

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0811.01 Jason Gelender x4330

HOUSE BILL 16-1304

HOUSE SPONSORSHIP

Tyler, Coram, Becker J., Mitsch Bush, Ryden

SENATE SPONSORSHIP

(None),

House Committees
Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 CONCERNING COMMUNITY CONVERSATIONS ON TRANSPORTATION
102 PRIORITIES AND PREFERRED FUNDING OPTIONS.

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://www.leg.state.co.us/billsummaries>.)

The bill requires the department of transportation (CDOT) to hold at least one community conversation in each transportation planning region of the state (TPR) no later than October 1, 2016, in order to allow members of the public to testify and be questioned regarding their top priorities for transportation funding and their preferred means of raising the revenue needed to fund those priorities. To ensure maximum public

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

participation for each community conversation, CDOT and the Colorado office of economic development must provide extensive public notice of each community conversation and CDOT must hold each community conversation at a time outside of regular business hours or most convenient to the local community and at a location that is convenient for as much of the population of the TPR as feasible and allow remote testimony.

Within each TPR, the representative of the TPR on the statewide transportation advisory committee must convene an open house meeting or panel of individuals with expertise in transportation and economic development to interact with and receive testimony from the public at any community conversation. The representative of the TPR must lead the meeting or serve as the chair of the panel, and the meeting or panel must also include any member of the transportation commission and any regional transportation director for CDOT whose district or region includes any portion of the TPR and a representative of any regional economic development district that includes any portion of the TPR. The representative of the TPR shall also ensure that each state legislator, county commissioner, and municipal mayor and council member whose district, county, or municipality includes any portion of the TPR receives an invitation to participate in any community conversation held in the TPR.

After all community conversations in a TPR are held, and no later than November 1, 2016, the representative of the TPR who convened the community conversations must develop and submit to the executive director of CDOT a regional community conversation report that ranks both the top transportation priorities for the TPR and the preferred means of raising the revenue needed to fund those priorities. The executive director must compile the regional reports into a statewide report that ranks the top transportation priorities for the state and the preferred means of raising the revenue to fund those priorities. The executive director must present the report during CDOT's SMART Act presentation made before the commencement of the 2017 regular legislative session.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) In 1991, when the gas tax was last increased, the state was
5 spending one hundred twenty-five dollars per person per year on roads,
6 but today it is spending less than sixty-four dollars per person, barely half

1 as much;

2 (b) With an unchanging gas tax, more vehicle miles traveled, and
3 rapid construction cost inflation, the state has very limited funding for
4 new construction of transportation infrastructure of any kind, does not
5 have enough money to fund capacity expansion projects, and cannot
6 perform enough maintenance on our roads to keep up with deterioration,
7 all of which leads to increased traffic congestion and more expensive and
8 inconvenient travel;

9 (c) These problems are likely to worsen because Colorado's
10 population is increasing and the state will have nearly one million more
11 people in 2020 than it had in 2000;

12 (d) Robust transportation infrastructure is both a bipartisan
13 priority and a necessity for all Coloradans because:

14 (I) Workers need it to get to their jobs;

15 (II) Students need it to get to school safely;

16 (III) Farmers and ranchers need it to move their commodities and
17 get to town;

18 (IV) Manufacturers need it to move materials in and products out;

19 (V) Retailers need it to get products and customers to their stores;

20 and

21 (VI) The tourism industry needs it to get vacationers to their
22 destinations;

23 (e) Traffic congestion, road and bridge deterioration, and
24 unplowed snow are obvious to every driver, and recent polling indicates
25 that Coloradans have identified transportation issues as one of their top
26 concerns;

27 (f) Other states facing similar challenges with respect to the

1 provision and maintenance of robust transportation infrastructure have
2 already taken action, and in just the past two years alone twenty-two
3 states, including the nearby states of Wyoming, Nebraska, Utah, and
4 Idaho, have found ways to raise more revenue and increase dedicated
5 transportation funding;

6 (g) The Colorado department of transportation has extensive data
7 regarding the condition of Colorado's roads, and that data indicates that
8 pavement has been deteriorating since 2005 and will continue to
9 deteriorate unless more maintenance is done; and

10 (h) The department of transportation knows how to better
11 maintain our roads and reduce traffic congestion, how much it costs to do
12 it, how to prioritize the use of limited resources, and how to use creative
13 strategies to do more with less.

14 (2) The general assembly further finds and declares that:

15 (a) As representatives of the people, the members of the general
16 assembly respect the intelligence and good judgment of our constituents,
17 and therefore believe that it is in the best interest of the state to require a
18 series of community conversations about transportation priorities and
19 preferred funding options to be held throughout the state as required by
20 this act so that the general assembly and the department of transportation
21 can better understand the specifics of what the people of the state want
22 from their transportation system and to what extent they are willing to pay
23 to achieve it; and

24 (b) This act requires at least fifteen community conversations to
25 be held throughout the state, one in each transportation planning region
26 of the state, so that the members of the general assembly can hear what
27 our constituents' transportation priorities are and receive their input as to

1 their preferred means of raising the money needed to address those
2 priorities. These community conversations will tell the general assembly
3 whether Coloradans are willing to raise taxes or fees to upgrade roads,
4 whether they prefer to put up with congestion and bumpy rides, or
5 whether they have other options for the general assembly to consider.

6 **SECTION 2.** In Colorado Revised Statutes, **add** 43-1-1106 as
7 follows:

8 **43-1-1106. Community conversations about transportation**
9 **priorities and funding - regional and statewide reports - definition -**
10 **repeal.**

11 (1) NO LATER THAN OCTOBER 1, 2016, THE DEPARTMENT SHALL
12 HOLD AT LEAST ONE COMMUNITY CONVERSATION IN EACH
13 TRANSPORTATION PLANNING REGION CONCERNING TRANSPORTATION
14 PRIORITIES AND PREFERRED FUNDING OPTIONS. FOR PURPOSES OF THIS
15 SECTION, A "COMMUNITY CONVERSATION" MEANS A PUBLIC MEETING AT
16 WHICH ANY MEMBER OF THE PUBLIC MAY TESTIFY AND BE QUESTIONED
17 REGARDING HIS OR HER TOP PRIORITIES FOR TRANSPORTATION FUNDING
18 AND HIS OR HER PREFERRED MEANS OF RAISING THE REVENUE NEEDED TO
19 FUND THOSE PRIORITIES, AND THE PURPOSE OF A COMMUNITY
20 CONVERSATION IS TO ALLOW THE DEPARTMENT TO IDENTIFY AND RANK
21 BOTH THE TOP TRANSPORTATION PRIORITIES OF THE PUBLIC FOR EACH
22 TRANSPORTATION PLANNING REGION AND THE PUBLIC'S PREFERRED MEANS
23 OF RAISING THE REVENUE NEEDED TO FUND THOSE PRIORITIES.

24 (2) IN ORDER TO ENSURE MAXIMUM PUBLIC PARTICIPATION FOR
25 EACH COMMUNITY CONVERSATION, THE DEPARTMENT AND THE
26 COLORADO OFFICE OF ECONOMIC DEVELOPMENT CREATED IN ARTICLE 48.5
27 OF TITLE 24, C.R.S., SHALL PROVIDE EXTENSIVE PUBLIC NOTICE,
INCLUDING NOTICE THROUGH SOCIAL MEDIA, PRESS RELEASES, RADIO AND

1 TELEVISION ADVERTISING, TELEPHONE TOWN HALL MEETINGS, AND SUCH
2 OTHER MEANS OF PROVIDING NOTICE AS ARE LIKELY TO REACH LARGE
3 AUDIENCES, AND THE DEPARTMENT SHALL:

4 (a) HOLD EACH COMMUNITY CONVERSATION AT A TIME OUTSIDE
5 OF REGULAR BUSINESS HOURS OR MOST CONVENIENT TO THE LOCAL
6 COMMUNITY AND AT A LOCATION THAT IS CONVENIENT FOR AS MUCH OF
7 THE POPULATION OF THE TRANSPORTATION PLANNING REGION AS
8 FEASIBLE; AND

9 (b) ALLOW REMOTE TESTIMONY FROM MEMBERS OF THE PUBLIC
10 WHO ARE UNABLE TO OR DO NOT WISH TO ATTEND THE COMMUNITY
11 CONVERSATION IN PERSON.

12 (3) WITHIN EACH TRANSPORTATION PLANNING REGION, THE
13 REPRESENTATIVE OF THE REGION ON THE COMMITTEE CREATED PURSUANT
14 TO SECTION 43-1-1104 SHALL CONVENE AN OPEN HOUSE MEETING OR
15 PANEL OF PERSONS WITH EXPERTISE IN TRANSPORTATION AND ECONOMIC
16 DEVELOPMENT TO INTERACT WITH AND RECEIVE TESTIMONY FROM THE
17 PUBLIC AT ANY COMMUNITY CONVERSATION HELD IN THE REGION. THE
18 COMMITTEE REPRESENTATIVE SHALL PREPARE THE REGIONAL COMMUNITY
19 CONVERSATION REPORT REQUIRED BY SUBSECTION (4) OF THIS SECTION.
20 THE COMMITTEE REPRESENTATIVE SHALL LEAD THE MEETING OR SERVE AS
21 THE CHAIR OF THE PANEL, AND THE MEETING OR PANEL MUST ALSO
22 INCLUDE ANY MEMBER OF THE TRANSPORTATION COMMISSION CREATED
23 IN SECTION 43-1-106 WHOSE DISTRICT INCLUDES ANY PORTION OF THE
24 TRANSPORTATION PLANNING REGION, ANY REGIONAL TRANSPORTATION
25 DIRECTOR FOR THE DEPARTMENT WHOSE TRANSPORTATION REGION
26 INCLUDES ANY PORTION OF THE TRANSPORTATION PLANNING REGION, AND
27 A REPRESENTATIVE OF ANY REGIONAL ECONOMIC DEVELOPMENT DISTRICT

1 THAT INCLUDES ANY PORTION OF THE TRANSPORTATION PLANNING
2 REGION. THE COMMITTEE REPRESENTATIVE SHALL ALSO ENSURE THAT
3 EACH STATE LEGISLATOR, COUNTY COMMISSIONER, AND MUNICIPAL
4 MAYOR AND COUNCIL MEMBER WHOSE DISTRICT, COUNTY, OR
5 MUNICIPALITY INCLUDES ANY PORTION OF THE TRANSPORTATION
6 PLANNING REGION RECEIVES AN INVITATION TO PARTICIPATE IN ANY
7 COMMUNITY CONVERSATION HELD IN THE REGION.

8 (4) AFTER ALL COMMUNITY CONVERSATIONS IN A
9 TRANSPORTATION PLANNING REGION ARE HELD, AND NO LATER THAN
10 NOVEMBER 1, 2016, THE COMMITTEE REPRESENTATIVE WHO CONVENED
11 THE COMMUNITY CONVERSATIONS SHALL DEVELOP AND SUBMIT TO THE
12 EXECUTIVE DIRECTOR OF THE DEPARTMENT A REGIONAL COMMUNITY
13 CONVERSATION REPORT THAT RANKS BOTH THE TOP TRANSPORTATION
14 PRIORITIES FOR THE TRANSPORTATION PLANNING REGION AND THE
15 PREFERRED MEANS OF RAISING THE REVENUE NEEDED TO FUND THOSE
16 PRIORITIES. THE EXECUTIVE DIRECTOR SHALL COMPILE THE REGIONAL
17 COMMUNITY CONVERSATION REPORTS INTO A STATEWIDE REPORT THAT
18 RANKS THE TOP TRANSPORTATION PRIORITIES FOR THE STATE AND THE
19 PREFERRED MEANS OF RAISING THE REVENUE TO FUND THOSE PRIORITIES.
20 THE EXECUTIVE DIRECTOR SHALL PRESENT THE REPORT DURING THE
21 DEPARTMENT'S PRESENTATION TO LEGISLATIVE COMMITTEES OF
22 REFERENCE MADE PURSUANT TO SECTION 2-7-203, C.R.S., BEFORE THE
23 COMMENCEMENT OF THE 2017 REGULAR LEGISLATIVE SESSION.

24 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2017.

25 **SECTION 3. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety.