

DEPARTMENT OF TRANSPORTATION

Transportation Commission

LAW ENFORCEMENT ASSISTANCE FUND (LEAF)

2 CCR 601-21

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Statement of Basis and Purpose and Statutory Authority

Section 43-4-403 C.R.S. (2011) provides the Department of Transportation with the authority to promulgate rules regarding the Law Enforcement Assistance Fund.

These Rules became effective on March 2, 1983 with the enactment of § 43-4-401 *et. seq.* C.R.S. creating the Law Enforcement Assistance Fund ("LEAF"). The rules have not been amended since inception. While at present the department of transportation does not receive any of the collected funds, the Department is amending the rules in order to update them to conform to changes in statute and to eliminate any unnecessary language, in the event the program receives funding in the future.

The purpose of the LEAF is to:

1. Increase and improve the enforcement of the laws pertaining to Impaired Driving offenses;
2. Increase public awareness of the problems and impacts created by impaired Driving and the consequences resulting from arrest and conviction of Impaired Driving - offenses; and
3. Coordinate the efforts of a municipality, county or city and county within its own jurisdiction and with other jurisdictions in establishing and administering a qualified program.

1.00 Definitions

- 1.01 "Impaired Driving" shall mean driving a motor vehicle or vehicle when a person has consumed alcohol or one or more drugs, or a combination of both alcohol and one or more drugs, that affects the person to the slightest degree so that the person is less able than the person ordinarily would have been, either mentally or physically, or both mentally and physically, to exercise clear judgment, sufficient physical control, or due care in the safe operation of a vehicle. See § 42-4-1301(g) C.R.S. (2011).
- 1.02 "Department of Transportation" ("Department" or "CDOT") shall mean the department created pursuant to § 24-1-128.7 C.R.S. (2011).
- 1.03 "Office of Transportation Safety" ("OTS") shall mean the Office at the Department of Transportation pursuant to § 24-42-101 *et seq.* C.R.S. (2011).

2.00 Application Requirements and criteria for funding allocations

- 2.01 Eligible applicants are Colorado municipalities, city and counties, or counties which establish a qualified program to coordinate efforts to prevent impaired driving and enforce laws pertaining to Impaired Driving.

- 2.02 The OTS will review each application and evaluate which applicants can most effectively demonstrate that an award of funds from the LEAF shall have the greatest impact on impaired driving related crashes, injuries and fatalities. The application shall be evaluated based on the following elements:
- 2.02.1 A complete description of proposed program activities, goals and objectives to be achieved.
 - 2.02.2 Project Goals: Provide A broad statement about what the program expects to achieve. The goal is the description of the final anticipated outcome or result.
 - 2.02.3 Objectives: Include objectives which are clear, realistic, specific and measurable. Objectives expound on how the goal(s) will be met.
 - 2.02.4 Activities Include Activities which will comprise the plan of operation for the project. In a detailed and concise way describe how the activities will achieve each objective.
 - 2.02.5 Community Collaboration and Support: The Application should demonstrate that partnerships exist or are being developed. Identify partnerships and planning groups that were included in the planning and implementation of this program.
 - 2.02.6 Agency Qualifications:- Describe the applicant agency's resources and skills to adequately manage the project.
 - 2.02.7 Project Evaluation: Describe the evaluation strategy that will be used to show project effectiveness and document successful activities. An evaluation plan should be designed so that an independent observer can confirm or measure whether or not the objectives have been met and progress was made toward the goal(s).
 - 2.02.8 A statement of how the applicant will educate the public regarding impaired driving offenses.
 - 2.02.9 Budget Narrative: Provide a detailed justification and explanation of budget items.

3.00 Application Procedures

- 3.01 The OTS will make application forms available through an announcement on the Department's website.
- 3.02 Applications must be received by the OTS annually on or before the third Friday of April.
- 3.03 Applications received after the deadline shall not be considered.
- 3.04 Each applicant will receive written notification of the action taken on its application.

4.00 Fiscal and Accounting Requirements

- 4.01 Reimbursement to entities shall be made on a quarterly basis for costs incurred as specified in the agreement between the OTS and the entity.
- 4.02 The entities must present itemized accountings to the OTS with billings and other records and receipts as required to support each item claimed. The OTS shall provide reimbursement forms on request.

4.03 Capital equipment purchased with funds from the LEAF must be used for LEAF purposes throughout the useful life of the equipment and maintained in accordance with the rules and guidelines established and approved by the Colorado Department of Transportation. If the equipment is used for other purposes, the value of the equipment at that time it is no longer used for its intended purpose shall be repaid to the LEAF.

Editor's Notes

History

Entire rule eff. 04/14/2012.