

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



HOUSE BILL 14-1081

BY REPRESENTATIVE(S) Fischer and Szabo, Vigil, Fields, Melton,  
Mitsch Bush, Schafer;  
also SENATOR(S) Baumgardner and Jahn, Schwartz.

CONCERNING THE MOTOR CARRIER SAFETY FUND, AND, IN CONNECTION  
THEREWITH, CREATING THE FUND, TRANSFERRING MONEY FROM THE  
HAZARDOUS MATERIALS SAFETY FUND TO THE MOTOR CARRIER  
SAFETY FUND, AND SPECIFYING THAT ANY EXCESS UNCOMMITTED  
RESERVES IN THE PUBLIC UTILITIES COMMISSION MOTOR CARRIER  
FUND BE TRANSFERRED TO THE MOTOR CARRIER SAFETY FUND.

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

**SECTION 1.** In Colorado Revised Statutes, 40-2-110.5, **amend** (9)  
(a) as follows:

**40-2-110.5. Annual fees - motor carriers - public utilities  
commission motor carrier fund - created.** (9) (a) For the ~~2006-07~~ fiscal  
year 2013-14 FISCAL YEAR and for each fiscal year thereafter, if the amount  
of uncommitted reserves in the motor carrier fund at the conclusion of any  
given fiscal year exceeds ten percent of the fund's expenditures during that  
fiscal year, the amount of the excess that is attributable to revenues  
received from any motor carrier, motor private carrier, broker, freight

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

forwarder, leasing company, or any other person required to register with the United States department of transportation under the unified carrier registration system as authorized by federal law and as provided for in section 40-10.5-102 shall be transferred to the ~~hazardous materials safety fund created in section 42-20-107, C.R.S., and the nuclear materials transportation fund created in section 42-20-511, C.R.S., proportional to the existing balances of those funds~~ MOTOR CARRIER SAFETY FUND CREATED IN SECTION 42-4-235 (6), C.R.S.

**SECTION 2.** In Colorado Revised Statutes, 42-4-235, **add** (6) as follows:

**42-4-235. Minimum standards for commercial vehicles - motor carrier safety fund - created - rules.** (6) THE MOTOR CARRIER SAFETY FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEYS TRANSFERRED FROM THE PUBLIC UTILITIES COMMISSION MOTOR CARRIER FUND PURSUANT TO SECTION 40-2-110.5 (9) (a), C.R.S. MONEYS IN THE FUND ARE SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND INDIRECT COSTS OF THE ADVANCEMENT OF HIGHWAY SAFETY RELATING TO COMMERCIAL CARRIER OPERATIONS PURSUANT TO THIS SECTION. ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND ARE CREDITED TO THE FUND, AND ANY MONEYS NOT APPROPRIATED REMAIN IN THE FUND AND DO NOT TRANSFER OR REVERT TO THE GENERAL FUND OR ANY OTHER FUND.

**SECTION 3.** In Colorado Revised Statutes, 42-20-107, **add** (4) as follows:

**42-20-107. Hazardous materials safety fund.** (4) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, ON THE EFFECTIVE DATE OF THIS SUBSECTION (4) THE STATE TREASURER SHALL TRANSFER ONE MILLION SEVEN HUNDRED THIRTY THOUSAND EIGHT HUNDRED THIRTY-NINE DOLLARS TO THE MOTOR CARRIER SAFETY FUND CREATED IN SECTION 42-4-235 (6).

**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.

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Mark Ferrandino  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Morgan Carroll  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO