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## HOUSE COMMITTEE OF REFERENCE REPORT

	April 30, 2024
Chair of Committee	Date
Committee on <u>Transportation</u> , Hous	sing & Local Government.
After consideration on the merits following:	, the Committee recommends the
	s, and as so amended, be referred to <u>Appropriations</u> with favorable
Amend printed bill, page 7, strike li	nes 2 through 7.
(14.5) as follows:	o Revised Statutes, 32-9-103, add
	ed in this article 9, unless the context
otherwise requires: (14.5) "UNDERSERVED COMM	UNITY" MEANS A MUNICIPALITY THAT
` /	RY AREA AND, OVER A FIVE-YEAR
	OR MORE REVENUE FOR THE DISTRICT
THAN THE TOTAL VALUE OF TRANS! THAT MUNICIPALITY."	PORTATION SERVICES PROVIDED TO
Page 8, line 11, strike "district size"	".
Page 8, strike line 12 and substitute decisions - definition.".	"coordination with local land use
Page 8, line 25, strike "PLAN;" and state ACCOUNT THE NEED TO EXPANCE COMMUNITIES;".	ubstitute "PLAN, WHILE TAKING INTO ND SERVICES TO UNDERSERVED
Page 9, after line 4 insert:	
"(2) (a) A COUNTY MAY REQU	JEST ITS OWN SUBREGIONAL SERVICE
	ection (2), "subregional service
COUNCIL" MEANS A LOCALLY ACCESS	IBLE PUBLIC FORUMS WHERE TRANSIT

- 1 USERS AND COMMUNITY LEADERS MAKE RECOMMENDATIONS REGARDING
- 2 PROPOSED TRANSIT SERVICE CHANGES AND DEVELOP COMMUNITY-BASED
- 3 TRANSIT PLANS, IDENTIFYING TRANSPORTATION CHALLENGES IN LOW
- 4 INCOME NEIGHBORHOODS.".
- 5 Page 9, strike lines 5 through 27.
- 6 Page 10, strike lines 1 through 20.
- 7 Page 10, line 24, after "ITS" insert "TRANSIT SERVICE DELIVERY".
- 8 Page 10, strike lines 25 through 27 and substitute: "THE TRANSIT SERVICE
- 9 DELIVERY SCHEDULES OF OTHER MASS TRANSIT PROVIDERS FOR
- 10 CONNECTIVITY TO OTHER MOBILITY OPTIONS WITHIN THE REGION.".
- 11 Strike pages 11 through 30.
- 12 Page 31, strike lines 1 through 19.
- 13 Renumber succeeding sections accordingly.
- 14 Page 31, line 23, strike "SEPTEMBER 1, 2026," and substitute "SEPTEMBER
- 15 30, 2027,".

- Page 32, line 18, strike "TARGETS," and substitute "TARGETS AND".
- 17 Page 32, line 19, strike "MEASURES, AND" and substitute "MEASURES.".
- Page 32, strike lines 20 through 23.
- 19 Page 33, strike lines 2 through 4 and substitute:
- 20 "(a) CONSIDER THE FINDINGS AND RECOMMENDATIONS OF THE NEXT AUDIT OF THE REGIONAL TRANSPORTATION DISTRICT CONDUCTED BY
- 22 THE OFFICE OF THE STATE AUDITOR;
  - (b) Consider the findings of the July 2021 final report of
- $24 \quad \text{ THE REGIONAL TRANSPORTATION DISTRICT ACCOUNTABILITY COMMITTEE}; \\$
- 25 (c) Ensure that underserved communities have 26 opportunity to engage in conversations regarding the ten-year
- 27 STRATEGIC PLAN IN A DEDICATED AND DELIBERATE MANNER OUTSIDE THE
- 28 CONFINES OF THE METROPOLITAN PLANNING ORGANIZATION;
- 29 (d) Address the unique concerns and service needs of
- 30 DISPROPORTIONATELY IMPACTED COMMUNITIES, WHICH MUST BE

- 1 DEVELOPED THROUGH DEDICATED PUBLIC HEARINGS AND ENGAGEMENT
- 2 WITH STAFF, OFFICIALS, AND MEMBERS OF THE PUBLIC FROM THOSE
- 3 COMMUNITIES;
- 4 (e) Address the unique concerns and service needs of
- 5 UNDERSERVED COMMUNITIES, WHICH MUST BE DEVELOPED THROUGH
- 6 DEDICATED PUBLIC HEARINGS AND ENGAGEMENT WITH STAFF, OFFICIALS,
- 7 AND MEMBERS OF THE PUBLIC FROM THOSE COMMUNITIES; AND".
- 8 Reletter succeeding paragraph accordingly.
- 9 Page 33, line 19, after "(9)" insert "and (10)".
- 10 Page 33, strike line 24 and substitute "IMPROVE SERVICE COVERAGE AND
- 11 INCREASE RIDERSHIP CONNECTIVITY AND ACCESSIBILITY BY:".
- Page 34, line 4, after "PROGRAM;" add "AND".
- Page 34, line 6, after the second "IN" insert "IMPROVED SERVICE
- 14 COVERAGE AND".
- 15 Page 34, line 7, strike "RIDERSHIP;" and substitute "RIDERSHIP,
- 16 CONNECTIVITY, AND ACCESSIBILITY.".
- 17 Page 34, strike lines 8 through 11 and insert
- 18 "(10) By November 1, 2024, the board, in collaboration
- 19 WITH THE LABOR UNION THAT REPRESENTS THE GREATEST NUMBER OF
- 20 DISTRICT EMPLOYEES, SHALL PREPARE AND SUBMIT A REPORT TO THE
- 21 GENERAL ASSEMBLY REGARDING DISTRICT OPERATOR AND MECHANIC
- 22 RETENTION. THE REPORT MUST INCLUDE PROPOSED LEGISLATIVE CHANGES
- 23 THAT COULD INCREASE DISTRICT OPERATOR AND MECHANIC RETENTION.".
- Page 35, line 16, strike "AND".
- Page 35, line 19, strike "VACANCIES." and substitute "VACANCIES; AND
- 26 (f) A SUMMARY PAGE FOR PLANNED SERVICE CHANGES THAT
- 27 INCLUDES DETAILED TIMING CHANGES, EFFECTS ON LOCAL TRANSFERS,
- 28 AND THE REASON FOR THE PLANNED CHANGES.".
- 29 Page 36, line 6, strike "amend".
- Page 36, strike line 7 and substitute "add (5) as follows:".
- 31 Page 36, line 9, strike "(3) (a) the".

- 1 Page 36, strike lines 10 through 27.
- 2 Page 37, strike lines 1 through 13.
- 3 Page 37, strike lines 16 through 27.
- 4 Strike pages 38 and 39.

- 5 Renumber succeeding sections accordingly.
- 6 Page 40, strike lines 1 through 21 and substitute:
- 7 "SECTION 9. In Colorado Revised Statutes, add 43-2-145.4 as follows:
  - 43-2-145.4. Transportation legislation review committee regional transportation district governance subcommittee membership duties legislative declaration definition repeal.
  - (1) **Legislative declaration.** (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:
    - (I) THE REGIONAL TRANSPORTATION DISTRICT'S ELECTED BOARD OF DIRECTORS PROVIDES A CRITICAL FUNCTION TO THE ENTIRE REGION BY SETTING POLICY FOR AND OVERSEEING THE STATE'S LARGEST TRANSIT DISTRICT;
    - (II) THE REGIONAL TRANSPORTATION DISTRICT'S ELECTED BOARD OF FIFTEEN DIRECTORS IS AN OUTLIER AMONG TRANSIT AGENCIES BOTH IN NUMBER OF DIRECTORS AND BY HAVING A FULLY ELECTED BOARD OF DIRECTORS:
    - (III) ACCORDING TO DATA FROM THE AMERICAN PUBLIC TRANSPORTATION ASSOCIATION, THE MAJORITY OF TRANSIT BOARD SIZES RANGE FROM SEVEN TO TEN, AND ONLY THREE PERCENT OF TRANSIT BOARD MEMBERS ARE ELECTED TO THAT OFFICE;
  - (IV) UNDERTAKING A REVIEW OF THE BOARD OF DIRECTOR'S STRUCTURE, SCOPE, AND FUNCTIONS IS IMPORTANT TO ENSURE THAT THE BOARD STRUCTURE ALIGNS WITH BEST PRACTICES OF TRANSIT AGENCIES, IS ACCOUNTABLE AND TRANSPARENT TO ITS RIDERS AND TAXPAYERS, AND SETS THE AGENCY UP FOR SUCCESS TO ACHIEVE EXCELLENT OUTCOMES; AND
    - (V) TO CONTINUE TO ATTRACT TALENT FOR THE REGIONAL TRANSPORTATION DISTRICT BOARD OF DIRECTORS, THE DISTRICT NEEDS TO PROVIDE PROFESSIONAL COMPENSATION FOR BOARD DIRECTORS.
- 35 (b) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
  36 THE PROCESS OF DETERMINING THE MOST APPROPRIATE GOVERNANCE
  37 MODEL FOR THE REGIONAL TRANSPORTATION DISTRICT WILL BE BEST

ACHIEVED IF IT INVOLVES ROBUST COMMUNITY INPUT AND DISCUSSION THROUGH A SUBCOMMITTEE OF THE TRANSPORTATION LEGISLATION REVIEW COMMITTEE.

- (2) **Creation.** There is created a regional transportation district governance subcommittee of the transportation legislation review committee, referred to in this section as the "subcommittee", to meet during the 2024 legislative interim to review, solicit input, and make recommendations to the general assembly regarding the governance structure for the regional transportation district.
- (3) **Membership and appointments.** (a) THE SUBCOMMITTEE CONSISTS OF THE FOLLOWING NINETEEN MEMBERS:
  - (I) SIX MEMBERS OF THE GENERAL ASSEMBLY AS FOLLOWS:
- (A) THE CHAIRS OF THE TRANSPORTATION, HOUSING AND LOCAL GOVERNMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE TRANSPORTATION AND ENERGY COMMITTEE OF THE SENATE;
- (B) ONE MEMBER OF THE SENATE APPOINTED BY THE PRESIDENT OF THE SENATE;
- (C) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;
- (D) ONE MEMBER OF THE SENATE APPOINTED BY THE MINORITY LEADER OF THE SENATE; AND
- (E) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES;
- (II) FIVE MEMBERS APPOINTED COOPERATIVELY BY THE CHAIRS OF THE TRANSPORTATION, HOUSING AND LOCAL GOVERNMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE TRANSPORTATION AND ENERGY COMMITTEE OF THE SENATE AS FOLLOWS:
- (A) ONE MEMBER WITH EXPERTISE REGARDING ISSUES FACING TRANSIT RIDERS;
- (B) ONE MEMBER WHO RESIDES IN THE REGIONAL TRANSPORTATION DISTRICT, IS A TRANSIT USER, AND HAS A DISABILITY;
- (C) ONE MEMBER WHO RESIDES IN A DISPROPORTIONATELY IMPACTED COMMUNITY, AS DEFINED IN SECTION 24-4-109 (2)(b)(II), IN THE REGIONAL TRANSPORTATION DISTRICT AND WHO IS TRANSIT-DEPENDENT;
- (D) ONE MEMBER WHO REPRESENTS A LOCAL GOVERNMENT SERVED BY THE REGIONAL TRANSPORTATION DISTRICT; AND
- (E) ONE MEMBER WHO REPRESENTS AN UNDERSERVED COMMUNITY, AS DEFINED IN SUBSECTION (8) OF THIS SECTION;
  - (III) FOUR MEMBERS APPOINTED BY THE GOVERNOR AS FOLLOWS:
- 42 (A) ONE MEMBER WITH TRANSPORTATION FINANCIAL PLANNING 43 EXPERTISE;

(B) ONE MEMBER WITH MULTI-MODAL TRANSIT SERVICE EXPERTISE;

- (C) ONE MEMBER WITH HUMAN RESOURCES EXPERTISE FOR TRANSIT AGENCIES; AND
- (D) ONE MEMBER WITH TRANSPORTATION EQUITY OR MULTI-MODAL EXPERIENCE;
- (IV) TWO MEMBERS WHO SERVE ON THE OF THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION DISTRICT, APPOINTED BY THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION DISTRICT;
- (V) THE CHIEF EXECUTIVE OFFICER OF THE REGIONAL TRANSPORTATION DISTRICT OR THE CHIEF EXECUTIVE OFFICER'S DESIGNEE; AND
- (VI) ONE MEMBER WHO REPRESENTS THE LABOR UNION THAT REPRESENTS THE GREATEST PERCENTAGE OF REGIONAL TRANSPORTATION DISTRICT EMPLOYEES, APPOINTED BY THAT LABOR UNION.
- (b) The appointing authorities specified in subsection (3)(a) of this section shall make the applicable appointments by June 15, 2024.
- (c) MEMBERS OF THE SUBCOMMITTEE SERVE AT THE PLEASURE OF THE APPLICABLE APPOINTING AUTHORITY. ANY VACANCY THAT OCCURS AMONG THE APPOINTED MEMBERS OF THE SUBCOMMITTEE SHALL BE FILLED BY THE APPROPRIATE APPOINTING AUTHORITY AS SOON AS PRACTICABLE IN ACCORDANCE WITH THE LIMITATIONS SPECIFIED IN SUBSECTION (3)(a) OF THIS SECTION.
- (d) In Making appointments to the subcommittee, the appointing authorities shall take into consideration geographic, racial, gender, disability, disproportionately impacted community, and workforce representation, taking into account the demographic composition of the regional transportation district.
- (e) By July 1, 2024, the speaker of the house of representatives and the president of the senate shall cooperatively appoint a legislative member of the subcommittee to serve as the chair of the subcommittee and a legislative member of the subcommittee to serve as the vice-chair of the subcommittee.
- (f) Non-legislative members of the subcommittee serve without compensation. Legislative members of the subcommittee shall receive compensation and reimbursement of expenses as provided in section 2-2-326.
- (4) Meetings. (a) (I) The subcommittee shall meet at least twice during the 2024 legislative interim. The subcommittee shall hold its first meeting no later than July 15, 2024, and

SHALL HOLD ITS FINAL MEETING NO LATER THAN AUGUST 30, 2024. MEETINGS OF THE SUBCOMMITTEE SHALL BE HELD IN THE STATE CAPITOL BUILDING.

- (II) THE SUBCOMMITTEE SHALL PROVIDE AN OPPORTUNITY FOR COLLABORATIVE COMMUNITY ENGAGEMENT, BOTH IN-PERSON AND VIRTUALLY, AT EACH SUBCOMMITTEE MEETING. THE SUBCOMMITTEE SHALL SOLICIT INPUT FROM THE COMMUNITY REGARDING THE GOVERNANCE STRUCTURE OF THE REGIONAL TRANSPORTATION DISTRICT AND HOW TO ENSURE TRANSPARENCY, ACCOUNTABILITY, AND COMMUNITY REPRESENTATION WHEN MAKING DECISIONS ABOUT RIDERSHIP, SCHEDULING, AND INCREASED SERVICE. COMMUNITY MEETINGS MUST INCLUDE, BUT NEED NOT BE LIMITED TO, TRANSIT-RELIANT INDIVIDUALS, BUSINESS ADVOCATES, CLEAN AIR ADVOCATES, SENIORS, REPRESENTATIVES OF DISPROPORTIONATELY IMPACTED COMMUNITIES, AND DISTRICT DIRECTORS AND STAFF AND THE DISTRICT GENERAL MANAGER.
- (III) THE LEGISLATIVE COUNCIL STAFF SHALL BE AVAILABLE TO ASSIST THE SUBCOMMITTEE IN CARRYING OUT ITS DUTIES IN CONNECTION WITH THE MEETINGS REQUIRED IN THIS SUBSECTION (4)(a).
- (b) (I) IN ADDITION TO THE SUBCOMMITTEE MEETINGS HELD PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION, THE FACILITATOR SPECIFIED IN SUBSECTION (7) OF THIS SECTION SHALL ENSURE THAT THE SUBCOMMITTEE HOLDS AT LEAST ONE COMMUNITY MEETING TO LISTEN TO AND RECORD PUBLIC COMMENT IN EACH OF THE FIVE SUBREGIONAL SERVICE COUNCILS OF THE REGIONAL TRANSPORTATION DISTRICT.
- (II) AT LEAST TWO MEMBERS OF THE SUBCOMMITTEE, INCLUDING ONE LEGISLATOR, SHALL ATTEND EACH COMMUNITY MEETING HELD PURSUANT TO THIS SUBSECTION (4)(b).
- (III) THE FACILITATOR SPECIFIED IN SUBSECTION (7) OF THIS SECTION SHALL ENSURE THAT THE COMMUNITY MEETINGS REQUIRED BY THIS SUBSECTION (4)(b) ARE HELD AFTER JULY 15, 2024 BUT BEFORE AUGUST 30, 2025.
- (5) **Issues for review and recommendation.** The subcommittee shall examine and, pursuant to subsection (6) of this section, make recommendations to the transportation legislation review committee concerning:
- (a) THE IDEAL SIZE OF THE REGIONAL TRANSPORTATION DISTRICT BOARD OF DIRECTORS;
- (b) OF THE TOTAL NUMBER OF REGIONAL TRANSPORTATION DISTRICT DIRECTORS RECOMMENDED, THE NUMBER OF DIRECTORS WHO SHOULD BE ELECTED AND THE NUMBER OF DIRECTORS WHO SHOULD BE APPOINTED, AND THE APPROPRIATE APPOINTING AUTHORITIES FOR APPOINTED DIRECTORS;

(c) THE DIRECTIVES AND DUTIES OF THE REGIONAL TRANSPORTATION DISTRICT BOARD OF DIRECTORS;

- (d) THE ANNUAL SALARY FOR A REGIONAL TRANSPORTATION DISTRICT DIRECTOR;
- (e) METHODS TO ENSURE EQUITABLE REPRESENTATION OF THE REGIONAL TRANSPORTATION DISTRICT COMMUNITY WITH CONSIDERATION FOR GEOGRAPHIC, RACIAL, GENDER, DISABILITY, DISPROPORTIONATELY IMPACTED COMMUNITY, UNDERSERVED COMMUNITY, AND WORKFORCE REPRESENTATION;
- (f) A PLAN FOR THE TRANSITION OF THE CURRENT REGIONAL TRANSPORTATION DISTRICT BOARD OF DIRECTORS TO A NEW BOARD OF DIRECTORS; AND
- (g) A PLAN TO ENSURE THAT THE REGIONAL TRANSPORTATION DISTRICT BOARD OF DIRECTORS MAXIMIZES RIDERSHIP AND SERVICE COVERAGE, CONNECTIVITY, AND ACCESSIBILITY WITHIN THE DISTRICT.
- (6) Report and transportation legislation review committee review. (a) No Later than September 15, 2024, the subcommittee shall prepare and submit a report to the transportation legislation review committee and the governor including recommendations required in subsection (5) of this section and any other recommendations that the subcommittee deems necessary. One or more members of the subcommittee shall attend a meeting of the transportation legislation review committee to present the subcommittee's recommendations.
- (b) No later than October 15, 2024, the transportation legislation review committee shall meet to review the recommendations of the subcommittee and to make recommendations to the governor and to the general assembly for legislation as it deems necessary based on the recommendations of the subcommittee. The transportation legislation review committee may hold two meetings in addition to the number of meetings allowed to an interim committee pursuant to the joint rules of the general assembly; to discuss the recommendations of the subcommittee and to request, review, and approve draft legislation. The meeting deadlines applicable to interim committees pursuant to the joint rules of the general assembly do not apply to the additional two meetings.
- (c) The transportation legislation review committee may request that one bill be drafted and may approve one bill for introduction during the 2025 legislative session regarding the governance of the regional transportation district that is not subject to the interim committee bill limitations specified by the

JOINT RULES OF THE GENERAL ASSEMBLY AND THAT IS NOT REQUIRED TO BE REVIEWED BY THE LEGISLATIVE COUNCIL.

- (d) THE TRANSPORTATION LEGISLATIVE REVIEW COMMITTEE SHALL PROVIDE AN OPPORTUNITY FOR PUBLIC COMMENT AT THE MEETING HELD PURSUANT TO SUBSECTION (6)(b) OF THIS SECTION.
- (7) **Subcommittee facilitator.** As soon as feasible after the Effective date of this section, the department of transportation shall enter into a contract with a neutral third-party facilitator who is experienced in community engagement, transit, and the development of community input into legislative recommendations to support the work of the subcommittee and to assist in drafting the report required in subsection (6) of this section. The department of transportation shall cover the costs of the third-party administrator within existing resources.
- (8) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "UNDERSERVED COMMUNITY" MEANS A MUNICIPALITY THAT IS WITHIN THE DISTRICT BOUNDARY AREA AND, OVER A FIVE-YEAR AVERAGE, GENERATES THREE TIMES OR MORE REVENUE FOR THE DISTRICT THAN THE TOTAL VALUE OF TRANSPORTATION SERVICES PROVIDED TO THAT MUNICIPALITY.
  - (9) **Repeal.** This section is repealed, effective July 1, 2025.".
- 23 Renumber succeeding sections accordingly.

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