

## CHAPTER 320

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**PUBLIC UTILITIES**

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**SENATE BILL 94-113**

BY SENATORS Owens, Cassidy, Hopper, Rizzuto, Wham, and Tebedo;  
also REPRESENTATIVES Foster, Anderson, Dyer, Hagedorn, Martin, May, Berry, Lawrence, Ratterree, and Taylor.

**AN ACT****CONCERNING REGULATED COMPETITION WITHIN THE TAXICAB INDUSTRY, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

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

**SECTION 1.** 40-10-105 (2), Colorado Revised Statutes, 1993 Repl. Vol., is amended to read:

**40-10-105. Rules for issuance of certificates - standing to protest - judicial review.** (2) (a) The granting of any certificate of public convenience and necessity to operate a motor vehicle for hire AS A TAXICAB WITHIN AND BETWEEN COUNTIES WITH A POPULATION OF SIXTY THOUSAND OR GREATER BASED ON THE FEDERAL CENSUS CONDUCTED IN 1990 OR for the transportation of property shall not be deemed to be an exclusive grant or monopoly, and the doctrine of regulated competition shall prevail.

(b) The commission has authority to grant more than one certificate of public convenience and necessity to operate motor vehicles as TAXICABS WITHIN AND BETWEEN COUNTIES WITH A POPULATION OF SIXTY THOUSAND OR GREATER BASED ON THE FEDERAL CENSUS CONDUCTED IN 1990 OR for the transportation of property over the same route or a part thereof or within the same territory or a part thereof if the commission finds that the present or future public convenience and necessity requires or will require such operation.

(c) THE COMMISSION HAS THE AUTHORITY AND DUTY TO ADOPT RULES WHICH ARE IN THE PUBLIC INTEREST TO REGULATE MATTERS OF SAFETY, INSURANCE, AND SERVICE QUALITY FOR TAXICAB SERVICE IN THE STATE.

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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.*

**SECTION 2. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the motor carrier fund not otherwise appropriated, to the department of regulatory agencies for allocation to the public utilities commission, for the fiscal year beginning July 1, 1994, the sum of two thousand fifty-nine dollars (\$2,059), or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of law, for the fiscal year beginning July 1, 1994, the sum of two thousand fifty-nine dollars (\$2,059), or so much thereof as may be necessary, for the provision of legal services to the department of regulatory agencies for the purposes of this act. Such sum shall be from the cash funds received from the department of regulatory agencies out of the appropriation made in subsection (1) of this section.

**SECTION 3. Effective date - applicability.** This act shall take effect July 1, 1994, and shall apply to any application for a certificate of public convenience and necessity which is filed with or received by the public utilities commission pursuant to article 10 of title 40, Colorado Revised Statutes, on or after said date.

**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.

Approved: June 2, 1994