



Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 24-0218	Date:	February 15, 2024
Prime Sponsors:	Rep. Ortiz	Bill Status:	House Trans., Hous., & Local Govt.
		Fiscal Analyst:	Colin Gaiser 303-866-2677 colin.gaiser@coleg.gov

Bill Topic: **MOTOR VEHICLE ACCESS INDIVIDUALS WITH DISABILITIES**

Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill creates accessibility requirements for car sharing programs and electric vehicle charging stations, and modifies the offense of blocking reasonable access to reserved parking. The bill increases state and local expenditures starting in FY 2027-28.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Table 1
State Fiscal Impacts Under HB 24-1161

		Budget Year FY 2024-25	Out Year FY 2025-26	Out Year FY 2027-28
Revenue		-	-	-
Expenditures	State Highway Fund	-	-	at least \$100,000
Transfers		-	-	-
Other Budget Impacts		-	-	-

Summary of Legislation

The bill modifies law to increase access to car sharing programs and electric charging stations for individuals with disabilities.

Car sharing programs. The bill requires a car sharing program to ensure, by January 1, 2028, that a shared car owner can indicate whether their car is accessible to individuals with disabilities, and what modifications have been made to the car. If the car sharing program makes a reasonable effort to obtain accurate information about accessibility from the shared car owner, it is not liable for inaccurate or false information provided by the owner.

Electric vehicle charging stations. The bill restricts municipalities and boards of county commissioners, beginning January 1, 2026, from approving the installation or remodel of an electric vehicle or charging station unless the station is accessible to individuals in wheelchairs. By January 1, 2028, counties and municipalities must require all electric vehicle charging stations with more than one charging station to provide the same proportion of accessible charging stations as the "Americans with Disabilities Act" requires of parking spaces.

Reserved parking. The bill modifies an existing class A traffic infraction to prohibit a person from blocking reasonable access to reserved parking by any means, including using reserved parking to store snow or allowing a person who is not a holder to use the reserved parking. It requires peace officers to investigate any complaint alleging a reserved parking violation within a reasonable time.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. The following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

Prior conviction data. This bill creates a new factual basis for the existing offense of blocking access to reserved parking, a class A traffic infraction, by prohibiting a person from blocking reasonable access to reserved parking by any means. From FY 2020-21 to FY 2022-23, zero offenders have been sentenced and convicted for this specific offense; however, in the same time period, 30 have been convicted and sentenced for improper parking in reserved parking, or 10 per year. Of the persons convicted, 11 were male, 10 were female, and 9 did not have a gender identified. Demographically, 12 were White, 1 was Black/African American, 3 were Hispanic, 10 were classified as "Other," and 4 did not have a race identified.

Assumptions. The fiscal note assumes that there will continue to be minimal criminal case filings or convictions for this offense under the bill. Because the bill is not expected to have a tangible impact on criminal justice-related revenue or expenditures at the state or local levels, these potential impacts are not discussed further in this fiscal note. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Revenue

A person violating the Consumer Protection Act may be subject to a civil penalty of up to \$20,000 for each violation, paid to the General Fund, and not subject to TABOR. The bill may also increase state revenue from filing fees, which are subject to TABOR. Any impact is assumed to be minimal.

State Expenditures

The bill may increase expenditures in the Department of Transportation (CDOT) and the Department of Law as described below.

Department of Transportation. Expenditures will increase in CDOT to update and retrofit its electric vehicle charging stations to meet the bill's accessibility requirements by January 1, 2028. At minimum, the CDOT will need to restripe parking spaces in 40 locations where it currently has existing or in-progress charging stations, which will cost at least \$2,500 per location for a total of \$100,000 by 2028. Costs may be higher than estimated if the restriping process reduces the overall number of parking spots and requires the relocation and reinstallation of existing charging units to align with the updated lot spacing.

Department of Law. Workload in the Department of Law will minimally increase to address any Consumer Protection Act complaints related to car sharing programs. The department will review complaints and prioritize investigations as necessary within its existing resources.

Local Government

The bill will increase workload for staff in counties and municipalities to update policies related to accessibility requirements for electric vehicle charging stations. Similar to the state, local governments that maintain and operate their own electric vehicle charging stations will have costs to restripe parking spaces before January 1, 2028.

Effective Date

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

State and Local Government Contacts

Counties	Judicial	Law
Local Affairs	Personnel	Public Safety
Regulatory Agencies	Revenue	Transportation

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).