; address slow moving vehicles that impede traffic; and create a pilot program allowing for the issuance of safety decals to young drivers.

TLRC Proposed Legislation — 2003 to 2008

Legislation recommended by the TLRC is treated as legislation recommended by an interim committee for purposes of introduction deadlines or bill limitations imposed by the General Assembly's joint rules. From the 2003 interim to the 2008 interim, the TLRC proposed 36 bills that were approved by the Legislative Council. Of the 36 bills, 32 became law.

Table 1 provides legislation approved by the Legislative Council. Table 2 indicates legislation proposed by the committee and not approved by the Legislative Council. Bills are identified according to identifier (Bill A, Bill B, Bill C, etc.) used in the final TLRC report provided to the Legislative Council and bill numbers assigned upon introduction during session.

Table 1
Transportation Legislation Review Committee
Bills Approved by the Legislative Council - Interim Sessions 2003-2008

Bill Letter/ Number	Bill Title	Brief Description of Bill	Became Law
Interim Session 2008 for Introduction During the 2009 Legislative Session			
HB09-1029 Bill A	Mobile Machinery Vehicle Registration	Mobile machinery is machinery commonly used in the construction industry. The equipment may or may not be attached to a truck chassis, and may or may not be self-propelled. Examples of these vehicles (registered as Class F vehicles in Colorado) include concrete mixers, backhoes, bulldozers, and trucks with large generators attached. Class A vehicles are interstate commercial carriers. Most of Colorado's neighboring states register mobile machinery vehicles as Class A vehicles, and do not have a Class F category. This forces Colorado operators of Class F vehicles to purchase trip permits upon entering other states. Out-of-state mobile machinery vehicles entering Colorado are required to pay additional taxes and registration fees on their mobile machinery resulting in expense and delays at ports of entry. The bill would have addressed these issues by designating Colorado mobile machinery vehicles (Class F) <i>operated in interstate commerce</i> as Class A vehicles for purposes of imposing the graduated annual specific ownership tax, and specifying the same rate structure as is currently imposed on Class F personal property. Under the bill, out-of-state mobile machinery vehicles operating in Colorado would have been exempted from payment for the mounted equipment portion of the vehicle if that portion was already taxed by the registering base state, and would have been able to purchase a tab to cover the mounted equipment portion of the vehicle if taxes are due.	No
HB09-1027 Bill B	Yield to Transit Bus Entering Traffic	House Bill 09-1027 requires persons who are driving behind a transit bus to yield the right-of-way if the bus, after stopping to allow passengers to board or exit, signals an intention to enter traffic and if a yield sign on the back of the bus is illuminated. The bill does not require the installation of yield signs on transit buses, and does not relieve bus drivers of their duty to drive with due regard for the safety of other motorists.	Yes
SB09-014 Bill C	Mud Flaps Vehicle Remain In Service	Senate Bill 09-014 allows commercial vehicles with damaged or missing splash guards to remain in service until the first reasonable opportunity to replace them. A splash guard is a device designed to minimize the spray of water and other substances to the rear of the commercial vehicle. Current Colorado law requires trucks with an empty weight that exceeds 10,000 pounds to be equipped with splash guards, and that a splash guard be at least as wide as the tire it covers.	Yes

Table 1
Transportation Legislation Review Committee
Bills Approved by the Legislative Council - Interim Sessions 2003-2008 (continued)

Bill Letter/ Number	Bill Title	Brief Description of Bill	Became Law
Interim Session 2008 for Introduction During the 2009 Legislative Session			
HB09-1026 Bill D	Low-power Self-propelled Vehicles	<p>House Bill 09-1026 simplifies Colorado's statutory definitions applicable to low-power self-propelled vehicles (scooters), creates a category of speeding penalties specific to the vehicles, imposes a requirement for the purchase of liability insurance, and mandates the licensure of companies selling the vehicles. Specifically, the bill:</p> <ul style="list-style-type: none"> • replaces several categories of self-propelled vehicles in Colorado law, including "motor-driven cycle," "motor scooter," and motorized bicycle" with the two categories "motorcycle" and "low-power scooter"; • defines "low-power scooter" as a vehicle with not more than 3 wheels, no manual clutch, and a power capacity under 50 cubic centimeters or 4,476 watts; • puts new speeding penalties in place for scooter operators who exceed 40 miles per hour, specifically: <ul style="list-style-type: none"> ▶ a fine of \$56 for traveling 41 to 44 miles per hour; ▶ a fine of \$85 and 2 points for traveling 45 to 49 miles per hour; and ▶ a fine of \$116 and 4 points for traveling 50 or more miles per hour; • applies compulsory liability insurance laws to operators of low-power scooters, effective July 1, 2010; • requires persons selling low-power scooters to obtain a powersports vehicle distributor license from the Colorado Department of Revenue; and • specifies that drug and alcohol driving offenses apply to operators of low-power scooters, farm tractors, and off-highway vehicles, but not to bicycle operators. 	Yes
Interim Session 2007 for Introduction During the 2008 Legislative Session			
SB08-014 Bill A	Toll Enforcement Process	<p>State law requires toll evasion cases to be considered by the courts in the municipality or county where the violation occurred. For some municipalities and counties, this has resulted in a backlog of toll evasion cases in the court system. The act directs the Colorado Tolling Enterprise (CTE) to consider establishing an administrative toll enforcement process for toll evasion cases. If the CTE establishes an administrative toll enforcement process, no municipal, county, or city and county court will have the jurisdiction to hear toll evasion cases arising on a toll highway operated by the CTE. The act authorizes the CTE to utilize every remedy available under the law to enforce unpaid tolls and fees as debts owed to the enterprise, and authorizes the CTE to report to the state Department of Revenue (DOR) any outstanding judgement or warrant or failure to pay the toll, fee, and civil penalty for any toll evasion. Upon receipt of notice, the bill prohibits the DOR from renewing the registration of the vehicle associated with the toll evasion until the toll, fee, and civil penalty are paid in full.</p>	Yes

Table 1
Transportation Legislation Review Committee
Bills Approved by the Legislative Council - Interim Sessions 2003-2008 (continued)

Bill Letter/ Number	Bill Title	Brief Description of Bill	Became Law
Interim Session 2007 for Introduction During the 2008 Legislative Session			
SB08-012 Bill B	Transportation Commission Qualifications	Current law requires the governor to consider appointing one or more individuals with knowledge or experience in aviation and one or more individuals with knowledge or experience in engineering to the state Transportation Commission. Senate Bill 08-012 eliminates the aviation consideration. The 11 members of the Transportation Commission serve four-year terms and make state transportation policy recommendations to the governor and General Assembly. Each commission member must reside in the district he or she represents.	Yes
HB08-1057 Bill C	Tourist-Oriented Signs Along Rural Highways	House Bill 08-1057 authorizes the Department of Transportation to issue permits and adopt rules allowing tourist-oriented directional signs (TODS) along expressways and freeways in rural areas. Prior to the act, the state only permitted TODS on non-interstate highways in rural areas. The bill also expands the types of signs that may be authorized along interstate highways pursuant to federal law. TODS are signs identifying nearby businesses for tourists traveling along state roadways.	Yes
HB08-1074 Bill D	Nonconforming Advertising Devices on Highways	House Bill 08-1074 amends state law to authorize a nonconforming advertising device that was legally erected to be maintained at the same location. Prior to the act, only nonconforming advertising devices erected prior to January 1, 1971, were authorized to remain erected. The act eliminates the date references in statute.	Yes
HB08-1036 Bill E	Charles Mather Safety Act	House Bill 08-1036 requires both the Colorado Department of Transportation (CDOT) and local governments to designate areas as maintenance, repair, or construction zones where such activities are occurring. The bill also: <ul style="list-style-type: none"> • repeals the \$40 maximum fine limit for violations occurring in these zones when an automated vehicle identification system, "photo radar," is used; • doubles the fines for specified moving traffic violations, including speeding, within the zones designated by local governments; • requires the Department of Public Safety, upon CDOT's request, to use photo radar to detect speeding violations while maintenance, repair, or construction is occurring in these zones; • requires CDOT to reimburse the Department of Public Safety for the use of photo radar; and • requires drivers approaching these zones to exhibit due care and yield the right-of-way to maintenance, repair, or construction vehicles. 	Yes
HB08-1010 Bill F	Motor Vehicle Traffic Fines	House Bill 08-1010 amends motor vehicle violation fines by: <ul style="list-style-type: none"> • increasing the minimum fine for a class 2 traffic misdemeanor from \$10 to \$150; • increasing the minimum fine for a class 1 traffic misdemeanor from \$100 to \$300; • reducing the distribution of seat belt violation fine revenue to local jurisdictions from 100 percent to 50 percent for violations occurring on state and federal highways, with the remaining 50 percent going to the Highway Users Tax Fund; • doubles the minimum fines for driving under the influence (DUI), driving while ability impaired (DWAI), under age drinking and driving (UDD), and habitual user driving; • specifies that fine revenue from DUI, DWAI, UDD, and habitual user driving for violations occurring on a state or federal highway is credited 25 percent to the local governments and 75 percent to the Highway Users Tax Fund; and • doubles the minimum fine for vehicle eluding. 	Yes

Table 1
Transportation Legislation Review Committee
Bills Approved by the Legislative Council - Interim Sessions 2003-2008 (continued)

Bill Letter/ Number	Bill Title	Brief Description of Bill	Became Law
Interim Session 2006 for Introduction During the 2007 Legislative Session			
HB07-1065 Bill A	Passenger Carrier Criminal History Check	House Bill 07-1065 requires any individual seeking employment or already employed as a charter or scenic bus, fire crew transport, luxury limousine, off-road scenic charter, or children's activity bus motor vehicle driver to comply with a criminal history record check. Individuals convicted in this state or any other of a violent crime within the last ten years of the background check or of driving under the influence, driving with excessive alcoholic content, driving while ability impaired, or driving while an habitual user within the last two years are disqualified and prohibited from driving a motor vehicle for the aforementioned services.	Yes
SB07-006 Bill B	Redundant Railroad Crossings	Senate Bill 07-006 authorizes a railroad corporation, the state Transportation Commission, CDOT, or a local government responsible for supervising and maintaining the intersecting public highway or road to abolish any railroad crossing if: <ul style="list-style-type: none"> • the crossing is without gates, signals, alarm bells, or warning personnel and is located within a quarter-mile of a crossing with gates, signals, alarm bells, or warning personnel; • the crossing is not the only crossing that provides access to property; • proper notification of the proposed abolition is posted; and • no entity that was provided notice or any other interested party files an objection to the abolition. 	Yes
HB07-1020 Bill D	Motor Vehicle Temporary Tag Fraud	House Bill 07-1020 prohibits the Department of Revenue (DOR) from issuing more than two temporary registration number plates, tags, or certificates per year to any Class A or Class B motor vehicle. The bill authorizes the DOR to promulgate rules authorizing the issuance or more than two temporary registration number plates, tags, or certificates if the motor vehicle title work or lien perfection necessitate such issuance.	Yes
HB07-1019 Bill E	Carrier Exempt Public Utilities	House Bill 07-1019 removes the current definition of a luxury limousine from state law and transfers the responsibility of defining a luxury limousine from the legislature to the Public Utilities Commission.	Yes
HB07-1018 Bill F	Transportation Legislation Review Committee	House Bill 07-1018 expands the statutory charge of the TLRC to include oversight of the DOR's licensing of drivers and registration and titling of motor vehicles. The bill also expands the charge to include oversight over any state agency or political subdivision of the state that regulates motor vehicles or traffic.	Yes
Interim Session 2005 for Introduction during the 2006 Legislative Session			
HB06-1003 Bill A	Requirements for Private Toll Roads	House Bill 06-1003 requires a corporation formed for the purpose of constructing a private toll road to meet specified requirements before the toll road may be constructed or approved.	Yes
SB06-078 Bill B	Prohibit Eminent Domain for Private Toll Roads	Senate Bill 06-078 specifies that a private corporation formed for the purpose of constructing a private toll road may not have the power to use eminent domain, but may enter into an agreement with a public entity to enable the construction of a private toll road.	Yes

Table 1
Transportation Legislation Review Committee
Bills Approved by the Legislative Council - Interim Sessions 2003-2008 (continued)

Bill Letter/ Number	Bill Title	Brief Description of Bill	Became Law
Interim Session 2005 for Introduction during the 2006 Legislative Session			
HB06-1039 Bill C	Roadside Advertising at Comprehensive Developments	<p>House Bill 06-1039 allows a specified on-premise advertising device located within a comprehensive development to advertise any activity conducted in the comprehensive development. The bill defines a comprehensive development as a group of two or more lots used for commercial or industrial activities that:</p> <ul style="list-style-type: none"> • is located on one side of a highway; • consists of contiguous lots or parcels, with the exception of access roadways; • has an approved public and private improvement plan; • has common areas such as parking and landscaping; and • has an approved common ownership plan. 	Yes
SB06-010 Bill E	Commercial Vehicle Owner's Documentation	<p>Senate Bill 06-010 authorizes a company to file an express consent waiver enabling the company to designate a company representative to be party of interest in court for violation of the following:</p> <ul style="list-style-type: none"> • permits for longer vehicle combinations; • permits for excess size and weight vehicle combinations; and • permits for transporting hazardous materials. <p>The bill also clarifies that the appearance of the company representative in court covering the matter does not constitute the practice of law in violation of state law.</p>	Yes
HB06-1035 Bill F	Passenger Vehicles Railroad Crossings	<p>House Bill 06-1035 requires a commercial vehicle transporting passengers, a school bus, or a vehicle carrying hazardous materials to stop before crossing street-grade railroad tracks within a residential area.</p>	Yes
SB06-008 Bill G	Hazardous Materials Commercial Vehicles	<p>Senate Bill 06-008 requires motor vehicles that weigh less than 10,000 pounds and transport hazardous materials to meet the minimum standards for commercial vehicles. The bill also:</p> <ul style="list-style-type: none"> • repeals a provision prohibiting a peace officer who has not attained Level I inspection certification from enforcing the "Hazardous Materials Transportation Act of 1987;" • changes the penalty for violating certain hazardous materials rules from a Class 3 misdemeanor criminal offense to a Class 2 misdemeanor traffic offense; and • sets the penalty for such violation to \$250 with a \$33.30 surcharge. and doubles the penalty for a repeat offense that occurs within 12 months. 	Yes

Table 1
Transportation Legislation Review Committee
Bills Approved by the Legislative Council - Interim Sessions 2003-2008 (continued)

Bill Letter/ Number	Bill Title	Brief Description of Bill	Became Law
Interim Session 2004 for Introduction during the 2005 Legislative Session			
SB05-036 Bill A	Minor Passengers Minor Drivers	<p>Senate Bill 05-036 prohibits a minor driver who has held a license less than 6 months from transporting a passenger who is under 21 years of age. The bill also prohibits a minor driver who has held a license for less than one year from transporting more than one person under 21 years of age, with the following exceptions:</p> <ul style="list-style-type: none"> • if the motor vehicle also contains the minor's parent, legal guardian, or other responsible adult; • if the motor vehicle also contains a 21-year-old driver, or a driving instructor; • if the passenger is in the vehicle on account of a medical emergency; or • if all the passengers are members of the driver's immediate family. <p>Further, the bill prohibits a minor driver who has held a license for less than one year from driving between 12 midnight and 5 a.m., with the following exceptions:</p> <ul style="list-style-type: none"> • if the motor vehicle contains the minor's parent, legal guardian, or other responsible adult; • if the motor vehicle contains a 21-year-old driver, or a driving instructor; • if the driving is on account of a medical emergency; • if the driving is on account of school or a school-authorized activity when the school does not provide adequate transportation; • if the driving is on account of employment when necessary; or • if the minor is emancipated. <p>Finally, the bill imposes punishments for violating such prohibitions, including community service, fines, and license suspension points.</p>	Yes
HB05-1247 Bill B	Breast Cancer Awareness License Plate	House Bill 05-1247 creates the Breast Cancer Awareness special license plate, and sets requirements for the issuance of the plate.	Yes
HB05-1004 Bill C	Good Samaritan Law for Employers of Truckers	House Bill 05-1004 would have exempted an employer from civil liability for acts or omissions made by an employee while rendering emergency care or assistance.	No
SB05-009 Bill D	Increase Fine for Human Waste Dumping	Senate Bill 05-009 increases the fine for illicit disposal of containers of human waste upon or along a state highway from a fine of \$35 plus a \$2.50 surcharge to a flat fine of \$500.	Yes

Table 1
Transportation Legislation Review Committee
Bills Approved by the Legislative Council - Interim Sessions 2003-2008 (continued)

Bill Letter/ Number	Bill Title	Brief Description of Bill	Became Law
Interim Session 2003 for Introduction During the 2004 Legislative Session			
HB04-1036 Bill D	Restrictions on Minor Passengers in Vehicles	House Bill 04-1036 would have prohibited minor drivers from driving with minor passengers with specified exemptions.	No
HB04-1025 Bill E	New Diesel Vehicle Emissions Inspections	House Bill 04-1025 exempts a new diesel vehicle from an emissions inspection when sold, unless the current emissions certificate expires within 12 months.	Yes
HB04-1019 Bill F	Public Airport Authority Contracts	House Bill 04-1019 requires a public airport authority to invite bids and award a contract for the construction of works, structures, or equipment or the performance or furnishing of labor, materials, or supplies to the lowest bidder if the value of the contract is \$50,000 or more.	Yes
HB04-1021 Bill G	Concerning the Consumption of Alcohol	House Bill 04-1021 lowers the presumptive blood alcohol content limit for driving under the influence from 0.10 grams to 0.08 grams. The bill also permits local governments to adopt an ordinance or resolution authorizing tastings subject to certain limitations; increases to \$1,000 the amount of malt, vinous, and spiritous liquors that a hotel and restaurant licensee may annually purchase from a retail liquor store; and authorizes a hotel or restaurant to permit a customer to reseal and remove from the premises one opened container of partially consumed vinous liquor.	Yes
SB04-004 Bill I	Statewide Tolling Enterprise	Senate Bill 04-004 clarifies the division of responsibilities between the Board of the Statewide Tolling Enterprise and the Transportation Commission with respect to the operation of the tolling enterprise.	Yes
HB04-1033 Bill J	Logo Signs on Interstate Highways	House Bill 04-1033 allows CDOT to erect, maintain, and administer information signs within a populated area except in a federally defined "transportation management area." Such areas are designated by the U.S. Department of Transportation to establish comprehensive transportation programming and planning.	Yes

Table 1
Transportation Legislation Review Committee
Bills Approved by the Legislative Council - Interim Sessions 2003-2008 (continued)

Bill Letter/ Number	Bill Title	Brief Description of Bill	Became Law
Interim Session 2003 for Introduction During the 2004 Legislative Session			
HB04-1017 Bill L	Graduated Drivers' Licenses	<p>House Bill 04-1017 addresses graduated driver's, specifically the bill:</p> <ul style="list-style-type: none"> • raises from 6 months to 1 year the required holding period for an instruction permit before a minor may obtain a driver's license; • raises from 15.5 years to 16 years old the age when a person may obtain an instruction permit without first meeting any driver's educational requirements; and • authorizes a person who is 15.5 years old to obtain an instruction permit if such person has completed a pre-qualification driver awareness program. <p>The bill also:</p> <ul style="list-style-type: none"> • authorizes stepparents to assume liability for minor drivers, sign for instruction permits, and accompany certain minors with instruction permits; and • instructs the commissioner of insurance to report to the General Assembly the effect of graduated drivers' licenses on insurance premiums. 	Yes
SB04-027 Bill M	Recodify Motor Vehicle Statutes	Senate Bill 04-027 would have recodified Articles 3 and 6 of Title 42, regarding motor vehicle titling, registration, and licensing, and amend provisions in Articles 2 and 4 of Title 42, regarding driver's licensing and traffic law, of the Colorado Revised Statutes.	No
HB04-1034 Bill N	Internet Renewal of Drivers' Licenses	<p>House Bill 04-1034 allows drivers to renew a driver's license through the Internet. Specifically, the bill:</p> <ul style="list-style-type: none"> • allows a driver to renew his or her driver's license via the Internet when the driver is at least 21 years of age but under 61 years of age; • allows the (DOR) to promulgate rules to implement internet renewals; • requires the DOR to submit to the Commission on Information and Technology the DOR's plan for implementing internet renewal of driver's licenses; • requires the DOR to develop and implement information security programs; and • requires the DOR to report to the Transportation Legislation Review Committee the steps taken to accomplish internet renewals. 	Yes
SB04-012 Bill O	Interlock Devices Drivers' Licenses	Senate Bill 04-012 removes the requirement that a court or peace officer provide information that authorizes the DOR to revoke a license for tampering with a required interlock device.	Yes

Table 1
Transportation Legislation Review Committee
Bills Approved by the Legislative Council - Interim Sessions 2003-2008 (continued)

Bill Letter/ Number	Bill Title	Brief Description of Bill	Became Law
Interim Session 2003 for Introduction During the 2004 Legislative Session			
HB04-1231 Bill P	Commercial Drivers' License Act Updates	<p>House Bill 04-1231 addresses commercial drivers' licenses, specifically the bill directs the DOR to adopt any licensing sanction imposed by federal statutes or rules governing commercial motor vehicle safety.</p> <p>The bill also requires the DOR to maintain for at least 3 years records of a commercial driver's license application, convictions, disqualifications, and licensing actions affecting commercial driving privileges. The DOR must share the information with law enforcement authorities, the federal Secretary of Transportation, prospective employers, and the applicant upon request.</p> <p>Finally, the bill prohibits the issuance of a commercial driver's license to any person who is subject to a federal disqualification order; allows fingerprinting of an applicant for a hazardous materials endorsement; and prohibits the holder of a commercial driving learner's permit from obtaining a hazardous materials endorsement.</p>	Yes

**Table 2
TLRC Bills Not Approved by the Legislative Council 2003 to 2008**

Bill Letter	Title	Brief Description of Bill as Presented to the Legislative Council
Interim Session 2008		
All bills approved.		
Interim Session 2007		
Bill G	Heavy-Duty Diesel Vehicle Emissions Test	The TLRC recommended Bill G to repeal the requirement for emissions testing of newer heavy-duty diesel vehicles for introduction during the 2008 legislative session, however, at the request of the bill's sponsor, the chair withdrew the bill from consideration at the Legislative Council Committee meeting. No motion was made to approve the bill for the 2008 legislative session.
Interim Session 2006		
Bill C	Repeal CDOT Full-time Employee Cap	Bill C was not approved by the Legislative Council Committee as an interim committee bill. However the bill was introduced as a regular bill and signed into law. The bill eliminates CDOT's statutory full-time employee cap which was set at 3,316.
Interim Session 2005		
Bill D	Driver's License Persistent Drunk Driver	Bill D would have required the driver's license held by a persistent drunk driver indicate for a 5-year period that the holder is a persistent drunk driver.
Interim Session 2004		
Bill E	Drivers' Licenses	<p>Bill E would have addressed minor drivers, motorcycle instruction permits, and renewing drivers' licenses by mail. Specifically, the bill would have:</p> <ul style="list-style-type: none"> • standardized the periods of license revocation so that minors without licenses receive the same revocation as licensed drivers; • authorized a grandparent to sign a statement certifying that the minor is enrolled in a driver education course, supervise the minor driver on the road, and sign an application for the minor to receive a minor's instruction permit; • specified that a motorcycle instruction permit is valid for three years; • clarified that a sworn statement of a person's social security number is made under penalty of perjury; • lowered the age limit from 66 to 61 years of age when a person may no longer renew a driver's license by mail; and • authorized the Department of Revenue to return a driver's license if it determined the license was erroneously canceled.

Table 2
TLRC Bills Not Approved by the Legislative Council 2003 to 2008 (continued)

Bill Letter	Title	Brief Description of Bill as Presented to the Legislative Council
Interim Session 2003		
Bill A	Prevention of Spilling of Material from Vehicles	Bill A would have increased the penalty for the violation of illegally spilling material from a vehicle.
Bill B	Abandoned Motor Vehicles at Motor Vehicle Repair Shops	Bill B would have established a process for a motor vehicle repair shop at which a motor vehicle worth \$2,000 or less has been abandoned.
Bill C	Driver's License Fee Distribution	Bill C would have changed the distribution amounts allotted to counties and to the state from driver's license fees.
Bill H	Motor Vehicle Open Container	Bill H would have made it a Class A traffic infraction for a person to knowingly possess or drink an open alcoholic beverage in the passenger area of a motor vehicle.
Bill K	Safety Belt Violations Fines	Bill K would have raised the fine for driving without a safety belt or for failing to use an appropriate child restraint; required the Colorado Department of Transportation (CDOT) to expend additional collected moneys on programs that encourage the use of motor vehicle safety belts and appropriate child restraints; and required CDOT to annually report expenditures to the Joint Budget Committee.