



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# FISCAL NOTE

**Drafting Number:** LLS 18-0534  
**Prime Sponsors:** Sen. Scott  
Rep. Bridges

**Date:** January 22, 2018  
**Bill Status:** Senate Transportation  
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**Bill Topic:** MOTOR VEHICLE LICENSE PLATE MOUNTING REQUIREMENTS

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**Summary of  
Fiscal Impact:**

<input checked="" type="checkbox"/> State Revenue ( <i>minimal</i> )	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure ( <i>minimal</i> )	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill modifies the mounting requirements for front vehicle license plates. Beginning in the current FY 2017-18, this bill will decrease state revenue and workload on an ongoing basis.

**Appropriation  
Summary:** No appropriation is required.

**Fiscal Note  
Status:** This fiscal note reflects the introduced bill.

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### Summary of Legislation

This bill modifies the mounting requirements for front license plates. The bill removes the requirement that the front license plate should be at least 12 inches from the ground, and specifies that the front license plate can be anywhere that is clearly visible and legible.

### Comparable Crime

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of the existing crime that creates a new factual basis for the offense. Driving without a clearly visible license plate is a class B traffic infraction, punishable by a fine of \$15. Between January 2015 to December 2017, there were 2,214 violations with a least one charge for not having a clearly visible license plate, or an average of about 738 cases annually. Of this number, there were 1,683 males, 498 females, and 33 for whom gender information was not available; 1,738 were Caucasian, 266 were African American, 127 were Hispanic, 16 were Asian, 12 were American Indian, and 55 for whom race information was not available. It is assumed that removing the requirement that the front license plate be 12 inches off the ground and at the approximate center of a vehicle will minimally reduce the number of infractions for driving without a clearly visible license plate.

### **State Revenue**

Beginning in the current FY 2017-18, this bill will minimally reduce fine revenue to the Highway Users Tax Fund by removing the requirement that a motor vehicle's front license plate be at least 12 inches off the ground and at the approximate center of a vehicle. It is assumed that removing these requirements will minimally reduce the number of class B traffic infractions related to driving without a clearly visible license plate. Of this fine revenue: 65 percent is distributed to the State Highway Fund, which is administered by the Colorado Department of Transportation, 26 percent is distributed to counties, and 9 percent is distributed to municipalities.

**Tolling revenue.** This bill is not expected to impact license plate toll revenue collected by the state's High Performance Transportation Enterprise (HPTE), which currently manages a section of toll lanes on I-25. Under current practice, five photos are taken of the front of the vehicle and five photos of the back to determine the license plate number for vehicles using license plate tolling. Of these photos, the clearest photo is used to complete the transaction.

### **TABOR Refund**

The bill minimally decreases state revenue subject to TABOR in FY 2018-19 and FY 2019-20. State revenue is not currently expected to exceed the TABOR limit in either year and no refund is required. Therefore, the bill is not expected to impact TABOR refunds in these years. However, refunds in future years when the state next collects a TABOR surplus will be minimally reduced.

### **State Expenditures**

Beginning in the current FY 2017-18, this bill will minimally reduce workload in the Judicial Department due to a decrease in license plate violations, and no change in appropriations is required. One full time judicial officer can process 30,207 traffic infractions in a year. As there are a number of requirements listed in statute to ensure license plates are clearly visible, it is expected that a reduction in violations related only to the position of the front license plate will be minimal.

### **Local Government**

The bill will minimally decrease local government HUTF revenue. HUTF revenue generated by court fines is distributed to counties (26 percent) and municipalities (9 percent) for transportation needs.

### **Effective Date**

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

**State and Local Government Contacts**

Judicial  
Public Safety

Counties  
Sheriffs

Municipalities  
Revenue