

# TELECOMMUNICATIONS

## HB21-1109

### Broadband Board Changes to Expand Broadband Service

[leg.colorado.gov/bills/hb21-1109](http://leg.colorado.gov/bills/hb21-1109)

This act moves the Broadband Deployment Board from the Department of Regulatory Agencies to the Office of Information Technology (OIT), in the Governor's Office, and modifies the membership and duties of the board. Upon signature of the Governor, the board and the Broadband Administrative Fund will be housed in the Office of Information Technology. Effective September 1, 2021, the membership of the board is reduced from 16 to 11 members. Membership of the board will still include three members representing local governments, including one representing municipalities. The act directs the board to establish an annual Request for Proposals (RFP) process to award grants to critically underserved areas of the state, as identified by OIT. Critically unserved is defined as a household or area that lacks access to at least one non-satellite provider of broadband service delivered at measurable speeds of either at least 10 megabits per second downstream and one megabit per second upstream or at measurable speeds at least equal to one-half of the minimum measurable speeds that qualify as broadband under the FCC definition, whichever is faster. Local governments, including municipalities, are eligible to apply for the grants through the RFP process to improve internet access in unserved areas. **Effective: July 7, 2021.** Lobbyist: Meghan MacKillop.

## HB21-1236

### State Information Technology

[leg.colorado.gov/bills/hb21-1236](http://leg.colorado.gov/bills/hb21-1236)

The act modifies statutes pertaining to the Office of Information Technology (OIT), the Colorado Cybersecurity Council, and the Joint Technology Committee. A municipal representative will be appointed to the Cybersecurity Council and help the council create a whole of state approach to cybersecurity efforts. The act will help local governments respond to ransomware and cybersecurity attacks. **Effective: September 7, 2021.** Lobbyist: Meghan MacKillop.

## HB21-1289

### Funding for Broadband Deployment

[leg.colorado.gov/bills/hb21-1289](http://leg.colorado.gov/bills/hb21-1289)

The act codifies the Colorado Broadband Office in the Office of Information Technology (OIT) to serve as the central broadband policy coordination body for the state. The act also funds grant programs to support broadband infrastructure using federal relief funds from the American Rescue Plan Act of 2021 (ARPA). The broadband office is required to provide technical assistance to grant applicants develop a statewide plan to encourage broadband access and usage, collect broadband data, update maps to measure broadband

deployment progress, and coordinate with various stakeholders, including local governments, to expand broadband access statewide. Four grant programs are funded through the act – the Digital Inclusion, Broadband Stimulus, Interconnectivity, and Connecting Colorado Students. Local governments are able to apply for grant funding through the programs; however, projects funded through the Broadband Stimulus Grant Program and Interconnectivity Grant Program must comply with ARPA standards. A total of \$75 million is appropriated from the Economic Recovery and Relief Cash Fund created in SB21-291 to fund the grant programs. The act is effective July 7, 2021 or on the effective date of SB21-291, whichever is later, except that Section 5 of this act takes effect on September 7, 2021.

**Effective: July 7, 2021.** Lobbyist: Meghan MacKillop.

## SB21-060

### Expand Broadband Service

[leg.colorado.gov/bills/sb21-060](http://leg.colorado.gov/bills/sb21-060)

The act directs the Colorado Broadband Office in the Office of Information Technology (OIT) to contract with a nonprofit organization to create a reimbursement program subsidizing certain households for broadband service, based on household income and local broadband accessibility, or to provide another form of payment assistance, if the office and the nonprofit organization determine that a reimbursement program is not cost-effective. The office must submit an annual report beginning February 1, 2022, to the Governor, the Joint Budget Committee, and the Joint Technology Committee, and the program is repealed September 1, 2026. The act authorizes the office to use up to \$5 million from the Digital Grant Inclusion Program created by HB21-1289 to implement the program that would otherwise be used for telehealth services. Of that, up to \$500,000 may be used to cover the direct and indirect administrative costs of the office and the nonprofit organization. If the office is unable to find a nonprofit organization to administer the program, the program will not be implemented, and the funds will again be available for telehealth services. The act is effective one day after the effective date of HB21-1289 or SB21-291, whichever is later. **Effective: June 27, 2021.** Lobbyist: Meghan MacKillop.

# TRANSPORTATION

## SB21-110

### Fund Safe Revitalization of Main Streets

[leg.colorado.gov/bills/sb21-110](http://leg.colorado.gov/bills/sb21-110)

This act funds the Revitalizing Main Streets Program in the Colorado Department of Transportation. Within the program there are two grant programs that are available to local governments: Larger Safety Infrastructure Grants and Small Multimodal and Economic Resiliency Project Grants. The Revitalizing Main Streets Program also received funding from SB21-260, which funds transportation projects statewide.

**Effective: March 19, 2021.** Lobbyist: Meghan MacKillop.

## HB21-1138

### Restrict Off-highway Vehicles on Public Roads

[leg.colorado.gov/bills/hb21-1138](http://leg.colorado.gov/bills/hb21-1138)

Under this act, off-highway vehicles registered or titled in other states or jurisdictions are subject to the same restrictions on public streets, roads, or highways as those that are registered or titled in Colorado. **Effective: May 7, 2021.**

Lobbyist: Meghan MacKillop.

## HB21-1186

### Regional Transportation District Operation

[leg.colorado.gov/bills/hb21-1186](http://leg.colorado.gov/bills/hb21-1186)

The act removes several requirements and restrictions related to powers of the Regional Transportation District (RTD). Under the law, RTD is able to enter into contracts with nonprofit organizations and local governments for provision of vehicle services. To the extent that local governments contract with RTD for vehicle services, revenue and expenditures may increase. The act also expands the authority of RTD to co-locate retail, commercial and residential development at park-and-ride sites and other transfer stations. **Effective: September 7, 2021.**

Lobbyist: Meghan MacKillop.

## HB21-1245

### On-track Equipment Railroad Crossings

[leg.colorado.gov/bills/hb21-1245](http://leg.colorado.gov/bills/hb21-1245)

Under current law, motor vehicle drivers are required to safely interact with railroad crossings in relation to train traffic, including stopping at crossings to look for approaching trains and not obstructing the passage of trains. Drivers of other vehicles, like buses, are required to stop at all railroad crossings to listen and look for approaching trains, unless this requirement has been exempted by local or state authorities on an official sign. This bill extends these provisions to non-train equipment that operates on railroad tracks. On-track maintenance equipment has evolved into “train-like” machines, presenting similar dangers of trains, and this equipment does not always activate crossing gates where they are utilized. **Effective: September 7, 2021.** Lobbyist: Meghan MacKillop.

## SB21-238

### Create Front Range Rail District

[leg.colorado.gov/bills/sb21-238](http://leg.colorado.gov/bills/sb21-238)

The act creates the Front Range Passenger Rail District, which will extend from Wyoming to New Mexico, including:

- the cities and counties of Denver and Broomfield;
- all areas within Adams, Arapahoe, Boulder, Douglas, El Paso, Huerfano, Jefferson, Larimer, Las Animas, Pueblo, and Weld counties that are located within the territory of a metropolitan planning organization;
- all areas within Huerfano, Las Animas, and Pueblo counties that are outside of a metropolitan planning organization but inside a county precinct located within five miles of the

Interstate 25 right-of-way; and

- all areas within Larimer and Weld counties that are outside of a metropolitan planning organization, but inside a county precinct north of the city of Fort Collins and within five miles of the I-25 right-of-way.

The district is granted authority to plan, design, develop, finance, construct, operate, and maintain a new interconnected passenger rail system. This authority will include the power to exercise taxing authority, levy a sales and use tax of up to 0.8%, collect fares and fees, and issue bonds; exercise imminent domain; create station improvement districts near existing and proposed passenger rail stations; enter into public-private partnerships; provide retail and commercial goods and services at passenger rail stations; and employ its own personnel or contract with other entities for operation and maintenance of the system. The new district will be governed by a board of directors with appointees from transportation planning organizations that have jurisdiction in the new district, as well as by the Governor and the Department of Transportation. Upon approval by registered voters in the new district, a sales and use tax may be levied to fund the rail system. Additionally, \$2.5 million is appropriated to fund the development of the rail system via SB21-260, which funds transportation projects throughout the state. Southwest Chief and Front Range Passenger Rail Commission are both repealed effective May 15, 2022. **Effective: June 30, 2021.** Lobbyist: Meghan MacKillop.

## SB21-260

### Sustainability of the Transportation System

[leg.colorado.gov/bills/sb21-260](http://leg.colorado.gov/bills/sb21-260)

This act represents the largest transportation funding package in state history. Among many other things, the act will increase the amount of money available for HUTF distributions to counties and municipalities over time, as explained in greater detail below. The act creates new sources of dedicated funding for the state's transportation system and creates new enterprises to support the development of that system. New sources of funding come from new fees for users of transportation infrastructure, including fees for purchases of gasoline and diesel fuel, retail deliveries, passenger ride services, electric motor vehicle registrations, and short-term vehicle rentals. The new fees on gasoline and diesel fuel are phased in beginning July 2022 through July of 2031. All other fees are implemented starting in July 2022. The act indexes new and existing fees either to inflation or to the national highway construction costs index (NHCCI) and temporarily reduces road safety surcharges on vehicle registrations in 2022 and 2023. The reduction in revenue from the temporary reduction in vehicle registration fees is supplemented through General Fund dollars. The act creates four new state enterprises and modifies the existing state bridge enterprise originally created in 2009 to cover improvements to tunnels as well as bridges. The enterprises are authorized to impose fees on retail deliveries, passenger ride services from transportation network companies, or both, and to issue revenue bonds. Beginning

July 1, 2022, CDOT and the Transportation Commission are required to implement new procedures and guidelines for regionally significant transportation capacity projects that account for the impacts these projects will have on statewide greenhouse gas emissions and vehicle miles traveled. The new procedures and guidelines must evaluate the environmental and health impacts of significant projects on disproportionately impacted communities and be incorporated into future ten-year plans. Additionally, the act authorizes transportation planning organizations to exercise the powers of a regional transportation authority, and contains several other provisions concerning transportation projects throughout the state. The act also makes one-time transfers to fund transportation projects. In the current FY 2020-21, the act makes one-time transfers totaling \$380 million from federal American Rescue Plan Act funds to the State Highway Fund, the Highway Users Tax Fund (HUTF), and the Multimodal Transportation and Mitigation Options Fund (Multimodal Options Fund). The act then makes an additional transfer of \$170.0 million from the General Fund to the State Highway Fund in FY 2021-22. \$36.5 million in federal funds is transferred to the HUTF and allocated entirely to local governments. These transfers will occur on June 30, 2021. For FY 2024-25 through FY 2031-32, annual transfers from the General Fund to the Multimodal Options Fund and the State Highway Fund, for purposes of funding the Revitalizing Main Streets Program, will occur. Revenue deposited or transferred to the HUTF is allocated to the State Highway Fund for expenditure at the discretion of the Transportation Commission and to local governments. Revenue collected in the HUTF through new fees is allocated in shares of 60% for the State Highway Fund, 22% for counties, and 18% for municipalities. Revenue that is transferred to the HUTF from the General Fund or another cash fund is allocated in shares of 55% for counties and 45% for municipalities. **Effective: June 17, 2021.** Lobbyist: Meghan MacKillop.

## UTILITIES

### HB21-1052

#### Define Pumped Hydroelectricity as Renewable Energy

[leg.colorado.gov/bills/hb21-1052](http://leg.colorado.gov/bills/hb21-1052)

Under the renewable energy standard, each electricity provider in the state, other than municipally owned utilities that serve 40,000 customers or fewer, is required to obtain a minimum percentage of their electricity from eligible energy resources. This bill would allow those utilities to use hydroelectricity generation as a source of renewable energy. The pumped hydroelectricity generation must not combust fossil fuel to pump water, cannot be located on a natural waterway, and must not impact any decreed instream flow or cause violations of state water quality standards. The generation also should include measures to prevent fish mortality in the pumping facility.

**Effective: September 7, 2021.** Lobbyist: Meghan MacKillop.

### HB21-1238

#### Public Utilities Commission Modernize Gas Utility Demand-side Management Standards

[leg.colorado.gov/bills/hb21-1238](http://leg.colorado.gov/bills/hb21-1238)

The act revises requirements of gas utility demand-side management (DSM) programs beginning in 2022. DSM programs aim to reduce end-use natural gas consumption in a cost-effective manner, and are defined as programs that support energy efficiency, conservation, and load management. Since 2008, Colorado's gas utilities are required to implement cost-effective DSM programs for full-service customers. Gas utilities have the discretion of managing their portfolio of DSM programs to ensure cost effectiveness and to meet energy savings targets. Under the act, the Public Utilities Commission (PUC) is required to consider the avoided costs to ratepayers resulting from reduced consumption of natural gas when considering cost-effectiveness of DSM programs. Avoided costs must include carbon dioxide and methane emissions based on the most recent federal assessment on the social costs of carbon and methane. **Effective: September 7, 2021.** Lobbyist: Meghan MacKillop.

### HB21-1269

#### Public Utilities Commission Study of Community Choice Energy

[leg.colorado.gov/bills/hb21-1269](http://leg.colorado.gov/bills/hb21-1269)

Community Choice Energy (CCE) is a mechanism that allows cities, counties, or groups of cities and counties to combine their purchasing power and choose alternative electricity suppliers. The act directs the Public Utilities Commission (PUC) to evaluate the viability of the wholesale, opt-out model of CCE in Colorado. The PUC should open an investigatory proceeding by January 15, 2022, to consider the regulatory and legal implications of CCE and provide recommendations to the General Assembly. The PUC must submit a final report to the General Assembly by December 15, 2022. **Effective: June 25, 2021.** Lobbyist: Meghan MacKillop.

### SB21-072

#### Public Utilities Commission Modernize Electric Transmission Infrastructure

[leg.colorado.gov/bills/sb21-072](http://leg.colorado.gov/bills/sb21-072)

The act expands electric transmission facilities in the state by creating the Colorado Electric Transmission Authority (CETA). CETA is granted various powers in the act, including the power to exercise eminent domain, and to establish intra- and interstate electric transmission corridors. CETA is governed by a board of directors and is authorized to select a transmission operator that finances, operates, and maintains transmission and related facilities. Transmission utilities are required to join an organized wholesale market by 2030. The act streamlines the Public Utilities Commission's (PUC) approval process for new transmission facilities, directing the PUC to issue a final order within 240 days after a utility's application to build

developments, including housing for disabled seniors, transitional housing developments, and other housing developments serving low-income residents. Current state law allows a 15-year exemption. The act allows the exemption for 15 additional years, or 30 years total, for properties that qualify for an extended use period income tax credit under the federal internal revenue code. **Effective: June 7, 2022.** Lobbyist: Meghan Dollar.

## HB22-1406

### Qualified Retailer Retain Sales Tax

<https://leg.colorado.gov/bills/hb22-1406>

The act renews for July 2022, August 2022, and September 2022, after a 10-month hiatus, a temporary deduction from state net taxable sales for qualifying retailers in the alcoholic beverages drinking places industry, the catering industry, the food service contractor's industry, the mobile food services industry, the restaurant and other eating places industry, and retailers operating a hotel-operated restaurant, bar, or catering service in the state. The temporary deduction from state taxable sales for qualifying retailers is equal to the lesser of state net taxable sales or \$70,000 for each month in the specified sales tax period. **Effective: June 3, 2022.** Lobbyist: Meghan Dollar.

## SB22-026

### Oil and Gas Operator Property Tax

<https://leg.colorado.gov/bills/sb22-026>

Under current law, a county assessor is required to send a notice of valuation of personal property to the operator of each oil and gas wellsite. If there is no operator, the notice of valuation must be sent to the owner who has filed a statutorily required statement with the assessor. This act states that oil and gas fractional interest owners are not entitled to separate valuation, notification, review, audit, protest, abatement, or appeal procedures by the assessor. Further, it designates the wellsite operator, or the owner who filed the statement, as the representative of all fractional interest owners and the exclusive point of contact for the assessor for such procedures. **Effective: March 30, 2022.** Lobbyist: Meghan Dollar.

## SB22-032

### Simplify Local Sales and Use Tax

<https://leg.colorado.gov/bills/sb22-032>

The act requires that the Department of Revenue collect sufficient information from relevant retailers that use the sales and use tax simplification system (SUTS) and make that information available to local taxing jurisdictions to ensure the concerns of local jurisdictions related to efficiency, compliance, and revenue collection are addressed.

Relevant retailers are those that:

- Use SUTS;
- Have a state standard retail license; and
- Either do not have a physical presence, or have only an incidental physical presence, in the local taxing jurisdiction.

The department must make the changes by July 1, 2023, and consult with local taxing jurisdictions and retailers in making system modifications. The bill clarifies that the department must report required information with each municipality or county, including home rule municipalities.

On or after July 1, 2022, a local taxing jurisdiction may not charge a fee for a general business license to relevant retailers within the jurisdiction. If the local jurisdiction requires a general business license, it must automatically issue the license at no charge using the information collected in SUTS, except that a local jurisdiction is not required to issue a license if it has previously revoked the retailers' general business license for a violation of local code. **Effective: April 21, 2022.** Lobbyist: Meghan Dollar.

## SB22-238

### 2023 and 2024 Property Tax

<https://www.leg.colorado.gov/bills/sb22-238>

For the 2023 and 2024 property tax years, the act reduces property tax assessment rates and the actual value to which the rate applies in differing amounts, depending on the class of property. The act provides for reimbursement for revenue reductions to local governments except school districts.

**Effective: May 16, 2022.** Lobbyist: Meghan Dollar.

# TRANSPORTATION

## HB22-1004

### Driver License Fee Reduction

<https://leg.colorado.gov/bills/hb22-1004>

\$3.9 million is transferred to the Licensing Services Cash Fund to avoid increasing the current driver license fee. **Effective: May 16, 2022.** Lobbyist: Meghan MacKillop.

## HB22-1026

### Alternative Transportation Options Tax Credit

<https://leg.colorado.gov/bills/hb22-1026>

The act eliminates the current corporate income tax deduction for expenses incurred to provide alternative means of transportation for employees and replaces it with a new refundable tax credit equal to 50 percent of expenditures incurred by employers to provide alternative transportation options starting in 2023. Municipal employers may claim the tax credit by filing a corporate income tax return for each income tax year that the municipality claims the credit. A single employer is limited to annual tax credit of \$250,000, and the maximum amount that an employer can claim for a single employee is \$2,000. Alternative transportation includes free or partially subsidized mass transit, free or partially subsidized ridesharing vans, and guaranteed ride home programs. **Effective: January 1, 2023.** Lobbyist: Meghan MacKillop.

## HB22-1043

### Motorcycle and Autocycle Definitions

<https://leg.colorado.gov/bills/hb22-1043>

The act creates a distinct definition for autocycles and makes changes to the current definition of a motorcycle. It also clarifies that the driver of an autocycle does not need a motorcycle endorsement and that certain exceptions to the use of eye protection and helmets apply to autocycle operators. Autocycles are no longer subject to a \$2 license fee and \$4 registration fee for motorcycle operator safety training but will otherwise continue to pay the same taxes and fees for licensing, titling, and registration, and will continue to use motorcycle license plates. Finally, the bill expands the definition of vulnerable road user to include autocycles. Municipalities should consider updating local traffic ordinances to conform with these new definitions. **Effective: August 10, 2022.** Lobbyist: Meghan MacKillop.

## HB22-1046

### Local Designation of Over-snow Use Only Highways

<https://leg.colorado.gov/bills/hb22-1046>

Current law allows local governments to regulate the operation of vehicles on designated highways under their jurisdiction, including prohibiting vehicle operations or imposing weight restrictions on local highways for a maximum period of 90 days in any one calendar year. The act extends that authority and allows local governments to designate highways under their jurisdiction for over-snow use only for a continuous seasonal period or when snow-packed conditions exist. Over-snow use includes travel on top of snow by human- or animal-powered means, or by an off-highway vehicle designed primarily for use over snow. The operation of restricted vehicles on highways in violation of a local ordinance is a class B traffic offense subject to a \$35 fine and a \$10 surcharge. **Effective: April 10, 2022.** Lobbyist: Meghan MacKillop.

## HB22-1162

### Motor Vehicle Digital Plates

<https://leg.colorado.gov/bills/hb22-1162>

Starting in FY 2022-23, the act allows Colorado vehicle owners to use digital license plates instead of the metal plates issued by the Department of Revenue (DOR). The digital plates must display the vehicle's registration and expiration date and be clearly visible from one hundred feet in normal sunlight. DOR may allow messages to be displayed on digital plates in addition to other functionality made possible using digital technology and must coordinate with the Colorado State Patrol to adopt rules that set standards and requirements for the use of digital license plates. The DOR must review the implementation of digital plates after one year and submit a report with comments and recommendations to the General Assembly. Local governments must update policies and procedures to reflect changes in allowable usage of digital license plates and ensure that any automated systems they oversee or operate, including

red light camera systems, are updated to properly read and capture information from the digital license plates. **Effective: August 10, 2022.** Lobbyist: Meghan MacKillop.

## HB22-1254

### Vehicle Taxes and Fees Late Registration

<https://leg.colorado.gov/bills/hb22-1254>

Vehicle owners in Colorado are required to title and register their vehicle within 60 days of purchase, or within 90 days of becoming a state resident, and must renew their registration annually. When a vehicle owner does not register their vehicle on time, the Department of Revenue (DOR) assesses \$25 in late fees for each month late, up to a maximum of \$100, and a person may be charged prorated Specific Ownership Tax (SOT). The act requires vehicle owners to pay prorated registration fees and non-SOT taxes from the date they were required to register their vehicle, in addition to standard late fees. It also requires temporary registration permit holders to start paying late fees and directs the DOR to adjust other registration fees on a temporary basis, subject to certain restrictions, to reduce local revenue and state revenue that is subject to TABOR because of the bill. The act also requires new residents to provide documentation of their vehicle's previous registration and evidence of their Colorado residency date when registering their vehicle with the DOR. If a vehicle owner fails to register their vehicle within 90 days of becoming a resident, they must pay prorated taxes and fees from the date the person became a resident to the date of vehicle registration. Back taxes and fees are not charged if the owner's vehicle is Class A personal property, which includes trucks, truck tractors, trailers, and semitrailers used to transport people or property as an interstate commercial carrier. The act removes the current exemption of late registration fees for temporary registration permit holders and reduces Age of Vehicle fees, which are additional registration fees that are credited to the Highway Users Tax Fund (HUTF) based on the age of a vehicle. The municipal distribution of HUTF may see a slight decrease initially; however, the act is expected to be revenue neutral for municipalities. **Effective: January 1, 2023.** Lobbyist: Meghan MacKillop.

## HB22-1028

### Statewide Regulation of Controlled Intersections

<http://leg.colorado.gov/bills/hb22-1028>

The act establishes uniform statewide requirements that allow bicycles, electric-assisted bicycles, electric scooters, and other non-motorized vehicles to make safety stops at intersections throughout the state. A safety stop means slowing to a speed of 10 miles per hour or less, and then continuing through an intersection without stopping if there is no traffic in which to yield. If a municipality has placed a traffic sign or signal with directions for a person on a bicycle or other non-motorized vehicles, the person must obey those instructions. HB22-028 also requires the Department of Transportation, in collaboration with other agencies and non-government entities, to develop educational materials concerning legal requirements and safe practices for approaching controlled intersections.

Municipalities should consider updating local ordinances to conform with this law. **Effective: April 15, 2022.** Lobbyist: Meghan MacKillop.

## **HB22-1338**

### **Modification Department of Revenue Motor Vehicle-related Functions Funding**

<https://leg.colorado.gov/bills/hb22-1338>

The Hearings Division and the Division of Motor Vehicles in the Department of Revenue currently receive funds from the Licensing Services Cash Fund, which is funded by the Marijuana Tax Cash Fund. According to analysis from the Office of State Budget and planning, the Marijuana Cash Tax Fund is over appropriated, and the division must receive funding for administrative hearings and the administration of the DRIVES program from another source. HB22-1338 shifts \$1.26 million in appropriations for these purposes to the “Off the Top” portion of the Highway Users Tax Fund for one year only. **Effective: April 25, 2022.** Lobbyist: Meghan MacKillop.

## **HB22-1351**

### **Temporarily Reduce Road User Charges**

<https://leg.colorado.gov/bills/hb22-1351>

The act delays the implementation of the road user fee created by SB21-260 until April 2023. Municipalities will receive \$14.1 million for Highway Users Tax Fund backfill to compensate for the loss in revenue. **Effective: May 18, 2022.** Lobbyist: Meghan MacKillop.

## **HB22-1388**

### **Vehicle Registration and Certificate of Title**

<https://leg.colorado.gov/bills/hb22-1388>

The bill makes various changes to vehicle title and registration regulations, including:

- When a vehicle is registered for less than a year and the owner owns multiple vehicles, the vehicle registrations can be set to expire at the same time, as long as the owner pays prorated surcharges, taxes and fees;
- Late registration fees for trailer coaches are set at the same rate as campers and multipurpose trailers;
- Distinctive special license plates, group special license plates, and special alumni license plates may be transferred after purchase of a vehicle;
- Trailer coach owners must pay \$16 annually for the road safety surcharge and \$13 annually for the bridge safety surcharge; and
- Lienholders are no longer required to certify copies of lien documents, and lien filings are no longer public records.

The act also allows the owner of an inoperable vehicle undergoing maintenance, repair, restoration, rebuilding, or renovation on private property to not pay fees or surcharges if they receive evidence of registration and attach it to their vehicle. However, owners of inoperable vehicles must still pay

an annual specific ownership tax. **Effective: August 10, 2022.** Lobbyist: Meghan MacKillop.

## **SB22-017**

### **Fluid Milk Products Not Divisible Load**

<http://leg.colorado.gov/bills/sb22-017>

Federal law considers a vehicle carrying fluid milk products to be a load that cannot be easily dismantled or divided and exempts such loads from certain interstate and highway weight restrictions if they have been issued special permits in accordance with applicable state laws. The Colorado Department of Transportation currently has a rule that classifies bulk fluid milk products as a non-divisible load, which is narrower than the definition in federal law. The act clarifies that a load of fluid milk product carried by a vehicle is considered non-divisible for rulemaking purposes to conform to provisions in federal law concerning highway vehicle weight limitations. Municipalities should consider updating local traffic ordinances to conform with this law. **Effective: March 3, 2022.** Lobbyist: Meghan MacKillop.

## **SB22-108**

### **Altered Truck Weight Documents**

<http://leg.colorado.gov/bills/sb22-108>

Under current law, owners of trucks weighing between 4,500 and 10,000 pounds must present a manufacturer's certificate of origin or a certified scale ticket at the time of registration to determine weight-based fees. This act clarifies that a certified scale ticket must only be presented if the truck has been modified to change the weight of the truck by 300 pounds or more. The bill also requires certified vehicle weighers to include a vehicle's identification number, year of manufacture, and make on a weight certificate when establishing the weight of a truck that has been modified with a changed weight of 300 pounds or more for registration purposes. To the extent that the act encourages disclosures of vehicle weight changes, it may increase local Highway User Tax Fund revenue from base registration fees, as well as the Bridge Safety and Road Safety surcharges. **Effective: August 10, 2022.** Lobbyist: Meghan MacKillop.

## **SB22-176**

### **Early State Front Range Passenger Rail Funding**

<http://leg.colorado.gov/bills/sb22-176>

The Front Range Passenger Rail District was established by Senate Bill 21-238 to implement an interconnected passenger rail system along the Interstate 25 corridor. The act transfers money from the General Fund to support development of the Front Range Passenger Rail corridor, including funding for rail district operations and to develop the Burnham Yard property, which will be used to consolidate and expand rail lines in the Front Range Passenger Rail corridor through Denver. Development of the Burnham Yard property will include development planning, conceptual design work, analysis of impacts to surrounding communities, and stakeholder engagement related to moving the existing rail line. This work

is required by the Federal Railroad Administration before a full National Environmental Policy Act analysis can occur. **Effective: June 7, 2022.** Lobbyist: Meghan MacKillop.

## SB22-179

### Deter Tampering Motor Vehicle Emission Control System

<http://leg.colorado.gov/bills/sb22-179>

Starting on January 1, 2024, the bill prohibits a person from:

- Tampering with an emission control system;
- Selling, advertising, manufacturing, installing, or using a motor vehicle part that bypasses the emission control system;
- Selling, leasing, or renting a motor vehicle with an emission control system that has been tampered with, unless the vehicle is sold wholesale and the owner has the applicable ownership document; and
- Operating a motor vehicle with an emission control system that has been tampered with and the vehicle has been granted a certificate of conformity under federal law and the person knew the system was tampered with.

The act establishes civil penalties for persons who violate the bill and allows the Attorney General to bring civil action against individuals. The act also allows licenses for motor vehicle dealers, wholesale motor vehicle auction dealers, wholesalers, buyers agency, or used motor vehicle dealers to be denied suspended, or revoked for selling a motor vehicle that is not equipped with a properly functioning emission control system. **Effective: August 10, 2022.** Lobbyist: Meghan MacKillop.

## SB22-180

### Programs to Reduce Ozone Through Increased Transit

<http://leg.colorado.gov/bills/sb22-180>

The act appropriates \$28 million to provide free public transit in the summer of 2022 and the summer of 2023 and \$30 million to help the Colorado Department of Transportation to establish a pilot project to expand transit, including through additional bus trips on Interstate 70 and Interstate 25. \$10 million is also appropriated to the Revitalizing Main Streets Program, which provides grants to local governments for innovative strategies to reuse public spaces and help businesses reopen safely, while improving multimodal safety and accessibility along urban arterials. **Effective: May 26, 2022.** Lobbyist: Meghan MacKillop.

# UTILITIES

## HB22-1013

### Microgrids for Community Resilience Grant Program

<https://leg.colorado.gov/bills/hb22-1013>

The act creates the Microgrids for Community Resilience Grant Program in the Department of Local Affairs to provide grants for cooperative electric associations and municipally owned utilities to purchase microgrid resources for eligible rural communities located within their service territories. Microgrids are defined as groups of interconnected electric loads and distributed energy resources with clearly defined electrical boundaries that can be connected to or disconnected from the electric grid. The microgrid functions as a single, controllable entity with respect to the electric grid. **Effective: August 10, 2022.** Lobbyist: Jaclyn Terwey.

## HB22-1104

### Powerline Trails

<https://leg.colorado.gov/bills/hb22-1104>

The act authorizes transmission providers to enter into contracts with public and private entities to construct and maintain powerline trails in an existing or future transmission corridor. Public entities are required to consult with the Division of Parks and Wildlife in the Department of Natural Resources to minimize adverse impacts to species and habitats. Transmission providers are required to develop and distribute informational resources to encourage powerline trail development by May 1, 2023. Transmission providers must demonstrate compliance with these requirements when applying for permits or notifying local governments of plans to site or expand a transmission line. **Effective: April 13, 2022.** Lobbyist: Jaclyn Terwey.

## HB22-1249

### Electric Grid Resilience and Reliability Roadmap

<https://leg.colorado.gov/bills/hb22-1249>

The act requires the Colorado Energy Office, in collaboration with the Department of Local Affairs (DOLA) and the Colorado Resiliency Office (CRO), to develop a grid resilience and reliability roadmap. The roadmap must include guidance on how microgrids may be used to harden the grid and improve grid resilience and reliability, while serving the electricity needs of customers. The office, DOLA, and the CRO will take into consideration utility wildfire mitigation plans, and seek input from microgrid developers, the Public Utilities Commission, the Department of Public Safety, the Office of Utility Consumer Advocate, and representatives from at-risk communities, local governments, utility customers, labor organizations, and other representatives of critical infrastructure in the state. **Effective: August 10, 2022.** Lobbyist: Jaclyn Terwey.

in assessed value, and are at the front of the line for available dollars. **Effective: May 24, 2023, except provisions which go into effect if Proposition HH passes at the general election in November 2023.** Lobbyist: Jaclyn Terwey.

## **SB23-304**

### **Property Tax Valuation**

<https://leg.colorado.gov/bills/sb23-304>

The act makes changes to the valuation of property by county assessors. In addition to the methods specified in current law, the act requires that assessors consider the following when determining a property's actual value: current use, existing zoning or government land use, or environmental regulations and restrictions, multiyear leases or other contractual agreements affecting the use of or income from the property, easements and reservations of record, and covenants, conditions, and restrictions of record. Current law requires that assessors provide to a taxpayer the data used to determine their actual property value upon request. The act specifies that the primary method and rates used to value the property must be included in that data. The act also requires that counties with a population of at least 300,000 use an alternative protest and appeal procedure to handle objections and protests to property valuations, beginning January 1, 2024. **Effective: August 7, 2023.** Lobbyist: Jaclyn Terwey.

## **SJR23-004**

### **Uniform Sales and Use Tax on Construction Material**

<https://leg.colorado.gov/bills/sjr23-004>

The resolution urges CML to bring a group together to discuss ways to simplify the construction materials sales and use tax remittance process. The resolution requests that CML update the Sales and Use Tax Simplification Task Force on its coordination efforts by August 2023. **Effective: May 17, 2023.** Lobbyist: Jaclyn Terwey.

**See also: HOUSING (HB23-1184: Low-Income Housing Property Tax Exemptions); REGULATED SUBSTANCES (HB23-1015: Taxation Tobacco Products Remote Retail Sales); SPECIAL DISTRICTS (HB23-1062: Metropolitan District Tax for Parks and Recreation); SUSTAINABILITY (HB23-1233: Electric Vehicle Charging & Parking Requirements).**

generally has a total length of more than 35 feet or a total width of more than 10 feet (large vehicle) when entering, exiting, or driving in the circulatory lanes in a roundabout. The act also requires that when two drivers of large vehicles enter, exit, or drive in the circulatory lanes in a roundabout at the same time, the driver on the right must yield the right-of-way to the driver on the left. A person who fails to yield commits a class A traffic infraction and is subject to a fine of \$70 and an \$11 surcharge. **Effective: October 1, 2023.** Lobbyist: Meghan MacKillop.

## **HB23-1101**

### **Ozone Season Transit Grant Program Flexibility**

<https://leg.colorado.gov/bills/hb23-1101>

The act updates the eligibility requirements for the Ozone Season Transit Grant Program by allowing transit agencies operating in regions with different peak ozone periods to designate an alternate "ozone season," expands grant funding to include marketing expenses, rider surveys, and expanding free services or routes, and permits agencies to receive additional funding despite previous lower amounts. The act also requires the department of transportation to complete a study and report of the boundaries of the transportation planning regions (TPRs) of the state, the membership of the transportation advisory committee and the special interim transit and rail advisory committee, and the consistency and transparency of the transportation planning process across the TPRs. The study must include consideration of specified matters and shall not include any recommendation that, if adopted, would reduce the number of rural TPRs. Before June 1, 2024, the transportation commission, taking into consideration the findings of the study, is required to initiate updates to its rules concerning the statewide transportation planning process and TPRs. The act requires, beginning September 1, 2023, that the governing body of the transportation planning organization for each TPR include at least one voting representative to represent all transit agencies in the TPR. The act increases the maximum rate of sales or use tax, or both, that a regional transportation authority (RTA) may impose, with voter approval, from 1% to 2%, and it makes permanent the existing power of a RTA to impose, with voter approval, a uniform mill levy of up to 5 mills. **Effective: April 28, 2023.** Lobbyist: Meghan MacKillop.

## **HB23-1123**

### **Move Over or Slow Down Stationary Vehicle**

<https://leg.colorado.gov/bills/hb23-1123>

The act requires a motor vehicle driver to move to one lane apart from any stationary motor vehicle when the stationary motor vehicle has its hazard lights activated, at least two lanes move in the same direction, and the driver can move to the lane apart. If a driver cannot move to be one lane apart from the stationary motor vehicle, the driver must slow down and drive at a safe speed. The act also clarifies that the law applies to public utility service vehicles operated by the public utility or by an authorized contractor of the public utility. **Effective: August 7, 2023.** Lobbyist: Meghan MacKillop.

# **TRANSPORTATION**

## **HB23-1014**

### **Yield to Larger Vehicles in Roundabouts**

<https://leg.colorado.gov/bills/hb23-1014>

The act requires a driver to yield the right-of-way to a driver of a truck, bus, emergency vehicle, or recreational vehicle that

## **HB23-1217**

### **Motor Vehicles Tows & Crime Victims**

<https://leg.colorado.gov/bills/HB23-1217>

The act requires the transportation legislation review committee (committee) to analyze the issue of an owner of a motor vehicle that was nonconsensually towed because the vehicle was stolen or because the owner was the victim of a certain serious crime. The committee may take testimony and is required to make legislative recommendations to the general assembly on the issue. **Effective: August 7, 2023.** Lobbyist: Meghan MacKillop.

## **HB23-1267**

### **Double Fines Speeding Trucks on Steep Grades**

<https://leg.colorado.gov/bills/hb23-1267>

The act allows the Department of Transportation to establish steep downhill grade zones within the public highways of the state where the downhill grade is 5% or greater and where there are safety concerns related to commercial motor vehicle drivers exceeding the posted speed limits. The act subjects a commercial motor vehicle driver who commits a speeding violation in a steep downhill grade zone to doubled fines and surcharges. If the department establishes a steep downhill grade zone, the department must erect signs identifying the zone and notifying commercial motor vehicle drivers that increased fines are assessed for speeding in the zone. The act also creates the mountain highways commercial motor vehicle safety account within the highway users tax fund and requires the state treasurer to credit one-half of the amount of each doubled fine and surcharge to the account for the department to pay costs associated with providing educational outreach and public information about runaway truck events, the purchase and implementation of equipment for the purpose of reducing the frequency of runaway truck events, and the completion of studies to reduce the frequency of runaway truck events and improve overall commercial motor vehicle safety on state highways that pass through the state's mountains. **Effective: January 1, 2024.** Lobbyist: Meghan MacKillop.

## **HB23-1276**

### **Scope of Bridge and Tunnel Enterprise**

<https://leg.colorado.gov/bills/HB23-1276>

The Bridge and Tunnel Enterprise (BTE) in the Department of Transportation completes tunnel projects and finances, repairs, reconstructs, replaces, and maintains designated bridges in the state. A designated bridge is a bridge that is part of the state highway system, and that the department has identified as structurally deficient or functionally obsolete and has rated as poor. The act expands the scope of the BTE to include the completion of preventative maintenance bridge projects, which are projects that involve a treatment or strategy to extend the service life of a fair-rated or good-rated bridge by preventing, delaying, or reducing deterioration. The act authorizes the BTE to repair, reconstruct, replace, and maintain a bridge that the department has rated as fair if the fair-rated bridge is included

as part of a project to repair, reconstruct, replace, or maintain a designated bridge. **Effective: August 7, 2023.** Lobbyist: Meghan MacKillop.

## **SB23-012**

### **Commercial Motor Carrier Enforcement Safety Laws**

<https://leg.colorado.gov/bills/SB23-012>

The act changes the amount of civil penalties that may be levied on commercial motor carriers for failure to comply with rules for the safe operation of commercial vehicles by tying the amount of civil penalties to the amount of federal civil penalties for interstate commercial motor carriers. The act also authorizes the Department of Revenue to enter both the motor carrier and its vehicles as out-of-service in the federal motor carrier safety administration system of record and cancel or deny registration of a commercial motor carrier that fails to cooperate with the completion of a safety compliance review within 30 days. **Effective: August 7, 2023, except some provisions take effect April 1, 2024.** Lobbyist: Meghan MacKillop.

## **SB23-028**

### **Penalty for Commercial Vehicle Offenses**

<https://leg.colorado.gov/bills/sb23-028>

In 2021, Senate Bill 21-271 adjusted misdemeanor penalties for a variety of offenses, including changing the penalty for certain offenses involving the operation of a commercial vehicle from a misdemeanor to a class A traffic infraction. Despite making this change, Senate Bill 21-271 retained language describing the punishment for the former misdemeanor offense. **Effective: June 6, 2023.** Lobbyist: Meghan MacKillop.

## **SB23-059**

### **State Parks & Wildlife Area Local Access Funding**

<https://leg.colorado.gov/bills/SB23-059>

The act requires the Parks and Wildlife Commission to promulgate rules authorizing a local government to request that a state park or wildlife area charge an additional per vehicle fee, not to exceed \$2, to visit a park within the jurisdiction beginning January 1, 2025. The fee will be distributed, minus an administrative deduction, from the new local access route cash fund to local governments to maintain and operate local access routes. The fee will be adjusted every five years for inflation or deflation. The Division of Parks and Wildlife is required to collaborate with local governments to identify and study issues surrounding local access route transportation infrastructure and funding deficits and sources of funding for the routes. **Effective: August 7, 2023.** Lobbyist: Meghan MacKillop.

## SB23-094

### School Transportation Task Force

<https://leg.colorado.gov/bills/SB23-094>

The act creates the Colorado School Transportation Modernization Task Force to create a report containing findings and recommendations to improve public school transportation services for students. The task force must analyze the costs and benefits associated with requiring school buses to have automated vehicle identification systems to record vehicles that unlawfully pass a stopped bus. The task force must submit its findings to the General Assembly by January 31, 2024. **Effective: May 16, 2023.** Lobbyist: Meghan MacKillop.

## SB23-200

### Automated Vehicle Identification Systems

<https://leg.colorado.gov/bills/sb23-200>

The act expands the use of Automated Vehicle Identification Systems (AVIS) to permit the use of AVIS systems in areas designated as an AVIS corridor, subject to certain adoption procedures, signage standards, and operating and reporting requirements. The act removes the requirement that a person be present during the operation of an AVIS system. The act establishes adoption standards for any new AVIS systems after July 1, 2023, including public announcement of the system and a period where only warnings can be issued. The act also modifies provisions for the service of process, reduces notice deadlines, establishes content standards for notices, updates signage standards, and restricts the retention, use, and disclosure of AVIS data. The act expressly states that a collection action cannot commence unless certain notices were personally served. **Effective: June 5, 2023.** Lobbyist: Meghan MacKillop.

## SB23-268

### Ten-year Transportation Plan Information

<https://leg.colorado.gov/bills/sb23-268>

This act increases transparency requirements for projects approved by the Transportation Commission by requiring the Colorado Department of Transportation to include certain information regarding projects identified in the ten-year transportation plan. For each transportation project identified in the ten-year plan, the commission must identify the time frame during which the project is expected to be completed; the total estimated amount of funding required to complete the project; and funding that has been allocated for the project or is anticipated to be allocated for the project. The act also instructs the commission to provide a designated and readily available CDOT contact to state and local government elected officials, without creating a new position or hiring additional personnel. **Effective: September 1, 2023.** Lobbyist: Meghan MacKillop.

# UTILITIES

## HB23-1039

### Electric Resource Adequacy Reporting

<https://leg.colorado.gov/bills/HB23-1039>

The act requires each load-serving entity in the state, or its designated wholesale electric supplier, to create a resource adequacy annual report by April 1 each year, beginning in 2024. The reports must be published online and delivered to the entity's regulatory oversight entity, which in turn must submit them to the Colorado Energy Office by April 30. Finally, the Colorado Energy Office must compile the reports received and publish a statewide resource adequacy aggregate annual report each year by July 1. The act specifies further reporting requirements and exemptions. **Effective: August 7, 2023.** Lobbyist: Jaclyn Terwey.

## HB23-1234

### Streamlined Solar Permitting and Inspection Grants

<https://leg.colorado.gov/bills/HB23-1234>

This act creates a \$1 million grant program in the Colorado Energy Office (CEO) to assist local governments with implementing free automated solar permitting and inspection software for residential solar energy systems. The application and review process must be created, allowing grants to be awarded no later than June 30, 2024. Grantees are required to implement software within 180 days, and make annual reports to the state. The CEO must make progress reports annually to relevant legislative committees each January from 2025 through 2033. **Effective: May 11, 2023.** Lobbyist: Jaclyn Terwey.

## HB23-1247

### Assess Advanced Energy Solutions in Rural Colorado

<https://leg.colorado.gov/bills/HB23-1247>

The act directs the Colorado Energy Office (CEO) to conduct two studies of electric transmission and advanced energy solutions. The studies must include specific energy generation and storage solutions, regional economic impacts, and potential, prerequisite regulatory changes. One study must focus on parts of Montrose County; the other must focus on southeastern Colorado. CEO must submit its findings and recommendations to the General Assembly and the Just Transition Office in the Department of Labor and Employment by July 1, 2025. **Effective: August 7, 2023.** Lobbyist: Jaclyn Terwey.

## HB23-1252

### Thermal Energy

<https://leg.colorado.gov/bills/HB23-1252>

The act authorizes the Colorado Energy Office to award grants for retrofitting existing buildings for installation of geothermal systems for heating and cooling under the single-structure

continues the application of the sales tax exemption to local governments unless they choose to explicitly subject long-term lodging to their local sales and use tax rates. **Effective: September 13, 2020.** **Lobbyist:** Meghan Dollar.

## **HB 20-1022**

### **TAXATION**

#### **Sales And Use Tax Simplification Task Force**

<http://leg.colorado.gov/bills/hb20-1022>

This act continues the Sales and Use Tax Simplification Task Force until July 1, 2025 and eliminates a requirement that the Department of Regulatory Agencies perform a sunset review of the task force prior to its repeal. Legislative interim committees will not be meeting until 2021 due to state budget constraints. There are no changes to the makeup of the task force. The act modifies the scope of the task force's duties to include, new sales tax collection rules and destination sourcing the state sales and use tax system, and newly-implemented changes to the vendor fee. **Effective: June 29, 2020.** **Lobbyist:** Meghan Dollar.

## **HB 20-1023**

### **TAXATION**

#### **State Address Data for Sales and Use Tax Collection**

<http://leg.colorado.gov/bills/hb20-1023>

The act repeals the current hold harmless provisions for vendors that use the currently available state-certified electronic address databases, used for determining the jurisdiction(s) to which sales tax is owed. The provisions are removed 90 days after the implementation of the new state Geographic Information System (GIS) database. Once the GIS database is implemented, the Department of Revenue (DOR) is required to immediately notify vendors that it is available for use. The act then establishes a hold harmless provision for vendors that use the state's GIS database to determine sales and use tax rates for addresses and taxing jurisdictions. The hold harmless provision also applies to vendors that use third-party databases, which are verified as containing the most current information from the state GIS database. Vendors using the GIS database are not liable for any taxes, fees, or other charges that result from errors from using the state GIS database. DOR is responsible for ensuring that 95 percent of the information provided in the database is accurate and up to date. DOR may also promulgate rules associated with administering the hold harmless provision. **Effective: March 11, 2020.** **Lobbyist:** Meghan Dollar.

## **HB 20-1421**

### **TAXATION**

#### **Delinquent Interest Payments Property Tax**

<http://leg.colorado.gov/bills/hb20-1421>

This act allows, under certain conditions, a board of county commissioners or a city council to reduce or waive delinquent property tax interest payments and aid local taxing jurisdictions in paying bonds or monthly operational costs if the taxing jurisdiction provides notice. The act is repealed December 31, 2020. **Effective: June 14, 2020.** **Lobbyist:** Meghan Dollar.

## **SCR 20-001**

### **TAXATION**

#### **Repeal Gallagher Amendment**

<http://leg.colorado.gov/bills/scr20-001>

SCR 20-001 repeals the Gallagher Amendment which, since 1982, has required that residential property must never bear more than 45% of the total property tax revenue collected statewide. The general assembly will no longer be required to establish the residential assessment rate based on the formula mandated by the Colorado Constitution. The resolution also repeals the reference to the residential rate of 21%, which last applied in 1986, prior to the first adjustment required by the Gallagher Amendment. Finally, the resolution repeals the 29% assessment rate that applies for all nonresidential property, excluding producing mines and lands or leaseholds producing oil or gas. **Effective: Upon Passage by Voters in November 2020.** **Lobbyist:** Morgan Cullen.

## **SB 20-223**

### **TAXATION**

#### **Assessment Rate Moratorium Upon Gallagher Repeal**

<http://leg.colorado.gov/bills/sb20-223>

The act only takes effect if the voters statewide approve SCR 20-001, the repeal of constitutional provisions related to the ratio of valuation for assessment for residential property and nonresidential property commonly referred to as the Gallagher Amendment. The legislation states that beginning with the property tax year that commences on January 1, 2020, there is a moratorium on changing the ratio of valuation for assessments on any class of property. **Effective: June 23, 2020 and upon voter approval of SCR 20-001.** **Lobbyist:** Morgan Cullen.

## **HB 20-1137**

### **TELECOMMUNICATION**

#### **Broadband Grant Certification of Unserved Area Requirement**

<http://leg.colorado.gov/bills/hb20-1137>

HB 1137 allows local governments (including, cities, counties, school districts, etc) to collect and review any relevant speed data, make a determination on the "unserved status" of a community and then submit a written certification of this unserved status as part of the application process for the state's Broadband Grant Program. In this process, the local government must provide public notice, notice to the incumbent provider, and hold a public hearing. The intent of this data collection and certification is to allow the Broadband Board to consider with greater weight an application submitted from an area that is currently "unserved". **Effective: September 13, 2020.** **Lobbyist:** Brandy DeLange.

## **HB 20-1145**

### **TRANSPORTATION**

#### **Move Over or Slow Down for Official Vehicle**

<http://leg.colorado.gov/bills/hb20-1145>

Under current law, a driver must move over or reduce and

maintain a safe speed when overtaking an emergency, tow, or public utility vehicle. This act defines safe speed as 25 mph if the speed limit is less than 45 mph. For speeds 45 mph or higher, the specifies that a safe speed is 20 mph less than the speed limit. **Effective: September 13, 2020.**

**Lobbyist:** Meghan Dollar.

## **HB 20-1376**

## **TRANSPORTATION**

### **Modify Transportation Funding Mechanisms**

<http://leg.colorado.gov/bills/hb20-1376>

The act repeals the requirement that a ballot issue seeking approval for the issuance of transportation revenue anticipation notes (TRANS) be submitted to the voters of the state. The act also eliminates two statutory transfers of \$50 million each from the general fund to the state highway fund that are scheduled under current law to be made on June 30, 2021, and June 30, 2022. **Effective: June 30, 2020.**

**Lobbyist:** Morgan Cullen.

## **SB 20-056**

## **TRANSPORTATION**

### **Surplus Military Vehicles Highway Use for Firefighting**

<http://leg.colorado.gov/bills/sb20-056>

The act codifies an exception in state law that a surplus military vehicle is not an “off-highway vehicle” if it is owned or leased by a municipality, county, or fire protection district for the purpose of assisting with firefighting efforts, including mitigating the risk of wildfires. It allows surplus military vehicles to be driven legally on state highways for firefighting and fire mitigation efforts. **Effective: July 13, 2020.**

**Lobbyist:** Morgan Cullen.

## **SB 20-061**

## **TRANSPORTATION**

### **Yield to Bicycles in Bike Lanes**

<http://leg.colorado.gov/bills/sb20-061>

The act creates a new traffic offense for failing to yield to a bicycle or other authorized user in a bicycle lane. The offense is a class A traffic offense unless it is the proximate cause of a crash or if it causes bodily injury, then it is careless driving and is punished under the careless driving offense. **Effective: July 1, 2020.** **Lobbyist:** Morgan Cullen.

## **SB 20-118**

## **TRANSPORTATION**

### **Hazardous Materials Transportation Permits**

<http://leg.colorado.gov/bills/sb20-118>

The act transfers the function of issuing permits for the transportation of hazardous materials and nuclear materials by motor vehicle from the Colorado Public Utilities Commission to the Colorado Department of Transportation. **Effective: January 1, 2021.** **Lobbyist:** Morgan Cullen.

## **SB 20-152**

## **TRANSPORTATION**

### **Correct Senate Act 19-263 Effective Date Error**

<http://leg.colorado.gov/bills/sb20-152>

The act updates of the effective date clause of Senate Act 19-263 for the purpose of ensuring that the act accomplishes its intended legal effect of eliminating the requirement that the state treasurer execute lease-purchase agreements to fund transportation projects during the 2020-21 and 2021-22 state fiscal years if a referred ballot issue that authorizes the state to issue transportation revenue anticipation notes is approved at the 2020 general election. **Effective: March 20, 2020.** **Lobbyist:** Morgan Cullen.

## **HB 20-1225**

## **UTILITIES**

### **Cooperative Electric Utilities Reasonable Rates**

<http://leg.colorado.gov/bills/hb20-1225>

The act declares that the jurisdiction of the Colorado Public Utilities Commission extends to the determination of just and reasonable rates by all public utilities and that the terms and conditions imposed by one cooperative electric association on another regarding the installation, interconnection, and use of energy storage systems must be just and reasonable. Establishes terms and conditions for an electric association's withdrawal from an electric cooperative. **Effective Date: March 27, 2020.** **Lobbyist:** Morgan Cullen.

## **SB 20-030**

## **UTILITIES**

### **Consumer Protection for Utility Customers**

<http://leg.colorado.gov/bills/sb20-030>

The act directs the public utilities commission (PUC) to exercise its existing authority to require information from regulated public utilities of customers who are exempted from tiered rates due to a medical condition or the use of medical equipment requiring higher amounts of electricity. It also requires data on customer disconnections and delinquencies and directs the PUC to open rule-making proceedings to prescribe standard practices for disconnection due to nonpayment. **Effective: June 29, 2020.**

**Lobbyist:** Morgan Cullen.

## **SB 20-124**

## **UTILITIES**

### **School Construction Guidance Utility Consultation**

<http://leg.colorado.gov/bills/sb20-124>

Under current law, the Public-School Capital Construction Assistance Board establishes guidelines for considering applications for money from the public-school capital construction assistance fund. The act adds to the considerations in the guidelines consulting with the local electric utility on energy efficiency, beneficial electrification, and renewable distributed generation opportunities. **Effective: September 18, 2020.** **Lobbyist:** Morgan Cullen.

act requires the Department of Revenue and the state Office of Information Technology to issue an RFP for the development of a system allowing a single point of electronic remittance for all sales taxes collected in the state. Subsequent to the development of the system, the act requires that all sales taxes collected by the state be processed through the system. The act does not attempt to require that self-collecting home rule municipalities participate in the system, but it does declare legislative intent for at least three to voluntarily use the system at first and for all to use the system within three years. Effective: April 12, 2019. Lobbyist: Kevin Bommer, kbommer@cml.org.

## **SB 19-255**

## **TAXATION**

### **Property – Residential Assessment Rate**

SB 19-255 lowers the residential assessment rate for residential property taxation from 7.2 percent to 7.15 percent beginning on Jan. 1, 2019 and for each subsequent property tax year until the next adjustment by the state. Effective: June 3, 2019. Lobbyist: Kevin Bommer, kbommer@cml.org.

## **HB 19-1240**

## **TAXATION**

### **Sales – Sales and Use Tax Administration**

The act codifies sales tax rules adopted by the Department of Revenue with certain modifications. It establishes economic nexus for remote sales without a retailer's physical presence in Colorado for sales made beginning June 1, 2019, and requires the collection and remittance of all sales taxes collected by the state based on the destination of the item sold. The act creates an exception to the destination sourcing rule for retailers with less than \$100,000 in retail sales, as well as until the state develops a GIS-based address locator for accurate determination of proper taxing jurisdiction. The act also requires sales taxes collected by the state to be collected and remitted by marketplace facilitators beginning on Oct. 1, 2019, for sales made by marketplace sellers, and the act contains other marketplace sales provisions. Existing provisions in statute related to the implementation of the failed federal Marketplace Fairness Act (MFA) are repealed. With the exception of the repeal of MFA language and future availability of the address locator, the act does not implicate home rule municipalities that self-collect sales tax. Effective: June 1, 2019, except marketplace facilitator requirements, which are effective Oct. 1, 2019. Lobbyist: Kevin Bommer, kbommer@cml.org.

## **SB 19-107**

## **TELECOMMUNICATION**

### **Broadband Infrastructure Installation**

SB 19-107 allows rural electric cooperatives to lease existing dark fiber on their electrical utility easements to broadband providers without renegotiation of the underlying easement. Additionally, the act provides landowners with a remedy process if damages occur. Effective: Aug. 2, 2019. Lobbyist: Brandy DeLange, bdelange@cml.org.

## **SB 19-032**

## **TRANSPORTATION**

### **Hazardous Materials Routing**

The act requires the Colorado Department of Transportation (CDOT) to conduct a study to assess the feasibility of allowing the transportation of hazardous materials through the Eisenhower-Johnson Memorial Tunnels and prepare a report that includes findings and recommendations as to whether and under what conditions the transportation of hazardous materials through the tunnel should be allowed. Local governments and public safety personnel from impacted communities will be invited to participate in the feasibility study. The act also authorizes a public highway authority or a governmental partner in a public-private partnership to apply to the Colorado State Patrol for a new or modified hazardous materials route designation for a road or highway that it directly or indirectly maintains. Effective: April 8, 2019. Lobbyist: Morgan Cullen, mcullen@cml.org.

## **SB 19-054**

## **TRANSPORTATION**

### **Military Vehicle Regulation**

SB 19-054 defines surplus military vehicles as off-highway vehicles for the purposes of titling these vehicles and of using them off road. These changes in the definition allow a surplus military vehicle to be titled as an off-highway vehicle and treats it as an off-highway vehicle for the purposes of on-road and off-road use; it also means a surplus military vehicle is not registered as a motor vehicle. These changes do not apply to military vehicles that are valued for historical purposes. Effective: July 1, 2019. Lobbyist: Morgan Cullen, mcullen@cml.org.

## **SB 19-144**

## **TRANSPORTATION**

### **Motorcycles and Malfunctioning Traffic Signals**

Under current law, a driver of a motor vehicle is allowed to cautiously proceed through an intersection after he or she has determined that a traffic signal is not operating properly. The act extends this same discretion to a driver of a motorcycle if a traffic signal is malfunctioning or fails to recognize the presence of a motorcycle. Effective: Aug. 2, 2019. Lobbyist: Morgan Cullen, mcullen@cml.org.

## **SB 19-175**

## **TRANSPORTATION**

### **Serious Bodily Injury Vulnerable Road User**

This act creates a new class 1 traffic misdemeanor of causing serious bodily injury to a vulnerable person while carelessly driving. A violation results in 12 points issued to the driver's license, which results in a license being suspended. If guilty of the violation, the driver may be subject to a restitution order, be required to attend a driver improvement course, or be ordered to perform useful public service for no more than 320 hours. The act defines vulnerable road user to include pedestrians, bicycles, peace officers, and others. Effective: May 29, 2019. Lobbyist: Meghan Dollar, mdollar@cml.org. Reprinted.

**SB 19-239****TRANSPORTATION****Address Impacts of Transportation Changes**

The act requires the Colorado Department of Transportation (CDOT) to convene and engage in robust consultation with a stakeholder group composed of representatives of specified industries, workers, governmental entities (including local governments), planning organizations, and interest groups that will potentially be affected by the adoption of new and emerging transportation technologies and business models. The act requires CDOT to develop a report of policy recommendations to address these challenges and present them during their 2019 annual presentation to the legislative oversight committees of the Colorado General Assembly. Effective: May 31, 2019. Lobbyist: Morgan Cullen, mcullen@cml.org.

**SB 19-262****TRANSPORTATION****General Fund Transfer to HUTF**

This act requires the state treasurer to transfer \$100 million from the General Fund to the Highway Users Tax Fund on July 1, 2019, for allocation to the state highway fund, counties, and municipalities in accordance with the existing "second stream" allocation formula, (60 percent to the state highway fund, 22 percent to counties, and 18 percent to municipalities). This means an additional \$18 million in municipal transportation revenue for 2019. Effective: June 3, 2019. Lobbyist: Morgan Cullen, mcullen@cml.org.

**SB 19-263****TRANSPORTATION****Delay Referred Transportation Bonding Measure to 2020**

SB 18-001 authorized a referred \$2.34 billion transportation bonding measure for voter consideration in the 2019 election. This legislation delays that referred measure for voter consideration until the 2020 election cycle. The act also reduces the amount of notes authorized to be issued to offset the additional transportation funding that will result from the repeal of only two, rather than three, tranches of lease-purchase agreements authorized by SB 17-267. Effective: June 3, 2019. Lobbyist: Morgan Cullen, mcullen@cml.org.

**HB 19-1221****TRANSPORTATION****Regulation of Electric Scooters**

This act excludes electric scooters from the definition of "toy vehicle" and includes electric scooters in the definition of "vehicle," thus authorizing the use of electric scooters on roadways. The act affords riders of electric scooters the same rights and responsibilities that riders of electric-assisted bicycles have under the laws of the state. The act preserves the authority of municipalities to determine whether or when to allow electric scooters on sidewalks. Effective: May 23, 2019. Lobbyist: Morgan Cullen, mcullen@cml.org. *Reprinted.*

**HB 19-1265****TRANSPORTATION****Right-of-Way for Snowplows**

This act creates a class A traffic offense for a driver who passes a snowplow that is operated by a state, county, or municipality while it is displaying its lights and performing its service function in echelon formation with one or more other such snowplows. Effective: Aug. 2, 2019. Lobbyist: Morgan Cullen, mcullen@cml.org.

**HB 19-1298****TRANSPORTATION****Electric Vehicle Charging Stations**

The act authorizes the owner of a plug-in electric motor vehicle charging station to install a sign that identifies the station. If the sign is installed, a person is prohibited from parking in the space if the vehicle is not an electric vehicle or is using the dedicated charging station for parking if the electric vehicle is not charging. Effective: Aug. 2, 2019. Lobbyist: Morgan Cullen, mcullen@cml.org.

**SB 19-088****UNCLAIMED PROPERTY****Revised Uniform Unclaimed Property Act**

SB 19-088 enacts a version of the Revised Uniform Unclaimed Property Act as drafted by the Colorado Commission on Uniform State Laws and contains numerous revisions to the state's administration of unclaimed property. The act retains the ability of municipalities and counties to opt-out of the state system and locally administer a program, particularly in relation to unclaimed or uncashed checks issued by the municipality, but new provisions and restrictions apply. Intangible property must be retained for five years before it can be determined to be abandoned under the definition in state law. Local governments must report specified information on intangible property being held at the local level to the administrator of the state's unclaimed property system. Other related provisions apply. Effective: Aug. 2, 2019. Lobbyist: Kevin Bommer, kbommer@cml.org.

**HB 19-1084****URBAN RENEWAL****Notification of Blight Designation**

HB 19-1084 updates Colorado's urban renewal statute, requiring property owners be notified of a blight designation by a municipality so that they have an opportunity to seek a review and contest the decision. The act is in response to a ruling by the 10th Circuit Court of Appeals in May 2018 in *M.A.K. Investment Group v. City of Glendale* that the plaintiff's due process had been violated because they were not properly notified about a blight resolution the city had adopted. Effective: Sept. 1, 2019. Lobbyist: Morgan Cullen, mcullen@cml.org. *Reprinted.*

**SB 19-236****UTILITIES****Sunset Public Utilities Commission**

The act reauthorizes the continuation of the Public Utilities Commission (PUC) and implements the recommendations contained in the 2018 sunset report by the Department

**SB 18-106****TAXATION****Sales – Capital Improvement Funds**

SB 18-106 removes unnecessary provisions in law allowing certain local governments, including municipalities, to create a sales and use tax capital improvement fund when seeking voter approval to levy a sales or use tax. Effective Aug. 8, 2018. Lobbyist: Dianne Criswell, dcriswell@cml.org.

**SB 18-002****TELECOMMUNICATIONS****High Cost Support Mechanism Transfer to Broadband Grants**

SB 18-002 amends the definition of “broadband network” to increase the speed at least 10 Mbps or the FCC minimum, which is currently 25 Mbps. It amends the definition of “unserved area” to refer to an area that is unincorporated, or within a municipality with fewer than 7,500 inhabitants. The act requires the Public Utilities Commission to allocate specified amounts of high cost support mechanism (HCSM) money to broadband deployment and makes conforming amendments. The act changes the membership of the Department of Regulatory Agencies Broadband Deployment Board, prohibits funding a proposed project that overlaps or overbuilds another broadband project and requires the grants for a proposed project to match the definition of “broadband network.” Contains numerous other provisions related to grant criteria and procedures. Effective: Aug. 8, 2019. Lobbyist: Kevin Bommer, kbommer@cml.org.

**HB 18-1103****TRANSPORTATION****Local Government Off-Highway Vehicle Regulation**

This act allows local governments to impose additional safety requirements for off-highway vehicles on roads within their jurisdiction. The bill clarifies that local governments who impose these ordinances will do so consistent with state rules. Effective Date: Aug. 8, 2018. Lobbyist: Morgan Cullen, mcullen@cml.org.

**HB 18-1191****TRANSPORTATION****Local Authority to Alter Speed Limits**

This act adds additional criteria (such as road characteristics, crash statistics, and pedestrian and bicycle activity in the vicinity) that can be taken into consideration by local governments when determining whether to raise or lower speed limits. Effective: Aug. 8, 2018. Lobbyist: Morgan Cullen, mcullen@cml.org.

**HB 18-1285****TRANSPORTATION****Free Parking for Persons with Disabilities**

This act changes statutory guidelines for persons with disabilities qualifying for free parking. The bill allows free parking only for individuals who are physically unable to pay a parking meter and have received written medical verification. Those individuals that qualify will receive a special remuneration-exempt parking placard indicating their status. The act repeals existing authority for a person with a disability to park without paying. Effective: Jan. 1, 2019 Lobbyist: Morgan Cullen, mcullen@cml.org. *Reprinted.*

**SB 18-001****TRANSPORTATION****Infrastructure Funding**

The act provides two General Fund contributions with local share backs through the Highway Users Tax Fund (HUTF) formula. The legislation appropriates \$495 million in FY 2018-19 and \$150 million in FY 2019-20, with 15 percent designated to municipalities and counties, and 15 percent to multimodal in both years. This means Colorado municipalities will receive an aggregate total of \$37.1 million this year and \$11.2 million next year. The bill also stipulates that 85 percent of the multimodal funding go solely to local governments. The bill also refers a \$2.35 billion bonding measure for voter approval in 2019, unless a citizen initiative passes in the November 2018 election, and allows the first tranche in lease purchase agreements authorized through SB 17-267 to move forward. Effective: May 31, 2018. Lobbyist: Morgan Cullen, mcullen@cml.org. *Reprinted.*

**SB 18-144****TRANSPORTATION****Bicycles Approaching Intersections**

This act permits a municipality to adopt a local ordinance regulating the operation of bicycles approaching intersections with stop lights or stop signs. The bill authorizes municipalities to allow bikers to pass through an intersection without stopping at a reduced rate of speed if it is safe to proceed. It also adopts a standard set of criteria to ensure the law is applied consistently statewide. Effective: May 3, 2017. Lobbyist: Morgan Cullen, mcullen@cml.org.

**SB 18-248****URBAN RENEWAL****Treatment of Voter Approved Revenue Increases**

For urban renewal plans adopted or substantially modified after Jan. 1, 2016, SB 18-248 removes the responsibility of a county treasurer from calculating the increment used to finance urban renewal projects attributable to taxes approved after the urban renewal plan was adopted or to revenues attributable to a subsequent debrucing. The act permits an urban renewal authority and a municipality or any other taxing entity to negotiate for the purpose of entering into an agreement on the issues of the amount of repayment, the mechanics of how repayment of the additional revenues will be accomplished, a method for resolving disputes regarding the amount of repayment, and whether the municipality or taxing entity will waive the repayment requirement, singularly or in combination, and are further authorized to enter into an intergovernmental agreement regarding any of these issues. Effective: May 30, 2018. Lobbyist: Kevin Bommer, kbommer@cml.org. *Reprinted.*

**SB 18-167****UTILITIES****8-1-1 Enforcement Requirements**

This act transforms Colorado's 8-1-1 “call before you dig” program into a true one-call system by requiring tier-1 membership of all facility owners. Currently in Colorado, facility owners can be either tier-1 or tier-2 members, which provide different levels of notification and costs for locate requests. It also creates a statewide 12-member safety

**SB 17-112****TAXATION****Sales and use – Erroneously sourced tax**

Changes statutory remedy for taxpayers who paid sales or use tax to one local government in error (when it should have paid the amount to a different local government) by removing time restrictions and requiring that remedy only be available if taxpayer has followed previous reporting instructions. Effective April 18, 2017. Lobbyist: Dianne Criswell, dcriswell@cml.org. *Reprinted.*

**HB 17-1193****TELECOMMUNICATIONS****Small cell wireless facilities siting**

Clarifies that expedited permitting process established for broadband facilities applies to small cell facilities and small cell networks. Clarifies that rights-of-way access afforded to telecommunications providers for construction, maintenance, and operation of telecommunications and broadband facilities extends to broadband providers, small cell facilities, and small cell networks. Provides that telecommunications provider has right to locate or collocate small cell facilities and small cell networks on local government entity's light poles, light standards, traffic signals, or utility poles in rights-of-way owned by local government, subject applicable law. Contains other provisions. Effective: July 1, 2017. Lobbyist: Kevin Bommer, kbommer@cml.org. *Reprinted.*

**SB 17-306****TELECOMMUNICATIONS****High cost support mechanism transfer to broadband grants**

Updates language regarding use of money from high cost support mechanism (HCSM) for broadband deployment grant applications approved by broadband deployment board to allow direct transfer of money from HCSM to approved broadband deployment grant applicants. Directs Public Utilities Commission (PUC) to determine amount of HCSM money available for broadband deployment and related administrative costs, and requires that amount to be held in separate account. Effective: June 6, 2017. Lobbyist: Kevin Bommer, kbommer@cml.org.

**SB 17-153****TRANSPORTATION****Southwest Chief and Front Range Passenger Rail Commission**

Replaces Southwest Chief Rail Line Economic Development, Rural Tourism, and Infrastructure Repair and Maintenance Commission with Southwest Chief and Front Range Passenger Rail Commission, also housed in Colorado Department of Transportation (CDOT). Will assume powers and duties of old commission. Effective: May 22, 2017. Lobbyist: Dianne Criswell, dcriswell@cml.org.

**SB 17-213****TRANSPORTATION****Automated driving motor vehicles**

Declares regulation of automated driving systems is matter of statewide concern and prohibits local authorities from setting different standards for these systems than for human drivers. Authorizes use of automated driving systems if

system is capable of conforming to every state and federal law that applies to driving; otherwise, a person testing system is required to obtain approval from Colorado State Patrol and Colorado Department of Transportation. Effective: Aug. 9, 2017. Lobbyist: Morgan Cullen, mcullen@cml.org

**SB 17-262****TRANSPORTATION****HUTF and capital construction fund transfers**

Reduces state General Fund transfer to Highway Users Tax Fund (HUTF) to be made for current fiscal year on June 30, 2017, from \$158 million to \$79 million and \$79 million on June 30, 2018. Future statutory transfers in fiscal years 2018-19 and 2019-20, reduced in SB 17-262, were eliminated by SB 17-267. Effective April 28, 2017. Lobbyist: Dianne Criswell, dcriswell@cml.org.

**SB 17-278****TRANSPORTATION****Nuisance exhibition of motor vehicle exhaust**

Prohibits engaging in nuisance exhibition of motor vehicle exhaust, defined as act of knowingly blowing black smoke through one or more exhaust pipes attached to motor vehicle with gross vehicle weight rating of 14,000 pounds or less in manner that obstructs or obscures view of another driver, bicyclist, or pedestrian. Person who violates prohibition commits a class A traffic infraction, punishable by fine of \$100. Effective: June 5, 2017. Lobbyist: Morgan Cullen, mcullen@cml.org

**HB 17-1016****URBAN RENEWAL****Exclusion of mineral resources from tax increment financing**

Permits municipal governing body to provide in urban renewal plan that valuation attributable to extraction of mineral resources located within urban renewal area is not subject to tax increment calculation. Treats distribution of tax revenue as if urban renewal plan does not exist. Defines certain terms. Effective: Aug. 9, 2017. Lobbyist: Kevin Bommer, kbommer@cml.org.

**SB 17-279****URBAN RENEWAL****Applicability of legislation impacting urban renewal authorities**

Clarifies applicability provisions HB 15-1348 and SB 16-177 in connection with urban redevelopment projects allocating tax revenues. Clarifies that substantial modification of urban renewal plan is proposed modification that substantially changes specified aspects of urban renewal plan. Specifies that if modification is deemed substantial, modification is subject requirements of urban renewal law addressing modifications. Clarifies that pledge to secure payment of refunding bonds is not substantial modification and is not subject to modification requirements of urban renewal law. Establishes procedure for notification of proposed plan modifications before approval and process for other taxing entities to seek relief if governing body or urban renewal authority does not deem modification substantial. Clarifies that HB 15-1348, SB 16-177, and SB 17-279 applies to municipalities, authorities, and plans

**HB 16-1030****TRANSPORTATION****Off-highway vehicles**

Allows a municipality to regulate crossing of state highways by off-highway vehicles (OHVs) within its jurisdiction by making a request in writing to regional office of the Colorado Department of Transportation to approve regulation. Municipal authority to regulate OHV crossing of state highways likewise authorized by SB 16-008. Effective: April 12, 2016. Lobbyist: Dianne Criswell, dcriswell@cml.org.

**HB 16-1155****TRANSPORTATION****Controlled-access highway**

Authorizes counties with population of 250,000 or more to designate a four-lane controlled-access highway as "primary road" if highway intersects with interstate highway or U.S. numbered highway and if construction commences in 2016. Grants counties additional authority over primary roads in municipal jurisdictions. Effective: Aug. 10, 2016. Lobbyist: Dianne Criswell, dcriswell@cml.org.

**HB 16-1298****TRANSPORTATION****Vehicle height, length, and weight**

Changes legal height of unladen and laden vehicles on state highways to 14 feet and 6 inches, restricts use of certain vehicle combinations, and increases maximum legal gross weight of vehicles that use alternative fuel. Effective: Aug. 10, 2016. Lobbyist: Dianne Criswell, dcriswell@cml.org.

**HB 16-1415****TRANSPORTATION****Funding for Division of Motor Vehicles**

In fiscal year 2016-17, subsidizes Division of Motor Vehicles (DMV) with \$2 million from off-the-top appropriation from Highway User Tax Fund (HUTF). Amends HUTF statute to allow off-the-top HUTF appropriations for DMV in FY 2017-18 and 2018-19. Repeals fund sweep from Licensing Services Cash Fund to the HUTF. On July 1, 2016, increases fees for various types of driver's licenses and services to pay for operational costs of DMV. Effective: May 4, 2016. Lobbyist: Dianne Criswell, dcriswell@cml.org.

**HB 16-1416****TRANSPORTATION****Funding**

Provides following transfers from the General Fund: \$199.2 million on June 30, 2016, and \$158 million on June 30, 2017 to Highway Users Tax Fund; and \$49.8 million on June 30, 2016, and \$52.7 million on June 30, 2017 to Capital Construction Fund. These transfers replace first two years of SB 09-228 transfers. Effective: April 14, 2016. Lobbyist: Dianne Criswell, dcriswell@cml.org.

**SB 16-087****TRANSPORTATION****Highway-rail Crossing Signalization Fund**

Appropriates \$240,000 to Highway-Rail Crossing Signalization Fund for 2016-17 fiscal year. Going forward, requires \$240,000 (plus 2 percent annual inflation) of public utility fees to be credited to fund. Effective: June 6, 2016. Lobbyist: Dianne Criswell, dcriswell@cml.org.

**SB 16-173****TRANSPORTATION****Golf carts**

Allows golf carts to make at-grade crossings of state highways within municipalities under local government regulation if crossing does not interfere with normal operation of state highway. Effective: Aug. 10, 2016. Lobbyist: Dianne Criswell, dcriswell@cml.org.

**SB 16-177****URBAN RENEWAL****Modify 2015 legislation**

Makes technical adjustments and clarifies recent legislation concerning urban renewal, urban renewal plans, and provisions for sharing tax increment financing (TIF) among affected taxing entities. Replaces existing language with some common terms for describing municipal urban renewal boards and the various taxing entities affected by TIF. Specifies conditions for using mediation to address disputes between municipal urban renewal boards and other taxing entities. Clarifies that recent legislation is not intended to jeopardize the existing financial obligations of an urban renewal board that remain outstanding as of December 2015. Effective: May 18, 2016. Lobbyist: Kevin Bommer, kbommer@cml.org. *Reprinted.*

**HB 16-1005****WATER & WASTEWATER****Residential precipitation collection**

Allows collection of precipitation from roof of home in up to two rain barrels with combined storage capacity of 110 gallons or less if used for outdoor purposes on residential property where the precipitation is collected. Effective: Aug. 10, 2016. Lobbyist: Kevin Bommer, kbommer@cml.org.

**HB 16-1228****WATER & WASTEWATER****Agricultural protection water right**

Authorizes owner of absolute decreed irrigation water right (in water division 1 or 2) used for agricultural purposes to seek change-in-use decree in water court to obtain agricultural water protection water right. Effective: Aug. 10, 2016. Lobbyist: Kevin Bommer, kbommer@cml.org.

**HB 16-1413****WATER & WASTEWATER****Water Pollution Control Program**

Repeals sole fund for water pollution control fees. Creates separate cash fund for each sector and allocates fees from each sector respectively. Creates authority for legislature to address insufficient funding for any sector. Directs department to conduct a stakeholder process regarding appropriate and necessary fees. Requires report to Joint Budget Committee Nov. 1, 2016. Contains other provisions. Effective: July 1, 2016. Lobbyist: Kevin Bommer, kbommer@cml.org.

**SB 16-200****WATER & WASTEWATER****Director of Water Project Permitting**

Creates the position of Director of Water Project Permitting in the Governor's Office to coordinate federal, state, and

**HB 14-1348****TAXATION****Sales and use, Marketplace Fairness Act**

Amends language contained in the 2013 session's HB 13-1295, which provided for implementation of the Marketplace Fairness Act (MFA) in Colorado if approved by the U.S. Congress, to make certain definitions and provisions concerning location of a sale effective upon passage of the MFA by Congress. Effective May 31, 2014. Lobbyist: Geoff Wilson, gwilson@cml.org.

**HB 14-1178****TAXATION****Sales and use, Spaceflight property**

Creates a state sales and use tax exemption for certain equipment used in outer space. Makes such an exemption a local option for municipalities that are state collected. Effective May 20, 2014. Lobbyist: Geoff Wilson, gwilson@cml.org.

**HB 14-1269****TAXATION****Sales and use, Tax nexus**

Amends the state sales and use tax statutes to describe various activities that will give rise to a presumption that a person or corporation is engaged in business in Colorado and is obliged to collect state sales and use tax. Details the circumstances where such an obligation may be created by virtue of a contract by an out-of-state vendor with a person who has the requisite "physical presence" in the state. Contains other provisions. Effective July 1, 2014. Lobbyist: Geoff Wilson, gwilson@cml.org.

**SJR 14-038****TAXATION****Sales and use, Uniform definitions**

Requests CML to develop, in cooperation with its members and with input from the business community, a set of standardized definitions for use by municipalities. Requests that CML also develop a process for maintaining standardization of definitions over time and that a coordinated source of tax guidance relating to these definitions be developed. Requests that home rule municipalities that locally collect their sales and use taxes begin using these definitions by August 2016. Contains other provisions. Approved May 7, 2014. Lobbyist: Geoff Wilson, gwilson@cml.org. *Reprinted.*

**HB 14-1327****TELECOMMUNICATIONS****Broadband**

Incorporates into state law federal permitting and "shot clock" requirements related to broadband facilities, including 90 days to process a complete application for a colocation and 150 days for a new installation. Defines broadband facilities. Requires notice of trenching by the state or a political subdivision to broadband providers who have signed up to receive such notice with the Colorado Department of Transportation, and requires joint trenching with broadband providers in such situations, subject to broad exceptions relating to interference with the project, public health or safety, or other factors. Provides for a

refund of state sales and use taxes paid by broadband providers on equipment installed in certain targeted areas. Contains numerous other provisions. Effective Aug. 6, 2014. Lobbyist: Geoff Wilson, gwilson@cml.org. *Reprinted.*

**SB 14-018****TOBACCO****Sales to minors**

Amends the statutes concerning sales of cigarettes to minors to include nicotine and tobacco products. Effective April 1, 2014. Lobbyist: Geoff Wilson, gwilson@cml.org.

**HB 14-1161****TRANSPORTATION****Amtrak Southwest Chief Commission**

Creates the Southwest Chief Rail Line Economic Development, Rural Tourism, and Infrastructure Repair and Maintenance Commission, which is dedicated to preserving Amtrak rail service in southeastern Colorado and adding Pueblo as a stop on the Southwest Chief route. Creates a fund to accept dollars in aid of achieving this goal, but no state money was allocated to the fund. Effective Aug. 6, 2014. Lobbyist: Mark Radtke, mradtke@cml.org.

**SB 14-146****TRANSPORTATION****Speed limit studies**

Allows the Colorado Department of Transportation (CDOT) to consider data contained in municipal speed limit traffic studies conducted on state highways when performing a CDOT traffic study. Effective May 2, 2014. Lobbyist: Mark Radtke, mradtke@cml.org.

**HB 14-1160****TRANSPORTATION****Divisible load overweight permits**

Exempts waste water vehicles contracted by or owned and operated by a city, county, municipal utility, or special district from wheel- and axle-load restrictions. Specifically applies to trucks with vacuum equipment to load liquid or solid waste or storm water. Authorizes, beginning Jan. 1, 2015, an annual fleet permit fee of \$2,000 plus \$35 per vehicle for overweight vehicles with two- or three-axle divisible loads. Effective Aug. 6, 2014. Lobbyist: Mark Radtke, mradtke@cml.org.

**SB 14-060****TRANSPORTATION****Flagger certification**

Allows the Colorado Department of Transportation (CDOT) to authorize public and private traffic flagperson certification training and develop training and examination materials that must be used for such certification. Provides resulting certification of public and private sector flagpersons to be recognized statewide. Effective March 27, 2014. Lobbyist: Mark Radtke, mradtke@cml.org.

**HB 14-1105****TRANSPORTATION****Intergovernmental fuel sales**

Changes statutory language to specifically allow intergovernmental fuel sales among any governmental units

holding a motor fuels tax exemption certificate. Effective Aug. 6, 2014. Lobbyist: Mark Radtke, [mradtke@cml.org](mailto:mradtke@cml.org).  
*Reprinted.*

## **HB 14-1027**

### **TRANSPORTATION**

#### **Plug-in electric vehicle definition**

Redefines "plug-in electric vehicle" in statute as "any motor vehicle that can be recharged from any external source of electricity and the electricity stored in a rechargeable battery pack propels or contributes to propel the vehicle's drive wheel." Effective Feb. 19, 2014. Lobbyist: Mark Radtke, [mradtke@cml.org](mailto:mradtke@cml.org).

## **HB 14-1301**

### **TRANSPORTATION**

#### **Safe Routes to School**

Allocates \$700,000 of state general fund to the Colorado Department of Transportation (CDOT) to fund the Safe Routes to School in FY 2014-15 as federal funds to support this program disappear in September. Effective June 3, 2014. Lobbyist: Mark Radtke, [mradtke@cml.org](mailto:mradtke@cml.org).

## **SB 14-115**

### **WATER & WASTEWATER**

#### **Colorado Water Plan requirements**

Requires the Colorado Water Conservation Board to develop a state water plan with involvement of public and basin roundtables. Requires a report on scope, fundamental approach, and basic elements of plan to Water Resources Review Committee by Aug. 1, 2014. Requires committee to hold at least one public hearing on draft plan in each geographic region associated with basin roundtables to receive public feedback, as well as to provide summary of the public feedback and committee feedback to board by Nov. 1, 2014. Requires board to then present draft plan to committee by July 1, 2015, to be followed by additional public meetings in each basin roundtable regions and to provide summary of committee and public feedback to board by Nov. 1, 2015. Requires same procedure for significant plan amendments. Contains numerous requirements for activity after Nov. 1, 2017. States that the state water plan does not have force or effect of law. Effective May 15, 2014. Lobbyist: Kevin Bommer, [kbommer@cml.org](mailto:kbommer@cml.org).

## **HB 14-1005**

### **WATER & WASTEWATER**

#### **Ditch headgate relocation**

Clarifies that a water right owner may relocate a ditch headgate pursuant to 1881 act without filing for a change of water right under the Water Right Determination and Administration Act of 1969 if relocation does not physically interfere with complete use or enjoyment of other water rights. Effective May 16, 2014. Lobbyist: Kevin Bommer, [kbommer@cml.org](mailto:kbommer@cml.org).

## **SB 14-171**

### **WATER & WASTEWATER**

#### **Water conservation fixture as energy efficiency improvement**

Adds water conservation fixtures to the definition of an "energy efficiency improvement," for which the Colorado

New Energy Improvement District may arrange financing, secured by a lien on affected real estate. Financing, under current law, is allowed for installation of energy efficiency improvements in residences and commercial buildings. Effective Aug. 6, 2014. Lobbyist: Kevin Bommer, [kbommer@cml.org](mailto:kbommer@cml.org).

## **SB 14-142**

### **WATER & WASTEWATER**

#### **Pesticide inspection of water & wastewater systems**

Eliminates the Commissioner of Agriculture's responsibility to inspect including public water systems and domestic wastewater treatment works as part of commissioner's duty to regulate use of agricultural chemicals in Colorado. Effective March 27, 2014. Lobbyist: Kevin Bommer, [kbommer@cml.org](mailto:kbommer@cml.org).

## **HB 14-1008**

### **WATER & WASTEWATER**

#### **Private entity forest health loans allowed**

Authorizes the Colorado Water Resources and Power Development Authority to make loans to private entities for purposes of forest health projects contemplated by legislation passed in 2013. Effective May 12, 2014. Lobbyist: Kevin Bommer, [kbommer@cml.org](mailto:kbommer@cml.org).

## **SB 14-103**

### **WATER & WASTEWATER**

#### **Prohibition on non-WaterSense fixture sales**

Defines a "WaterSense-listed plumbing fixture" with specific criteria. Prohibits sale of new lavatory faucets, shower heads, flushing urinals, tank-type toilets, and tank-type water closets on and after Sept. 1, 2016, unless they are WaterSense-listed plumbing fixtures. Amends or repeals conflicting portions of current law. Effective Aug. 6, 2014. Lobbyist: Kevin Bommer, [kbommer@cml.org](mailto:kbommer@cml.org).

## **SB 14-025**

### **WATER & WASTEWATER**

#### **Small communities grant program clarifications**

Clarifies that state severance tax dollars credited to Small Communities Water and Wastewater grant fund may be used for domestic wastewater treatment works, as well as drinking water treatment works. Contains related provisions. Effective Feb. 27, 2014. Lobbyist: Kevin Bommer, [kbommer@cml.org](mailto:kbommer@cml.org).

## **HB 14-1002**

### **WATER & WASTEWATER**

#### **Water Infrastructure Natural Disaster Grant Fund**

Creates a fund and directs the Colorado Department of Public Health and Environment to award \$17 million grants to local governments, including local governments accepting grants on behalf of and in coordination with not-for-profit public water systems, under rules promulgated by the Water Quality Control Commission. Grants designated for planning, design, construction, improvement, renovation, or reconstruction of domestic wastewater treatment works and public drinking water systems impacted, damaged, or destroyed in connection with the flood of September 2013. Grants allowed only in counties where disaster emergency