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0165 Committee on Highway Revenue

Colorado Legislative Council

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Report to the Colorado General Assembly:

COMMITTEE ON HIGHWAY REVENUE

STATE OF COLORADO
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Highway Revenue Committee

of the

Colorado General Assembly

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December, 1970

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Senate Chamber
State of Colorado
Denver

December 28, 1970

Governor John A. Love
Members, 48th General Assembly

Dear Governor Love and Fellow Members:

The Committee on Highway Revenue submits herewith its report in accordance with the directives of House Joint Resolution No. 1023 of the 1970 Session.

The charge given the Committee by the General Assembly was extensive. We have not examined all the suggested subjects, although the Committee held eighteen days of meetings during the interim. Nevertheless, the Committee is submitting a number of recommendations and, in most instances, specific bills accompany these recommendations. Several proposals require increased fees. The Committee's primary objective in raising fees is not to obtain additional revenue for the state. Unpopular as these increases may be, the Committee's objectives are to provide that a function more nearly pays for itself, and to achieve greater equity in the distribution of taxes to pay for use of the state's streets and highways. It is felt that these objectives will be met through implementation of the Committee's proposals.

Early in its deliberations the Committee concluded it had neither the time nor the expertise to fully examine the areas charged to the Committee by the General Assembly. In fact, it is doubtful whether any interim legislative committee could give the subject of highway taxation and its distribution the kind of concentrated study it demands. Therefore, one of the recommendations calls for a comprehensive study of the state's highway and road system and its future needs.

The Committee expresses its appreciation to the many individuals who appeared before the Committee. In particular, the Committee wishes to acknowledge the valuable assistance rendered by the following individuals: John Heckers, Executive Director,

Governor John A. Love
Members, 48th General Assembly
December 28, 1970
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Department of Revenue and Mr. Hecker's capable staff; Mr. Charles Shumate, Executive Director, Department of Highways; Mr. Al Hein, Petroleum Retailers Association of Colorado; Dave Rice, Colorado Cattlemen's Association; Denzel Goodwin, Fremont County Commissioner; Earl Wennergren, Motor Carriers Association; and the Association of County Commissioners.

The preparation of this report was the responsibility of David Hite, Senior Analyst, Legislative Council staff; he was assisted during the interim by Dwight Heffner, Senior Research Assistant. Mr. Vince Hogan, Legislative Drafting Office, provided bill drafting and other legal services to the Committee.

Respectfully submitted,

George L. Jackson

Senator George Jackson
Chairman
Committee on Highway Revenue

GJ/pm

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House Joint Resolution No. 1023, 1970 Session, directed the establishment of a one-year, interim study of highway revenues and how they are distributed. In addition, the Committee was given authority to "consider such other matters relating to highways as it shall determine to be necessary and proper." The full text of the resolution is contained in Appendix A.

The scope of the Committee's inquiry during the 1970 interim was broad, yet there is no doubt that each topic has an effect on our highway system and highway revenues. Listed below are the areas in which the Committee recommends changes in existing statutes and procedures.

Truck Taxation

The proper allocation of highway and street costs to motor vehicle owners has been, historically, the most troublesome problem in the field of highway taxation.

In 1967, a special Governor's committee -- the Highway Legislation Review Committee, or Gossard Committee as it is often called -- examined the area of truck taxation. The introduction to that committee report reads, in part, as follows:

> All taxes are difficult to structure from the standpoint of achieving fairness and equity in apportioning the burden between taxpayers. Many factors which cannot always be measured precisely must none-the-less be considered if fairness is an objective.
>
> Fundamentally, truck taxation in Colorado is the application of highway use taxes to cargo hauling vehicles. On the face of it, this would seem to be quite simple and straightforward, but it is, in fact, quite complex.
>
> The application of the tax becomes difficult because of the great differences in the use of vehicles, even between vehicles of identical weight and size. This is further complicated by the difficulty in accurately accounting for the varying distances traveled and weights hauled for varying distances by different operators in similar weight and size categories.

These same difficult considerations were encountered by the Highway Revenue Committee in its examination of truck taxation. Drawing on the background of the Gossard Committee study and current statistical data compiled by the Department of Revenue, the Committee sought to reexamine the entire topic of truck taxation. Thus the Committee reviewed application of the present law relating to city, metro, farm, and state and ton-mile classifications.

The city, metro, and farm classifications were derived in recognition of the impracticality of imposing the accounting and reporting procedures associated with ton-mile tax upon businesses not really engaged in trucking as a principal business. The state plate and ton-mile tax classification was primarily developed for truckers whose principal business is the hauling of freight or cargo in varying weights and distances. This group generally operates under P.U.C. permits or contracts requiring complete records of operations and thus is capable of complying with reporting and accounting procedures of the ton-mile tax.

While recognizing the rationale for the various classifications now established, the Committee was also aware of a number of changes which have occurred since the present system was adopted. Many of these changes alter the original philosophy behind the city, metro, farm, and state and ton-mile tax classifications. In light of these changes the Committee sought to review each classification and reestablish equity in apportioning the tax burden among those using the state's public streets, roads, and highways.

Ton-Mile Tax

This tax is imposed by applying a uniform registration fee of $22.50 and assessing a tax of 8/10 mills on each ton of empty weight of the vehicle for each mile traveled and a tax of two mills per mile against each ton of cargo or freight hauled.

To supplement the Committee's discussion, the Department of Revenue presented a report which reads, in part, as follows:

> Of all of the taxes collected and administered by the Department of Revenue, gross ton mile tax has been studied by more groups for more years in more detail than any other tax. The end conclusion has always sustained the ton mile tax.
>
> Other proposals have consisted of flat registration fees, gross vehicle weight systems (weight-distance), gross receipts, fuel tax, combinations of these, etc. Each of the systems has certain advantages and disadvan-

tages. Some provide simplicity in reporting at the sacrifice of equity. Some transfer the burden from one group to another. Some would require an extremely high rate of fuel tax in lieu of other taxes. Some single out one industry over other users.

The flat registration system provides simplicity in reporting but inequities exist because there is no direct relationship to use of highways. High registration fees inherent to this system cause a substantial financial burden to some taxpayers because payment cannot be divided over the period of highway use. This system confines the tax largely to residents and diminishes the share paid by nonresidents. This system reduces much of the reporting and record keeping requirements necessary under the gross ton mile tax law but it would require increased on-road enforcement by the ports of entry to determine that the declared weights are accurate. Further, the system creates inequities to intrastate truckers since interstate carriers would enjoy the benefits of prorationing the vehicle registration fees.

The gross weight-distance system is advantageous to those who carry nearly full loads all of the time but penalizes those who, because of the nature of their operations, are empty part of the time. To be effective this system requires essentially the same enforcement and record keeping as the present ton mile tax.

The gross receipts system imposes a special burden on one particular industry based on dollar volume of business. This system does not, however, bear any relationship to the use of the highways.

The fuel tax system applied to trucks in lieu of the gross ton mile tax, while it would provide some measure of highway use, would require a special fuel tax rate in excess of twenty cents per gallon. Enforcement and control would be necessary to make this tax effective.

The ton mile tax is based on the principle that highway users pay their share in proportion to weight and distance. It taxes all trucks whether loaded or not. It then provides an additional tax based on the cargo (additional weight) carried on the highways. It also provides for the necessary exportation of part of the tax so that the burden is borne by highway users even though they are not residents. This accepted principle is utilized in other taxes such as corporate income tax, sales tax, cigarette tax and motor fuel tax.

In summary, after reviewing many and varied truck tax systems, it was concluded that the present ton mile tax contains more equity for more highway users than any other method studied.

Committee Recommendations. The Committee recommendation regarding the ton-mile tax is an endorsement of the conclusions reached by the Department of Revenue (cited above), and the Gossard Committee's conclusions which read as follows: "The ton mile method of applying a highway users tax to trucks in the business of hauling cargo or freight is logical and sound. The rate structures these same trucks use to charge for their services are essentially based on weight of the commodity hauled and the distance hauled. The tax is applied in the same manner."

There are some conforming amendments to the present ton-mile tax statute in light of the Committee's actions detailed in the sections of this report on city, metro, farm, and state-plated vehicles. These proposed amendments are contained in Section 4 of Bill A in this report.

City Plates

The annual registration fee for trucks and truck tractors operated exclusively within the boundaries of a city or town is paid according to the following schedule:

Empty Weight	Registration Fee
to 4,500 pounds	$12.50
4,501 - 10,500	12.50 + $.90 per 100 lbs. over 4,500
10,501 and over	66.50 + $1.85 per 100 lbs. over 10,500

The present statute specifies that if a city licensed vehicle is operated outside the boundaries of a city or town it is subject to the payment of ton-mile tax for all miles operated in such a manner.

The Department of Revenue reported to the Committee that the number of applications for such a classification has dropped considerably over the past fifteen years. Department statistics indicate the use of city plates has declined from 1,721 in 1956 to 226 in 1965 and 85 in 1969. The 1967 Highway Legislation Review Committee noted that a number of vehicles comprising the total registrations in this category were owned by local governmental units and not required to pay the registration fee for such plates. The 1967 study committee concluded that there was little need for the city plate classification.

Committee Recommendations. The Committee recommends that the city registration category be abolished by repealing Section 13-3-23 (12), C.R.S. 1963 (1969 Supp.). Language to accomplish this is contained in Section 6 of Bill A in this report.

Metro Plates

The present statute provides that a metro registration can be used by trucks and truck tractors operated in an area not exceeding ten miles outside the boundaries of a city or town. The registration fee is 125 percent of the fee prescribed for vehicles registered under the provisions of the city plate. When a vehicle with metro registration operates outside the ten mile radius, ton-mile tax must be paid on this mileage.

The Committee called upon the Department of Revenue and the Colorado Motor Carriers Association to review the operation of this registration category and recommend any changes deemed advisable. The Department of Revenue noted that in the past it had been in accord with the recommendations of previous legislative committees concerning metro plates. The Department reported that the 1967 Highway Legislation Review Committee recommended that the metro category be limited to the delivery type vehicle with tare weight of approximately 8,000 pounds. A more recent tabulation of metro registrations indicated a natural drop in the number of registrations at the tare weight limit of 12,000 pounds. The Department suggested that consideration might be given to extending the radius of the metro plate from the present 10 miles to 15 or 20 miles. Finally, the Department of Revenue observed that since the existing statute bases metro rates on the city plate fees, new rate schedules for metro plates would have to be developed if city plates were repealed. In addition, if the metro radius is increased, the rates should be changed.

Representatives of the trucking industry made no formal recommendations to the Committee regarding the metro registration category. They did meet with personnel of the Department of Revenue and presented a view that if the metro weight limit were to be altered it should be higher -- 15,000 pounds tare weight or greater -- and that the metro radius should be increased to 30 air miles from a fixed, central point within a city or town. After continued discussion between the two groups, it was agreed that more information was needed concerning the operation and use of metro vehicles, specifically, types of routes, gross weights and miles traveled by these vehicles by weight categories.

Committee Recommendations. After consideration of the recommendations made in previous studies, testimony before the Committee, and the objectives sought by the Committee in the whole area of truck taxation, the following changes in the metro category are recommended for consideration by the General Assembly:

-- vehicles of less than 5,000 pounds tare weight will pay a registration fee as specified in the table on page 13 of this report. This fee scale is the same schedule proposed for the registration of light trucks.

-- vehicles with tare weights in the 5,000-10,000 pound range will pay $27.50 plus $1.12 per hundred pounds of tare weight exceeding 5,000 pounds.

-- vehicles with tare weights exceeding 10,000 pounds will pay $83.50 plus $2.31 per hundred pounds tare weight exceeding 10,000 pounds.

-- single unit vehicles weighing over 16,000 pounds tare weight will bear a metro registration but will be subject to the provisions of the ton-mile tax.

-- no truck tractor, regardless of weight, will register under provisions of the metro section of the statutes, but instead be subject to the provisions of the ton-mile tax.

The provisions implementing the Committee's recommendations are contained in Section 2 of Bill A in this report.

An estimate of metro registrations by weight class for 1970 indicates the following:

Number of trucks	Weight class (Pounds)
1,005	under 5,000
3,095	5,000 - 16,000
252	over 16,000

These same registration figures indicate there are an estimated 565 truck tractors with metro registrations.

In recommending changes in the metro registration provisions, the Committee was guided by a number of objectives. Theoretically, vehicles in the same weight category operating on metro registration should pay in registration fees an amount equal to the average amount paid by the same weight vehicle operating on a state plate and paying a ton-mile tax when these vehicles are used in similar type operations. The present rates for city and metro classifications are based on estimates made by the General Assembly in 1955. Evidence received by the Committee and other study groups indicates that the average annual miles traveled by vehicles with metro registrations is in excess of that anticipated in 1955. In addition, the size of vehicles used under the metro registration has increased substantially, and, as a result, the cargo carried is greater than originally anticipated. In short, if it is assumed that the concept of the ton-mile tax is rational and equitable there seem to be variances in the total tax liability between state plated vehicles paying ton-mile tax and the registration fee for metro vehicles. It is believed that the new registration schedule will help correct that deficiency.

While the 1967 Gossard Committee study recommended that the metro category be limited to delivery type vehicles with tare weights of approximately 8,000 pounds, and the trucking industry suggested during the 1970 interim that the limit be 15,000 pounds or higher, the Committee is recommending that the limit be set at 16,000 pounds tare weight. Any vehicle over this weight will be subject to ton-mile tax. In the case of vehicles over 16,000 pounds and combinations -- truck tractor vehicles -- the Committee suggests that neither of these groups can be classified as the traditional type metro vehicle used for local deliveries and similar type operations.

Finally, although the new registration fee schedule may represent an increase in registration fees paid by metro vehicles, it is the opinion of the Committee that greater equity will be achieved. Vehicles will more closely be paying their share for use of the road; and still the objective of a single registration fee will be retained, thus relieving most operators of the traditional city delivery type vehicle from the burden of reporting and accounting procedures for an ever changing delivery or pickup load factor.

The estimated revenue effect of the proposed fee schedule for metro vehicles in each weight category is presented in Table 2 on page 13 of this report.

Farm Plates

The statutes currently specify that trucks and truck tractors owned by farmers or ranchers may display a farm plate if such vehicles are used "exclusively for transporting to market or place of storage agricultural products actually produced or livestock actually raised by such farmer or rancher or for transporting commodities and livestock purchased by such farmer or rancher for his own use, and used in his farming or ranching operations." The annual registration fee is specified as:

Empty Weight	Registration Fee
to 4,000 pounds	$7.00
4,001 - 10,000	7.00 + $.45 per 100 lbs. over 4,000
10,001 and over	36.25 + $1.05 per 100 lbs. over 10,000

In considering this classification the Committee's first objective was to achieve equity and uniformity with other categories of taxation upon which the Committee had acted. To be sure, considerable evidence pointed to the need for a reexamination of the farm plate classification. Many individuals have questioned whether the registration and license fees afforded farm and ranch vehicles resulted in exacting a revenue in proportion to the costs generated for the highway system by these vehicles. The concept of farming and ranching has changed over the years, and although the Department of Revenue has attempted to deal with challenges to and interpretations of the present law through administrative rules and regulations, gray areas still exist.

Committee Recommendations. The Committee recommends for consideration by the General Assembly a measure, the provisions of which are contained in Bill A in this report. Section 1 of the bill makes the following changes in the present method of taxing farm and ranch vehicles:

-- all vehicles over 16,000 pounds tare weight will pay ton-mile tax.

-- all truck tractors, regardless of weight, will be registered pursuant to the ton-mile tax statute.

-- a graduated registration fee schedule similar to the proposed schedule for metro vehicles and the proposed schedule for light trucks is prescribed for farm and ranch vehicles weighing 5,000 pounds or less; but, unlike the metro and light truck schedules, the assumed load factor which is an element in the fee calculation for each weight category is one-half the load factor proposed for the metro and light truck categories.

-- for farm and ranch vehicles weighing between 5,000 and 10,000 pounds tare weight, the registration fee will be $21.50 plus $.45 per 100 pounds over 5,000 pounds.

-- for vehicles over 10,000 pounds the proposed fee is $44.00 plus $1.05 per 100 pounds exceeding 10,000 pounds.

Department of Revenue statistics indicate that, based on the estimated number of 1970 farm registrations, some 69,011 farm and ranch vehicles will be affected by the Committee's recommendation. Of this 69,011 some 46,401 vehicles have empty weights of 5,000 pounds or less; 22,549 are estimated to have weights between 5,000 and 16,000 pounds; and 61 vehicles are estimated to weigh over 16,000 pounds with the heaviest vehicles in a range up to 50,000 pounds tare weight. Table 3 on page 19 shows the full impact of the proposal on various weight categories.

As in the case of the metro category, and the registration fees for state-plated light trucks (examined in the next section of this report), the Committee followed the same rationale for examining the present fee structure and recommending a change in that structure. The assumed load factors for vehicles under 5,000 pounds are one-half those assigned for metro and state-plated light trucks. This alteration was made in recognition of the fact that when farm and ranch vehicles are in use they are not always on the public roads and highways; it was thought that 50 percent would be a representative figure although it was recognized that off the public road use is already compensated for by fuel tax refunds given on fuel consumed on private property. (These refunds amounted to approximately $2.25 million in fiscal 1970.) The fees for the 5,000 to 16,000 pound category are scaled to conform with the decision made regarding the 5,000 pound and under classification.

With regards to the general administration of the farm plate category, the question of what farm and ranch vehicle uses should be classified as legitimate, and whether certain activities such as dude ranches and turf farms are in fact farming and ranching as intended by the statute, the Committee gave consideration to all of these subjects but arrived at no specific recommendations. The Committee was, however, in substantial agreement with the Department of Revenue's contention that it is questionable whether, for example, turf farms should be licensed with a farm plate.

Light Weight Trucks

The statutes currently provide that the annual registration fee for trucks and truck tractors not registered under the city, metro, or farm categories shall be as follows:

Empty Weight	Registration Fee
to 4,500 pounds	$12.50
4,501 and over	22.50 + gross ton-mile tax

The Committee followed the same rationale in looking at the registration fees for light weight trucks as it did for metro and farm classifications: an equitable distribution of taxes to pay for use of the public streets and highways. It was brought to the Committee's attention that there has been a proliferation in the number of light weight trucks -- pickup trucks, campers, and the like -- on the state's streets and highways in the last few years. In addition to the increasing number of vehicles, their weight and load capacity have increased. Based on all these factors, the Committee examined the need for up-dating the present registration fee schedule.

In the Committee's attempt to meet the objective of having light weight trucks pay a registration fee reflecting tare weight plus a load factor which would be comparable to an automobile of the same weight, the Department of Revenue reported that, for the most part, the current registration fee for light weight trucks takes into consideration a load factor. For example, a comparison of a 3,500 pound passenger vehicle and a 3,500 pound pickup truck shows that the pickup currently pays $3.50 more in registration fees -- $12.50 for the pickup and $9.00 for the passenger car. At this rate, the pickup could carry a load of 1,000 pounds and the fees would be comparable to a passenger car weighing 4,500 pounds. However, the Department of Revenue noted that the present rate system does not take into account heavier loads being carried by heavier vehicles. The table on the following page indicates the present registration fee and weight comparison between passenger cars and light weight trucks.

Committee Recommendations. The Committee recommends for consideration by the General Assembly provisions for changes in the current registration fees for light weight trucks. These provisions are contained in section 3 of Bill A in this report. The changes provide for a scaled registration fee for vehicles under 5,000 pounds tare weight. This is the same schedule for metro licensed vehicles. The Committee, in preparing the new schedule, has assumed the following load factors:

under 3,000 pounds empty weight,	750 pounds
3,000-3,500 pounds empty weight,	1,000 pounds
3,500-4,500 pounds empty weight,	1,500 pounds
4,500-5,000 pounds empty weight,	2,000 pounds

Above 5,000 pounds empty weight, the registration fee will be $22.50 and the current provisions of the ton-mile tax will apply.

The full implications of the Committee recommendations are contained in Table 4 on page 25 of this report. The table, as prepared by the Department of Revenue, shows that an estimated 220,573 vehicles will be affected by the recommendation. Although the revenue impact of the bill will mean an increase in

Table 1

REGISTRATION FEE AND WEIGHT COMPARISON

PASSENGER CARS VS. PICKUP TRUCKS

Vehicle Tare Wt. (Pounds)	Registration Fee Trucks 1/	Pass. Car 1/	Truck Fee Differential	Passenger Car Weight @ $12.50 1/ Fee Level (Pounds)	Truck Load Taxed by Differential (Pounds)
2,500	$ 12.50	$ 7.00	$ 5.50	4,501	2,001
3,000	12.50	8.00	4.50	4,501	1,501
3,500	12.50	9.00	3.50	4,501	1,001
3,800	12.50	9.60	2.90	4,501	701
4,000	12.50	10.00	2.50	4,501	501
4,250	12.50	10.50	2.00	4,501	251
4,500	12.50	11.00	1.50	4,501	1

1/ Does not include additional $1.50 registration fee.

SOURCE: Department of Revenue, September 15, 1970.

registration fee revenues for the state, not all vehicle weights will sustain an increase in taxes. The table on page 25 shows that those vehicles weighing 3,500 pounds or less will realize a reduction in registration fees.

In proposing this new registration schedule, the Committee believes the fees are reasonable and equitable. The assumed load factors are conservative. All in all, the proposal is made as an approach to recognizing the kinds of vehicles -- and their weight and load potential -- using the public streets and highways today and distributing the cost of wear on these streets and highways in an equitable manner.

Table 2

ANALYSIS OF PROPOSED METRO TRUCK REGISTRATION
FEES BY WEIGHT CLASS

Weight Range (Tare)	Metro Estimated Number of 1970 Registrations	Weight Range Mid Point	Load Factor	Total Weight	City Registration Fee	Current Registration Fee	Proposed Registration Fee 1/	Estimated 1970 Collections at Current Rates	Estimated 1970 Collections at Proposed Rates	Estimated Increase (Decrease)
2,000 and under	399	1,951	750	2,701	12.50	15.63	7.60	6,236	3,032	(3,204)
2,001 - 2,100	-	2,051	750	2,801	12.50	15.63	7.80	-	-	-
2,101 - 2,200	-	2,151	750	2,901	12.50	15.63	8.00	-	-	-
2,201 - 2,300	-	2,251	750	3,001	12.50	15.63	8.20	-	-	-
2,301 - 2,400	1	2,351	750	3,101	12.50	15.63	8.40	16	8	(7)
2,401 - 2,500	-	2,451	750	3,201	12.50	15.63	8.60	-	-	-
2,501 - 2,600	1	2,551	750	3,301	12.50	15.63	8.80	16	9	(7)
2,601 - 2,700	4	2,651	750	3,401	12.50	15.63	9.00	63	36	(27)
2,701 - 2,800	6	2,751	750	3,501	12.50	15.63	9.20	94	55	(39)
2,801 - 2,900	4	2,851	750	3,601	12.50	15.63	9.40	63	38	(25)
2,901 - 3,000	28	2,951	750	3,701	12.50	15.63	9.60	438	269	(169)
3,001 - 3,100	5	3,051	1,000	4,051	12.50	15.63	10.20	78	51	(27)
3,101 - 3,200	29	3,151	1,000	4,151	12.50	15.63	10.40	453	302	(152)
3,201 - 3,300	22	3,251	1,000	4,251	12.50	15.63	10.60	344	233	(111)
3,301 - 3,400	11	3,351	1,000	4,351	12.50	15.63	10.80	172	119	(53)
3,401 - 3,500	37	3,451	1,000	4,451	12.50	15.63	11.00	578	407	(171)
3,501 - 3,600	29	3,551	1,500	5,051	12.50	15.63	16.10	453	467	14
3,601 - 3,700	15	3,651	1,500	5,151	12.50	15.63	16.70	235	251	16
3,701 - 3,800	26	3,751	1,500	5,251	12.50	15.63	17.30	406	450	43
3,801 - 3,900	11	3,851	1,500	5,351	12.50	15.63	17.90	172	197	25
3,901 - 4,000	41	3,951	1,500	5,451	12.50	15.63	18.50	641	759	118
4,001 - 4,100	16	4,051	1,500	5,551	12.50	15.63	19.10	250	306	56
4,101 - 4,200	22	4,151	1,500	5,651	12.50	15.63	19.70	344	433	90
4,201 - 4,300	21	4,251	1,500	5,751	12.50	15.63	20.30	328	426	98
4,301 - 4,400	9	4,351	1,500	5,851	12.50	15.63	20.90	141	188	47
4,401 - 4,500	25	4,451	1,500	5,951	12.50	15.63	21.50	391	538	147
4,501 - 4,600	32	4,551	2,000	6,551	13.40	16.76	25.10	536	803	267
4,601 - 4,700	48	4,651	2,000	6,651	14.30	17.88	25.70	858	1,234	375
4,701 - 4,800	56	4,751	2,000	6,751	15.20	19.00	26.30	1,064	1,473	409
4,801 - 4,900	40	4,851	2,000	6,851	16.10	20.13	26.90	805	1,076	271
4,901 - 5,000	67	4,951	2,000	6,951	17.00	21.26	27.50	1,424	1,843	418
5,001 - 5,100	89	5,051			17.90	22.38	28.63	1,992	2,548	556
5,101 - 5,200	92	5,151			18.80	23.51	29.75	2,163	2,737	574

ANALYSIS OF PROPOSED METRO TRUCK REGISTRATION
FEES BY WEIGHT CLASS

Weight Range (Tare)	Metro Estimated Number of 1970 Registrations	Weight Range Mid Point	Load Factor	Total Weight	City Registration Fee	Current Registration Fee	Proposed Registration Fee 1/	Estimated 1970 Collections at Current Rates	Estimated 1970 Collections at Proposed Rates	Estimated Increase (Decrease)
5,201 - 5,300	82	5,251			19.70	24.63	30.88	2,020	2,532	513
5,301 - 5,400	75	5,351			20.60	25.76	32.00	1,932	2,400	468
5,401 - 5,500	74	5,451			21.50	26.88	33.13	1,989	2,452	463
5,501 - 5,600	45	5,551			22.40	28.00	34.25	1,260	1,541	281
5,601 - 5,700	54	5,651			23.30	29.13	35.38	1,573	1,911	338
5,701 - 5,800	41	5,751			24.20	30.26	36.50	1,241	1,497	256
5,801 - 5,900	30	5,851			25.10	31.38	37.63	941	1,129	188
5,901 - 6,000	90	5,951			26.00	32.51	38.75	2,926	3,488	562
6,001 - 6,100	57	6,050			26.90	33.63	39.88	1,917	2,273	356
6,101 - 6,200	53	6,151			27.80	34.76	41.00	1,842	2,173	331
6,201 - 6,300	37	6,251			28.70	35.88	42.13	1,328	1,559	231
6,301 - 6,400	78	6,351			29.60	37.00	43.25	2,886	3,374	488
6,401 - 6,500	43	6,451			30.50	38.13	44.38	1,640	1,908	269
6,501 - 6,600	50	6,551			31.40	39.26	45.50	1,963	2,275	312
6,601 - 6,700	46	6,651			32.30	40.38	46.63	1,857	2,145	288
6,701 - 6,800	49	6,751			33.20	41.51	47.75	2,034	2,340	306
6,801 - 6,900	21	6,851			34.10	42.63	48.87	895	1,026	131
6,901 - 7,000	127	6,951			35.10	43.76	50.00	5,558	6,350	793
7,001 - 7,100	35	7,051			35.90	44.88	51.13	1,571	1,790	219
7,101 - 7,200	48	7,151			36.80	46.00	52.25	2,208	2,508	300
7,201 - 7,300	37	7,251			37.70	47.13	53.38	1,744	1,975	231
7,301 - 7,400	66	7,351			38.60	48.26	54.50	3,185	3,597	412
7,401 - 7,500	40	7,451			39.50	49.38	55.63	1,975	2,225	250
7,501 - 7,600	41	7,551			40.40	50.51	56.75	2,071	2,327	256
7,601 - 7,700	54	7,651			41.30	51.63	57.88	2,788	3,126	338
7,701 - 7,800	44	7,751			42.20	52.76	59.00	2,321	2,596	275
7,801 - 7,900	23	7,851			43.10	53.88	60.13	1,239	1,383	144
7,901 - 8,000	104	7,951			44.00	55.01	61.25	5,721	6,370	649
8,001 - 8,100	22	8,051			44.90	56.13	62.38	1,235	1,372	138
8,101 - 8,200	53	8,151			45.80	57.26	63.50	3,035	3,366	331
8,201 - 8,300	34	8,251			46.70	58.38	64.63	1,985	2,197	213
8,301 - 8,400	48	8,351			47.60	59.51	65.75	2,857	3,156	300
8,401 - 8,500	44	8,451			48.50	60.63	66.88	2,668	2,943	275

ANALYSIS OF PROPOSED METRO TRUCK REGISTRATION
FEES BY WEIGHT CLASS

Weight Range (Tare)	Metro Estimated Number of 1970 Registrations	Weight Range Mid Point	Load Factor	Total Weight	City Registration Fee	Current Registration Fee	Proposed Registration Fee 1/	Estimated 1970 Collections at Current Rates	Estimated 1970 Collections at Proposed Rates	Estimated Increase (Decrease)
8,501 - 8,600	63	8,551			49.40	61.76	68.00	3,891	4,284	393
8,601 - 8,700	64	8,651			50.30	62.88	69.13	4,024	4,424	400
8,701 - 8,800	50	8,751			51.20	64.01	70.25	3,201	3,513	312
8,801 - 8,900	19	8,851			52.10	65.13	71.38	1,238	1,356	119
8,901 - 9,000	25	8,951			53.00	66.26	72.50	1,657	1,813	156
9,001 - 9,100	16	9,051			53.90	67.38	73.63	1,078	1,178	100
9,101 - 9,200	12	9,151			54.80	68.51	74.75	822	897	75
9,201 - 9,300	21	9,251			55.70	69.63	75.88	1,462	1,594	131
9,301 - 9,400	18	9,351			56.60	70.76	77.00	1,274	1,386	112
9,401 - 9,500	28	9,451			57.50	71.88	78.13	2,013	2,188	175
9,501 - 9,000	18	9,551			58.40	73.01	79.25	1,314	1,427	112
9,601 - 9,700	14	9,651			59.30	74.13	80.38	1,038	1,125	88
9,701 - 9,800	12	9,751			60.20	75.26	81.50	903	978	75
9,801 - 9,900	21	9,851			61.10	76.38	82.63	1,604	1,735	131
9,901 - 10,000	69	9,951			62.00	77.50	83.75	5,348	5,779	431
10,001 - 10,100	32	10,051			62.90	78.63	84.88	2,516	2,716	200
10,101 - 10,200	50	10,151			63.80	79.76	86.00	3,988	4,300	312
10,201 - 10,300	27	10,251			64.70	80.88	87.13	2,184	2,353	169
10,301 - 10,400	33	10,351			65.60	82.01	88.25	2,706	2,912	206
10,401 - 10,500	24	10,451			66.50	83.13	89.38	1,995	2,145	150
10,501 - 10,600	34	10,551			68.35	85.45	91.69	2,905	3,118	212
10,601 - 10,700	18	10,651			70.20	87.75	94.01	1,580	1,692	113
10,701 - 10,800	21	10,751			72.05	90.06	96.32	1,891	2,023	132
10,801 - 10,900	7	10,851			73.90	92.37	98.63	647	690	44
10,901 - 11,000	51	10,951			75.75	94.68	100.94	4,829	5,148	319
11,001 - 11,100	27	11,051			77.60	96.99	103.26	2,619	2,788	169
11,101 - 11,200	17	11,151			79.45	99.30	105.57	1,688	1,795	107
11,201 - 11,300	15	11,251			81.30	101.61	107.88	1,524	1,618	94
11,301 - 11,400	11	11,351			83.15	103.92	110.19	1,143	1,212	69
11,401 - 11,500	51	11,451			85.00	106.23	112.51	5,418	5,738	320
11,501 - 11,600	15	11,551			86.85	108.54	114.82	1,628	1,722	94
11,601 - 11,700	15	11,651			88.70	110.85	117.13	1,663	1,757	94
11,701 - 11,800	14	11,751			90.55	113.16	119.44	1,584	1,672	88
11,801 - 11,900	5	11,851			92.40	115.47	121.76	577	609	32
11,901 - 12,000	17	11,951			94.25	117.78	124.07	2,002	2,109	107

ANALYSIS OF PROPOSED METRO TRUCK REGISTRATION
FEES BY WEIGHT CLASS

Weight Range (Tare)	Metro Estimated Number of 1970 Registrations	Weight Range Mid Point	Load Factor	Total Weight	City Registration Fee	Current Registration Fee	Proposed Registration Fee 1/	Estimated 1970 Collections at Current Rates	Estimated 1970 Collections at Proposed Rates	Estimated Increase (Decrease)
12,001 - 12,100	17	12,051			96.10	120.09	126.38	2,042	2,149	107
12,101 - 12,200	5	12,151			97.95	122.40	128.69	612	644	32
12,201 - 12,300	5	12,251			99.80	124.71	131.01	624	655	32
12,301 - 12,400	7	12,351			101.65	127.02	133.32	889	933	44
12,401 - 12,500	6	12,451			103.50	129.33	135.63	776	814	
12,501 - 12,600	9	12,551			105.35	131.64	137.94	1,185	1,242	57
12,601 - 12,700	9	12,651			107.20	133.95	140.26	1,206	1,262	57
12,701 - 12,800	5	12,751			109.05	136.26	142.57	681	713	32
12,801 - 12,900	2	12,851			110.90	138.57	144.88	277	290	13
12,901 - 13,000	8	12,951			112.75	140.88	147.19	1,127	1,178	51
13,001 - 13,100	2	13,051			114.60	143.19	149.51	286	299	13
13,101 - 13,200	5	13,151			116.45	145.50	151.82	728	759	32
13,200 - 13,300	4	13,251			118.30	147.81	154.13	591	617	25
13,301 - 13,400	4	13,351			120.15	150.12	156.44	601	626	25
13,401 - 13,500	5	13,451			122.00	152.43	158.76	762	794	32
13,501 - 13,600	6	13,551			123.85	154.74	161.07	928	966	38
13,601 - 13,700	8	13,651			125.70	157.05	163.38	1,256	1,307	51
13,701 - 13,800	4	13,751			127.55	159.36	165.69	637	663	25
13,801 - 13,900	-	13,851			129.40	161.67	168.01	-	-	-
13,901 - 14,000	11	13,951			131.25	163.98	170.32	1,804	1,874	70
14,001 - 14,100	2	14,051			133.10	166.29	172.63	333	345	13
14,101 - 14,200	5	14,151			134.95	168.60	174.94	843	875	32
14,201 - 14,300	6	14,251			136.80	170.91	177.26	1,026	1,064	38
14,301 - 14,400	2	14.351			138.65	173.22	179.57	346	359	13
14,401 - 14,500	3	14,451			140.50	175.53	181.88	527	546	19
14,501 - 14,600	4	14,551			142.35	177.84	184.19	711	737	25
14,601 - 14,700	3	14,651			144.20	180.15	186.51	541	560	19
14,701 - 14,800	4	14,751			146.05	182.46	188.82	730	755	25
14,801 - 14,900	3	14,851			147.90	184.77	191.13	554	573	19
14,901 - 15,000	19	14,951			149.75	187.08	193.44	3,555	3,675	121
15,001 - 15,100	6	15,051			151.60	189.39	195.76	1,136	1,175	38
15,101 - 15,200	5	15,151			153.45	191.70	198.07	959	990	32

ANALYSIS OF PROPOSED METRO TRUCK REGISTRATION FEES BY WEIGHT CLASS

Weight Range (Tare)	Metro Estimated Number of 1970 Registrations	Weight Range Mid Point	Load Factor	Total Weight	City Registration Fee	Current Registration Fee	Proposed Registration Fee 1/	Estimated 1970 Collections at Current Rates	Estimated 1970 Collections at Proposed Rates	Estimated Increase (Decrease)
15,201 - 15,300	7	15,251			155.30	194.01	200.38	1,358	1,403	45
15,301 - 15,400	7	15,351			157.15	196.32	202.69	1,374	1,419	45
15,401 - 15,500	8	15,451			159.00	198.63	205.01	1,589	1,640	51
15,501 - 15,600	3	15,551			160.85	200.94	207.32	603	622	19
15,601 - 15,700	1	15,651			162.70	203.25	209.63	203	210	6
15,701 - 15,800	8	15,751			164.55	205.56	211.94	1,645	1,696	51
15,801 - 15,900	4	15,851			166.40	207.87	214.26	832	857	26
15,901 - 16,000	13	15,951			168.25	210.18	216.57	2,732	2,815	83
16,101 and over	252									
Totals	4,352							$207,715	$225,476	$17,761

SUMMARY

to 5,000	1,005	$16,599	$15,003	$(1,598)
5,001 - 16,000	3,095	191,116	210,473	19,359
16,001 and over	252	-	-	-
		$207,715	$225,476	$17,761

1/ Proposed fees for Metro vehicles parallel those for state licensed trucks thru 5,000 pounds tare. Above 5,000 pounds each additional 100 pound bracket is charged at the existing (current) Metro fee schedule.

SOURCE: Department of Revenue, December 11, 1970.

Table 3

ANALYSIS OF PROPOSED FARM TRUCK REGISTRATION
FEES BY WEIGHT CLASS

Weight Range (Tare)	Estimated Number of 1970 Registrations	Weight Range Mid Point	Load Factor	Total Weight	Current Registration Fee	Proposed Registration Fee 1/	Estimated 1970 Collections at Current Rates	Estimated 1970 Collections at Proposed Rates	Estimated Increase (Decrease) In Revenue
2,000 and under	554	1,951	375	2,326	7.00	6.80	3,878	3,767	(111)
2,001 - 2,100	66	2,051	375	2,426	7.00	7.00	462	462	---
2,[illegible] - 2,200	290	2,151	375	2,526	7.00	7.20	2,030	2,088	58
2,[illegible]01 - 2,300	131	2,251	375	2,626	7.00	7.40	917	969	52
2,301 - 2,400	231	2,351	375	2,726	7.00	7.60	1,617	1,756	139
2,401 - 2,500	174	2,451	375	2,826	7.00	7.80	1,218	1,357	139
2,501 - 2,600	218	2,551	375	2,926	7.00	8.00	1,526	1,744	218
2,601 2,700	291	2,651	375	3,026	7.00	8.20	2,037	2,386	349
2,701 2,800	331	2,751	375	3,126	7.00	8.40	2,317	2,780	463
2,801 - 2,900	520	2,851	375	3,226	7.00	8.60	3,640	4,472	832
2,901 - 3,000	1,170	2,951	375	3,326	7.00	8.80	8,190	10,296	2,106
3,001 - [illegible]	1,681	3,051	500	3,551	7.00	9.20	11,767	15,465	3,698
3,101 - 3,[illegible]	3,460	3,151	500	3,651	7.00	9.40	24,220	32,524	8,304
3,201 - 3,[illegible]00	3,676	3,251	500	3,751	7.00	9.60	25,732	35,290	9,558
3,301 - 3,400	4,602	3,351	500	3,851	7.00	9.80	32,214	45,100	12,886
3,401 - [illegible]	4,679	3,451	500	3,951	7.00	10.00	32,753	46,790	14,037
[illegible]	5,165	3,551	750	4,301	7.00	10.80	36,155	55,782	19,627
3,601 - 3,700	6,289	3,651	750	4,401	7.00	11.00	44,023	69,179	25,156
3,701 - 3,[illegible]00	2,437	3,751	750	4,501	7.00	13.10	17,059	31,925	14,866
3,801 - 3,[illegible]00	2,461	3,851	750	4,601	7.00	13.70	17,227	33,716	16,489
3,901 - 4,[illegible]00	1,767	3,951	750	4,701	7.00	14.30	12,369	25,268	12,899
4,001 - 4,100	1,349	4,051	750	4,801	7.45	14.90	10,050	20,100	10,050
4,101 - 4,200	759	4,151	750	4,901	7.90	15.50	5,996	11,765	5,768
4,201 - 4,300	763	4,251	750	5,001	8.35	16.10	6,371	12,284	5,913
4,301 - 4,400	791	4,351	750	5,101	8.80	16.70	6,961	13,210	6,249
4,401 - 4,500	476	4,451	750	5,201	9.25	17.30	4,403	8,235	3,832
4,501 - 4,600	423	4,551	1,000	5,551	9.70	19.10	4,103	8,079	3,976
4,601 - 4,700	324	4,651	1,000	5,651	10.15	19.70	3,289	6,383	3,094
4,701 - 4,800	416	4,751	1,000	5,751	10.60	20.30	4,410	8,445	4,035
4,801 - 4,900	451	4,851	1,000	5,851	11.05	20.90	4,984	9,426	4,442
4,901 - 5,000	456	4,951	1,000	5,951	11.50	21.50	5,244	9,804	4,560
5,001 - 5,100	368	5,051			11.95	21.95	4,398	8,078	3,680
5,101 - 5,200	366	5,151			12.40	22.40	4,538	8,198	3,660
5,201 - 5,300	390	5,251			12.85	22.85	5,012	8,912	3,900
5,301 - 5,400	403	5,351			13.30	23.30	5,360	9,390	4,030

ANALYSIS OF PROPOSED FARM TRUCK REGISTRATION
FEES BY WEIGHT CLASS

Weight Range (Tare)	Estimated Number of 1970 Registrations	Weight Range Mid Point	Load Factor	Total Weight	Current Registration Fee	Proposed Registration Fee 1/	Estimated 1970 Collections at Current Rates	Estimated 1970 Collections Proposed Rates	Estimated Increase (Decrease) In Revenue
5,401 - 5,500	508	5,451			13.75	23.75	6,985	12,065	5,080
5,501 - 5,600	419	5,551			14.20	24.20	5,950	10,140	4,190
5,601 - 5,700	373	5,651			14.65	24.65	5,465	9,195	3,730
5,701 - 5,800	369	5,751			15.10	25.10	5,572	9,262	3,690
5,801 - 5,900	381	5,851			15.55	25.55	5,925	9,735	3,810
5,901 - 6,000	531	5,951			16.00	26.00	8,496	13,806	5,310
6,001 - 6,100	383	6,051			16.45	26.45	6,300	10,130	3,830
6,101 - 6,200	492	6,151			16.90	26.90	8,315	13,235	4,920
6,201 - 6,300	473	6,251			17.35	27.35	8,207	12,937	4,730
6,301 - 6,400	536	6,351			17.80	27.80	9,541	14,901	5,360
6,401 - 6,500	747	6,451			18.25	28.25	13,633	21,103	7,470
6,501 - 6,600	596	6,551			18.70	28.70	11,145	17,105	5,960
6,601 - 6,700	618	6,651			19.15	29.15	11,835	18,015	6,180
6,701 - 6,800	714	6,751			19.60	29.60	13,994	21,134	7,140
6,801 - 6,900	662	6,851			20.05	30.05	13,273	19,893	6,620
6,901 - 7,000	953	6,951			20.50	30.50	19,537	29,067	9,530
7,001 - 7,100	620	7,051			20.95	30.95	12,989	19,189	6,200
7,101 - 7,200	773	7,151			21.40	31.40	16,542	24,272	7,730
7,201 - 7,300	661	7,251			21.85	31.85	14,443	21,053	6,610
7,301 - 7,400	655	7,351			22.30	32.30	14,607	21,157	6,550
7,401 - 7,500	816	7,451			22.75	32.75	18,564	26,724	8,160
7,501 - 7,600	604	7,551			23.20	33.20	14,013	20,053	6,040
7,601 - 7,700	613	7,651			23.65	33.65	14,498	20,628	6,130
7,701 - 7,800	606	7,751			24.10	34.10	14,605	20,665	6,060
7,800 - 7,900	541	7,851			24.55	34.55	13,282	18,692	5,410
7,901 - 8,000	771	7,951			25.00	35.00	19,275	26,985	7,710
8,001 - 8,100	428	8,051			25.45	35.45	10,893	15,173	4,280
8,101 - 8,200	416	8,151			25.90	35.90	10,774	14,934	4,160
8,201 - 8,300	363	8,251			26.35	36.35	9,565	13,195	3,630
8,301 - 8,400	389	8,351			26.80	36.80	10,425	14,315	3,890
8,401 - 8,500	456	8,451			27.25	37.25	12,426	16,986	4,560
8,501 - 8,600	316	8,551			27.70	37.70	8,753	11,913	3,160
8,601 - 8,700	272	8,651			28.15	38.15	7,657	10,377	2,720
8,701 - 8,800	248	8,751			28.60	38.60	7,093	9,573	2,480
8,801 - 8,900	232	8,851			29.05	39.05	6,740	9,060	2,320

ANALYSIS OF PROPOSED FARM TRUCK REGISTRATION
FEES BY WEIGHT CLASS

Weight Range (Tare)	Estimated Number of 1970 Registrations	Weight Range Mid Point	Load Factor	Total Weight	Current Registration Fee	Proposed Registration Fee 1/	Estimated 1970 Collections at Current Rates	Estimated 1970 Collections at Proposed Rates	Estimated Increase (Decrease) In Revenue
8,901 - 9,000	330	8,951			29.50	39.50	9,735	13,035	3,300
9,001 - 9,100	167	9,051			29.95	39.95	5,002	6,672	1,670
9,101 - 9,200	173	9,151			30.40	40.40	5,259	6,989	1,730
9,201 - 9,300	133	9,251			30.85	40.85	4,103	5,433	1,330
9,301 - 9,400	137	9,351			31.30	41.30	4,288	5,658	1,370
9,401 - 9,500	140	9,451			31.75	41.75	4,445	5,845	1,400
9,501 - 9,600	93	9,551			32.20	42.20	2,995	3,925	930
9,601 - 9,700	101	9,651			32.65	42.65	3,298	4,308	1,010
9,701 - 9,800	94	9,751			33.10	43.10	3,111	4,051	940
9,801 - 9,900	68	9,851			33.55	43.55	2,281	2,961	680
9,901 - 10,000	129	9,951			34.00	44.00	4,386	5,676	1,290
10,001 - 10,100	38	10,051			37.30	45.05	1,417	1,712	295
10,101 - 10,200	42	10,151			38.35	46.10	1,611	1,936	326
10,201 - 10,300	35	10,251			39.40	47.15	1,379	1,650	271
10,301 - 10,400	49	10,351			40.45	48.20	1,982	2,362	380
10,401 - 10,500	41	10,451			41.50	49.25	1,702	2,019	318
10,501 - 10,600	29	10,551			42.55	50.30	1,234	1,459	225
10,601 - 10,700	31	10,651			43.60	51.35	1,352	1,592	240
10,701 - 10,800	21	10,751			44.65	52.40	938	1,100	163
10,801 - 10,900	18	10,851			45.70	53.45	823	962	140
10,901 - 11,000	72	10,951			46.75	54.50	3,366	3,924	558
11,001 - 11,100	17	11,051			47.80	55.55	813	944	132
11,101 - 11,200	22	11,151			48.85	56.60	1,075	1,245	171
11,201 - 11,300	23	11,251			49.90	57.65	1,148	1,326	178
11,301 - 11,400	19	11,351			50.95	58.70	968	1,115	147
11,401 - 11,500	19	11,451			52.00	59.75	988	1,135	147
11,501 - 11,600	12	11,551			53.05	60.80	637	730	93
11,601 - 11,700	16	11,651			54.10	61.85	866	990	124
11,701 - 11,800	24	11,751			55.15	62.90	1,324	1,510	186
11,801 - 11,900	19	11,851			56.20	63.95	1,068	1,215	147
11,901 - 12,000	53	11,951			57.25	65.00	3,034	3,445	411
12,001 - 12,100	11	12,051			58.30	66.05	641	727	85
12,101 - 12,200	16	12,151			59.35	67.10	950	1,074	124
12,201 - 12,300	10	12,251			60.40	68.15	604	682	78
12,301 - 12,400	18	12,351			61.45	69.20	1,106	1,246	140

ANALYSIS OF PROPOSED FARM TRUCK REGISTRATION
FEES BY WEIGHT CLASS

Weight Range (Tare)	Estimated Number of 1970 Registrations	Weight Range Mid Point	Load Factor	Total Weight	Current Registration Fee	Proposed Registration Fee 1/	Estimated 1970 Collections at Current Rates	Estimated 1970 Collections at Proposed Rates	Estimated Increase (Decrease) In Revenue
12,401 - 12,500	17	12,451			62.50	70.25	1,063	1,194	132
12,501 - 12,600	18	12,551			63.55	71.30	1,144	1,283	140
12,601 - 12,700	12	12,651			64.60	72.35	775	868	93
12,701 - 12,800	12	12,751			65.65	73.40	788	881	93
12,801 - 12,900	14	12,851			66.70	74.45	934	1,042	109
12,901 - 13,000	24	12,951			67.75	75.50	1,626	1,812	186
13,001 - 13,100	5	13,051			68.80	76.55	344	383	39
13,101 - 13,200	7	13,151			69.85	77.60	489	543	54
13,201 - 13,300	8	13,251			70.90	78.65	567	629	62
13,301 - 13,400	6	13,351			71.95	79.70	432	478	47
13,401 - 13,500	15	13,451			73.00	80.75	1,095	1,211	116
13,501 - 13,600	5	13,551			74.05	81.80	370	409	39
13,601 - 13,700	3	13,651			75.10	82.85	225	249	23
13,701 - 13,800	7	13,751			76.15	83.90	533	587	54
13,801 - 13,900	11	13,851			77.20	84.95	849	935	85
13,901 - 14,000	19	13,951			78.25	86.00	1,487	1,634	147
14,001 - 14,100	4	14,051			79.30	87.05	317	348	31
14,101 - 14,200	3	14,151			80.25	88.10	241	264	23
14,201 - 14,300	5	14,251			81.40	89.15	407	446	39
14,301 - 14,400	8	14,351			82.45	90.20	660	722	62
14,401 - 14,500	6	14,451			83.50	91.25	501	548	47
14,501 - 14,600	2	14,551			84.55	92.30	169	185	16
14,601 - 14,700	9	14,651			85.60	93.35	770	840	70
14,701 - 14,800	2	14,751			86.65	94.40	173	189	16
14,801 - 14,900	4	14,851			87.70	95.45	351	382	31
14,901 - 15,000	14	14,951			88.75	96.50	1,243	1,351	109
15,001 - 15,100	2	15,051			89.80	97.55	180	195	16
15,101 - 15,200	4	15,151			90.85	98.60	363	394	31
15,201 - 15,300	4	15,251			91.90	99.65	368	399	31

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ANALYSIS OF PROPOSED FARM TRUCK REGISTRATION
FEES BY WEIGHT CLASS

Weight Range (Tare)	Estimated Number of 1970 Registrations	Weight Range Mid Point	Load Factor	Total Weight	Current Registration Fee	Proposed Registration Fee 1/	Estimated 1970 Collections at Current Rates	Estimated 1970 Collections at Proposed Rates	Estimated Increase (Decrease) In Revenue
15,301 - 15,400	2	15,351			90.95	100.70	182	201	20
15,401 - 15,500	4	15,451			94.00	101.75	376	407	31
15,501 - 15,600	2	15,551			95.05	102.80	190	206	16
15,601 - 15,700	4	15,651			96.10	103.85	384	415	31
15,701 - 15,800	1	15,751			97.15	104.90	97	105	8
15,801 - 15,900	1	15,851			98.20	105.95	98	106	8
15,901 - 16,000	4	15,951			99.25	107.00	397	428	31
16,001 and over	61								
Total	69,012						$847,899	$1,264,915	$417,006

SUMMARY

to 5,000	46,401	$337,162	$ 530,847	$193,685
5,001 - 16,000	22,549	510,737	734,068	223,321
16,001 and over	61	—	—	—
Total	69,011	$847,899	$1,264,915	$417,006

1/ Proposed fees for farm vehicles parallel those for state licensed trucks thru 5,000 pounds tare. Above 5,000 pounds each additional 100 pound bracket is changed at the existing (current) farm fee schedule.

SOURCE: Department of Revenue, December 11, 1970.

Table 4

PROPOSED LIGHT TRUCK REGISTRATION FEES BY WEIGHT CLASS

Empty Weight Range	Mid Point	Load Factor	Total Weight	$ Proposed Fee 1/	$ Current Registration Fee	Estimated Number of 1970 Registrations	$ Estimated 1970 Collections at Current Rates	$ Estimated 1970 Collections at Proposed Rates	$ Estimated Increase (Decrease) In Revenue
2,000 and under	1,951	750	2,701	7.60	12.50	2,197	27,463	16,697	(10,766)
2,001 - 2,100	2,051	750	2,801	7.80	12.50	338	4,225	2,636	(1,589)
2,101 - 2,200	2,151	750	2,901	8.00	12.50	1,622	20,275	12,976	(7,299)
2,201 - 2,300	2,251	750	3,001	8.20	12.50	733	9,163	6,011	(3,152)
2,301 - 2,400	2,351	750	3,101	8.40	12.50	1,771	22,138	14,876	(7,262)
2,401 - 2,500	2,451	750	3,201	8.60	12.50	870	10,875	7,482	(3,393)
2,501 - 2,600	2,551	750	3,301	8.80	12.50	2,310	28,875	20,328	(8,547)
2,601 - 2,700	2,651	750	3,401	9.00	12.50	2,198	27,475	19,782	(7,693)
2,701 - 2,800	2,751	750	3,501	9.20	12.50	3,271	40,888	30,093	(10,794)
2,801 - 2,900	2,851	750	3,601	9.40	12.50	2,960	37,000	27,824	(9,176)
2,901 - 3,000	2,951	750	3,701	9.60	12.50	9,810	122,625	94,176	(28,449)
3,001 - 3,100	3,051	1,000	4,051	10.20	12.50	11,491	143,638	117,208	(26,429)
3,101 - 3,200	3,151	1,000	4,151	10.40	12.50	22,028	275,350	229,091	(46,259)
3,201 - 3,300	3,251	1,000	4,251	10.60	12.50	22,670	283,375	240,302	(43,073)
3,301 - 3,400	3,351	1,000	4,351	10.80	12.50	22,885	286,063	247,158	(38,905)
3,401 - 3,500	3,451	1,000	4,451	11.00	12.50	21,161	264,513	232,771	(31,742)
3,501 - 3,600	3,551	1,500	5,051	16.10	12.50	22,261	278,263	358,402	80,140
3,601 - 3,700	3,651	1,500	5,151	16.70	12.50	22,775	284,688	380,343	95,655
3,701 - 3,800	3,751	1,500	5,251	17.30	12.50	11,128	139,100	192,514	53,414
3,801 - 3,900	3,851	1,500	5,351	17.90	12.50	9,986	124,825	178,749	53,924
3,901 - 4,000	3,951	1,500	5,451	18.50	12.50	9,033	112,913	167,111	54,198
4,001 - 4,100	4,051	1,500	5,551	19.10	12.50	5,895	73,688	112,595	38,907
4,101 - 4,200	4,151	1,500	5,651	19.70	12.50	2,494	31,175	49,132	17,957
4,201 - 4,300	4,251	1,500	5,751	20.30	12.50	2,457	30,713	49,877	19,165
4,301 - 4,400	4,351	1,500	5,851	20.90	12.50	2,266	28,325	47,359	19,034
4,401 - 4,500	4,451	1,500	5,951	21.50	12.50	1,120	14,000	24,080	10,080
Sub Total						217,726	2,721,631	2,879,573	157,946
4,501 - 4,600	4,551	2,000	6,551	25.10	22.50	627	17,870 2/	15,739	(2,132)
4,601 - 4,700	4,651	2,000	6,651	25.70	22.50	473	14,427 2/	12,157	(2,271)
4,701 - 4,751	4,751	2,000	6,751	26.30	22.50	541	17,583 2/	14,228	(3,355)
4,801 - 4,900	4,851	2,000	6,851	26.90	22.50	500	16,750 2/	13,450	(3,300)
4,901 - 5,000	4,951	2,000	6,951	27.50	22.50	706	25,769 2/	19,417	(6,354)
Total						220,573	2,814,030	2,954,564	140,534

1/ Proposed fee is comparable to passenger car fee for same weight class.

2/ Includes receipts from ton mile tax.

SOURCE: Department of Revenue, December 11, 1970.

Motor Vehicle Safety Inspection

There is agreement among vehicle operators, inspection station owners, and state enforcement personnel that Colorado's present motor vehicle inspection program is, at best, ineffective. The Department of Revenue maintains that proper enforcement of the program requires more personnel. Inspection station owners claim that a thorough inspection cannot be conducted under the present fee. Finally, vehicle owners observe that the by-yearly payment of $1.50 for an inspection sticker does not, in most instances, mean they are driving a safe vehicle; it only guarantees that they have complied with state law. Thus, there is common dissatisfaction with the present operation of the safety inspection system.

To assist in investigation of the safety inspection program, the Committee called upon the Department of Revenue and the Petroleum Retailers Association of Colorado. Section 13-5-114 (4)(a), C.R.S. 1963, as amended, specifies that ten cents of the price of an inspection sticker shall be deposited in the Highway Users Tax Fund from which the General Assembly shall make an appropriation to the Department for administration and enforcement of the program. However, the General Assembly currently appropriates approximately sixty percent of the total funds available. It was suggested to the Committee that if nothing else was done to change the present law, a recommendation should be made to secure more money for administration and enforcement of the system.

The Petroleum Retailers Association presented a survey of the inspection practices of approximately ten percent of the service stations, auto dealers and independent garages, and department stores in Colorado. Some of the survey results read as follows:

- the average time required for inspection of all types of vehicles ranging from automobiles to trucks weighing over one ton: 52 minutes.

- of the 338 vehicles inspected in the survey, nearly 44 percent failed the initial inspection.

- a consensus of those conducting safety inspections showed that a fee schedule should be adopted for motor vehicle inspections:

Class of Vehicle	Fee
truck (one ton and over)	$ 7.00
4-wheel drive	6.50
truck (3/4 - 4 x 2)	4.50
auto	4.50
motorcycle	2.50

It was reported that this schedule was based on time studies, fixed overhead expenses and cost of labor.

In addition to the survey, the Petroleum Retailers Association proposed that a broad scale education and improved enforcement program be implemented to upgrade the inspection system. Such a plan would be for the benefit of the public, industry, and state enforcement officials. An outline of the program was presented, in part, as follows:

The Public should be informed of:

1. why a vehicle inspection is required;
2. what a motorist expects from an inspection;
3. the basic regulations inspection stations must follow; and
4. what to look for at an inspection station.

In addition there should be mandatory distribution of literature at the time of each inspection describing the inspection procedure. Finally, basic inspection information could also be placed in the Drivers' Fact Book and perhaps there could be pertinent questions in the drivers' licensing tests.

The Industry:

1. Pre-Licensing Program:

   a. develop educational study program for new applicants;

   b. up-date current manual by clarifying where necessary; and

   c. the written examination should be more comprehensive.

2. Post-Licensing Program:

   a. violators, upon suspension, must attend an in-service training clinic before reinstatement;

   b. inspectors issued warnings must also attend a training clinic; and

   c. all currently licensed inspectors in good standing should be required to attend an in-service training clinic at least once each year to maintain his license. This would keep the industry updated on technological advances and regulatory changes.

<u>The Department of Revenue</u>:

1. enough investigators to check and assist each inspection station at least once every 30 days;
2. adequate investigators for more "follow-up" on complaints of violations -- not only for the inspection station involved but for the owner of the vehicle as well;
3. adequate educational and supervisory personnel to make the program function properly;
4. uniform interpretation of the regulations and procedures on the part of all investigators; and
5. when an inspection station is suspended or cancelled, follow-up should make sure all signs and certificates are removed from public view within 5 days as required.

<u>Law Enforcement Agencies</u>:

1. more "in-between" inspections involving the owner of the vehicle and more constant surveillance of the unsafe vehicle on the streets and highways; and
2. year round "spot checks" instituted and maintained on a regular basis.

In response to the education and enforcement program outlined above, the Department of Revenue presented estimates of the increased cost to implement the program. That information is presented in Table 5 on page 32. In presenting the cost estimates, the Department of Revenue endorsed the major provisions of the education and enforcement program outlined by the Petroleum Retailers Association.

Committee Recommendations

After study of the merits and limitations of Colorado's motor vehicle safety inspection system, the Committee adopted a bill, included in this report as Bill B, and recommends its consideration by the General Assembly. There are three major provisions to the bill. First, there is an increase to fifteen cents from the present ten cents for each inspection sticker sold by the Revenue Department. Intending the entire fifteen cents be used for administration and enforcement of the safety inspection program, the Committee adopted language which sets up a special account within the Highway Users Tax Fund and directs that money from that account be used for administration and enforcement. Secondly, the present $1.50 sticker fee is increased to $3.00. Finally, inspection stations are directed to issue a seven day sticker for vehicles which do not pass an initial inspection. The Department of Revenue is authorized to specify by rules or regulations a method by which an inspection station shall fully implement this last provision.

In proposing this bill, the Committee submits that it achieves a number of objectives:

-- the Department of Revenue has pledged its support of the kind of education and enforcement program outlined by the Petroleum Retailers Association. Increased appropriations to the Department will mean that such a proposal can be initiated.

-- the last increase in the safety inspection sticker fee was thirteen years ago. Few would deny that labor costs have increased during this period. The survey results presented to the Highway Revenue Committee indicate that an increase in the price of a sticker is proper. However, the Committee did not feel that an increase in the inspection fee was justified without better administration and enforcement of the system. Thus, the fee increase is not sought as a revenue benefit to inspection stations but as the impetus for a much stronger inspection program. Implicit in this increase is an admonishment to inspection station operators as a group to vastly increase the quality of the inspection program and to the Department of Revenue to strengthen their administrative and enforcement procedure.

-- a new procedure will be initiated by the Department of Revenue to stop the practice of "shopping" for a safety inspection sticker. The Committee's bill directs the Department, through appropriate rules or regulations, to devise the details of the procedure. The intent of the Committee is that the removal of all or part of the old inspection sticker will preceed all other steps in the inspection sequence. If the inspector denies the issuance of a new sticker because of a defect in the vehicle, a special seven day certificate will be issued allowing the vehicle owner one week to correct the deficiency and return for a reinspection of the item in question.

Table 5

COST OF INCREASED ENFORCEMENT
(Based on 1969-1970 costs)

1969-1970 total cost (includes Dealers Administration)		$241,264	
60% of total cost to inspection program		144,759	
Cost per inspection sticker (based on 2,728,744 stickers sold)			$.0530
Cost of Increased Enforcement			
15 investigators	$ 97,740		
3 regional supervisors (for area training and educational programs)	26,172		
2 Int. Clk. Typists	8,604		
	$132,516		
Plus Retirement	10,600		
Plus Health Insurance	1,620		
Total personal services		144,736	
Operating			
To print 3,000,000 pamphlets	$ 12,000		
18 cars (@ 2,400 each = $43,200 = amortized over 6 years)	7,200		
Maintenance costs - 12,000 miles each for 3 regional supvrs. and 100,000 each for 15 investigators = 176,000 miles @ $.04869	8,569		
Total operating cost		27,769	
Total additional cost		$172,505	
Total additional cost per sticker based on 2,728,744 stickers			$.0632
Total cost per sticker (amortizing auto cost)			$.1162
Total cost per sticker for first year including purchase cost of cars			$.1294
Periodic Spot Check Program			
7 investigators and 7 cars			
Total additional cost (including amortization of cars)		$ 54,359	
Total additional cost per sticker			$.0199
Total cost per sticker (amortizing auto cost) 1/			$.1361
Total cost per sticker for first year including purchase cost of cars			$.1545

1/ Assuming additional help in this program from the State Patrol should bring the cost per sticker to approximately $.15.

SOURCE: Department of Revenue, August, 1970.

Distribution of Highway Users Tax Fund Monies

The Highway Users Tax Fund was created by the General Assembly in 1953 and consists of the proceeds of gas and special fuel taxes, vehicle registration and license fees, vehicle operator license fees, and gross ton and passenger mile taxes imposed on specific commercial vehicles. The purpose of the Fund is to finance the planning, improvement, construction and maintenance of the state's road and highway system.

The Committee devoted a considerable amount of time during its first series of meetings to consideration of basic questions regarding distribution of revenues from the Highway Users Tax Fund. These questions included: a) should HUTF moneys be spent for other than highway or street maintenance? b) should there be changes in the formulae for distribution of HUTF to counties and cities? c) should counties be required to levy a minimum mill levy for a road and bridge fund before it participates in the Highway Users Tax Fund? d) in calculating the distribution to the counties, should all road types be included? e) should the distribution reflect the fact that the various road surface costs differ for construction and maintenance and that some roads have multi-lanes and are more heavily traveled than others? f) is there a need to more clearly define different types of roads within the city and county systems -- local, arterial, primary, and secondary, as well as primitive, bladed, graded, and the like? g) should minimum engineering standards for road construction and maintenance be set so that greater economy and efficiency could be realized from moneys distributed from the HUTF? h) should stiffer provisions be written into the law regarding the requirement that cities and counties file an accurate map with the Highway Department showing additions and deletions of miles of open and used roads and streets? i) should the Highway Department be directed more clearly, by statute to physically verify the number and type of open and used roads and streets reported by cities and counties? j) should the needs of Denver be considered separately for purposes of distribution under the HUTF? and k) how many functions should be chargeable to the Fund?

With few exceptions, the Committee has made no recommendations changing the distribution of moneys from the Highway Users Tax Fund. The following points indicate the rationale for the Committee's decision:

a) Regarding the question of whether HUTF moneys should be spent for other than highway or street maintenance, there was general agreement among Committee members that there is good reason to spend funds distributed to counties and cities for purposes in addition to road and bridge construction and maintenance. The scope of Colorado's road system extends beyond a narrow definition to those things which result from the system and are a part of its administration: street lighting and cleaning, traffic enforcement, sidewalks, parking facilities, storm sewers and drainage, and the like. The statute, 120-12-4, C.R.S. 1963, notes that

> All moneys now or hereafter in the highway users tax fund are appropriated for the acquisition of rights-of-way for, and the construction, engineering, reconstruction, improvement, repair, maintenance and <u>administration</u> of the state highway system, the county highway systems, the city street systems, and other public roads and highways of the state in accordance with the provisions of this article. (Underscore added.)

The intent of this statutory provision seems clear and is being followed by the recipients of these funds.

b) After review of the deductions which come off-the-top of the Highway Users Tax Fund, the Committee decided that without the benefit of more extensive review and study of alternative methods of financing, no changes should be made. Table 6 on the following page shows the disbursement of Highway Users Tax Fund money to various state government operations for fiscal year 1970.

c) Although there was concern over the various formulae used for distributions under the Fund, it soon became apparent to the Committee that they did not have the time or expertise to fully investigate, draw conclusions, and make recommendations to the General Assembly in 1971 on this important issue.

In addition, it was the opinion of the Committee that major changes in one part of the formula without careful study and consideration of changes in other parts of the formula would be improper.

Finally, there was general agreement that House Bills 1037, 1038, and 1040, 1970 Session, have essentially altered the distribution of highway funds and that, since H.B. 1037 and 1038 are not effective until calendar year 1971, and H.B. 1040 did not become effective until July 1, 1970, it would be some time -- perhaps 1973 -- before the actual effect of these three measures is known.

This does not mean that the Committee did not have a number of unresolved questions regarding, specifically, the equity of the present distribution formulae for the counties' and cities' share of the fund. Some of these unresolved questions are: Should the type of road surface and number of lanes be taken into account in the distribution in addition to terrain and vehicle

Table 6

HIGHWAY USERS TAX FUND

JULY 1, 1969 to JUNE 30, 1970

COLLECTIONS			
Total Motor Fuel Tax Collections	$75,465,388.50		
Less Motor Fuel Refunds	3,663,830.27		
Less Dealer Refunds	9,815.69		
Net Motor Fuel Tax Collections		$71,791,742.54	
Total Gross Ton Mile Tax Collections	10,920,383.16		
Less Refunds	18,737.01		
Net Gross Ton Mile Tax Collections		10,901,646.15	
Total Motor Vehicle Lic. & Reg. Collections	14,432,238.68		
Less Refunds	23,924.12		
Less Penitentiary Stores Revolving Fund	938,771.72		
Net Motor Vehicle Lic. & Reg. Collections		13,469,542.84	
Misc. Receipts -- Highway Users Tax Fund -- Operators and Chauffers Lic., Dealers Lic., Etc.	2,578,746.25		
Surplus	2,720.18		
Net Miscellaneous Receipts		2,581,466.43	
TOTAL HIGHWAY USERS TAX NET COLLECTIONS			$98,744,397.96
DISBURSEMENTS			
State Highway Safety Coordinator	$ 16,099.00		
Department of Revenue - Land Acquisition	64,935.19		
Construction & Equipment of Inspection Sta.	18,763.75		
Colorado State Patrol	7,422,833.33		
Colorado State Patrol Microwave Extension	148,602.81		
Natural Resources	15,000.00		
Highway Users Tax Suspense	4,501.43		
Game Cash Fund	25,000.00		
Public Utilities Commission Cash	465,230.00		
Highway Crossing Protection Cash	36,087.81		
State Inspector of Oils	173,276.16		
General Fund	6,450,100.00		
Capital Construction Cash	137,750.00		
Total Disbursements by Transfer		$14,978,179.48	
Funds Available for Apportionment			
65% of Highway Users Tax to State Highways	54,448,042.04		
26% of Highway Users Tax to Counties	21,779,216.79		
9% of Highway Users Tax to Cities & Towns	7,538,959.65		
Highway Users Tax Apportioned		83,766,218.48	
TOTAL HIGHWAY USERS TAX DISTRIBUTED			$98,744,397.96

registrations? Do vehicle registrations accurately reflect traffic volume? Are new or more comprehensive definitions of roads and streets needed?

The Committee realizes that definitive answers to these difficult questions cannot be derived from an interim legislative study but instead result from an analysis of a comprehensive, long-term study by expert, independent consultants. Committee recommendations on a comprehensive study will be discussed later in this report.

The Committee devoted considerable attention to the issue of whether counties are maintaining all of the roads within their jurisdiction for which they receive funds from the HUTF for upkeep and administration. State law now requires counties and cities to file each year a map of their system showing additions and deletions of miles of open and used roads and streets. The statutes allow each county to select which roads are to be designated primary and the remainder are included in the secondary system. It was reported to the Committee that there are no uniform criteria for such a selection and that, as a result, county road systems vary widely. The Department of Highways sends a certified letter each year to each of the counties showing what is, according to Department records, on the counties' system and requests information regarding changes. The law requires the highway department to check the additions or deletions made on maps returned to the department. The criterion for determining eligibility for funding for a given road or street is whether one is able to negotiate it in a normal automobile. The Department of Highways certifies the number of eligible miles of road in each county and city to the State Treasurer and the distribution of Highway Users Funds is made on that basis. After discussions with county commissioners, Department of Highway personnel, and other interested parties, the Committee concludes the effectiveness of current practices in this whole area is questionable.

Inequity results when a county or municipality receives HUTF moneys for roads upon which they spend none of the funds received for maintenance or administration. It is evident to the Committee that this inequity presently exists throughout the state. A field trip by the Committee as a group and the study by a number of individual Committee members in their own areas of the state indicate the following: it is questionable whether some roads should be receiving HUTF moneys; some roads are not classified properly; maps submitted to the Highway Department by local officials are not always accurate and often outdated; and, finally, the Department of Highways has not done an adequate job of verifying maps of these highway and road systems.

On a tour of one county in the state, the Committee found that certain roads (primarily primitive) are often impassible, in some cases nonexistent, and in still other instances have gates placed across them without signs indicating that the road is a public thoroughfare. Reports by individual Committee members and others indicate this is not an isolated occurrence and that, in fact, similar situations exist throughout the state. One extreme example of the inaccuracy of road classifications and maps is Washington County where mileage figures submitted to the Department of Highways for receipt of HUTF moneys for fiscal 1971 indicate that there are 1,130 miles of primitive roads in the county or 35 percent of the total county road mileage. At a Committee meeting on July 14, 1970, a Washington county commissioner reported that, in fact, only 310 miles of primitive roads are on the county system. Finally, regarding the methods of verifying maps by the State Highway Department, the present system involves a "cycle of inventory" which requires checking some 80,000 miles of roads in the state. The last "cycle" took thirteen years to complete.

Committee Recommendation

As a result of Committee discussion regarding primitive roads and the general accuracy of city and county reports to the Highway Department, the Committee requested measures be drafted to accomplish the following: a) change the existing provisions relating to "open and used" roads or streets to provide credit for moneys from the HUTF for "any open, used and maintained" road or street; b) provide for mandatory annual reporting by cities and counties of additions and deletions from the city street and county road system, and strengthen the penalty for failure to file reports by withholding a delinquent city's or county's fund until the report is filed; c) require that gates installed across public roads be clearly marked to indicate the fact that the road is public.

Bills identified in this report as Bill C and Bill D accomplish the objectives of the Committee and are recommended to the General Assembly for consideration. Bill C amends the present statutes in the following manner:

-- county roads and city streets must be "maintained" as well as "open and used" before they receive money from the Highway Users Tax Fund.

-- cities and counties who are delinquent in filing necessary reports will be given a ninety day grace period rather than the present sixty day period in which to comply; but, at the end of that period if the required reports have not been received, the state treasurer is authorized to withhold all moneys due from the Highway Users Tax Fund until the reports are received. Presently, the state treasurer may withhold only ten percent of moneys due the cities or counties.

-- new statutory language specifies that the counties and cities make an annual report to the Department of Highways showing all changes in total mileage, location, and surface classification.

Bill D adds new language to the statutes concerning county highway systems by specifying that if a public road has a fence across it which requires a motorist to pass through a gate, that road shall be clearly posted to identify it as a public rather than a private road.

Implementation of these measures seems justified in light of the Committee's personal experience in viewing the shortcomings of the present system. There is no equity in apportioning state Highway Users Tax Funds for roads upon which, in practice, none of the distributed money is spent. The question of whether all road types and surfaces should receive the same amount of funds per mile is a topic for future study; but the issue of whether money appropriated for the improvement, repair, maintenance and administration should indeed be used for these purposes is not questionable. Nor is it unreasonable to require that up-to-date, technically correct reports of changes in roads and streets be maintained by the respective counties and cities and filed with the Department of Highways. Finally, it is recognized by the Committee that maintaining closed gates across little used county roads in farming and ranching areas may be a necessity. At the same time, however, it is suggested that the average motorist may not realize that a closed gate across a public road does not make that road private property.

By-Pass Law

Provision for a by-pass law was urged by those who administer the ton-mile tax and port of entry system. It was stated that such a law would reduce tax avoidance and thus make the enforcement of the ton-mile tax more equitable. The Department of Revenue reported that the location of the state's ports of entry and the corresponding location of highways and roads allow for avoidance of the ports on the part of some truckers. This problem is not a new one facing the Department of Revenue and the General Assembly. Thus, as a starting point for Committee discussion, the pertinent sections of House Bill 1287, 1969 Session, were reviewed.

Committee Recommendation

As a result of Committee deliberations, Bill E is recommended for consideration by the 1971 General Assembly. The Bill specifies that every motor vehicle subject to provisions of the ton-mile tax must acquire a clearance certificate or a special revocable permit from officers of the state. The clearance certificate may either be obtained before a vehicle is brought into the state or it may be secured from the first port of entry located within five road miles of the route the vehicle normally follows. If a vehicle operator has not secured a clearance certificate prior to his entry into the state, or a special revocable permit, and if he is not traveling along a route which takes him within five road miles of a port, the proposed statute requires him to seek out a port regardless of its distance. The holder of a clearance certificate is still required to stop for verification of the clearance certificate at each port of entry weigh station located along the route which he would normally follow from his point of departure to a point of destination.

The bill calls for the issuance of a special revocable permit for vehicles either operating under a negotiated average weight factor or over a regularly scheduled route. Such a permit waives the requirement that a vehicle operator seek out and stop at a port of entry not located directly along his route. The Department of Revenue must have previously cleared such a regularly scheduled route for the special permit to be effective.

The bill provides that the fines prescribed in the law for violations shall be mandatory and no court shall grant suspension of these fines. Penalties will be levied against any person in violation, or permitting a violation, of the law.

By implementing Bill E, the following objectives will be met:

-- a call for greater efficiency in the operation of the state's ports of entry. The system has been subjected to considerable criticism; one of the common complaints is that vehicles that should clear the ports are avoiding them and vehicles which have little reason for checking through a port are required to do so under the present law. The proposal answers this objection, and, in addition, may help cut down on the high administrative costs involved in the port of entry system and the ton-mile tax in general.

-- the vehicle operator who intentially avoids a port and thus does not comply with the state's ton-mile tax system will clearly be in violation of the law and subject to penalties which cannot be suspended by the court. Presently, vehicle operators may use circuitous routes to avoid a port of entry; for example, the Committee was informed that State Highway 83 which parallels Interstate 25 from Colorado Springs to Denver can be used to avoid the port of entry at Monument. Provisions of the new law require that a vehicle without a previously secured clearance certificate and traveling Highway 83 would be required to clear the Monument port since the port is within five road miles of Highway 83.

-- vehicles now operating on a negotiated factor and thus, by definition, carrying about the same load over a regular route, must clear a port of entry. It is suggested this procedure is unnecessary; the new measure would waive clearance at a port providing a special permit has been issued by the Department of Revenue for the vehicle. Likewise, there seems little reason to require a vehicle traveling a regularly scheduled route -- a milk truck, for example -- to clear a port of entry. Thus, the new provisions allow a waiver for this kind of operation as well.

-- when an operation can be handled through use of a negotiated factor, the Department of Revenue encourages such a procedure. Apparently, however, the negotiated factor is still not used with the frequency it could. Implementation of Bill E may lead to increased interest in the negotiated factor.

Motor Vehicle Operator Licenses and Fees Charged by the Department of Revenue

At the Committee's request, the Department of Revenue calculated the total cost to the Department of administering the state driver license function. This information is contained in Table 7 on the following pages of this report. The table indicates total costs of the program -- direct and indirect -- and the cost of control and enforcement of the program less reinstatement fees and miscellaneous receipts. The Department of Revenue estimated revenue losses at $1.2 million annually in administering the present program.

In addition, the Committee studied the operator license rates of the other states and in particular the rates of neighboring states. That table (Table 8) is shown in page 45 of this report. Finally, at the Committee's request the Department presented cost figures and receipts regarding the Department's furnishing of records or accident reports. Receipts from this service, and the Department's estimate of what the fee should be to equal the cost of these inquiries, are contained in footnotes six and seven of Table 7 on page 44 of this report.

Committee Recommendation

In recommending a change in fees for administration of the motor vehicle operator license program in Colorado, the Committee weighed two factors: the contention that a function should pay for itself, and the knowledge that large increases over the present fees are unpopular. With those factors in mind, the Committee recommends two bills for consideration by the General Assembly.

The first measure, identified as Bill F in this report, increases the fee from the present $.75 to $1.50 for each photostatic copy requested of an accident report or other public record filed by the Department of Revenue. The phrase "or search therefor" in the bill recognizes the fact that often the Department is required to spend a great deal of time searching the files in response to a particular request. The Committee submits that the proposed fee increase will pay for this function and still not be a financial burden on those individuals requesting the information.

The second measure, Bill G, provides for an increase in the operator and minor operator license fee from the current $2.25 to $4.00. The bill provides that the entire amount of the increase will go to the state leaving the present sum of $1.50 per license with the respective county clerks. The Committee submits that such an increase is justifiable in light of the cost of administering the program and in view of the comparative rates charged by other states. Study of the table below indicates that Colorado has the lowest operator's license fee, per year, of any of its neighboring states:

OPERATORS LICENSE FEES FOR EIGHT WESTERN STATES

State	License Fee	Valid for
Arizona	$2.50	3 years
COLORADO	2.25	3 years
Kansas	1.00-5.00 plus $3.00 examination fee	6-59 months*
Nebraska	6.00	4 years
New Mexico	3.25	2 years
Oklahoma	6.00	2 years
Utah	5.00	4 years
Wyoming	2.50	3 years

* The fee depends upon number of months for which license is issued.

Table 7

DRIVER LICENSE COST
Fiscal Year 1968-1969 and 1969-1970

	1968-1969			1969-1970		
	Expense	Cost Per License 1/	Cost Per License 2/	Expense	Cost Per License 3/	Cost Per License 4/
Direct Cost:						
Driver License Section	$ 1,036,870	$ 3.52	$ 3.52	$ 1,343,009	$ 3.28	$ 3.01
Indirect Cost:						
Administrative Expense	118,098	.40	.24	120,413	.29	.21
Filing and Miscellaneous	123,232	.42	.25	171,637	.42	.31
Change of Address	23,227	.08	.05	32,350	.08	.06
Total Indirect Cost	264,557	.90	.54	324,400	.79	.58
Total Direct and Indirect Cost	1,301,427	4.42	4.06	1,667,409	4.07	3.59
Control and Enforcement:						
Filing Violations and Acc. Cards	146,459	.50	.30	203,987	.50	.37
Inquiries	352,275	1.20	.72	490,648	1.20	.88
Accident Records	67,914	.23	.14	119,378	.29	.21
Financial Responsibility	134,554	.46	.27	236,517	.58	.42
Driver Improvement	221,992	.75	.45	390,216	.95	.70
Motor Vehicle Enforcement	60,731	.21	.12	86,880	.21	.16
Hearings	227,164	.76	.46	250,535	.61	.45
Total Control and Enforcement	1,211,089	4.11	2.46	1,778,161	4.34	3.19
Less: Order of Reinstatement Fee	(143,250)	(.49)	(.29)	(146,390)	(.35)	(.26)
Miscellaneous Receipts	(306,631) 5/	(1.04)	(.62)	(354,852) 6/	(.87)	(.64)
Net Control and Enforcement	761,208	2.58	1.55	1,276,919	3.12	2.29
TOTAL COST	$ 2,062,635	$ 7.00	$ 5.61	$ 2,944,308	$ 7.19	$ 5.88

Table 7
(Continued)

FOOTNOTES

1/ Based on 294,419 licenses issued by Department of Revenue.
2/ Based on 492,717 licenses issued in the entire State of Colorado for all costs except direct costs.
3/ Based on 409,469 licenses issued by Department of Revenue.
4/ Based on 556,877 licenses issued in the entire State of Colorado for all costs except direct costs.
5/ Includes 358,409 paid inquiries at $.75 for a total of $268,806.75. To equal total cost of inquiries, fees should be increased from $.75 to $.98. The Committee's proposal calls for an increase to $1.50. Adoption of the $1.50 increase would have reduced cost per licenses issued in fiscal 1969 to $6.09 for footnote (1), and 3.64 for footnote (2).
6/ Includes 389,640 paid inquiries at $.75 for a total of $292,230.00. To equal total cost of inquiries, fees should be increased to $1.26. The Committee's proposal calls for an increase to $1.50. Adoption of the $1.50 increase would have reduced cost per licenses issued in fiscal 1970 to $4.38 for footnote (3), and $3.22 for footnote (4).

SOURCE: Calculated by the Department of Revenue, November, 1970. Additions by the Legislative Council staff, December, 1970.

TABLE 8

1970 OPERATORS AND CHAUFFEURS LICENSE FEES BY STATES

	Operators Licenses			Chauffeurs Licenses		
State	Original License Fee	Renewal Fee	Period of Years	Original License Fee	Renewal Fee	Period of Years
Alabama	$ 4.25	$ 4.25	2	$ ---	$ ---	none issued
Alaska	5.00	5.00	3	---	---	not required a/
Arizona	2.50	2.50	3	2.50	2.50	2
Arkansas	6.00	6.00	2	5.00	5.00	1
California	3.00		3	3.00		3
		3.00	4		3.00	4
Colorado	2.25	2.25	3	5.25	5.25	3
Connecticut	5.00 c/		1	4.00 c/	4.00	1
		8.00	2 b/			
Delaware	4.00	4.00	2	4.00	4.00	2
		10.00	indefinite d/		10.00	indefinite d/
District of Columbia	12.00	12.00	2	5.00	5.00	1
Florida	3.00 c/	3.00	2	3.00 c/	5.00	2
Georgia	2.50	2.50	2	4.50	4.50	2
	5.50	5.50	5	10.50	10.50	5
Hawaii	2.00	2.00	2 e/	3.00	3.00	1
	4.00	4.00	4 e/			
Idaho	6.00	6.00	3	8.00	8.00	3
Illinois	8.00	8.00	3	---	---	none issued f/
Indiana	1.50	1.50	2	1.50	1.50	1
Iowa	5.00	5.00	2	10.00	10.00	2
Kansas	1.00 - 5.00 c/g/		6-59 months	2.00 - 10.00 c/g/		6-59 months
		4.00	2		8.00	2
Kentucky	3.00	3.00	2	3.00	3.00	1
Louisiana	2.50	2.50	2	3.50 h/	3.50 h/	1
Maine	5.00	5.00	2	---	---	none issued
Maryland	8.00	2.00	2	---	---	none issued i/
Massachusetts	10.00 c/j/	10.00 j/	4	---	---	none issued
Michigan	6.00	4.50	3	6.00	4.00	1
Minnesota	3.00	3.00	4	4.00	2.50	1
Mississippi	5.00	5.00	2	9.00	9.00	2
Missouri	2.00	2.00	3	10.00	10.00	3
Montana	4.00	4.00	2	4.00	4.00	2
Nebraska	6.00	6.00	4	---	---	none issued
Nevada	5.00	5.00	4	---	---	none issued f/
New Hampshire	10.00	5.00	2	10.00	5.00	2
New Jersey	4.00	4.00	1	no fee	no fee	1 k/
	11.00	11.00	3			
New Mexico	3.25	3.25	2	2.75	2.75	1
New York	3.00	3.00	33, 36 months	6.00	6.00	33, 36 months
	3.50	3.50	39, 42 months	7.00	7.00	39, 42 months
North Carolina	3.25	3.25	4	4.75	4.75	2
North Dakota	3.00	3.00	2	---	---	none issued
Ohio	4.00	4.00	3	4.00	4.00	3
Oklahoma	6.00	6.00	2	10.00	10.00	2
				12.00	12.00	2 l/
Oregon	3.00 m/	3.00	2	2.00 m/n/	2.00 n/	2
Pennsylvania	4.00	4.00	2	---	---	none issued
Rhode Island	8.00 c/	8.00	2	8.00 c/	8.00	2
South Carolina	2.00	2.00	4	---	---	none issued
South Dakota	3.00	3.00	4	---	---	none issued f/
Tennessee	4.00	4.00	2	6.00	6.00	2
Texas	6.00	6.00	4	12.00	12.00	2
Utah	5.00 o/	5.00 o/	4	5.00	5.00	4
Vermont	6.00 c/	6.00	2	---	---	none issued
Virginia	7.00	7.00	3	4.00	4.00	1
Washington	7.00 p/	5.00	2	---	---	none issued
West Virginia	5.00	5.00	4	3.00	3.00	1
Wisconsin	5.00 q/	4.00	2	4.00 q/	4.00	1
Wyoming	2.50	2.50	3	2.50	2.50	1

a/ Cities may issue chauffeurs licenses.
b/ First renewal is issued for one or two years depending on applicants year of birth. Fee, 1 year $4.00, 2 years $8.00. Subsequent renewals are for 2 years.
c/ In addition to license fee, there is an examination fee: Connecticut, Vermont $2.00; Florida, Kansas, Massachusetts $3.00; Rhode Island $5.00.
d/ Operators and chauffeurs meeting certain requirements may obtain a license for an indefinite period.
e/ Applicants between ages 15 and 24 or 65 and over are issued a 2 year license. Applicants between the ages of 25 and 64 are issued a 4 year license.
f/ Vehicle operators are issued licenses classified according to type of vehicle for which applicant has qualified.
g/ Fee depends on number of months for which license is issued.
h/ In municipalities where the population is in excess of 300,000, the original and renewal fee is $5.50.
i/ Operators licenses are classified according to type of vehicle operated.
j/ Fees for original and renewal are as follows: 18 months or less $2.50, 19 to 24 months - $5.00, 25 to 36 months - $7.50, 37 to 48 months-$10.00.
k/ Applies to bus drivers only.
l/ Commercial chauffeurs license.
m/ Original license fees vary, $2.50, $3.00 or $3.50 for operators and $1.00, $2.00 or $3.00 for chauffeurs depending on length of time from date of application to first renewal.
n/ Plus $3.00 for drivers license.
o/ Fee is $3.00 for those 65 years or over.
p/ Includes $2.00 examination fee.
q/ A $2.00 examination fee is required at time of a driving test.

Source: "Polk's Motor Vehicle Registration Manual", R. L. Polk & Company.

Abandoned Vehicles

The problem of junked and abandoned vehicles along the state's streets and highways is not a new concern to the General Assembly and the citizens of the state. Colorado law sets out a procedure for removal of abandoned vehicles; however, testimony before the Committee indicated that changes in this law should be made to expedite the present procedures. The Committee also discussed the problems associated with recycling junked vehicles but submits no recommendation on this difficult issue.

Colorado law now specifies that either before or after an abandoned vehicle is removed, it must be appraised to determine its reasonable market value. The appraisal is currently performed by any licensed motor vehicle dealer. If the appraised value is less than the cost of removing and storing, and the police are unable to obtain anyone to remove the vehicle, it becomes the responsibility of the public agency to remove and store the vehicle. If no claim is made on the vehicle within 72 hours, notification is sent to the state patrol and the patrol in turn notifies the owner of record as shown in the files of the Department of Revenue. If the owner fails to reclaim the vehicle within 60 days, the public agency involved is authorized to sell the vehicle at public or private sale.

Committee Recommendation

The Highway Revenue Committee recommends several changes in the present procedure. The bill incorporating these changes is contained in this report as Bill H. The major provisions of the bill include:

-- in addition to licensed motor vehicle dealers, the state patrol, a sheriff, and the chief of police may designate any member of their staff to make appraisals of abandoned vehicles.

-- if an appraisal shows that the reasonable market value of the vehicle is less than $100 and the vehicle has been held for the required 72 hours, then notice to the vehicle owner will indicate that he has 15 days to reclaim his vehicle.

-- those vehicles appraised at less than $100 and not reclaimed are to be sold for the purpose of junking or dismantling and the Department of Revenue is required to purge their records of such a vehicle and prevented from issuing a new certificate of title for the vehicle.

-- vehicles appraised at more than $100 may be sold within 30 days after a notice has been sent to the owner of record.

The Committee submits that this measure will correct several deficiencies in the operation of the system. The proposal's primary objective is speeding the procedure for disposing of abandoned or junked vehicles of $100 or less in value. The strongest provision of the bill specifies that vehicles appraised at $100 or less can only be sold for purposes of junking or dismantling. Presently this kind of vehicle is driven again, usually for a short time, and once again abandoned. Thus the cycle of abandonment, notification, and sale is initiated again. The Committee's recommendation would break this cycle.

The proposed bill shortens from 60 to 30 days the period during which an owner has to reclaim his vehicle. This change is made because owners who have any intention of claiming a vehicle will do so in less than 30 days. In Denver, for example, over 50 percent of the impounded vehicles are reclaimed within 24 hours. In addition, the shorter, 30 day provision will mean that the demands upon space to store an ever increasing number of abandoned vehicles will be satisfied.

Licensure of Tourist Courts

Discussion of this topic was initiated by the Committee's predecessor, the 1969 Highway Revenue Committee, as a result of a recommendation made by numerous studies that the license be dropped, or fees increased to reflect costs of collection, or the licensing function be transferred to the Revenue Department to take advantage of computer services.

The present statute was enacted in 1929, for the general purpose of detecting automobile thefts. It requires that each "auto camp" pay an annual license fee of $1.00, plus $.50 for each "cabin unit, trailer stall, or tent", and keep "an easily accessible and permanent daily record of all automobiles stored, kept, parked or maintained in said auto court, in a form approved by the Colorado State Patrol. The State Patrol processes all applications and licenses. The system is primarily a hand operation requiring detailed processing by the patrol; all moneys received by the patrol are credited to the state highway fund and all expenses incurred in the administration of the law are paid out of the same fund. Enforcement of the statute is carried out by the patrol. For calendar year 1969, 2,898 licenses were sold and $29,609 was collected.

The Committee discussed the status of the law with personnel from the Department of Highways, Department of Revenue, and the Denver Police Department. It was reported that such a provision is still useful in assisting the patrol in the investigation of stolen vehicles although neither the Denver police nor the State Highway Patrol have been refused examination of the records of motels or hotels not currently licensed. Representatives of the three departments agreed that the present law should be a) updated by extending its provisions to hotels providing facilities for the parking of motor vehicles, and large motels, and b) changed to allow the Department of Revenue to administer the program but still retain enforcement of the Highway Patrol.

Committee Recommendation

The Committee recommends Bill I contained in this report. The bill provides for the following:

-- an extension of the licensing provisions to hotels and motels not currently licensed. Presently, only the smaller motels, most often in towns and rural areas, are licensed. Adoption of this provision would apply the statute to the kind of accommodation that has flourished since the initiation of the statute -- the hotel providing facilities for the parking of motor vehicles and the large motel and motor-hotel. Thus the provision's intent is to amend the present law so that all accommodations are required to have a license, whether these accommodations are called tourist camps, tourist courts, auto hotels, motor-hotels, or hotels.

-- change in the licensing fee schedule to provide a flat $5.00 per year charge. It was commonly agreed that the $1.00, plus $.50 for each unit fee adopted in 1929 needs to be updated. In addition, with extension of the statute to include hotels, it would be inequitable to maintain the present fee schedule since many hotels have "units" that number in the hundreds. Thus, the flat fee of $5.00 was agreed upon. Finally, the Committee was advised that a fee of $5.00 would adequately cover the administration of the statute.

-- specify that the Department of Revenue administer the program. All of the parties involved agreed that the Department of Revenue could efficiently and economically incorporate the administration of the licensure of auto camps and hotels into its computerized operations. The bill leaves enforcement of the statute in the hands of the State Highway Patrol.

Payment of Special Fuel Tax on Diesel Powered Private Passenger Vehicles

The general subject of special fuel tax has been of concern to interim highway committees for the past several years. In addition, the Governor's Committee on Efficiency and Economy recommended that the special fuel tax collection methods be examined and revised. A full discussion of the special fuel tax was held by the Committee at which time the Department of Revenue outlined alternative methods of collecting the tax. The Committee also heard from industry representatives. For the most part, their testimony indicated that the present fuel tax law is a good one. Only with respect to the tax collection methods for diesel passenger cars did the Committee conclude there is need for statutory change.

Committee Recommendation

The Committee recommends a bill, identified in this report as Bill J, which would make the following changes in the present law:

-- exempt owners of diesel powered private passenger vehicles from the requirement to secure a special fuel users license and furnish a bond in the amount of $100.

-- still require that diesel car owners secure a special fuel permit at a cost of $1.00 per year.

-- require that owners of a diesel car whose vehicle is not registered in Colorado secure a special fuel permit at a cost of $1.00 per year.

-- specify that reports showing miles traveled, gallons of fuel used and state tax due be filed only once a year.

In proposing a change in the present system, the Committee submits that the requirement of posting a $100 bond, keeping records of fuel purchased and miles traveled, and filing periodic reports to the Department of Revenue, seem to the Committee to be an unwarranted burden on the vehicle owner and an inefficient method of collecting a small amount of tax dollars on the part of the state.

Based on 1969 returns, the Department of Revenue reports such a measure will affect some 350 diesel powered private automobile owners in Colorado.

Comprehensive Study

Although the Committee devoted considerable attention to a wide variety of issues essential to the question of highway revenue, it soon became clear to Committee members that a major review of the present system could not be accomplished either this interim or by any legislative study committee. Although legislative and departmental studies have examined and reported upon various segments of the present system, a comprehensive, independent, well financed study has not been conducted for nearly two decades. The demands of a developing state with an expanding economy and a growing population, the shift in population concentration, the advent of new transportation forms, the growing concern for our environment, and the importance of focusing on future transportation needs for our state, county and municipal roads and highways, all of these factors make a major study imperative.

The Committee, throughout the interim, discussed the possible contention of such a study. The following suggestions were offered:

-- distribution of the Highway Users Tax Fund to the state, county and municipal systems and the "off-the-top" deductions. Is the 65-26-9 formula as relevant today as it was when formulated in 1953? Shouldn't the formula have flexibility built into its distribution?

-- should highway and road construction standards be established beyond those standards currently applying?

-- what are the state's transportation needs for the next twenty years including road and highway requirements and other forms of transportation?

-- how can the Department of Highways' Annual Report be presented in a format from which basic decisions can be made relative to the proper use of highway funds?

Pursuant to discussions with the Executive Director of the Department of Highways regarding the scope and financing of a comprehensive study, the following letter, in part, was received by the Committee staff:

> With reference to the question of financing the comprehensive highway study in your letter of October 21, please advise the Committee that the Highway Department will finance this study using State and Federal Funds. There will be no need for general fund financing.

It is anticipated that we will select an outstanding firm to do this study and we anticipate that the study should get underway shortly after January 1, 1971.

It is further anticipated that the study will require approximately one year to complete.

After review of the purpose and scope of a recent comprehensive study completed by an independent consultant for the state of Arizona, the Committee adopted the same general provisions to serve as a guideline for the Colorado study.

Purpose of the Study

1. An engineering study of the present deficiencies and the future needs of all highways, roads, and streets in the state.

2. A finance study to determine the adequacy of highway revenues, both state and local, to meet the deficiencies and needs as referred to in paragraph 1.

3. A management study to determine the ability of the state, counties, and cities and towns to plan and spend highway revenues in a sound and efficient manner.

4. A safety study to determine what is being done and what more can be done to make the state roads safer.

5. An analysis of the highway, road, and street laws to determine how these can be strengthened to enable highway administrators to accomplish their objectives more effectively.

Scope of the Work

1. Classification - The grouping of all roads and streets into functional systems based on trip lengths, travel patterns, traffic volumes, composition of traffic, character of service, and other related factors pertaining to use.

2. Needs - The measurement and calculation of road and street needs, including the cost of constructing systems adequate to serve

present and future traffic, and the cost of maintaining and administering the systems.

3. Finance - Fiscal investigations and analyses to:

   (a) Determine the adequacy of present revenue sources to meet projected road and street needs and to ascertain possible sources of additional revenue, if needed.

   (b) Determine the most equitable distribution of tax responsibilities among beneficiaries of improved roads and streets.

   (c) Develop a program for the equitable distribution of revenues to the administrative units responsible for roads and streets.

4. Economy - To examine the economic activity and growth in the state as they are related to transportation needs.

5. Administration - Analysis of administrative procedures and organization to determine their adequacy and recommend changes and improvements where needed.

6. Continuing Process - Plans and procedures recommended for the periodic updating of all data.

The Committee's endorsement of the entire concept is contained in a letter of December 17, 1970, from the Committee Chairman to the Executive Director of the Highway Department. A copy of the letter is contained in this report as Appendix B.

MINORITY OPINION TO THE HIGHWAY REVENUE COMMITTEE REPORT

Submitted by Representative DeMoulin

After studying the final majority report I find it necessary to make my own minority report on the recommended bill altering motor vehicle registration fees. Specifically, I question the rationale for establishing the upper limit for the proposed registration fee schedule at 5,000 pounds empty weight. In my opinion, a more realistic weight would be 6,000 or 7,000 pounds empty weight.

In support of this contention, the following points are offered for consideration:

1) The weight limit beyond which gross ton-mile tax applies is presently 4,500 pounds. As reported by the State Director of Revenue to the Committee, this limit was arbitrarily derived for the purpose of compromise. The increase to 5,000 pounds proposed by the Committee seems to be based upon the same rationale. During the interim, Committee discussion on this matter represented divided opinions. At one time, the Committee agreed that 8,750 pounds would be a reasonable point at which to establish the lower limit for vehicles subject to the ton-mile tax.

2) At least one of our neighboring states has a 6,000 pound lower limit; conformity with this state would be desirable.

3) Concern over the road wear resulting from lightweight vehicles and overloaded lightweight vehicles requires that the weight limit be raised substantially over 4,500 pounds. The proposed 5,000 pound tare weight is insufficient.

4) It is common knowledge that light trucks and campers traveling the streets and highways of Colorado today weigh more -- empty or with a load -- than vehicles of this type did when the 4,500 pound limit was established.

Finally, inasmuch as the Committee is recommending that city plates be abolished and that at one time during the Committee's deliberations there was discussion of abolishing farm and metro classifications, I would suggest that metro and farm plates be repealed for the weight class eventually decided upon -- under 5,000 pounds tare weight, or preferably 6,000 or 7,000 pounds tare weight. Such a step is recommended because of abuse in these areas and because of the high use of our streets and highways by these vehicles. If equity is indeed our goal, implementation of these recommendations seems to me to be the best solution.

I appreciate the opportunity to express this minority opinion and hope that it will be given due consideration by the General Assembly.

Charles J. DeMoulin

Representative Charles J. DeMoulin

COMMITTEE BILLS

LDO NO. 71 0233

BILL A

A BILL FOR AN ACT

CONCERNING MOTOR VEHICLE REGISTRATION FEES AND TAXES ON VARIOUS CLASSIFICATIONS OF TRUCKS AND TRUCK TRACTORS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 13-3-23 (11), Colorado Revised Statutes 1963 (1969 Supp.), is amended to read:

13-3-23. Registration fees - passenger-mile and ton-mile taxes. (11) (a) (i) The annual registration fee for trucks ~~and truck-tractors~~ owned by a farmer or rancher, which vehicles are operated over the public highways and which are used exclusively for transporting to market or place of storage agricultural products actually produced or livestock actually raised by such farmer or rancher or for transporting commodities and livestock purchased by such farmer or rancher for his own use, and used, in his farming or ranching operations, shall be as follows:

(ii) Each such vehicle having an empty weight of ~~four~~ FIVE thousand pounds or less, ~~seven-dollars~~ AN AMOUNT COMPUTED TO THE NEAREST POUND ON THE EMPTY WEIGHT OF SUCH VEHICLE ACCORDING TO THE FOLLOWING SCHEDULE:

Empty Weight (Pounds)		Range	Registration Fee
2,000	and	under	$ 6.80
2,001	-	2,100	7.00
2,101	-	2,200	7.20
2,201	-	2,300	7.40
2,301	-	2,400	7.60
2,401	-	2,500	7.80
2,501	-	2,600	8.00
2,601	-	2,700	8.20
2,701	-	2,800	8.40
2,801	-	2,900	8.60
2,901	-	3,000	8.80
3,001	-	3,100	9.20
3,101	-	3,200	9.40
3,201	-	3,300	9.60
3,301	-	3,400	9.80
3,401	-	3,500	10.00
3,501	-	3,600	10.80
3,601	-	3,700	11.00
3,701	-	3,800	13.10
3,801	-	3,900	13.70
3,901	-	4,000	14.30
4,001	-	4,100	14.90
4,101	-	4,200	15.50
4,201	-	4,300	16.10

4,301	-	4,400	16.70
4,401	-	4,500	17.30
4,501	-	4,600	19.10
4,601	-	4,700	19.70
4,701	-	4,800	20.30
4,801	-	4,900	20.90
4,901	-	5,000	21.50

(iii) Each such vehicle having an empty weight of ten thousand pounds or less BUT MORE THAN FIVE THOUSAND POUNDS, ~~seven dollars~~ TWENTY-ONE DOLLARS AND FIFTY CENTS plus forty-five cents per one hundred pounds, or fraction thereof, of empty weight over ~~four~~ FIVE thousand pounds;

(iv) Each such vehicle having an empty weight of more than ten thousand pounds, ~~thirty--six-dollars-and-twenty-five-cents~~ FORTY-FOUR DOLLARS plus one dollar and five cents per one hundred pounds, or fraction thereof, of empty weight exceeding ten thousand pounds.

(b) EACH SUCH VEHICLE REGISTERED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (11) HAVING AN EMPTY WEIGHT IN EXCESS OF SIXTEEN THOUSAND POUNDS SHALL, IN ADDITION TO REGISTRATION UNDER THIS SUBSECTION (11), BE SUBJECT TO THE PROVISIONS OF SUBSECTION (15) OF THIS SECTION.

(c) NO TRUCK-TRACTOR MAY BE REGISTERED UNDER THIS SUBSECTION (11), BUT SHALL BE REGISTERED PURSUANT TO SUBSECTION (14) OF THIS SECTION.

SECTION 2. 13-3-23 (13), Colorado Revised Statutes 1963 (1969 Supp.), is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

13-3-23. Registration fees - passenger-mile and ton-mile taxes. (13) (a)(i) The annual registration fee for each truck operated within exclusively over the public highways located within the boundaries of a city, city and county, or incorporated town and over those public highways located within a radius of not more than ten miles of such boudaries, hereby defined as a "metro" vehicle, shall be as follows:

(ii) Each such vehicle having an empty weight of five thousand pounds or less, an amount computed to the nearest pound of empty weight of such vehicle, according to the schedule set forth in subsection (14) (b) of this section;

(iii) Each such vehicle having an empty weight of ten thousand pounds or less but more than five thosand pounds, twenty-seven dollars and fifty cents plus one dollar and twelve cents per one hundred pounds, or fraction thereof, of empty weight exceeding five thousand pounds;

(iv) Each such vehicle having an empty weight of more than ten thousand pounds, eighty-three dollars and fifty cents plus two dollars and thirty-one cents per one hundred pounds, or fraction thereof, of empty weight exceeding ten thousand pounds.

(v) Each such vehicle registered pursuant to this paragraph (a) having an empty weight in excess of sixteen thousand pounds shall, in addition to registration hereunder, be subject to the provisions of subsection (15) of this section.

(b) The owner of any truck registered as a "metro" vehicle under the provisions of this subsection (13) may operate such vehicle upon the public highways of the state located beyond the area specified in paragraph (a) of this subsection upon becoming subject to payment of the gross ton-mile tax assessed by the provisions of subsection (15) of this section with respect to all miles operated and gross tons of empty vehicle weight and gross tons of cargo weight moved over such public highways located beyond the area specified in paragraph (a) of this subsection.

(c) No truck-tractor may be registered under this subsection (13), but shall be registered pursuant to subsection (14) of this section.

SECTION 3. 13-3-23 (14), Colorado Revised Statutes 1963 (1969 Supp.), is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

13-3-23. Registration fees - passenger-mile and ton-mile taxes. (14) (a) The annual registration fee for those trucks and truck tractors operated over the public highways of this state, except trucks which are registered under the provisions of subsection (11) of this section, and except metro trucks having an empty weight exceeding five thousand pounds, shall be as follows:

(b) For each such vehicle, and also for each vehicle registered under subsection (13) of this section having an empty weight of up to and including five thousand pounds, such registration fee shall be based upon the empty weight of such vehicle, computed to the nearest pound, according to the following schedule:

Empty Weight (Pounds)		Range	Registration Fee
2,000	and	under	$ 7.60
2,001	-	2,100	7.80

2,101	-	2,200	8.00
2,201	-	2,300	8.20
2,301	-	2,400	8.40
2,401	-	2,500	8.60
2,501	-	2,600	8.80
2,601	-	2,700	9.00
2,701	-	2,800	9.20
2,801	-	2,900	9.40
2,901	-	3,000	9.60
3,001	-	3,100	10.20
3,101	-	3,200	10.40
3,201	-	3,300	10.60
3,301	-	3,400	10.80
3,401	-	3,500	11.00
3,501	-	3,600	16.10
3,601	-	3,700	16.70
3,701	-	3,800	17.30
3,801	-	3,900	17.90
3,901	-	4,000	18.50
4,001	-	4,100	19.10
4,101	-	4,200	19.70
4,201	-	4,300	20.30
4,301	-	4,400	20.90
4,401	-	4,500	21.50
4,501	-	4,600	25.10
4,601	-	4,700	25.70
4,701	-	4,800	26.30

4,801	-	4,900	26.90
4,901	-	5,000	27.50

(c) Each such vehicle registered under this subsection (14) having an empty weight exceeding five thousand pounds, twenty-two dollars and fifty cents.

SECTION 4. 13-3-23 (15) (a) (i), Colorado Revised Statutes 1963 (1969 Supp.), is amended to read:

13-3-23. Registration fees - passenger-mile and ton-mile taxes. (15) (a) (i) In addition to the annual registration fees prescribed in ~~subsection~~ SUBSECTIONS (11) and (14) of this section for trucks and truck tractors operated over the public highways of this state, there is hereby assessed and shall be paid by the owner or operator of every truck, truck tractor, trailer, semitrailer, or any combination thereof so operated and having an empty weight exceeding ~~four~~ FIVE thousand ~~five-hundred~~ pounds, OR IN THE CASE OF A TRUCK REGISTERED UNDER SUBSECTIONS (11) OR (13), SIXTEEN THOUSAND POUNDS WITHOUT REGARD TO ANY COMBINATION OF UNITS, a tax for each gross ton of empty weight and for each gross ton of cargo weight moved for a distance of one mile over such highways (hereby defined as a "gross ton-mile") at the following rates:

SECTION 5. 13-3-23 (16) (a) (iii), Colorado Revised Statutes 1963 (1969 Supp.), is amended to read:

13-3-23. Registration fees - passenger-mile and ton-mile taxes. (16) (a) (iii) To any farm truck ~~or-truck-tractor~~ HAVING AN EMPTY WEIGHT NOT EXCEEDING SIXTEEN THOUSAND POUNDS, registered under the provisions of subsection (11) of this section;

SECTION 6. Repeal. 13-3-23 (12) Colorado Revised Statutes 1963 (1969 Supp.), is repealed.

SECTION 7. Effective date. This act shall take effect January 1, 1972.

SECTION 8. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

BILL B

A BILL FOR AN ACT

CONCERNING MOTOR VEHICLE SAFETY INSPECTIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 13-5-114 (4), Colorado Revised Statutes 1963 (1965 Supp.), is amended to read:

13-5-114. Operation of official inspection station - fees. (4) (a) Certificates of inspection shall be purchased only from the department of revenue and the department of revenue shall receive therefor, the sum of ~~ten~~ FIFTEEN cents for each such certificate. The moneys received by the department of revenue from the sale of such certificates shall be deposited to the credit of A SPECIAL ACCOUNT WITHIN the highway users tax fund AND SUCH MONEYS SHALL BE EXPENDED ONLY FOR THE ADMINISTRATION AND ENFORCEMENT OF SECTIONS 13-5-112 TO 13-5-116, UPON APPROPRIATION BY THE GENERAL ASSEMBLY.

(b) No refund or credit shall be allowed forunused certificates.

SECTION 2. 13-5-114 (5) and (6), Colorado Revised Statutes 1963, are amended to read:

13-5-114. Operation of official inspection station - fees. (5) A licensed inspection station shall charge a fee ~~not--to exceed--one--dollar--and--fifty----cents~~ OF THREE DOLLARS for the inspection of any vehicle whether or not a certificate of inspection and approval is issued. When the fee is paid for an inspection but a certificate is denied, no additional fee shall be charged for the re-inspection if repairs and adjustments are made within ~~five~~ SEVEN days and the vehicle is returned to the original inspecting station for final approval.

(6) (a) The certificate of inspection provided for herein may be a sticker, seal, or other device or combination thereof, as the department of revenue shall determine by an appropriate rule or regulation.

(b) THE DEPARTMENT OF REVENUE SHALL SPECIFY, BY APPROPRIATE RULE OR REGULATION, A METHOD BY WHICH A LICENSED INSPECTION STATION SHALL GIVE NOTICE THAT IT HAS DENIED THE ISSUANCE OF A CERTIFICATE OF INSPECTION AND APPROVAL BY REASON OF SOME DEFECT. SUCH NOTICE SHALL BE GIVEN BY MEANS OF REMOVAL OF AN EXISTING CERTIFICATE OR PORTION THEREOF AND THE ATTACHMENT OF A SPECIAL CERTIFICATE WHICH SHALL BE VALID FOR A PERIOD OF SEVEN DAYS TO PERMIT THE CORRECTION OF THE DEFECTS SPECIFIED.

SECTION 3. Effective date. This act shall take effect July 1, 1971.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

LDO NO. 71 0212/1

Highway Revenue Committee
Draft 12/2/70 XVI-A Adopted

BILL C

A BILL FOR AN ACT

CONCERNING ALLOCATION OF EXPENDITURES FROM THE HIGHWAY REVENUE TAX FUND AND REPORTS REQUIRED IN CONNECTION WITH SUCH ALLOCATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 120-12-7 (2) (c), Colorado Revised Statutes 1963, is amended to read:

120-12-7. County allocation. (2) (c) Eighty percent shall be allocated to the counties in proportion to the adjusted mileage of open, ~~and~~ used, AND MAINTAINED rural roads in each county, excepting mileage of state highways. The adjusted mileage will be determined by applying to the existing mileage of open, ~~and~~ used, AND MAINTAINED rural roads a factor of difficulty. The factor representing the difficulty of construction and maintenance in the various counties in the state by reason of terrain shall be determined by the department of highways as provided in paragraphs (d), (e), and (f) of this subsection (2).

SECTION 2. 120-12-8 (2) (c), Colorado Revised Statutes 1963, is amended to read:

120-12-8. Municipal allocation. (2) (c) Twenty percent shall be allocated to the cities and incorporated towns in proportion to the mileage of open, ~~and~~ used, AND MAINTAINED streets in each city and incorporated town, excepting the mileage of state highways.

SECTION 3. 120-13-15, Colorado Revised Statutes 1963, is amended to read:

120-13-15. Allocations - reports - grace period. ~~After July 1st, 1954,~~ The state treasurer or any other state officer so designated, shall make complete allocations from highway user revenues to only those counties which have complied with all the requirements of this article. The state agency or department designated in this article to receive county reports shall inform the counties in writing, by registered mail, of any delinquencies in reporting and shall forward a copy of such notice to the state treasurer. Delinquent counties shall be allowed a grace period of ~~sixty~~ NINETY days after date of notice in which to rectify the delinquency. If the required reports have not been received at the end of the ~~sixty~~ NINETY day grace period, the state treasurer shall withhold ~~ten percent of~~ the moneys due to such counties until he has been informed that the required reports have been received. Payments withheld will be paid to the counties upon receipt of the delinquent reports.

SECTION 4. 120-13-20, Colorado Revised Statutes 1963 (1967 Supp.), is amended BY THE ADDITION OF A NEW SUBSECTION to read:

120-13-20. Annual county reports. (4) At the same time the reports of expenditures required by this section are filed with the state auditor, the county commissioners of each county shall submit to the state department of highways a map which shall indicate any changes in the mileage or location of any road within the county system of roads, together with any changes in the surface classification of any roads within the county system which have been made during the calendar year ending on the thirty-first day of December next preceding.

SECTION 5. 120-13-31, Colorado Revised Statutes 1963, is amended to read:

120-13-31. Municipal allocations - delinquent reports - grace period. ~~After July 1st, 1954,~~ The state treasurer, or any other state officer so designated, shall make complete allocations from highway user revenues to only those cities, cities and counties, or towns which have complied with all the requirements of this article. The state agency or department designated herein to receive reports shall inform the cities, cities and counties, or towns in writing, by registered mail, of any delinquencies in reporting and shall forward a copy of such notice to the state treasurer. Delinquent cities, cities and counties, or towns shall be allowed a grace period of ~~sixty~~ NINETY days after date in which to rectify the delinquency. If the required reports have not been received at the end of the ~~sixty~~ NINETY day grace period, the state treasurer shall withhold ~~ten percent of~~ the moneys due to such cities, cities and counties, or towns until he has been informed that the required reports have been received. Payments withheld will be paid to the cities, cities and counties, or towns upon receipt of the delinquent reports.

SECTION 6. 120-13-32, Colorado Revised Statutes 1963 (1967 Supp.), is amended BY THE ADDITION OF A NEW SUBSECTION to read:

120-13-32. Annual municipal reports. (4) At the same time as the reports of expenditures required by this section are filed with the state auditor, each city, city and county, and incorporated town shall submit to the state department of highways certification prepared as provided by section 120-13-25 showing all changes in total mileage and arterial mileage, having been made during the calendar year ending on the thirty-first day of December next preceding.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

BILL D

A BILL FOR AN ACT

CONCERNING COUNTY HIGHWAY SYSTEMS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 120-13-10, Colorado Revised Statutes 1963, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

120-13-10. Selection by county - notice - secondary system. (7) Any portion of an open, used, and maintained county road which is fenced across so as to require vehicular traffic to pass through a gate to proceed on said road shall be clearly posted at any such point to indicate that such road is a public rather than a private road.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

BILL E

A BILL FOR AN ACT

CONCERNING MOTOR VEHICLE PORT OF ENTRY STATIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 13-19-2, Colorado Revised Statutes 1963, is amended to read:

13-19-2. Definitions. Whenever used in this article, the words "motor vehicles" ~~shall be defined as~~ MEAN trucks, truck tractors, trailers, ~~or~~ AND semitrailers or combinations thereof, AND THE WORD "PERSON" MEANS AN INDIVIDUAL, A PARTNERSHIP, A CORPORATION, A COMPANY, OR AN ASSOCIATION.

SECTION 2. 13-19-3, Colorado Revised Statutes 1963 (1969 Supp.), is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

13-19-3. Ports of entry division. There is hereby created within the department of revenue a ports of entry division, which division, acting under the authority and direction of the executive director of the department, shall be responsible for establishing and operating port of entry weigh stations at such points along the public highways of this state as are determined to be necessary to carry out the purposes of this article. The executive director shall authorize not less than ten permanent port of entry weigh stations and not less than four mobile port of entry weigh stations to be established and operated by the division, and such additional stations as he may from time to time determine to be necessary. The location or relocation of such stationary or mobile port of entry weigh stations shall be determined by the executive director. Wherever any provision of this article refers to a motor vehicle inspection station or to a motor carrier inspection station, such provision shall be deemed to refer to a port of entry weigh station established and operated by the ports of entry division.

SECTION 3. 13-19-5, Colorado Revised Statutes 1963, is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

13-19-5. Clearance of motor vehicles at port of entry weigh stations. (1) Every owner or operator of a motor vehicle which is subject to payment of ton-mile or passenger-mile taxes under the provisions of section 13-3-23, C.R.S. 1963, shall secure a valid clearance certificate from an office of the department of revenue, from an officer of the Colorado state patrol, or from a port of entry weigh station before operating such vehicle, or causing such vehicle to be operated, on the public highways of this state, but an owner or operator shall be deemed to have complied with the provisions of this subsection if he secures a clearance certificate from the first port of entry located within five road miles of the route which he would normally follow from his point of departure to the point of his destination. An owner or operator shall not be required to seek out a port of entry weigh station not located on the route he is following if he secures a special revocable permit from the department of revenue in accordance with the provisions of subsection (4) of this section.

(2) It shall be unlawful for any owner or operator of a motor vehicle subject to the provisions of section 13-3-23, C.R.S. 1963, to permit the travel of such motor vehicle on the public highways of this state without first having secured a valid clearance certificate as provided in subsection (1) of this section, and every such owner or operator shall be required to seek out a port of entry weigh station for the purpose of securing such valid clearance certificate, whether or nor such port of entry weigh station is located on the route which he is following, unless a valid clearance certificate or a special permit in accordance with subsection (4) of this section has previously been secured.

(3) Every motor vehicle which is subject to the provisions of section 13-3-23, C.R.S. 1963, shall stop at each port of entry weigh station located on the route which it would normally follow from the point of its departure to the point of its destination for verification of its previously secured clearance certificate.

(4) The department of revenue may issue a special revocable permit to the owner or operator of any vehicle using a negotiated average weight factor or being operated over a regularly scheduled route waiving the requirement that the owner or operator seek out and stop at a port of entry not located directly on the route being followed. In order for the permit to be effective, the vehicle must be operating over a regularly scheduled route which has previously been cleared with the department.

(5) Any owner or operator of a motor vehicle which is subject to the provisions of section 13-3-23, C.R.S. 1963, who shall violate and be found guilty of violating the provisions and requirements of this section shall be subject to the fines and penalties prescribed in section 13-19-9.

(6) The executive director of the department of revenue shall have authority to prescribe and issue such rules and regulations as he may deem necessary and proper to administer and enforce the provisions of this section.

SECTION 4. 13-19-9 (2), Colorado Revised Statutes 1963, is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

13-19-9. Fines and penalties. (2) (a) Any person violating or permitting the violation of any of the provisions of this article shall be guilty of a misdemeanor and upon conviction thereof shall be punished according to the following schedule of fines and penalties:

(b) For a first offense, a fine of not less than fifty nor more than one hundred dollars;

(c) For a second offense, a fine of not less than one hundred nor more than two hundred fifty dollars;

(d) For a third or subsequent offense, a fine of not less than five hundred nor more than one thousand dollars, or by not more than six months imprisonment in the county jail, or by both such fine and imprisonment, at the discretion of the court.

SECTION 5. 13-19-9, Colorado Revised Statutes 1963, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

13-19-9. Fines and penalties. (4) The minimum fines hereinabove prescribed and fixed for violations of the provisions of this article shall be mandatory, and no court shall grant a suspension thereof, in whole or in part.

SECTION 6. Effective date. This act shall take effect July 1, 1971.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

LDO NO. 71 0213/1

Highway Revenue Committee
Draft 12-2-70 XV Adopted

BILL F

A BILL FOR AN ACT

AMENDING 13-2-6 (2), COLORADO REVISED STATUTES 1963, CONCERNING FEES CHARGED BY THE DEPARTMENT OF REVENUE.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 13-2-6 (2), Colorado Revised Statutes 1963, is amended to read:

13-2-6. Records open to inspection - furnishing of copies. (2) Upon written application and the payment of a fee of ~~seventy-five~~ ONE DOLLAR AND FIFTY cents per copy, OR SEARCH THEREFOR, for each copy requested, the department shall furnish to any person, firm, corporation, or association a photostatic copy of any specified record or accident report specifically made a public record by any provision of this chapter and will for the additional fee of fifty cents per certification, if requested, certify the same. All fees collected under the provisions of this subsection shall be used to defray the expenses of providing such copies.

SECTION 2. Effective date. This act shall take effect July 1, 1971.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

BILL G

A BILL FOR AN ACT

AMENDING 13-4-12 (2) AND (3), COLORADO REVISED STATUTES 1963, CONCERNING MOTOR VEHICLE OPERATOR LICENSES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 2. 13-4-12 (2) and (3), Colorado Revised Statutes 1963 (1965 Supp.), are amended to read:

13-4-12. License required - fees. (2) The fee for the issuance of an operator's and provisional operator's license shall be ~~two~~ FOUR dollars, ~~and-twenty-five-cents;~~ to expire on the birthday of the applicant in the third year after issuance thereof, or when the applicant reaches age twenty-one, whichever occurs first, and for each provisional chauffeur's or chauffeur's license the fee shall be five dollars and twenty-five cents to expire on the birthday of the applicant in the third year after issuance thereof or when the applicant reaches age twenty-one, whichever occurs first; provided, that in case of a provisional operator's or operator's license issued by the county clerk's office, each in their respective counties, the county clerk's office shall retain the sum of one dollar and fifty cents, and ~~seventy-five~~ TWO DOLLARS AND FIFTY cents shall be forwarded to the department of revenue for deposit in the state treasury to the credit of the highway users tax fund. The five dollars and twenty-five cent fee for a provisional chauffeur's or chauffeur's license when issued by the county clerk shall be prorated as follows: The county clerk's office in their respective counties shall retain two dollars for the issuance and recording of said license, and for the examination of the applicant, and shall forward to the department of revenue the three dollars and twenty-five cents to be deposited in the state treasury to the credit of the highway users tax fund, and the general assembly shall make appropriations therefrom for the expenses of the administration of this article.

(3) The fee for the issuance of a minor operator's license shall be ~~two~~ FOUR dollars, ~~and--twenty-five-cents;~~ to expire twenty days after the eighteenth birthday of the licensee. In the case of issuance of such minor operator's license by the county clerk's office, the fee therefor shall be apportioned in the same manner as for issuance of an operator's license.

SECTION 3. Effective date. This act shall take effect July 1, 1971.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

BILL H

A BILL FOR AN ACT

CONCERNING ABANDONED MOTOR VEHICLES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 13-5-72 (3), Colorado Revised Statutes 1963 (1965 Supp.), is amended to read:

13-5-72. Removal and disposal of stopped or abandoned vehicles. (3) (a) As soon as practical, either before or after removal of the vehicle, the officer removing same or the public agency employing the officer, shall cause an appraisal to be made of any vehicle which appears to have been abandoned in order to determine the reasonable market value of said vehicle. Any licensed Colorado motor vehicle dealer shall have authority to make such appraisal.

(b) IN ADDITION TO LICENSED MOTOR VEHICLE DEALERS, THE COLORADO STATE PATROL, THE SHERIFF OF ANY COUNTY, AND THE CHIEF OF ANY TOWN OR CITY POLICE DEPARTMENT MAY APPOINT ANY MEMBER OF THEIR STAFF TO MAKE SUCH APPRAISALS OF VALUE. APPOINTMENTS SO MADE SHALL BE REPORTED BY THE HEAD OF THE APPOINTING AGENCY TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE.

(c) IF ANY APPRAISAL MADE PURSUANT TO THIS SECTION SHOWS THE VEHICLE TO HAVE A REASONABLE MARKET VALUE OF LESS THAN ONE HUNDRED DOLLARS, THE SPECIAL PROVISIONS OF SUBSECTION (6) (b) OF

THIS SECTION WITH RESPECT TO THE SALE OF SUCH VEHICLE SHALL BE APPLICABLE.

(d) In the event the appraised value is less than the costs of removal and storage and the officer is unable to obtain anyone to remove the vehicle from any portion of a highway right-of-way, the public agency having jurisdiction shall remove or cause said vehicle to be removed from the public right-of-way.

SECTION 2. 13-5-72 (4) and (5), Colorado Revised Statutes 1963 (1965 Supp.), are amended to read:

13-5-72. Removal and disposal of stopped or abandoned vehicles. (4) In the event the vehicle is not reclaimed by the owner or operator within a period of seventy-two hours, the officer removing the vehicle or the public agency employing the officer shall immediately send or cause to be sent a written report of the fact of such removal, the grounds thereof, and of the place to which such vehicle has been removed to the Colorado state patrol and shall file a copy of the report with the proprietor of any garage or other place of safety in which the vehicle may be stored. The report shall be made on a form furnished by the Colorado state patrol and shall include a complete description of the vehicle, the date, time and place from which removed, the grounds for removal, and the name of the garage or place where the vehicle is stored, AND THE APPRAISAL FIGURE SET PURSUANT TO SUBSECTION (3) OF THIS SECTION.

(5) (a) The Colorado state patrol, upon receiving the report under subsection (4) of this section concerning the removal of a vehicle from a highway, shall notify in writing the owner of

record and any lienholder at the addresses of such persons as shown by the records of the department of revenue, if the vehicle is registered in this state, of the removal of such vehicle, and give the name of the public agency reporting such removal, the grounds upon which the removal was authorized, and the location of the vehicle. If the vehicle is not registered in this state, the Colorado state patrol shall make a reasonable effort to notify the lienholder and owner of record of the removal and location of the vehicle.

(b) IF THE VALUE OF THE VEHICLE HAS BEEN APPRAISED AT LESS THAN ONE HUNDRED DOLLARS BY VIRTUE OF SUBSECTION (3) OF THIS SECTION, SUCH NOTICE SHALL ALSO ADVISE THE OWNER AND LIENHOLDER OF THE PROVISIONS OF SUBSECTION (6) (b) OF THIS SECTION CONCERNING LIMITATION ON SALE OF SUCH VEHICLE.

SECTION 3. 13-5-72 (6), Colorado Revised Statutes 1963 (1969 Supp.), is amended to read:

13-5-72. Removal and disposal of stopped or abandoned vehicles. (6) (a) IN THE CASE OF ANY VEHICLE WITH AN APPRAISED VALUE OF ONE HUNDRED DOLLARS OR MORE, if the lienholder or owner of record, within ~~sixty~~ THIRTY days from the date notice was sent to the owner of record or the lienholder fails to reclaim said vehicle by paying to the keeper of the vehicle the cost of appraisal, towage, and storage involved in the taking of possession and storage of said vehicle, the public agency is hereby authorized to sell at public or private sale the abandoned vehicle. The public agency shall cause to be executed and delivered a bill of sale together with a copy of the report to be filed with the department of revenue to the person purchasing the vehicle. Immediately following sale of said vehicle, the officer or public agency shall send or cause to be sent a written report of such sale to the department of revenue. The report and the bill of sale shall be on a form or forms furnished by the Colorado state patrol and shall include a complete description of the vehicle and a copy of the bill of sale.

(b) (i) IN THE CASE OF ANY VEHICLE WITH AN APPRAISED VALUE OF LESS THAN ONE HUNDRED DOLLARS, THE VEHICLE MAY BE SOLD AT PUBLIC OR PRIVATE SALE IF THE LIENHOLDER OR OWNER OF RECORD FAILS TO RECLAIM SAID VEHICLE AND PAY ALL CHARGES THEREON WITHIN FIFTEEN DAYS FROM THE DATE NOTICE WAS SENT PURSUANT TO SUBSECTION (5) OF THIS SECTION;

(ii) SUCH SALE SHALL BE MADE ONLY FOR THE PURPOSE OF JUNKING OR DISMANTLING SAID VEHICLE;

(iii) THE PUBLIC AGENCY CONDUCTING SUCH SALE SHALL SHOW ON ANY BILL OF SALE ISSUED ON SUCH VEHICLE THAT THE PURCHASER THEREOF ACQUIRES NO RIGHT TO A CERTIFICATE OF TITLE FOR SUCH VEHICLE, AND SHALL PROMPTLY SUBMIT A REPORT OF SALE, WITH A COPY OF THE BILL OF SALE, TO THE DEPARTMENT OF REVENUE AND SHALL DELIVER A COPY OF SUCH REPORT OF SALE TO THE PURCHASER OF SUCH VEHICLE;

(iv) UPON RECEIPT OF ANY REPORT OF SALE WITH SUPPORTING DOCUMENTS ON ANY SALE MADE PURSUANT TO THE PROVISIONS OF THIS PARAGRAPH (b), THE DEPARTMENT OF REVENUE SHALL PURGE THE RECORDS FOR SUCH VEHICLE AS PROVIDED IN SECTION 13-5-156 (1) (c), AND SHALL NOT ISSUE A NEW CERTIFICATE OF TITLE FOR SUCH VEHICLE.

(c) A PUBLIC AUTHORITY MAY EXECUTE A CONTRACT FOR THE REMOVAL OF ABANDONED VEHICLES WITHIN THE AREA OF ITS AUTHORITY, TO EFFECTUATE THE PROVISIONS OF THIS SECTION.

SECTION 4. 13-5-156 (1) (c), Colorado Revised Statutes 1963 (1965 Supp.), is amended to read:

13-5-156. Transfer and purge of titles - abandoned vehicles. (1) (c) Upon submission of documents indicating abandonment, removal, and subsequent wrecking or dismantling, INCLUDING ALL SALES OF VEHICLES WITH AN APPRAISED VALUE UNDER ONE HUNDRED DOLLARS AND CONDUCTED PURSUANT TO SECTION 13-5-72 (6) (b), the department shall purge the records of such vehicle.

SECTION 5. Effective date. This act shall take effect July 1, 1971, and shall be applicable in all cases arising on or after such date.

SECTION 6. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

LDO NO. 71 0235/1

Highway Revenue Committee
Draft 11-24-70 IV
Adopted (conforming amendments added)

BILL I

A BILL FOR AN ACT

CONCERNING THE LICENSING OF AUTO CAMPS AND HOTELS, AND IMPOSING DUTIES IN CONNECTION THEREWITH.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 13-14-1, Colorado Revised Statutes 1963, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

13-14-1. Definitions. (4) "Hotel" or "hotel facility" means an establishment engaged in the business of furnishing overnight room accommodations primarily for transient persons and which maintains or makes available, as a part of its services to its patrons, facilities for the parking or storage of motor vehicles.

SECTION 2. 13-14-2, Colorado Revised Statutes 1963, is amended to read:

13-14-2. Licenses - fee - penalty. Every person, firm, association, or corporation owning, operating, controlling, or leasing an auto camp OR HOTEL, as defined in section 13-14-1, within the state shall make a verified application for an annual license and shall pay to the department of revenue an annual license fee of ~~one-dollar~~ FIVE DOLLARS per year ~~plus-fifty--cents~~

~~for--each--cabin,--unit,-trailer-stall,-or-tent~~ for each calendar year. Said license shall be obtained on or before the first day of January of each year. The term of each license shall run from January first to December thirty-first, inclusive. Any person, firm, association, or corporation that shall operate any auto camp OR HOTEL, as defined in section 13-14-1, without a license shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars. If the ownership or control of any licensed auto camp OR HOTEL shall be changed during the calendar year for which the license is issued, the new owner, operator, or lessor shall pay to the department of revenue the license fee above prescribed to operate said auto camp OR HOTEL for the balance of the calendar year.

SECTION 3. 13-14-3 (1), Colorado Revised Statutes 1963, is amended to read:

13-14-3. Required records - annual report - penalty. (1) It is hereby made the duty of the owner or operator of every licensed auto camp OR HOTEL, as defined in section 13-14-1, to keep and maintain in said auto camp OR HOTEL an easily accessible and permanent daily record of all automobiles stored, kept, parked, or maintained in said auto camp AND ALL AUTOMOBILES OF PATRONS OF SUCH HOTEL WHICH ARE PARKED IN FACILITIES MAINTAINED OR MADE AVAILABLE BY SUCH HOTEL. The record shall be kept in a book to be furnished by the ~~Colorado-state-patrol~~ DEPARTMENT OF REVENUE, at cost, to the owner or operator of said licensed auto camp OR HOTEL, or a like record may be kept on cards, consecutively numbered, in a uniform manner approved by the

~~Colorado-state-patrol~~ DEPARTMENT OF REVENUE. The record shall include the name and address of the owner of the automobile stored, parked, kept, or maintained in said auto camp OR HOTEL FACILITY, together with the make and style of said automobile, and the license number, if any. All such records shall be preserved for a period of five years.

SECTION 4. 13-14-4, Colorado Revised Statutes 1963, is amended to read:

13-14-4. Record open for inspection by officers. The books and records of ~~said~~ EVERY auto camp AND HOTEL, AS DEFINED IN SECTION 13-14-1, shall be open for inspection to members of the state highway patrol and all peace officers of the state.

SECTION 5. 13-14-5, Colorado Revised Statutes 1963, is amended to read:

13-14-5. Allowing stolen motor vehicle to be stored - penalty. Any person who shall knowingly allow or permit any stolen motor vehicle to be stored, kept, parked, or maintained in any licensed auto camp OR HOTEL FACILITY, as defined in section 13-14-1, within the state of Colorado shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars. This provision shall not be exclusive of any other penalties prescribed by any existing or future laws for the larceny or unauthorized taking of a motor vehicle.

SECTION 6. 13-14-6, Colorado Revised Statutes 1963, is amended to read:

13-14-6. Revocation of license. If the owner, operator, or lessor of any licensed auto camp OR HOTEL fails to keep a record of motor vehicles stored, parked, kept, or maintained in said licensed auto camp OR HOTEL FACILITY, as provided by section 13-14-3, the ~~highway-patrol~~ DEPARTMENT OF REVENUE, upon notice to said owner, operator, or lessor of said auto camp OR HOTEL may, AFTER HEARING AND DUE ADMINISTRATIVE PROCEEDINGS, revoke said license.

SECTION 7. 120-10-29, Colorado Revised Statutes 1963, is amended to read:

120-10-29. Authority to expend moneys - purpose. The Colorado state patrol ~~board~~ is hereby authorized and empowered to administer and enforce any and all provisions of ~~articles-13--and 14~~ ARTICLE 13 AND TO ENFORCE THE PROVISIONS OF ARTICLE 14, of chapter 13, C.R.S. 1963. In the administration of said acts, the board is authorized to expend such moneys for postage, telegrams, telephone tolls, stationery, books, license applications and certificates, and other supplies as are required and necessary.

SECTION 8. 120-10-30, Colorado Revised Statutes 1963, is amended to read:

120-10-30. How money used. All moneys received by the state patrol for the issuance of garage and dealers' licenses ~~and the-licensing-of-auto-camps-and-auto-tourist-camps;~~ shall be paid into the department of revenue and all such moneys shall be credited to the state highway fund. The cost of administration of this article and of all payrolls and salaries of the employees, including salaries of the employees by this law transferred from the automobile theft department, and the cost of clerical work, stationery, postage, badges, and of all supplies and equipment and necessary traveling expenses shall be paid out of the state highway fund. In no event shall the cost of such administration, including all salaries and expenses, exceed the amount collected and paid into the state highway fund under the provisions of this article. The expenses and salaries herein provided are hereby declared for the purpose of the administration and enforcement of the several statutes herein referred to and for the maintenance, preservation, and supervision of the public highways. Expenses and salaries shall be paid in the same manner as all other state highway department expenses are paid.

SECTION 9. Effective date - applicability. This act shall take effect July 1,1971, and shall be applicable, with respect to licensing procedures and requirements, for the year 1972 and subsequent years.

SECTION 10. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

BILL J

A BILL FOR AN ACT

CONCERNING MOTOR VEHICLE SPECIAL FUEL TAXES, AND RELATING TO COLLECTION PROCEDURES WITH RESPECT THERETO.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 138-2-2 (3) (a), Colorado Revised Statutes 1963 (1969 Supp.), is amended to read:

138-2-2. Tax imposed - special licenses - penalty. (3) (a) An excise tax of seven cents per gallon or fraction thereof is hereby imposed and shall be paid on all special fuel used in this state, except upon special fuel used for the operation of farm vehicles when the same are being used on farms or ranches, or in vehicles when operated off the public highways, or in vehicles or construction equipment operated within the confines of highway construction projects when such vehicles or construction equipment are being actually used in the construction of such highways. Every owner or operator of a vehicle powered by special fuel, other than the owners and operators of those vehicles specified in this paragraph (a), shall be primarily liable for payment of the tax hereby imposed on special fuel used in the operation of such vehicle in this state. All such owners and operators, OTHER THAN OWNERS AND OPERATORS OF DIESEL POWERED PRIVATE PASSENGER VEHICLES, shall be licensed, under a license to be known as a "special fuel user license", in the same manner as distributors of motor fuel, and shall furnish a surety bond acceptable to the executive director of the department of revenue in an amount not less than one hundred dollars for each vehicle using special fuel and not greater, in the aggregate, than three thousand dollars, unless payment of the tax hereby imposed is made under the alternative method prescribed in subsection (7) of this section. All such owners and operators shall be subject to the provisions and penalties applicable to distributors of motor fuel, including, but not limited to, the provisions of subsections (2) (b), (2) (c), and (2) (d) of this section.

SECTION 2. 138-2-2 (4) and (5) (a), Colorado Revised Statutes 1963 (1969 Supp.), are amended to read:

138-2-2. Tax imposed - special licenses - penalty. (4) (a) All owners or operators of motor vehicles using special fuels subject to the tax provided by subsection (3) of this section shall apply each year for a permit from the department of revenue for each motor vehicle unit in which special fuel shall be used, unless payment of tax provided by subsection (3) is made by the alternative method provided in subsection (7) of this section. The application for permit shall indicate such information as the director shall deem advisable. The applicant shall pay a fee of one dollar for each permit desired to the department of revenue which shall collect and pay the same to the state treasurer to be credited to the highway users tax fund. All permits shall expire December thirty-first each year. The permit shall be displayed at all times on the motor vehicle unit to which it is assigned. No permit shall be transferred from one motor vehicle to another, nor assigned to any other person.

(b) OWNERS OR OPERATORS OF DIESEL POWERED PRIVATE PASSENGER VEHICLES WHICH ARE NOT REGISTERED IN THIS STATE SHALL, UPON ENTRY INTO THE STATE IN ANY SUCH VEHICLE, APPLY FOR A SPECIAL PERMIT WHICH SHALL BE ISSUED BY THE DEPARTMENT OF REVENUE AND SHALL BE AVAILABLE FOR PURCHASE AT A FEE OF ONE DOLLAR FROM AN OFFICE OF THE DEPARTMENT OF REVENUE, AN OFFICER OF THE COLORADO HIGHWAY PATROL, OR FROM A PORT OF ENTRY WEIGH STATION. SUCH PERMIT SHALL ENTITLE SUCH OWNER OR OPERATOR TO PURCHASE DIESEL FUEL WITHOUT THE PAYMENT OF ANY SPECIAL FUEL TAX ON SUCH DIESEL FUEL.

(5) (a) Each user subject to the provisions of this article, OTHER THAN THE OWNER OR OPERATOR OF A DIESEL POWERED PRIVATE PASSENGER VEHICLE, on or before the twenty-fifth day of each calendar month, shall file with the director a report on forms furnished by the director, showing for each vehicle for the preceding calendar month, except when used in vehicles operated primarily off the streets or highways, or except when used in construction equipment or vehicles operated within the confines of highway construction projects when such equipment or vehicles are being used in the construction of such projects, the total number of miles traveled and the total miles traveled within Colorado, the total number of gallons of fuel used and gallons of fuel used within Colorado, the total number of gallons of special fuel purchased, and such other information as the director may require; provided, that the director of revenue may in his

discretion authorize the filing of reports not to exceed twelve months. IN THE CASE OF DIESEL POWERED PRIVATE PASSENGER VEHICLES, SUCH REPORTS SHALL ONLY BE REQUIRED ANNUALLY.

SECTION 3. Effective date. This act will take effect July 1, 1971.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Appendix A

House Joint Resolution No. 1023
1970 Session

BY REPRESENTATIVE BURCH,
AND SENATOR JACKSON

WHEREAS, The amount of money annually expended for the purpose of construction, maintenance, and supervision of the public highways of this state is a matter of public concern; and

WHEREAS, The aggregate amount of money annually expended for such purpose by the state and its political subdivisions is derived from excise taxes imposed by the state on motor fuels, from registration fees prescribed by the state for the operation of motor vehicles upon such public highways, from passenger-mile and ton-mile taxes assessed by the state upon certain vehicles for such operation, and from ad volarem taxes levied on property by the City and County of Denver and by the other counties, cities, and incorporated towns of this state, augmented by grants from the federal government received under provisions of various federal statutes; and

WHEREAS, An interim legislative committee has recommended, and the General Assembly has adopted, changes in apportionment of certain revenues expended for highway purposes; and

WHEREAS, Further legislative study should be undertaken; now, therefore,

Be It Resolved by the House of Representatives of the Forty-seventh General Assembly of the State of Colorado, the Senate concurring herein:

1. That a committee is hereby established, comprised of five members of the House of Representatives, to be appointed by

the Speaker with the consent of the House, and five members of the Senate, to be appointed by the President with the consent of the Senate. The committee shall elect a chairman and vice-chairman. Vacancies in the membership of the committee shall be filled in the same manner as original appointments were made. Upon request of the committee, the Legislative Audit Committee, the Division of Local Government, the Department of Revenue, and the State Department of Highways shall assign staff to assist in the work of the committee, the Legislative Council shall also assist in the work of the committee.

2. That the committee shall:

(a) Ascertain the aggregate amount of money being annually expended by the state and its political subdivisions for the construction, maintenance, and supervision of the public highways of this state, and the respective sources of revenue from which such amount is being presently derived by the state and its political subdivisions;

(b) Review the present apportionment of the highway users tax fund, the factors involved in the formulas for distribution, both to the counties and to the cities and towns of this state;

(c) Consider the proper control of the Highway Department's administrative expenditures by the General Assembly;

(d) Consult with representatives of the Colorado State Association of County Commissioners, the City and County of Denver, the Colorado Municipal League, and such other organizations as may be concerned with highway revenues and the apportionment thereof;

(e) Consider such other matters relating to highways as it shall determine to be necessary and proper.

3. That the committee shall submit its findings and recommendations to the Forty-eighth General Assembly upon the convening of the First Regular Session thereof in January, 1971.

4. There is hereby allocated from the legislative appropriation the sum of $15,000 to defray the expenses of the committee in carrying out the directives contained herein.

5. That all expenditures of the committee shall be subject to the approval of the chairman and shall be paid by vouchers and warrants drawn as provided by law against the appropriation allocated for the purposes of the committee. Each member of the committee shall receive the compensation provided by law for attendance at meetings of legislative interim committees while the General Assembly is not in session and shall be reimbursed for their actual and necessary expenses incurred by reason of such attendance.

COLORADO GENERAL ASSEMBLY

LEGISLATIVE COUNCIL

ROOM 46 STATE CAPITOL
DENVER, COLORADO 80203
892-2285
AREA CODE 303

December 17, 1970

Mr. Charles E. Shumate
Executive Director
Department of Highways
4201 East Arkansas Avenue
Denver, Colorado 80222

Dear Charlie:

The Highway Revenue Committee has in-hand your letter of November 5, 1970, to the Committee staff regarding the financing of a comprehensive highway study. Based on the Committee's previous discussion, the November 5 letter, and your appearance at the November 24 Committee meeting, the Committee endorses your proposal for the study. This endorsement will appear in the Committee's formal report to the 1971 General Assembly. It is anticipated that such a study will receive wide support in the General Assembly.

Your cooperation with the efforts of the Highway Revenue Committee on this matter as well as other subjects of concern during the interim is greatly appreciated.

Very truly yours,

George L. Jackson

George Jackson
Chairman, Committee on
Highway Revenue

GJ/dlh