



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated January 14, 2022)

Drafting Number: LLS 22-0064 Date: March 7, 2022
Prime Sponsors: Rep. Gray; Hooton Bill Status: Senate Trans. & Energy
Sen. Winter; Priola Fiscal Analyst: Will Clark | 303-866-4720
Will.Clark@state.co.us

Bill Topic: STATEWIDE REGULATION OF CONTROLLED INTERSECTIONS

- Summary of Fiscal Impact:
State Revenue (checkbox)
State Expenditure (checked)
State Transfer (checkbox)
TABOR Refund (checkbox)
Local Government (checked)
Statutory Public Entity (checkbox)

The bill allows individuals on bicycles and other non-motorized vehicles to make safety stops at controlled intersections under certain circumstances. In FY 2022-23, the bill increases state and local government expenditures.

Appropriation Summary: No appropriation is required as the State Highway Fund is continuously appropriated to the Department of Transportation.

Fiscal Note Status: This revised fiscal note reflects the reengrossed bill. The bill was recommended by the Transportation Legislation Review Committee.

Table 1
State Fiscal Impacts Under HB 22-1028

Table with 4 columns: Category, Budget Year FY 2022-23, and Out Year FY 2023-24. Rows include Revenue, Expenditures (State Highway Fund), Transfers, and Other Budget Impacts.

## **Summary of Legislation**

Under current law, local governments may adopt regulations to allow bicycles, electric-assisted bicycles, electric scooters, and other non-motorized vehicles to make safety stops at intersections under certain circumstances. A safety stop means slowing to a speed of 15 miles per hour or less, and then continuing through an intersection without stopping if there is no traffic in which to yield. This bill 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, and reduces the maximum allowable speed of a safety stop to 10 miles per hour. The bill also requires the Department of Transportation (CDOT), in collaboration with other agencies and non-government entities, to develop educational materials concerning legal requirements and safe practices for approaching controlled intersections. These materials must be made available to schools and the general public, and be included in updates to the Colorado Driver Handbook.

## **Comparable Crime Analysis**

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of an existing crime. This section outlines data on crimes comparable to the offense in this bill and discusses assumptions on future rates of criminal conviction for those offense.

**Prior conviction data and assumptions.** Under current law, bicycles, electric bicycles, and electric scooters have all of the rights and duties applicable to the driver of any other vehicle, unless otherwise exempted by law. In localities that did not adopt ordinances allowing safety stops for these vehicles, this includes gliding through an intersection without stopping. Because the offense of gliding through an intersection without stopping could constitute a number of different traffic offenses, to form an estimate on the prevalence of this crime, the fiscal note analyzed the existing offense of disobeying official traffic control devices, a class A traffic infraction, as a comparable crime. From 2019 to 2021, 361 offenders have been sentenced and convicted for this existing offense, of which 255 were male, 103 were female, and 3 where gender was unknown. Demographically, 281 were White, 31 were African American, 25 were Hispanic, 6 were Asian, 4 were Indian, 7 were designated as Other, and 7 where race was not identified.

**Assumptions.** Because individuals on bicycles and other non-motorized vehicles likely make up a small portion of controlled intersection traffic offenses, the fiscal note assumes that there will be a minimal reduction in infractions under the bill. Because the bill is not expected to have a tangible impact on traffic infraction-related revenue or expenditures at the state or local levels, these potential impacts are not discussed further in this fiscal note. Visit [leg.colorado.gov/fiscalnotes](https://leg.colorado.gov/fiscalnotes) for more information about criminal justice costs in fiscal notes.

## **State Government**

In FY 2022-23 only, this bill increases expenditures to CDOT by \$75,000 from the State Highway Fund. Workload will also increase in multiple other state agencies, as described below.

**Department of Transportation.** Expenditures in CDOT will increase to develop educational materials concerning legal requirements and safe practices for approaching controlled intersections, and to make these materials available to schools and the general public. The fiscal note estimates that it will cost \$75,000 to develop educational materials and digital advertisements on state agency websites.

**Department of Revenue.** The Division of Motor Vehicles must include the new educational materials developed by CDOT in updates to the Colorado Driver Handbook. The fiscal note assumes that these can be added as part of the department's regular update cycle; no change in appropriations required.

**Rule changes.** The bill increases workload in the Departments of Education, Public Safety, Revenue, and Transportation to update materials to reflect the change in law. This minimal workload can be accomplished within the existing appropriations of each agency.

## Local Government

In FY 2022-23, the bill will increase workload for local governments to revise their ordinances if they conflict with the new state requirements.

## Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

## State and Local Government Contacts

Counties  
Public Safety

Education  
Revenue

Municipalities  
Transportation