

CHAPTER 424

AIRCRAFT AND AIRPORTS

HOUSE BILL 24-1452

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AN ACT**CONCERNING AIRPORT ACCESSIBILITY REQUIREMENTS.**

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

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) Aviation and air travel have become a critical part of life for those seeking to obtain economic and educational opportunities, visit unique places, and spend time with friends and family;

(b) Individuals living with a disability, however, have consistently faced hardship, barriers, and, in some instances, outright discrimination when attempting to enjoy equitable opportunity through air travel;

(c) According to the United States government accountability office's April 2021 report "Passengers with Disabilities: Airport Accessibility Barriers and Practices and the Department of Transportation's Oversight of Airlines' Disability-Related Training", passengers with disabilities face infrastructure, information, and customer service barriers at airports throughout the United States. For example, complex terminal layouts and long distances between gates can be hard to navigate. Additionally, travel information is not always available in a format that is accessible to everyone.

(d) The data is supported by real-world examples that have not only cost individuals with disabilities the opportunities that come with air travel, but have also

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

cost individuals the use of their mobility devices and more. Because of constant carelessness shown to mobility devices, a broken chair by one airline directly led to a medical condition that took the life of one of the nation's great disability rights advocates, Engracia Figueroa.

(e) Changes that occurred in 2023 and are scheduled for 2024 are critical to finally secure basic access and equity in Colorado for airport passengers with a disability who travel;

(f) Airports in Colorado have received at least \$22 million in grants for fiscal year 2023 from the federal airport terminal program as part of the bipartisan infrastructure law funding;

(g) Funding from the federal airport terminal program, one of three aviation programs created by the bipartisan infrastructure law, provides \$1 billion annually for five years for airport terminal program grants. In total, the bipartisan infrastructure law provided a historic \$25 billion to modernize our country's airport infrastructure.

(h) Individuals living with a disability must work together to ensure that these infrastructure dollars will be used to provide basic access and equity in travel opportunities at our country's airports.

(2) Therefore, the community of individuals living with a disability in Colorado has been working collaboratively with Denver international airport staff to ensure that Denver international airport becomes a model that airports across the country can follow in meeting the basic requirements of the federal "Americans with Disabilities Act" and appropriate aspects of the federal "Air Carriers Access Act", which seek to ensure basic access and equity for all travelers.

(3) The general assembly therefore declares that the purpose of this act is to place in state law basic accessibility standards and features in all large hub airports in Colorado.

SECTION 2. In Colorado Revised Statutes, **add** 43-10-119 as follows:

43-10-119. Large hub airport accessibility - duties - definition. (1) EACH LARGE HUB AIRPORT IN COLORADO HAS THE FOLLOWING DUTIES RELATED TO ACCESSIBILITY AND SAFETY:

(a) ON OR BEFORE JULY 1, 2024, ESTABLISH AN ADVISORY COMMITTEE FOR THE CROSS-DISABLED COMMUNITY. THE ADVISORY COMMITTEE MUST HAVE REPRESENTATION FROM PERSONS WITH VARIOUS DISABILITIES AND SHALL PROVIDE INPUT DURING AIRPORT RENOVATIONS TO ENSURE BASIC ACCESS AND EQUITY IN AIR TRAVEL. THE ADVISORY COMMITTEE SHALL MAKE REGULAR ASSESSMENTS TO IDENTIFY AREAS FOR IMPROVEMENT AND ACKNOWLEDGE SUCCESSES.

(b) ON AND AFTER JULY 1, 2024, CONSULT WITH THE DISABLED COMMUNITY AND CONFER WITH THE ADVISORY COMMITTEE DURING THE CONSTRUCTION OF WALKWAYS AND OTHER FACILITIES AT THE AIRPORT;

(c) ON OR BEFORE JULY 1, 2024, INCORPORATE WAYFINDING TECHNOLOGY TO ASSIST INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED TO NAVIGATE THE AIRPORT INDEPENDENTLY WITH OR WITHOUT AUXILIARY SERVICES;

(d) ON OR BEFORE JANUARY 1, 2026, CREATE, MAINTAIN, AND UPDATE, AS NECESSARY, AN ELECTRONIC DASHBOARD TO REPORT AND TRACK BASIC ACCESS SHORTCOMINGS AND VIOLATIONS THROUGHOUT THE TRAVEL PROCESS. THE DASHBOARD MUST INCLUDE A PUBLIC INQUIRY FORM THAT ALLOWS AN INDIVIDUAL TO DIRECTLY REPORT AN ACCESSIBILITY EXPERIENCE AT THE AIRPORT.

(e) ON OR BEFORE DECEMBER 31, 2026, DEVELOP AND PROVIDE ONGOING, COMPREHENSIVE TRAINING PROGRAMS FOR AIRPORT STAFF ON DISABILITY CULTURAL COMPETENCY, INCLUDING THE PRESENCE OF, USE OF, AND BEST PRACTICES RELATED TO MOBILITY DEVICES, MEDICAL EQUIPMENT, ADAPTIVE SPORTS EQUIPMENT, WAYFINDING THROUGHOUT THE AIRPORT, AND ACCESS TO THE AIRPORT'S ACCESSIBILITY FEATURES AND AMENITIES;

(f) ON OR BEFORE JUNE 30, 2030, INSTALL AND MAINTAIN RESTROOMS FOR INDIVIDUALS WITH DISABILITIES THAT INCLUDE COMPANION CARE CHANGING TABLES, INCLUDING AT LEAST ONE ACCESSIBLE PUBLIC RESTROOM IN EVERY TERMINAL; AND

(g) ON OR BEFORE DECEMBER 31, 2030, USE ELEVATORS TO TRANSPORT POWER WHEELCHAIRS FROM THE TARMAC TO THE JETWAY AND GIVE PRIORITY USAGE OF AN ELEVATOR TO POWER WHEELCHAIRS AND OTHER MOBILITY DEVICES THAT REQUIRE THE USE OF AN ELEVATOR FOR TRANSPORTATION TO AND FROM THE TARMAC.

(2) EACH AIRPORT SHALL MONITOR COMPLIANCE WITH THE DUTIES SET FORTH IN SUBSECTION (1) OF THIS SECTION. THE AIRPORT SHALL MAINTAIN AND UPDATE ITS FACILITIES AND FUNCTIONS, AS APPLICABLE, TO ENSURE ONGOING COMPLIANCE WITH THE DUTIES SET FORTH IN SUBSECTION (1) OF THIS SECTION.

(3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "AIRPORT" MEANS A LARGE HUB AIRPORT AS DEFINED IN 49 U.S.C. SEC. 47102 (11).

SECTION 3. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: June 5, 2024