

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0233.01 Jason Gelender x4330

HOUSE BILL 25-1044

HOUSE SPONSORSHIP

Boesenecker, Froelich, Lindsay, Mauro

SENATE SPONSORSHIP

Winter F. and Cutter,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING AUTHORIZATION FOR LOCAL GOVERNMENTS TO
102 GENERATE ADDITIONAL FEE-BASED FUNDING FOR LOCAL
103 VULNERABLE ROAD USER PROTECTION STRATEGIES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Transportation Legislation Review Committee. The bill authorizes a county, city and county, or municipality or a Taxpayer's Bill of Rights exempt enterprise created by a city, city and county, or municipality (local government) to generate additional fee-based funding for local transportation system strategies that improve safety for

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

vulnerable road users (vulnerable road user protection strategies). Specifically, the bill:

- Authorizes a local government to impose additional local motor vehicle registration fees, up to specified maximum amounts that are annually adjusted for inflation or deflation, on passenger cars and light trucks (fees);
- Allows fees to be first imposed beginning with a motor vehicle registration period beginning on January 1, 2026, or January 1 of a later year, with adjustments to fee amounts only taking effect beginning on a subsequent January 1, and imposed in amounts that are:
 - Based on the weight of a passenger car or light truck, and, in the sole discretion of a local government, fuel-efficiency, with fees being higher for heavier motor vehicles and, for motor vehicles in the same weight class, light trucks and, if applicable, less fuel-efficient motor vehicles; and
 - Reasonably calculated based on the impacts to vulnerable road users caused by fee payers and the costs of remediating those impacts by funding vulnerable road user protection strategies;
- Requires fee revenue to be credited to a dedicated local cash fund or account and expended only for vulnerable road user protection strategies, which include infrastructure projects, including active transportation network projects that meet specified criteria, and local transit improvements and enhancements;
- Authorizes and encourages local governments to consider equity, meaning fairness in mobility and accessibility to meet the needs of all community members through the provision of equitable levels of access to affordable and reliable transportation options based on the needs of the populations being served;
- Requires each local government that imposes fees to provide its fee schedule to the department of revenue so that the department can collect the fees on behalf of the local government and distribute fee revenue to the local government; and
- Allows a local government, in its sole discretion and pursuant to written criteria adopted by the local government, to reduce or waive fees for a motor vehicle owner who establishes economic hardship.

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

1 **SECTION 1.** In Colorado Revised Statutes, **add** article 38 to title
2 29 as follows:

3 **ARTICLE 38**

4 **Funding for Vulnerable Road User Protection Strategies**

5 **29-38-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY
6 HEREBY FINDS AND DECLARES THAT:

7 (a) ADVANCING THE SAFETY OF THE TRANSPORTATION SYSTEM OF
8 COLORADO IS OF PARAMOUNT IMPORTANCE;

9 (b) ONE OF THE BEST WAYS TO IMPROVE THE SAFETY OF THE
10 TRANSPORTATION SYSTEM IS TO REDUCE THE NUMBER OF FATALITIES AND
11 SERIOUS INJURIES CAUSED BY COLLISIONS BETWEEN MOTOR VEHICLES
12 THAT ENCLOSE OCCUPANTS AND UNENCLOSED VULNERABLE ROAD USERS
13 SUCH AS PEDESTRIANS, BICYCLISTS, AND INDIVIDUALS USING OTHER
14 NONMOTORIZED OR MOTORIZED PERSONAL CONVEYANCES;

15 (c) BETWEEN 2010 AND 2021, THE NUMBER OF PEDESTRIAN
16 DEATHS RESULTING FROM SUCH COLLISIONS INCREASED BY
17 SEVENTY-SEVEN PERCENT WHILE THE NUMBER OF ALL OTHER
18 TRAFFIC-RELATED DEATHS INCREASED BY ONLY TWENTY-FIVE PERCENT;

19 (d) THE LIKELIHOOD THAT A COLLISION BETWEEN SUCH A MOTOR
20 VEHICLE AND A VULNERABLE ROAD USER WILL RESULT IN A FATALITY OR
21 SERIOUS INJURY TO THE VULNERABLE ROAD USER IS DIRECTLY RELATED TO
22 THE SPEED AT WHICH THE MOTOR VEHICLE IS TRAVELING, THE WEIGHT OF
23 THE MOTOR VEHICLE, AND THE CONFIGURATION OF THE MOTOR VEHICLE
24 AS FOLLOWS:

25 (I) THE LIKELIHOOD THAT A COLLISION BETWEEN SUCH A MOTOR
26 VEHICLE AND A PEDESTRIAN WILL RESULT IN A SERIOUS INJURY TO THE
27 PEDESTRIAN IS:

1 (A) TEN PERCENT IF THE MOTOR VEHICLE IS TRAVELING AT
2 SIXTEEN MILES PER HOUR;

3 (B) FIFTY PERCENT IF THE MOTOR VEHICLE IS TRAVELING AT
4 THIRTY-ONE MILES PER HOUR; AND

5 (C) NINETY PERCENT IF THE MOTOR VEHICLE IS TRAVELING AT
6 FORTY-SIX MILES PER HOUR;

7 (II) THE LIKELIHOOD THAT A COLLISION BETWEEN SUCH A MOTOR
8 VEHICLE AND A PEDESTRIAN WILL RESULT IN DEATH TO THE PEDESTRIAN
9 IS:

10 (A) TEN PERCENT IF THE MOTOR VEHICLE IS TRAVELING AT
11 TWENTY-THREE MILES PER HOUR;

12 (B) FIFTY PERCENT IF THE MOTOR VEHICLE IS TRAVELING AT
13 FORTY-TWO MILES PER HOUR; AND

14 (C) NINETY PERCENT IF THE MOTOR VEHICLE IS TRAVELING AT
15 FIFTY-EIGHT MILES PER HOUR;

16 (III) BECAUSE FORCE EQUALS MASS TIMES ACCELERATION, AT THE
17 SAME SPEED, THE FORCE TRANSMITTED TO A VULNERABLE ROAD USER
18 DURING A COLLISION WITH A MOTOR VEHICLE, AND THE ATTENDANT
19 LIKELIHOOD THAT THE COLLISION WILL RESULT IN SERIOUS INJURY OR
20 DEATH TO THE VULNERABLE ROAD USER, INCREASES AS THE WEIGHT OF
21 THE MOTOR VEHICLE INCREASES. IN ADDITION, THE INSURANCE INSTITUTE
22 FOR HIGHWAY SAFETY AND THE HIGHWAY LOSS DATA INSTITUTE FOUND
23 THAT MOTOR VEHICLES WITH HOOD HEIGHTS OF MORE THAN FORTY INCHES
24 ARE ABOUT FORTY-FIVE PERCENT MORE LIKELY TO CAUSE FATALITIES IN
25 COLLISIONS WITH PEDESTRIANS THAN MOTOR VEHICLES WITH HOOD
26 HEIGHTS OF THIRTY INCHES OR LESS, IN PART BECAUSE THEY CAUSE MORE
27 HEAD AND TORSO INJURIES, AND AN ANALYSIS BY CONSUMER REPORTS

1 FOUND THAT THE AVERAGE HOOD HEIGHT OF PASSENGER TRUCKS HAS
2 INCREASED BY ELEVEN PERCENT SINCE 2000 AND THE WEIGHT OF NEW
3 TRUCKS INCREASED BY TWENTY-FOUR PERCENT BETWEEN 2000 AND 2018.

4 (e) THE FEDERAL HIGHWAY ADMINISTRATION SUPPORTS THE
5 VISION OF HAVING ZERO TRAFFIC FATALITIES AND PROVIDES A LIST OF
6 PROVEN SAFETY STRATEGIES THAT WERE SELECTED BASED ON PROVEN
7 RESEARCH THAT DEMONSTRATES THEIR EFFECTIVENESS. THESE
8 STRATEGIES ARE DESIGNED TO IMPROVE SAFETY FOR ALL ROAD USERS, NOT
9 ONLY VULNERABLE ROAD USERS, AND THE FEDERAL HIGHWAY
10 ADMINISTRATION STRONGLY ENCOURAGES TRANSPORTATION AGENCIES TO
11 CONSIDER WIDESPREAD IMPLEMENTATION OF THESE MEASURES TO
12 ACCELERATE THE ACHIEVEMENT OF LOCAL, STATE, AND NATIONAL SAFETY
13 GOALS.

14 (f) ACCORDINGLY, IT IS NECESSARY AND APPROPRIATE TO BETTER
15 FUND THE TRANSPORTATION SYSTEM, IN PARTICULAR THOSE LOCAL
16 PORTIONS OF THE TRANSPORTATION SYSTEM THAT ARE USED PRIMARILY
17 FOR SHORT TRIPS AND ARE REGULARLY SHARED BY MOTOR VEHICLES THAT
18 ENCLOSE PASSENGERS AND ALL KINDS OF VULNERABLE ROAD USERS, AND
19 TO MAKE THE TRANSPORTATION SYSTEM SAFER FOR VULNERABLE ROAD
20 USERS AT THE LOCAL LEVEL BY ADDRESSING LOCAL SAFETY PRIORITIES
21 AND MORE EQUITABLE FOR ALL USERS BY:

22 (I) AUTHORIZING LOCAL GOVERNMENTS, DIRECTLY OR THROUGH
23 THE CREATION OF LOCAL ENTERPRISES THAT ARE EXEMPT FROM THE
24 REVENUE LIMITATIONS OF THE TAXPAYER'S BILL OF RIGHTS, SECTION 20
25 OF ARTICLE X OF THE STATE CONSTITUTION, TO IMPOSE ADDITIONAL
26 LOCAL MOTOR VEHICLE REGISTRATION FEES AND USE THE FEE REVENUE TO
27 PROVIDE FUNDING FOR VULNERABLE ROAD USER PROTECTION STRATEGIES,

1 INCLUDING TRANSPORTATION SYSTEM INFRASTRUCTURE IMPROVEMENTS
2 SUCH AS ROADWAY SAFETY ENHANCEMENTS AND ACTIVE
3 TRANSPORTATION NETWORK PROJECTS AND OTHER DATA-DRIVEN
4 STRATEGIES SUCH AS ENHANCED TRANSIT SERVICE, THAT REDUCE THE
5 NUMBER OF COLLISIONS WITH MOTOR VEHICLES THAT RESULT IN DEATH OR
6 SERIOUS INJURY TO VULNERABLE ROAD USERS; AND

7 (II) REQUIRING SUCH FEES TO BE REASONABLY CALCULATED
8 BASED ON BOTH THE BENEFITS OF A SAFER LOCAL TRANSPORTATION
9 SYSTEM THAT THE LOCAL GOVERNMENT OR ENTERPRISE PROVIDES TO ALL
10 FEE PAYERS, INCLUDING THE LARGE NUMBER OF FEE PAYERS WHO BOTH
11 REGISTER MOTOR VEHICLES AND USE OR HAVE THE OPPORTUNITY TO USE
12 ROADS AS VULNERABLE ROAD USERS, AND THE VARYING IMPACTS OF
13 DIFFERENT WEIGHTS AND TYPES OF MOTOR VEHICLES ON VULNERABLE
14 ROAD USERS; AND

15 (g) THE EXPENDITURE OF FEES BY LOCAL GOVERNMENTS TO FUND
16 VULNERABLE ROAD USER PROTECTION STRATEGIES CONSTITUTES
17 CONSTRUCTION, MAINTENANCE, AND SUPERVISION OF THE PUBLIC
18 HIGHWAYS OF THIS STATE FOR PURPOSES OF SECTION 18 OF ARTICLE X OF
19 THE STATE CONSTITUTION.

20 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

21 (a) A LOCAL GOVERNMENT OR LOCAL GOVERNMENT ENTERPRISE
22 PROVIDES BENEFITS TO ALL FEE PAYERS BECAUSE, WHEN IT PROVIDES
23 DEDICATED FUNDING FOR VULNERABLE ROAD USER PROTECTION
24 STRATEGIES, IT:

25 (I) MAKES IT LESS LIKELY THAT ANY GIVEN FEE PAYER'S MOTOR
26 VEHICLE WILL BE INVOLVED IN SUCH A COLLISION, WHICH:

27 (A) REDUCES THE RISKS THAT THE FEE PAYER OR OTHER

1 OPERATOR OF THE MOTOR VEHICLE OR A PASSENGER IN THE MOTOR
2 VEHICLE WILL BE KILLED OR INJURED IN OR THAT THE MOTOR VEHICLE OR
3 PROPERTY IN OR ATTACHED TO THE MOTOR VEHICLE WILL BE DAMAGED IN
4 SUCH A COLLISION;

5 (B) REDUCES THE RISKS THAT THE OWNER OR OPERATOR OF THE
6 MOTOR VEHICLE WILL BE LEGALLY LIABLE FOR THE DEATH OF OR INJURY
7 TO SUCH AN OPERATOR OR PASSENGER OR THE DEATH OF OR INJURY TO A
8 VULNERABLE ROAD USER OR FOR DAMAGE TO THEIR PROPERTY, SOME OF
9 WHICH RISKS ARE GREATER FOR HEAVIER MOTOR VEHICLES AND MOTOR
10 VEHICLES WITH CONFIGURATIONS THAT ARE MORE DANGEROUS TO
11 VULNERABLE ROAD USERS ON WHICH THE ENTERPRISE WILL IMPOSE
12 HIGHER MOTOR VEHICLE REGISTRATION FEES; AND

13 (C) LOWERS THE COSTS OF MOTOR VEHICLE INSURANCE,
14 ESPECIALLY FOR HEAVIER MOTOR VEHICLES AND MOTOR VEHICLES WITH
15 CONFIGURATIONS THAT ARE MORE DANGEROUS TO VULNERABLE ROAD
16 USERS, ON WHICH THE ENTERPRISE WILL IMPOSE HIGHER MOTOR VEHICLE
17 REGISTRATION FEES; AND

18 (II) MAKES IT LESS LIKELY THAT A VULNERABLE ROAD USER, WHO
19 IN MANY CASES IS ALSO A FEE PAYER, WILL BE KILLED OR SERIOUSLY
20 INJURED IN SUCH AN ACCIDENT;

21 (b) IN ADDITION TO THE DIRECT BENEFITS THAT IT PROVIDES TO FEE
22 PAYERS, A LOCAL GOVERNMENT ALSO PROVIDES IMPACT REMEDIATION
23 SERVICES WHEN, IN EXCHANGE FOR THE PAYMENT OF MOTOR VEHICLE
24 REGISTRATION FEES THAT IT IMPOSES ON MOTOR VEHICLES IN AMOUNTS
25 THAT INCREASE AS THE POTENTIAL HARM TO VULNERABLE ROAD USERS
26 FROM SUCH MOTOR VEHICLES INCREASES, IT MAKES THE LOCAL
27 TRANSPORTATION SYSTEM SAFER SPECIFICALLY FOR VULNERABLE ROAD

1 USERS AND MORE GENERALLY FOR ALL ROAD USERS;

2 (c) BY PROVIDING DIRECT AND INDIRECT BENEFITS AND IMPACT
3 REMEDIATION SERVICES AS AUTHORIZED BY THIS ARTICLE 38, A LOCAL
4 GOVERNMENT PROVIDES A BENEFIT TO FEE PAYERS AND THEREFORE
5 OPERATES AS A BUSINESS IN ACCORDANCE WITH THE DETERMINATION OF
6 THE COLORADO SUPREME COURT IN *COLORADO UNION OF TAXPAYERS*
7 *FOUNDATION V. CITY OF ASPEN*, 2018 CO 36;

8 (d) IT IS THE CONCLUSION OF THE GENERAL ASSEMBLY THAT THE
9 REVENUE COLLECTED BY A LOCAL GOVERNMENT THAT IMPOSES MOTOR
10 VEHICLE REGISTRATION FEES IS GENERATED BY FEES, NOT TAXES, BECAUSE
11 SUCH MOTOR VEHICLE REGISTRATION FEES ARE:

12 (I) IMPOSED FOR THE SPECIFIC PURPOSES OF PROVIDING DIRECT
13 AND INDIRECT BENEFITS TO FEE PAYERS AND ALLOWING THE LOCAL
14 GOVERNMENT TO DEFRAY THE COSTS OF PROVIDING THE REMEDIATION
15 SERVICES SPECIFIED IN THIS SECTION, SPECIFICALLY THE FUNDING OF
16 VULNERABLE ROAD USER PROTECTION STRATEGIES THAT ARE DESIGNED
17 TO MITIGATE THE HARM TO VULNERABLE ROAD USERS CAUSED BY THE
18 OPERATION OF THE MOTOR VEHICLES ON WHICH THE FEES ARE ASSESSED,
19 AND CONTRIBUTE TO THE IMPLEMENTATION OF THE COMPREHENSIVE
20 REGULATORY SCHEME REQUIRED FOR THE PLANNING, FUNDING,
21 DEVELOPMENT, CONSTRUCTION, MAINTENANCE, AND SUPERVISION OF A
22 SUSTAINABLE AND SAFE TRANSPORTATION SYSTEM; AND

23 (II) COLLECTED AT RATES THAT ARE REASONABLY CALCULATED
24 BASED ON THE DIRECT AND INDIRECT BENEFITS PROVIDED TO AND IMPACTS
25 CAUSED BY FEE PAYERS AND THE COSTS OF PROVIDING THOSE BENEFITS
26 AND REMEDIATING THOSE IMPACTS; AND

27 (e) IF A LOCAL GOVERNMENT ESTABLISHES AN ENTERPRISE TO

1 IMPOSE FEES AS AUTHORIZED BY THIS ARTICLE 38, THEN, SO LONG AS THE
2 ENTERPRISE QUALIFIES AS AN ENTERPRISE FOR PURPOSES OF SECTION 20
3 OF ARTICLE X OF THE STATE CONSTITUTION, THE REVENUE FROM THE
4 MOTOR VEHICLE REGISTRATION FEES COLLECTED BY THE ENTERPRISE IS
5 NOT LOCAL GOVERNMENT FISCAL YEAR SPENDING AND DOES NOT COUNT
6 AGAINST THE LOCAL GOVERNMENT'S FISCAL YEAR SPENDING LIMIT
7 IMPOSED BY SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

8 **29-38-102. Definitions.** AS USED IN THIS ARTICLE 38, UNLESS THE
9 CONTEXT OTHERWISE REQUIRES:

10 (1) "ENTERPRISE" MEANS AN ENTERPRISE, AS DEFINED IN SECTION
11 20 (2)(d) OF ARTICLE X OF THE STATE CONSTITUTION, THAT IS FORMED BY
12 A LOCAL GOVERNMENT FOR THE PURPOSE OF IMPOSING FEES AND FUNDING
13 VULNERABLE ROAD USER PROTECTION STRATEGIES AS AUTHORIZED BY
14 THIS ARTICLE 38.

15 (2) "FEES" MEANS MOTOR VEHICLE REGISTRATION FEES IMPOSED
16 BY A LOCAL GOVERNMENT AS AUTHORIZED BY SECTION 29-38-103.

17 (3) "INFLATION OR DEFLATION" MEANS THE ANNUAL PERCENTAGE
18 CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF
19 LABOR STATISTICS, CONSUMER PRICE INDEX FOR
20 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS AND ALL URBAN
21 CONSUMERS, OR ITS APPLICABLE PREDECESSOR OR SUCCESSOR INDEX.

22 (4) "LIGHT TRUCK" MEANS A MOTOR VEHICLE THAT HAS TWO
23 AXLES AND AT LEAST FOUR WHEELS AND IS A PICKUP TRUCK, A SPORT
24 UTILITY VEHICLE, A VAN, OR A MINIVAN.

25 (5) "LOCAL GOVERNMENT" MEANS A COUNTY, A CITY AND
26 COUNTY, OR A MUNICIPALITY AND, IF A LOCAL GOVERNMENT CREATES AN
27 ENTERPRISE, ALSO INCLUDES THAT ENTERPRISE.

1 (6) "PASSENGER CAR" MEANS A MOTOR VEHICLE THAT HAS TWO
2 AXLES AND FOUR WHEELS, IS MANUFACTURED PRIMARILY FOR USE IN THE
3 TRANSPORTATION OF NOT MORE THAN TEN INDIVIDUALS, AND IS NOT A
4 PICKUP TRUCK, A SPORT UTILITY VEHICLE, A VAN, OR A MINIVAN.

5 (7) "TRANSPORTATION EQUITY" MEANS FAIRNESS IN
6 TRANSPORTATION SAFETY, MOBILITY, AND ACCESSIBILITY TO MEET THE
7 NEEDS OF ALL COMMUNITY MEMBERS FOR THE PURPOSE OF FACILITATING
8 SOCIAL AND ECONOMIC OPPORTUNITY BY PROVIDING EQUITABLE LEVELS
9 OF ACCESS TO SAFE, AFFORDABLE, AND RELIABLE TRANSPORTATION
10 OPTIONS BASED ON THE NEEDS OF THE POPULATIONS BEING SERVED,
11 PARTICULARLY POPULATIONS THAT ARE TRADITIONALLY UNDERSERVED.

12 (8) "VULNERABLE ROAD USER" MEANS AN INDIVIDUAL WHO IS
13 UNPROTECTED BY AN OUTSIDE SHIELD WHEN USING A ROAD INCLUDING,
14 BUT NOT LIMITED TO, A PEDESTRIAN, A BICYCLIST, AND AN INDIVIDUAL
15 USING ANY OTHER NONMOTORIZED OR MOTORIZED PERSONAL
16 CONVEYANCE THAT DOES NOT ENCLOSE THE INDIVIDUAL.

17 (9) "VULNERABLE ROAD USER PROTECTION STRATEGY" MEANS A
18 STRATEGY THAT IS DESIGNED TO REDUCE THE NUMBER OF COLLISIONS
19 WITH MOTOR VEHICLES THAT RESULT IN DEATH OR SERIOUS INJURY TO
20 VULNERABLE ROAD USERS THROUGH:

21 (a) THE FUNDING OF CONSTRUCTION, IMPROVEMENT, OR
22 ENHANCEMENT OF TRANSPORTATION SYSTEM INFRASTRUCTURE,
23 INCLUDING ACTIVE TRANSPORTATION NETWORK INFRASTRUCTURE, WHICH
24 INCLUDES:

25 (I) THE FOLLOWING TYPES OF INFRASTRUCTURE DRAWN FROM THE
26 FEDERAL HIGHWAY ADMINISTRATION'S LIST OF PROVEN SAFETY
27 COUNTERMEASURES:

- 1 (A) WALKWAYS SUCH AS SIDEWALKS AND SHARED-USE PATHS;
- 2 (B) BICYCLE LANES, WITH A PREFERENCE FOR BICYCLE LANES
- 3 THAT WILL BE DEVELOPED, DESIGNED, AND DELIVERED IN ACCORDANCE
- 4 WITH GUIDELINES AND PROCESSES SET FORTH IN THE FEDERAL HIGHWAY
- 5 ADMINISTRATION'S BIKEWAY SELECTION GUIDE;
- 6 (C) MEDIANS AND PEDESTRIAN REFUGE ISLANDS;
- 7 (D) LIGHTING ALONG PEDESTRIAN AND BICYCLE FACILITIES,
- 8 INTERSECTIONS, AND CROSSINGS;
- 9 (E) CROSSING SAFETY FEATURES SUCH AS CROSSWALK VISIBILITY
- 10 ENHANCEMENTS, LEADING PEDESTRIAN INTERVALS, PEDESTRIAN HYBRID
- 11 BEACONS, AND RECTANGULAR RAPID FLASHING BEACONS;
- 12 (F) ROAD DIETS AND OTHER ROADWAY RECONFIGURATIONS THAT
- 13 IMPROVE SAFETY;
- 14 (G) TRAFFIC CIRCLES AND OTHER TRAFFIC-CALMING OR SPEED
- 15 MANAGEMENT DEVICES;
- 16 (H) THE SYSTEMIC APPLICATION OF MULTIPLE LOW-COST
- 17 COUNTERMEASURES AT STOP-CONTROLLED INTERSECTIONS;
- 18 (I) THE IMPLEMENTATION OF APPROPRIATE SPEED LIMITS FOR ALL
- 19 ROAD USERS;
- 20 (J) SPEED SAFETY AND RED LIGHT CAMERAS;
- 21 (K) CORRIDOR ACCESS MANAGEMENT; AND
- 22 (L) LONGITUDINAL RUMBLE STRIPS AND STRIPES;
- 23 (II) OTHER PROJECTS DESIGNED TO PROTECT VULNERABLE ROAD
- 24 USERS THAT ARE PROPOSED BY PERSONS OR ENTITIES SEEKING GRANT
- 25 FUNDING FROM A LOCAL GOVERNMENT AND ARE APPROVED BY THE LOCAL
- 26 GOVERNMENT; AND
- 27 (III) PROJECTS THAT ARE PARTLY LOCATED IN OR BENEFIT A LOCAL

1 GOVERNMENT IN WHICH FEES ARE IMPOSED BUT ARE ALSO LOCATED IN OR
2 BENEFIT ONE OR MORE ADJACENT LOCAL GOVERNMENTS;

3 (b) THE FUNDING OF LOCAL TRANSIT INFRASTRUCTURE OR SERVICE
4 IMPROVEMENTS OR ENHANCEMENTS THAT IMPROVE THE UTILITY OR
5 ACCESSIBILITY OF TRANSIT FOR LOCAL USERS; OR

6 (c) THE FUNDING AND IMPLEMENTATION OF ANY OTHER
7 DATA-DRIVEN STRATEGY THAT IS DESIGNED TO REDUCE MOTOR VEHICLE
8 MILES TRAVELED OR OTHERWISE PROTECT VULNERABLE ROAD USERS.

9 (10) "WEIGHT", WITH RESPECT TO A MOTOR VEHICLE, MEANS
10 DECLARED EMPTY VEHICLE WEIGHT.

11 **29-38-103. Vulnerable road user protection strategies - local**

12 **funding - fees - grants.** (1) FOR MOTOR VEHICLE REGISTRATION PERIODS
13 COMMENCING ON OR AFTER JANUARY 1, 2026, A LOCAL GOVERNMENT
14 MAY, EITHER DIRECTLY OR THROUGH AN ENTERPRISE, IMPOSE FEES ON THE
15 REGISTRATION OF LIGHT TRUCKS AND PASSENGER CARS FOR THE PURPOSE
16 OF FUNDING VULNERABLE ROAD USER PROTECTION STRATEGIES. A LOCAL
17 GOVERNMENT MAY, AND IS ENCOURAGED TO, TAKE TRANSPORTATION
18 EQUITY INTO CONSIDERATION WHEN DETERMINING WHICH VULNERABLE
19 ROAD USER PROTECTION STRATEGIES TO PURSUE AND THE AMOUNT OF
20 FUNDING TO ALLOCATE IN TOTAL AND TO EACH FUNDED VULNERABLE
21 ROAD USER PROTECTION STRATEGY.

22 (2) A LOCAL GOVERNMENT THAT CHOOSES TO IMPOSE FEES MUST
23 IMPOSE THE FEES IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS
24 AND LIMITATIONS:

25 (a) THE TOTAL AMOUNT OF FEES IMPOSED MUST BE REASONABLY
26 CALCULATED TO DEFRAY ONLY THE COSTS OF FUNDING THE VULNERABLE
27 ROAD USER PROTECTION STRATEGIES TO BE IMPLEMENTED BY THE LOCAL

1 GOVERNMENT;

2 (b) THE FEES MUST BE IMPOSED BASED ON A SCHEDULE ADOPTED
3 BY THE LOCAL GOVERNMENT THAT:

4 (I) CLASSIFIES MOTOR VEHICLES ON WHICH THE FEES ARE IMPOSED
5 BY WEIGHT AND IMPOSES HIGHER FEES ON HEAVIER MOTOR VEHICLES;

6 (II) FOR MOTOR VEHICLES WITHIN THE SAME WEIGHT CLASS,
7 IMPOSES HIGHER FEES ON LIGHT TRUCKS THAN ON PASSENGER CARS; AND

8 (III) IF THE LOCAL GOVERNMENT, IN ITS SOLE DISCRETION,
9 CHOOSES TO CONSIDER FUEL EFFICIENCY, FOR MOTOR VEHICLES WITHIN
10 THE SAME WEIGHT CLASS, IMPOSES HIGHER FEES, SUBJECT TO THE
11 MAXIMUM FEE LIMITS FOR EACH PASSENGER CAR AND LIGHT TRUCK
12 WEIGHT CLASS SET FORTH IN SUBSECTIONS (2)(c) AND (2)(d) OF THIS
13 SECTION, ON LESS FUEL-EFFICIENT MOTOR VEHICLES;

14 (c) FEES IMPOSED BY A LOCAL GOVERNMENT FOR MOTOR VEHICLE
15 REGISTRATION PERIODS COMMENCING ON OR AFTER JANUARY 1, 2026, BUT
16 BEFORE JANUARY 1, 2027, MAY NOT EXCEED:

17 (I) FOR A MOTOR VEHICLE THAT IS A PASSENGER CAR:

18 (A) ZERO DOLLARS IF THE MOTOR VEHICLE WEIGHT IS LESS THAN
19 THREE THOUSAND FIVE HUNDRED POUNDS;

20 (B) THREE DOLLARS AND SIXTY CENTS IF THE MOTOR VEHICLE
21 WEIGHT IS AT LEAST THREE THOUSAND FIVE HUNDRED POUNDS BUT NO
22 MORE THAN FOUR THOUSAND FOUR HUNDRED NINETY-NINE POUNDS;

23 (C) FIVE DOLLARS AND THIRTY CENTS IF THE MOTOR VEHICLE
24 WEIGHT IS AT LEAST FOUR THOUSAND FIVE HUNDRED POUNDS BUT NO
25 MORE THAN FIVE THOUSAND FOUR HUNDRED NINETY-NINE POUNDS;

26 (D) SEVEN DOLLARS AND SEVENTY CENTS IF THE MOTOR VEHICLE
27 WEIGHT IS AT LEAST FIVE THOUSAND FIVE HUNDRED POUNDS BUT NO MORE

1 THAN SIX THOUSAND FOUR HUNDRED NINETY-NINE POUNDS;

2 (E) ELEVEN DOLLARS AND TWENTY CENTS IF THE MOTOR VEHICLE

3 WEIGHT IS AT LEAST SIX THOUSAND FIVE HUNDRED POUNDS BUT NO MORE

4 THAN SEVEN THOUSAND FOUR HUNDRED NINETY-NINE POUNDS;

5 (F) SIXTEEN DOLLARS AND THIRTY CENTS IF THE MOTOR VEHICLE

6 WEIGHT IS AT LEAST SEVEN THOUSAND FIVE HUNDRED POUNDS BUT NO

7 MORE THAN EIGHT THOUSAND FOUR HUNDRED NINETY-NINE POUNDS;

8 (G) TWENTY-THREE DOLLARS AND NINETY CENTS IF THE MOTOR

9 VEHICLE WEIGHT IS AT LEAST EIGHT THOUSAND FIVE HUNDRED POUNDS

10 BUT NO MORE THAN NINE THOUSAND FOUR HUNDRED NINETY-NINE

11 POUNDS; AND

12 (H) THIRTY-FOUR DOLLARS AND NINETY CENTS IF THE MOTOR

13 VEHICLE WEIGHT IS NINE THOUSAND FIVE HUNDRED POUNDS OR MORE;

14 (II) FOR A MOTOR VEHICLE THAT IS A LIGHT TRUCK:

15 (A) ZERO DOLLARS IF THE MOTOR VEHICLE WEIGHT IS LESS THAN

16 THREE THOUSAND FIVE HUNDRED POUNDS;

17 (B) FIVE DOLLARS AND FORTY CENTS IF THE MOTOR VEHICLE

18 WEIGHT IS AT LEAST THREE THOUSAND FIVE HUNDRED POUNDS BUT NO

19 MORE THAN FOUR THOUSAND FOUR HUNDRED NINETY-NINE POUNDS;

20 (C) SEVEN DOLLARS AND NINETY CENTS IF THE MOTOR VEHICLE

21 WEIGHT IS AT LEAST FOUR THOUSAND FIVE HUNDRED POUNDS BUT NO

22 MORE THAN FIVE THOUSAND FOUR HUNDRED NINETY-NINE POUNDS;

23 (D) ELEVEN DOLLARS AND FIFTY CENTS IF THE MOTOR VEHICLE

24 WEIGHT IS AT LEAST FIVE THOUSAND FIVE HUNDRED POUNDS BUT NO MORE

25 THAN SIX THOUSAND FOUR HUNDRED NINETY-NINE POUNDS;

26 (E) SIXTEEN DOLLARS AND EIGHTY CENTS IF THE MOTOR VEHICLE

27 WEIGHT IS AT LEAST SIX THOUSAND FIVE HUNDRED POUNDS BUT NO MORE

1 THAN SEVEN THOUSAND FOUR HUNDRED NINETY-NINE POUNDS;

2 (F) TWENTY-FOUR DOLLARS AND FIFTY CENTS IF THE MOTOR
3 VEHICLE WEIGHT IS AT LEAST SEVEN THOUSAND FIVE HUNDRED POUNDS
4 BUT NO MORE THAN EIGHT THOUSAND FOUR HUNDRED NINETY-NINE
5 POUNDS;

6 (G) THIRTY-FIVE DOLLARS AND NINETY CENTS IF THE MOTOR
7 VEHICLE WEIGHT IS AT LEAST EIGHT THOUSAND FIVE HUNDRED POUNDS
8 BUT NO MORE THAN NINE THOUSAND FOUR HUNDRED NINETY-NINE
9 POUNDS; AND

10 (H) FIFTY-TWO DOLLARS AND THIRTY CENTS IF THE MOTOR
11 VEHICLE WEIGHT IS NINE THOUSAND FIVE HUNDRED POUNDS OR MORE;

12 (d) FEES IMPOSED BY A LOCAL GOVERNMENT FOR MOTOR VEHICLE
13 REGISTRATION PERIODS COMMENCING ON OR AFTER JANUARY 1, 2027,
14 MAY NOT EXCEED THE APPLICABLE MAXIMUM AMOUNT FOR MOTOR
15 VEHICLE REGISTRATION PERIODS COMMENCING DURING THE PRIOR MOTOR
16 VEHICLE REGISTRATION YEAR ADJUSTED FOR INFLATION OR DEFLATION
17 AND ROUNDED TO THE NEAREST ONE-HUNDREDTH OF A DOLLAR;

18 (e) THE FEES MUST FIRST BE IMPOSED FOR A REGISTRATION PERIOD
19 THAT BEGINS ON JANUARY 1 OF A CALENDAR YEAR, AND ANY SUBSEQUENT
20 ADJUSTMENTS TO THE AMOUNT OF FEES MUST BEGIN ON JANUARY 1 OF A
21 CALENDAR YEAR SO THAT THE FEE SCHEDULE IS THE SAME FOR ALL
22 REGISTRATION PERIODS THAT COMMENCE DURING THE SAME CALENDAR
23 YEAR. THE LOCAL GOVERNMENT MUST, IN ACCORDANCE WITH DEADLINES
24 AND PROCEDURES ESTABLISHED BY THE DEPARTMENT OF REVENUE,
25 ANNUALLY REPORT ITS FEE SCHEDULE TO THE DEPARTMENT SO THAT THE
26 DEPARTMENT AND ITS AUTHORIZED AGENTS CAN COLLECT THE FEE ON
27 BEHALF OF THE LOCAL GOVERNMENT AND TRANSMIT ALL NET REVENUE

1 FROM THE FEES TO THE LOCAL GOVERNMENT.

2 (f) ALL NET REVENUE FROM FEES RECEIVED BY A LOCAL
3 GOVERNMENT MUST BE DEPOSITED TO A DEDICATED CASH FUND OR
4 ACCOUNT AND EXPENDED SOLELY TO FUND VULNERABLE ROAD USER
5 PROTECTION STRATEGIES; AND

6 (g) THE LOCAL GOVERNMENT SHALL NOT IMPOSE FEES ON ANY
7 MOTOR VEHICLE THAT IS OWNED OR LEASED BY THE STATE OR ANY
8 DEPARTMENT, AGENCY, OR POLITICAL SUBDIVISION OF THE STATE.

9 (3) A LOCAL GOVERNMENT MAY, IN ITS SOLE DISCRETION AND
10 PURSUANT TO WRITTEN CRITERIA ADOPTED BY THE LOCAL GOVERNMENT,
11 REDUCE OR WAIVE FEES FOR A MOTOR VEHICLE OWNER WHO ESTABLISHES
12 ECONOMIC HARDSHIP.

13 (4) A LOCAL GOVERNMENT MAY USE FEE REVENUE TO IMPLEMENT
14 VULNERABLE ROAD USER PROTECTION STRATEGIES DIRECTLY, DEVELOP A
15 PROGRAM TO ISSUE GRANTS TO ENTITIES THAT PROPOSE AND CAN
16 COMPLETE PROJECTS OR OPERATIONS THAT IMPLEMENT VULNERABLE
17 ROAD USER PROTECTION STRATEGIES, OR BOTH. IF A LOCAL GOVERNMENT
18 DEVELOPS A GRANT PROGRAM, IT SHALL, WHEN EVALUATING GRANT
19 APPLICATIONS, CONSIDER AND GIVE PRIORITY TO PROJECTS AND
20 OPERATIONS THAT:

21 (a) ARE EXPECTED TO IMPROVE SAFETY MORE RELATIVE TO THEIR
22 COST THAN OTHER PROJECTS AND OPERATIONS FOR WHICH APPLICATIONS
23 HAVE BEEN SUBMITTED;

24 (b) WILL BE COMPLETED ON OR NEAR A HIGH-INJURY OR HIGH-RISK
25 NETWORK, INCLUDING A HIGH-INJURY OR HIGH-RISK NETWORK THAT HAS
26 BEEN IDENTIFIED BY A METROPOLITAN PLANNING ORGANIZATION OR
27 LOCAL JURISDICTION, OR THAT PROVIDES ALTERNATIVE ROUTES FOR

1 VULNERABLE ROAD USERS;

2 (c) TAKE PLACE IN TRANSIT-ORIENTED CORRIDORS OR THAT
3 IMPROVE CONNECTIVITY BETWEEN HOUSING, JOBS, TRANSIT, AND OTHER
4 DESTINATIONS FOR VULNERABLE ROAD USERS;

5 (d) IMPROVE ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES;

6 AND

7 (e) WILL USE GRANT FUNDING TO SUPPLEMENT AND NOT SUPPLANT
8 OTHER FUNDING FOR RELATED PROJECTS OR OPERATIONS.

9 **SECTION 2. Safety clause.** The general assembly finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety or for appropriations for
12 the support and maintenance of the departments of the state and state
13 institutions.