

CHAPTER 152

TRANSPORTATION

SENATE BILL 26-150

BY SENATOR(S) Ball and Jodeh, Cutter, Hinrichsen, Lindstedt, Wallace;
also REPRESENTATIVE(S) Froelich and Jackson, Boesenecker, Clifford, Duran, Lukens, McCormick, Nguyen, Rutinel.

AN ACT**CONCERNING REFORMS TO THE REGIONAL TRANSPORTATION DISTRICT TO INCREASE ACCOUNTABILITY.**

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

SECTION 1. Short title. The short title of this act is the "Modernizing the Regional Transportation District Act".

SECTION 2. In Colorado Revised Statutes, 32-9-102, **add** (3) and (4) as follows:

32-9-102. Legislative declaration.

(3) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

(a) SENATE BILL 25-161, ENACTED IN 2025, DIRECTED THE REGIONAL TRANSPORTATION DISTRICT TO MAXIMIZE RIDERSHIP LEVELS ACROSS THE REGION AND CREATED A REGIONAL TRANSPORTATION DISTRICT ACCOUNTABILITY COMMITTEE. THE ACCOUNTABILITY COMMITTEE WAS CREATED TO EVALUATE AND MAKE RECOMMENDATIONS RELATED TO GOVERNANCE, WORKFORCE RETENTION, AND PARATRANSIT SERVICES.

(b) THE ACCOUNTABILITY COMMITTEE WAS COMPOSED OF A DIVERSE SET OF APPOINTMENTS REPRESENTING KEY CONSTITUENCIES OF THE DISTRICT, INCLUDING LOCAL GOVERNMENTS, DISTRICT BOARD MEMBERS, TRANSIT RIDERS WITH DISABILITIES, TRANSPORTATION EQUITY ADVOCATES, ENVIRONMENTAL ADVOCATES, FINANCIAL EXPERTS, AND MORE;

(c) TO CARRY OUT ITS STATUTORY RESPONSIBILITIES, THE ACCOUNTABILITY

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.

COMMITTEE IMPLEMENTED A ROBUST PROCESS GUIDED BY A NEUTRAL FACILITATOR, WHICH GENERATED THIRTY-ONE RECOMMENDATIONS SUPPORTED BY A MAJORITY OF THE COMMITTEE;

(d) THE ACCOUNTABILITY COMMITTEE IDENTIFIED SEVERAL SYSTEMIC CHALLENGES FACING THE DISTRICT, INCLUDING LOW AND STAGNATING RIDERSHIP, MOUNTING BUDGET CHALLENGES, A LOSS OF PUBLIC TRUST AND CONFIDENCE, AND A LACK OF A COORDINATED, STRATEGIC VISION;

(e) THE ACCOUNTABILITY COMMITTEE IDENTIFIED SEVERAL GOVERNANCE-RELATED CHALLENGES FACING THE DISTRICT, INCLUDING THE LARGE SIZE OF THE BOARD;

(f) THE ACCOUNTABILITY COMMITTEE FOUND THAT THE SIZE OF THE BOARD POSED CHALLENGES TO BRIEFING MEMBERS, DEVELOPMENT OF PRODUCTIVE WORKING RELATIONSHIPS AMONG MEMBERS, REACHING COMMON UNDERSTANDINGS, AND NAVIGATING DIFFICULT DECISIONS. THOSE FINDINGS ECHO THE 2021 RTD GOVERNANCE EVALUATION FINAL REPORT, WHICH STATED: "BEST PRACTICE SHOWS THAT AS GOVERNING BOARDS GROW IN SIZE, THE EFFICACY OF THEIR WORK DECREASES."

(g) THE ACCOUNTABILITY COMMITTEE ALSO IDENTIFIED THE LACK OF COMPETITION FOR ELECTED SEATS AND THE LACK OF EXPERTISE ON THE BOARD AS GOVERNANCE-RELATED CHALLENGES FACING THE DISTRICT. ACCORDING TO THE SECRETARY OF STATE, OUT OF ONE HUNDRED SEVENTY-TWO DISTRICT ELECTORAL CONTESTS OCCURRING SINCE 1980, FORTY PERCENT WERE UNCONTESTED. THE ACCOUNTABILITY COMMITTEE IDENTIFIED A NEED FOR KEY AREAS OF BOARD EXPERTISE TO ENSURE THE BOARD COULD PROVIDE THE NECESSARY POLICY LEADERSHIP AND FISCAL OVERSIGHT TO GUIDE THE DISTRICT THROUGH ITS CHALLENGES.

(h) WHILE THE DISTRICT HAS SERVED THE REGION FOR DECADES UNDER ITS CURRENT GOVERNANCE MODEL, THE ACCOUNTABILITY COMMITTEE DETERMINED THAT THE STRUCTURES, PRACTICES, AND EXPECTATIONS THAT MAY HAVE BEEN ADEQUATE IN THE PAST ARE NO LONGER SUFFICIENT TO MEET THE SCALE, COMPLEXITY, AND URGENCY OF THE DISTRICT'S CURRENT AND FUTURE CHALLENGES;

(i) THE ACCOUNTABILITY COMMITTEE CONCLUDED THAT THE CURRENT GOVERNANCE STRUCTURE DOES NOT ADEQUATELY PROVIDE THE LEVEL OF EXPERTISE, ACCOUNTABILITY, AND STRATEGIC LEADERSHIP REQUIRED TO SUPPORT THE DISTRICT'S SCALE, FISCAL COMPLEXITY, AND REGIONAL IMPORTANCE, AND THAT THERE IS AN URGENT NEED FOR REFORM; AND

(j) THE ACCOUNTABILITY COMMITTEE FURTHER CONCLUDED THAT THE DISTRICT IS AT A CRITICAL CROSSROADS, THE DISTRICT'S CURRENT GOVERNANCE STRUCTURE DOES NOT WORK IN THE PRESENT AND WILL NOT WORK IN THE FUTURE, AND SIGNIFICANT CHANGE IS NEEDED IN THE FORM OF A DIFFERENT DISTRICT GOVERNANCE STRUCTURE.

(4) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT THIS SENATE BILL 26-150, ENACTED IN 2026, ADVANCES IMPLEMENTATION OF THE REGIONAL

TRANSPORTATION DISTRICT ACCOUNTABILITY COMMITTEE RECOMMENDATIONS THAT ARE RELEVANT TO THE REGIONAL TRANSPORTATION DISTRICT STATUTES, WHILE SOME RECOMMENDATIONS WERE MADE DIRECTLY TO THE DISTRICT OR OTHER KEY STAKEHOLDERS. THE GENERAL ASSEMBLY EXPECTS THE DISTRICT TO EXECUTE AND REPORT ON THE STATUS OF ALL RECOMMENDATIONS OF THE 2025-2026 ACCOUNTABILITY COMMITTEE, REGARDLESS OF WHETHER THOSE RECOMMENDATIONS ARE IMPLEMENTED IN THIS SENATE BILL 26-150, ENACTED IN 2026.

SECTION 3. In Colorado Revised Statutes, 32-9-103, **add** (9.5) as follows:

32-9-103. Definitions.

As used in this article 9, unless the context otherwise requires:

(9.5) "PARATRANSIT" OR "PARATRANSIT SERVICE" MEANS COMPLEMENTARY PARALLEL TRANSIT SERVICE FOR INDIVIDUALS WITH DISABILITIES WHO ARE UNABLE TO UTILIZE REGULAR OR FIXED-ROUTE TRANSIT SERVICE FOR SOME OR ALL OF THEIR TRANSIT NEEDS.

SECTION 4. In Colorado Revised Statutes, 32-9-165, **add** (2.5), (3)(c), (3)(d), and (3)(e) as follows:

32-9-165. Planning - ten-year plan - comprehensive operational analysis - accessible transportation service plan - reporting - funding study - transit-oriented community infrastructure - budget transparency and oversight.

(2.5) Paratransit service study and accessible transportation service plan.

(a) ON OR BEFORE DECEMBER 31, 2026, THE DISTRICT SHALL CONTRACT WITH AN INDEPENDENT THIRD-PARTY ENTITY TO CONDUCT A COMPREHENSIVE PARATRANSIT SERVICE STUDY. THE STUDY MUST BE COMPLETED BY JUNE 30, 2027. THE DISTRICT SHALL REQUIRE THAT THE INDEPENDENT THIRD-PARTY ENTITY PROVIDE QUARTERLY UPDATES ON THE PROGRESS OF THE STUDY TO THE BOARD. THE STUDY MUST INCLUDE:

(I) A NEEDS ASSESSMENT OF THE POPULATION, NEEDS, AND SERVICE GAPS FOR RIDERS IN THE DISTRICT WITH DISABILITIES THAT INCLUDES AN ANALYSIS OF RIDER-LEVEL AND TRIP-LEVEL DATA, INCLUDING THE DISTRIBUTION OF TRIP FREQUENCY, IDENTIFICATION OF HIGH-UTILIZATION RIDERS, CHANGES IN RIDERSHIP PATTERNS FOLLOWING THE JANUARY 1, 2026, FARE AND SUBSIDY CHANGES, IMPACTS OF THOSE CHANGES ON FREQUENT AND HIGH-NEED RIDERS, AND REDUCTION OF ACCESS TO SERVICE DUE TO LOSS OF SERVICE OR ECONOMIC HARDSHIP FROM FARE CHANGES;

(II) A COST-BENEFIT ASSESSMENT WITH LONG-TERM PROJECTIONS BETWEEN COST REDUCTIONS AND SERVICE AVAILABILITY OR ACCESS OF PARATRANSIT SERVICE DELIVERY MODELS FOR ACCESS-A-RIDE AND ACCESS-ON-DEMAND, INCLUDING INTEGRATED, HYBRID, STAND-ALONE, AND ALTERNATIVE SERVICE SCENARIOS, AND INCLUDING ANALYSIS OF CHANGES TO FARE LEVELS, SUBSIDIES, AND SERVICE LIMITS,

WHICH ASSESSMENT MUST INCLUDE PEER AGENCY COMPARISONS AND USE STANDARDIZED COST DEFINITIONS AND METHODOLOGY, ANALYSIS OF COST PER TRIP AND PER RIDER, AND IDENTIFICATION OF KEY COST DRIVERS, SUCH AS DISTINCTIONS BETWEEN FIXED AND VARIABLE COSTS;

(III) A DEFINITION OF MEASURABLE PERFORMANCE METRICS RELATED TO ACCESS, RELIABILITY, EQUITY, AND COST-EFFECTIVENESS;

(IV) AN ASSESSMENT OF OPPORTUNITIES TO COLLABORATE WITH LOCAL AND REGIONAL PARTNERS TO ADDRESS SERVICE GAPS;

(V) ENGAGEMENT WITH PARATRANSIT USERS, RIDERS WITH DISABILITIES, SERVICE PROVIDERS, AND OTHER KEY STAKEHOLDERS AND DOCUMENTATION OF HOW STAKEHOLDER INPUT INFORMED FINDINGS;

(VI) AN ASSESSMENT OF SYSTEM PERFORMANCE, INCLUDING RELIABILITY METRICS, TRIP DENIALS, WAIT TIMES, ON-TIME PERFORMANCE, AND RIDER EXPERIENCE ACROSS SERVICE MODES, IDENTIFICATION OF ANY CAPACITY CONSTRAINTS OR SERVICE LIMITATIONS, AND AN ASSESSMENT OF INNOVATIVE, TECHNOLOGY-ENABLED SERVICE MODELS; AND

(VII) AN ASSESSMENT OF BARRIERS FOR PARATRANSIT RIDERS AND RIDERS WITH DISABILITIES TO ACCESS A LOW-INCOME FARE DISCOUNT.

(b) ON OR BEFORE DECEMBER 31, 2027, THE DISTRICT SHALL COMPLETE, ADOPT, AND BEGIN IMPLEMENTING AN ACCESSIBLE TRANSPORTATION SERVICE PLAN INFORMED BY THE COMPREHENSIVE PARATRANSIT SERVICE STUDY DESCRIBED IN SUBSECTION (2.5)(a) OF THIS SECTION. THE PLAN MUST INCLUDE:

(I) A HOLISTIC VISION FOR PROVIDING APPROPRIATE AND ACCESSIBLE TRANSPORTATION SERVICE TO RIDERS WITH DISABILITIES IN THE DISTRICT;

(II) THE ESTABLISHMENT OF AN OVERARCHING FRAMEWORK TO GUIDE FUTURE PARATRANSIT DECISION-MAKING, INCLUDING MEASURABLE METRICS OF PERFORMANCE IN ACCESS, RELIABILITY, EQUITY, AND COST-EFFECTIVENESS;

(III) A FRAMEWORK FOR FISCAL SUSTAINABILITY INFORMED BY CONSIDERATIONS OF LONG-TERM COST PROJECTIONS, TRADEOFFS BETWEEN SERVICES, AND PEER AGENCY COMPARISONS;

(IV) A FRAMEWORK FOR THE USE OF ANY INNOVATIVE AND TECHNOLOGY-ENABLED SERVICE MODELS; AND

(V) AN IMPLEMENTATION FRAMEWORK WITH TIMELINES, PRIORITY ACTIONS, AND REPORTING ON IMPLEMENTATION PROGRESS.

(3) Reports.

(c) ON OR BEFORE JANUARY 31, 2028, THE DISTRICT SHALL PRESENT THE PARATRANSIT SERVICE STUDY AND ACCESSIBLE TRANSPORTATION SERVICE PLAN TO A JOINT MEETING OF THE HOUSE OF REPRESENTATIVES TRANSPORTATION, HOUSING,

AND LOCAL GOVERNMENT COMMITTEE AND THE SENATE TRANSPORTATION AND ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.

(d) ON OR BEFORE DECEMBER 31, 2027, THE DISTRICT SHALL SUBMIT TO THE HOUSE OF REPRESENTATIVES TRANSPORTATION, HOUSING, AND LOCAL GOVERNMENT COMMITTEE AND THE SENATE TRANSPORTATION AND ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND TO THE GOVERNOR, A REPORT CONTAINING RESPONSES TO AND THE DISTRICT'S IMPLEMENTATION TIMELINE OF ALL RECOMMENDATIONS MADE TO THE DISTRICT BY THE 2025-2026 REGIONAL TRANSPORTATION DISTRICT ACCOUNTABILITY COMMITTEE, CREATED IN SECTION 24-38.5-124, AS IT EXISTED PRIOR TO ITS REPEAL ON JULY 1, 2026.

(e) ON OR BEFORE JANUARY 31, 2027, AND ON OR BEFORE EACH JANUARY 31 THEREAFTER, THE DISTRICT SHALL REPORT ON THE FOLLOWING TO A JOINT MEETING OF THE HOUSE OF REPRESENTATIVES TRANSPORTATION, HOUSING, AND LOCAL GOVERNMENT COMMITTEE AND THE SENATE TRANSPORTATION AND ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES:

(I) THE DISTRICT'S BUDGET, INCLUDING EXTERNAL FUNDING, AND FINANCIAL PERFORMANCE;

(II) RIDERSHIP;

(III) THE IMPLEMENTATION OF SENATE BILL 25-161, ENACTED IN 2025, INCLUDING THE DISTRICT'S PROGRESS IN:

(A) DELIVERING THE PROJECTS IDENTIFIED IN THE TEN-YEAR STRATEGIC PLAN DESCRIBED IN SUBSECTION (1) OF THIS SECTION AND THE COMPREHENSIVE OPERATIONAL ANALYSIS DESCRIBED IN SUBSECTION (2) OF THIS SECTION; AND

(B) ALIGNING WITH STATE CLIMATE GOALS AS REQUIRED BY SECTION 32-9-119.7 (9); AND

(IV) THE IMPLEMENTATION OF THIS SENATE BILL 26-150, ENACTED IN 2026, INCLUDING THE DISTRICT'S PROGRESS ON IMPLEMENTING ITS ACCESSIBLE TRANSPORTATION SERVICE PLAN DESCRIBED IN SUBSECTION (2.5) OF THIS SECTION.

SECTION 5. In Colorado Revised Statutes, 32-9-111, **amend** (1)(a) and (4); and **add** (1)(c), (1)(d), and (7) as follows:

32-9-111. Election of directors - dates - terms.

(1)(a) After the federal census in 1980 and each federal census thereafter BEFORE THE 2030 FEDERAL CENSUS, the board of directors shall apportion the composition of the board into compact and contiguous director districts so that the fifteen directors will represent, to the extent practical, the people of the district on the basis of population. Such apportionment ~~shall~~ **must** be completed before March 15 of the second year following that in which the federal census is taken and ~~shall~~ **must** be made only upon the affirmative vote of two-thirds of the total membership of the board. If such apportionment is not completed before March 15 of such year, the legislative council, with the assistance of the director of research of the legislative

council and the director of the office of legislative legal services, shall, by April 15, apportion the composition of the board into compact and contiguous director districts so that the fifteen directors will represent, to the extent practicable, the people of the district on the basis of population. The apportionment recommended by the legislative council ~~shall~~ MUST be submitted to the general assembly which shall approve or amend the apportionment before May 1 of such year.

(c) ON OR BEFORE SEPTEMBER 15, 2027, THE OFFICE OF LEGISLATIVE LEGAL SERVICES AND THE LEGISLATIVE COUNCIL STAFF SHALL APPORTION THE COMPOSITION OF THE BOARD INTO COMPACT AND CONTIGUOUS DIRECTOR DISTRICTS SO THAT THE FIVE ELECTED DIRECTORS WILL REPRESENT, TO THE EXTENT PRACTICAL, THE PEOPLE OF THE DISTRICT ON THE BASIS OF POPULATION. THE FIVE ELECTED DIRECTORS WHO WILL BE ELECTED AT THE GENERAL ELECTION IN NOVEMBER 2028 WILL BE ELECTED FROM THESE FIVE DIRECTOR DISTRICTS.

(d) AFTER THE FEDERAL CENSUS IN 2030 AND AFTER EACH FEDERAL CENSUS THEREAFTER, THE INDEPENDENT LEGISLATIVE REDISTRICTING COMMISSION CREATED PURSUANT TO SECTION 46 OF ARTICLE V OF THE STATE CONSTITUTION SHALL APPORTION THE COMPOSITION OF THE BOARD INTO COMPACT AND CONTIGUOUS DIRECTOR DISTRICTS SO THAT THE FIVE ELECTED DIRECTORS WILL REPRESENT, TO THE EXTENT PRACTICAL, THE PEOPLE OF THE DISTRICT ON THE BASIS OF POPULATION. THE APPORTIONMENT OF DIRECTOR DISTRICTS MUST BE COMPLETED ON THE SAME TIMELINE AND USING THE SAME PROCEDURES AS THOSE SPECIFIED FOR THE APPORTIONMENT OF SENATORIAL AND REPRESENTATIVE DISTRICTS IN SECTIONS 46 TO 48.3 OF ARTICLE V OF THE STATE CONSTITUTION.

(4) (a) Except as provided in this subsection (4), the regular term of office of directors shall be four years.

(b) At the election held in 1982, eight members of the board shall be elected for two-year terms. The two-year terms shall be determined by lot at the first meeting of the board following the apportionment of director districts. Seven members shall be elected for four-year terms.

(c) AT THE GENERAL ELECTION HELD IN NOVEMBER 2028, TWO OF THE FIVE MEMBERS ELECTED WILL BE ELECTED TO TWO-YEAR TERMS. THE TWO-YEAR TERMS WILL BE DETERMINED BY LOT DURING THE APPORTIONMENT PROCESS PURSUANT TO SUBSECTION (1)(c) OF THIS SECTION.

(7) MEMBERS ELECTED FROM DISTRICTS DRAWN IN ACCORDANCE WITH SUBSECTION (1)(c) OR (1)(d) OF THIS SECTION MAY SERVE UP TO TWO TERMS, WITH EACH TERM EXPIRING AFTER A MEMBER HAS SERVED FOR FOUR CONSECUTIVE CALENDAR YEARS. ANY TERM SERVED BY A MEMBER THAT LASTS FOR LESS THAN TWO YEARS DOES NOT COUNT TOWARD THE MEMBER'S TWO-TERM LIMIT, BUT A MEMBER SHALL NOT SERVE MORE THAN EIGHT TOTAL YEARS ON THE BOARD. A TERM THAT A MEMBER SERVED ON THE BOARD PRIOR TO JANUARY 1, 2029, COUNTS TOWARD THAT MEMBER'S TWO-TERM LIMIT.

SECTION 6. In Colorado Revised Statutes, **add** 32-9-111.5 as follows:

32-9-111.5. Appointment of directors - dates - terms - vacancies - removal.

(1) (a) ON OR BEFORE THE DAY OF THE NOVEMBER GENERAL ELECTION, BEGINNING IN 2028, THE GOVERNOR SHALL APPOINT BOARD MEMBERS WHO MUST SUBSEQUENTLY BE CONFIRMED BY THE SENATE. THE APPOINTED MEMBERS' TERMS COMMENCE ON JANUARY 1 FOLLOWING THEIR APPOINTMENT IN THE EVEN-NUMBERED YEAR. THE GOVERNOR SHALL APPOINT THE FOLLOWING MEMBERS IN ACCORDANCE WITH THIS SECTION:

(I) ONE MEMBER FROM A LIST OF NOMINEES PROVIDED BY THE DENVER REGIONAL COUNCIL OF GOVERNMENTS IN ACCORDANCE WITH SUBSECTION (4) OF THIS SECTION;

(II) ONE MEMBER WHO IS A CURRENT OR FORMER MEMBER OF THE UNION THAT REPRESENTS THE LARGEST COLLECTIVE BARGAINING UNIT OF EMPLOYEES OF THE DISTRICT; AND

(III) TWO MEMBERS AT THE GOVERNOR'S DISCRETION AND IN COMPLIANCE WITH THIS SECTION.

(b) ON AND AFTER JANUARY 1, 2029, THE FOUR APPOINTED MEMBERS SHALL EACH RESIDE WITHIN THE DISTRICT AND REPRESENT THE DISTRICT AT LARGE.

(c) IN 2028, THE GOVERNOR SHALL APPOINT FOUR NEW BOARD MEMBERS WHOSE TERMS COMMENCE ON JANUARY 1, 2029. IN EACH EVEN-NUMBERED YEAR THEREAFTER, THE GOVERNOR SHALL APPOINT TWO MEMBERS IN ACCORDANCE WITH THIS SECTION TO REPLACE THE TWO MEMBERS WHOSE TERMS ARE SET TO EXPIRE THE FOLLOWING JANUARY 1.

(2) (a) WHEN APPOINTING MEMBERS, THE GOVERNOR SHALL ENSURE THAT THE APPOINTED MEMBERS REPRESENT DIVERSE GEOGRAPHIC AREAS OF THE DISTRICT, INCLUDING SUBURBAN COUNTIES, AND THAT THE FOUR MEMBERS COLLECTIVELY POSSESS EXPERTISE RELATED TO THE FOLLOWING AREAS:

(I) PUBLIC FINANCE, SUCH AS OPERATING AND CAPITAL BUDGETING, FARE REVENUE AND SUBSIDY STRUCTURES, CAPITAL PROGRAM DELIVERY, ASSET MANAGEMENT AND LIFECYCLE CAPITAL PLANNING, OR FINANCIAL MANAGEMENT OF A PUBLIC TRANSPORTATION SYSTEM;

(II) LAND USE AND MULTIMODAL TRANSPORTATION PLANNING, SUCH AS TRANSIT-ORIENTED DEVELOPMENT, REGIONAL PLANNING, OR URBAN AND RURAL MOBILITY;

(III) TRANSIT OPERATIONS, SUCH AS PUBLIC TRANSPORTATION MANAGEMENT, FLEET OPERATIONS, SCHEDULING, OR SYSTEM PERFORMANCE; AND

(IV) TRANSIT AGENCY PROGRAMS SERVING DISPROPORTIONATELY IMPACTED COMMUNITIES, AS THAT TERM IS DEFINED IN SECTION 24-4-109 (2)(b)(II).

(b) THE GOVERNOR SHALL CONSIDER AND GIVE PREFERENCE TO INDIVIDUALS THAT HAVE EXPERIENCE AND A BACKGROUND IN MULTIPLE AREAS LISTED IN THIS SUBSECTION (2), BUT A MEMBER APPOINTED TO THE BOARD IN ACCORDANCE WITH

THIS SECTION IS NOT REQUIRED TO POSSESS EXPERTISE IN MORE THAN ONE AREA LISTED IN THIS SUBSECTION (2).

(3) (a) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION (3), THE REGULAR TERM OF OFFICE OF MEMBERS APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE SENATE IN ACCORDANCE WITH THIS SECTION IS FOUR YEARS. MEMBERS MAY SERVE UP TO TWO TERMS, WITH EACH TERM EXPIRING AFTER A MEMBER HAS SERVED FOR FOUR CONSECUTIVE CALENDAR YEARS. ANY TERM SERVED BY A MEMBER THAT LASTS FOR LESS THAN TWO YEARS DOES NOT COUNT TOWARD THE MEMBER'S TWO-TERM LIMIT.

(b) OF THE INITIALLY APPOINTED MEMBERS WHOSE TERMS BEGIN ON JANUARY 1, 2029, THE TWO MEMBERS APPOINTED AT THE GOVERNOR'S DISCRETION IN ACCORDANCE WITH SUBSECTION (1)(a)(III) OF THIS SECTION SERVE INITIAL TERMS OF TWO YEARS.

(4) (a) (I) BEGINNING IN 2028, NO FEWER THAN THIRTY DAYS BEFORE THE DAY OF THE NOVEMBER GENERAL ELECTION IN AN EVEN-NUMBERED YEAR, THE DENVER REGIONAL COUNCIL OF GOVERNMENTS SHALL PROVIDE THE GOVERNOR WITH A LIST OF NOMINEES FOR BOARD APPOINTMENTS, FROM WHICH THE GOVERNOR SHALL SELECT A MEMBER TO APPOINT TO THE BOARD PURSUANT TO SUBSECTION (1)(a)(I) OF THIS SECTION. THE LIST MUST CONTAIN AT LEAST THREE QUALIFIED NOMINEES. IF THE DENVER REGIONAL COUNCIL OF GOVERNMENTS FAILS TO PROVIDE A LIST WITHIN THE REQUIRED TIME FRAME, THE GOVERNOR MAY APPOINT A MEMBER TO THE BOARD AT THE GOVERNOR'S DISCRETION AND IN COMPLIANCE WITH THIS SECTION.

(II) WHEN SELECTING INDIVIDUALS FOR THE LIST OF NOMINEES, THE DENVER REGIONAL COUNCIL OF GOVERNMENTS SHALL:

(A) CONSIDER AND GIVE PREFERENCE TO INDIVIDUALS THAT HAVE EXPERIENCE AND A BACKGROUND IN MULTIPLE AREAS LISTED IN SUBSECTION (2)(a) OF THIS SECTION; AND

(B) MAKE REASONABLE EFFORTS TO ENSURE THAT THE NOMINEES REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE DISTRICT'S RIDERSHIP AND SERVICE AREA AND THAT THE NOMINEE LIST INCLUDES INDIVIDUALS FROM DIVERSE RACIAL, CULTURAL, DISABILITY, AND GENDER BACKGROUNDS AND INDIVIDUALS REPRESENTING BOTH URBAN AND SUBURBAN COMMUNITIES WITHIN THE DISTRICT.

(b) BEGINNING IN 2028, NO FEWER THAN THIRTY DAYS BEFORE THE DAY OF THE NOVEMBER GENERAL ELECTION IN AN EVEN-NUMBERED YEAR, THE UNION THAT REPRESENTS THE LARGEST COLLECTIVE BARGAINING UNIT OF EMPLOYEES OF THE DISTRICT SHALL PROVIDE THE GOVERNOR WITH A LIST OF AT LEAST THREE QUALIFIED NOMINEES FOR THE MEMBER APPOINTED IN ACCORDANCE WITH SUBSECTION (1)(a)(II) OF THIS SECTION.

(5) (a) IF THE SEAT OF A MEMBER THAT WAS APPOINTED IN ACCORDANCE WITH SUBSECTION (1)(a)(I) OF THIS SECTION IS VACANT, THE DENVER REGIONAL COUNCIL OF GOVERNMENTS SHALL, WITHIN SIXTY DAYS AFTER THE VACANCY OCCURS AND IN COMPLIANCE WITH SUBSECTION (4) OF THIS SECTION, PROVIDE THE GOVERNOR WITH A LIST OF AT LEAST THREE QUALIFIED NOMINEES FOR THE VACANT MEMBER SEAT.

THE GOVERNOR SHALL, WITHIN SIXTY DAYS AFTER RECEIVING THE LIST OR SIXTY DAYS AFTER THE VACANCY OCCURS, WHICHEVER IS LATER, APPOINT A MEMBER FROM THE LIST TO FILL THE VACANCY. IF THE DENVER REGIONAL COUNCIL OF GOVERNMENTS FAILS TO PROVIDE A LIST WITHIN THE REQUIRED TIME FRAME, THE GOVERNOR MAY APPOINT A MEMBER TO FILL THE VACANCY AT THE GOVERNOR'S DISCRETION AND IN COMPLIANCE WITH THIS SECTION.

(b) IF THE SEAT OF A MEMBER THAT WAS APPOINTED IN ACCORDANCE WITH SUBSECTION (1)(a)(II) OF THIS SECTION IS VACANT, THE UNION THAT REPRESENTS THE LARGEST COLLECTIVE BARGAINING UNIT OF EMPLOYEES OF THE DISTRICT SHALL, WITHIN SIXTY DAYS AFTER THE VACANCY OCCURS, PROVIDE THE GOVERNOR WITH A LIST OF AT LEAST THREE QUALIFIED NOMINEES FOR THE VACANT MEMBER SEAT. THE GOVERNOR MAY APPOINT A MEMBER TO FILL THE VACANCY IN COMPLIANCE WITH THIS SECTION.

(c) IF THE SEAT OF A MEMBER THAT WAS APPOINTED IN ACCORDANCE WITH SUBSECTION (1)(a)(III) OF THIS SECTION IS VACANT, THE GOVERNOR SHALL, WITHIN SIXTY DAYS AFTER THE VACANCY OCCURS, APPOINT A MEMBER TO FILL THE VACANCY AT THE GOVERNOR'S DISCRETION AND IN COMPLIANCE WITH THIS SECTION.

(d) THE TERM OF A MEMBER THAT FILLS A VACANCY IN ACCORDANCE WITH THIS SUBSECTION (5) EXPIRES WHEN THE TERM OF THE FORMER VACATING MEMBER WOULD HAVE EXPIRED.

(6) THE GOVERNOR MAY REMOVE A MEMBER APPOINTED IN ACCORDANCE WITH THIS SECTION FOR MALFEASANCE IN OFFICE, NEGLECT OF DUTY, FAILURE TO REGULARLY ATTEND MEETINGS, OR ANY OTHER CAUSE THAT RENDERS THE MEMBER INCAPABLE OR UNFIT TO DISCHARGE THE DUTIES OF THE BOARD. IF ANY MEMBER IS ABSENT FROM TWO CONSECUTIVE MEETINGS WITHOUT REASONABLE CAUSE, AS DETERMINED BY THE BOARD CHAIRPERSON, THE CHAIRPERSON SHALL NOTIFY THE GOVERNOR, WHO MAY REMOVE THE ABSENT MEMBER AND APPOINT A QUALIFIED REPLACEMENT FOR THE UNEXPIRED TERM.

(7) A PROSPECTIVE MEMBER TO BE APPOINTED IN ACCORDANCE WITH THIS SECTION SHALL DISCLOSE ANY POTENTIAL CONFLICTS OF INTEREST TO THE GOVERNOR AND THE RELEVANT SENATE COMMITTEE OF REFERENCE OF THE GENERAL ASSEMBLY PRIOR TO CONFIRMATION BY THE SENATE AND SHALL DISCLOSE ANY CONFLICTS THAT ARISE DURING THE MEMBER'S TERM AT A PUBLIC BOARD MEETING. FAILURE TO DISCLOSE A KNOWN CONFLICT OF INTEREST, OR TAKING ACTION ON A MATTER IN WHICH THE MEMBER HAS AN UNDISCLOSED CONFLICT OF INTEREST, CONSTITUTES CAUSE FOR REMOVAL BY THE GOVERNOR PURSUANT TO SUBSECTION (6) OF THIS SECTION.

SECTION 7. In Colorado Revised Statutes, 32-9-112, **amend** (1), (1.5), and (2) as follows:

32-9-112. Vacancies of elected members - appointments - recall.

(1) A change of residence of a member ~~of~~ ELECTED TO the board to a place outside the director district from which the member was elected ~~shall~~ automatically ~~create~~ CREATES a vacancy on the board. Upon a vacancy OF AN ELECTED MEMBER

occurring for any reason other than normal expiration of a term, the vacancy ~~shall~~ MUST be filled by appointment by the board of county commissioners of the county wherein the director district is located or, in the case of a member elected in Denver, by the mayor of the city and county of Denver, with the approval of the city council of said city and county. In the case of a director district which contains territory in two or more counties, or in the city and county of Denver and in one or more counties, the vacancy ~~shall~~ MUST be filled by appointment by the board of county commissioners of the county wherein the largest number of eligible electors of the director district reside; except that, if the largest number of eligible electors of the director district reside in the city and county of Denver, the vacancy ~~shall~~ MUST be filled by appointment by the mayor of the city and county of Denver, with the approval of the city council of the city and county.

(1.5) Any director appointed ~~shall serve~~ PURSUANT TO THIS SECTION SERVES until the next regular election, at which time the vacancy ~~shall~~ MUST be filled by election for any remaining unexpired portion of the term.

(2) Effective July 1, 1983, any ELECTED member of the board may be recalled from office by the eligible electors of the director district such member represents pursuant to the provisions of part 1 of article 12 of title 1. ~~C.R.S.~~

SECTION 8. In Colorado Revised Statutes, 32-9-114, **amend** (1)(c); and **add** (1)(c.5) and (2) as follows:

32-9-114. Board's administrative powers - terms of elected chairperson.

(1) The board has the following administrative powers:

(c) To elect one director as ~~chairman~~ CHAIRPERSON of the board; ~~and another director as chairman pro tem of the board, and to appoint one or more persons as secretary and treasurer of the board~~

(c.5) TO ELECT ONE DIRECTOR AS CHAIRPERSON PRO TEMPORE OF THE BOARD AND TO ELECT ONE OR MORE INDIVIDUALS AS SECRETARY AND TREASURER OF THE BOARD;

(2) A DIRECTOR ELECTED AS CHAIRPERSON PURSUANT TO SUBSECTION (1)(c) OF THIS SECTION MAY SERVE AS CHAIRPERSON FOR MULTIPLE TERMS.

SECTION 9. In Colorado Revised Statutes, 32-9-116, **amend** (3); and **add** (4) as follows:

32-9-116. Meetings of board.

(3) ~~Effective~~ ON AND AFTER January 1, 1983, BUT BEFORE JANUARY 1, 2029, any action of the board ~~shall require~~ REQUIRES the affirmative vote of at least eight members present and voting.

(4) ON AND AFTER JANUARY 1, 2029, ANY ACTION OF THE BOARD REQUIRES THE AFFIRMATIVE VOTE OF AT LEAST FIVE MEMBERS PRESENT AND VOTING.

SECTION 10. In Colorado Revised Statutes, 32-9-117, **amend** (1) and (2); and **add** (5) and (6) as follows:

32-9-117. Compensation of directors.

(1) ~~Except as otherwise provided in subsection (2) of this section,~~ Effective January 1, 1983, THROUGH DECEMBER 31, 2008, each director shall receive a sum of three thousand dollars per annum.

(2) Effective January 1, 2009, each director elected at the 2008 general election or at any general election ~~thereafter~~ OCCURRING AFTER 2008 BUT BEFORE 2028 and each director appointed to fill a vacancy for an unexpired term of a director elected at the 2008 general election or AT any GENERAL election ~~thereafter~~ OCCURRING AFTER 2008 BUT BEFORE 2028 shall receive a sum of twelve thousand dollars per annum, payable at the rate of one thousand dollars per month.

(5) EXCEPT AS PROVIDED IN SUBSECTION (6) OF THIS SECTION, EACH DIRECTOR WHOSE TERM BEGINS ON OR AFTER JANUARY 1, 2029, RECEIVES A SUM OF THIRTY-SIX THOUSAND DOLLARS PER ANNUM, PAYABLE AT THE RATE OF THREE THOUSAND DOLLARS PER MONTH.

(6) A DIRECTOR SELECTED TO SERVE AS CHAIRPERSON IN ACCORDANCE WITH SECTION 32-9-114 (1)(c) AT ANY TIME ON OR AFTER JANUARY 1, 2029, RECEIVES AN ANNUAL SUM, PAYABLE IN MONTHLY INSTALLMENTS, EQUAL TO ONE HUNDRED FIFTY PERCENT OF THE SALARY OF A DIRECTOR AS SPECIFIED IN SUBSECTION (5) OF THIS SECTION.

SECTION 11. In Colorado Revised Statutes, 32-9-109.5, **amend** (1), (2), (4) introductory portion, (4)(a), (4)(b), (4)(c), and (4)(d) as follows:

32-9-109.5. Board of directors - membership - powers - reports.

(1) (a) Effective BEGINNING January 1, 1983, AND ENDING DECEMBER 31, 2028, the governing body of the district ~~shall be~~ is a board of directors consisting of fifteen persons, each of whom is an eligible elector residing within ~~the~~ A director district.

(b) EFFECTIVE JANUARY 1, 2029, THE GOVERNING BODY OF THE DISTRICT IS A BOARD OF DIRECTORS CONSISTING OF NINE INDIVIDUALS AS FOLLOWS:

(I) FIVE ELIGIBLE ELECTORS RESIDING WITHIN A DIRECTOR DISTRICT, ELECTED AS PROVIDED IN SECTION 32-9-111; AND

(II) FOUR ELIGIBLE ELECTORS RESIDING WITHIN THE DISTRICT AND REPRESENTING THE DISTRICT AT LARGE, APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE SENATE IN ACCORDANCE WITH SECTION 32-9-111.5.

(2) (a) THE ELECTED members of the board of directors ~~shall~~ MUST be elected as provided in section 32-9-111.

(b) THE TERMS OF MEMBERS OF THE BOARD SERVING ON DECEMBER 31, 2028,

SHALL EXPIRE ON JANUARY 1, 2029, AND A NEW BOARD, CONSTITUTED PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION, SHALL TAKE OFFICE ON JANUARY 1, 2029.

(4) All powers, duties, functions, rights, and privileges vested in the district ~~shall be~~ ARE exercised and performed by the board; except that the exercise of any executive, administrative, or ministerial powers may be delegated by the board to officers and employees of the district. These powers, duties, functions, rights, and privileges include, in addition to any other powers and duties specified in this article 9:

(a) Setting policy objectives, INCLUDING POLICY OBJECTIVES THAT ARE DIRECTLY DESIGNED TO GROW RIDERSHIP WITHIN THE DISTRICT, to be implemented by employees of the district;

(b) Hiring, ~~and~~ managing, AND EVALUATING the district's general manager and chief executive officer BASED ON APPROPRIATE MEASURES OF PERFORMANCE ALIGNED WITH THE DISTRICT'S TEN-YEAR STRATEGIC PLAN SET FORTH IN SECTION 32-9-165 (1);

(c) HIRING, EVALUATING, AND overseeing the district's general counsel, AND ENSURING THAT THE DISTRICT'S GENERAL COUNSEL REPORTS DIRECTLY TO THE BOARD;

(d) Developing, adopting, and overseeing ~~the district's~~ A FISCALLY RESPONSIBLE budget FOR THE DISTRICT, including an annual capital budget with project costs and financing mechanisms;

SECTION 12. In Colorado Revised Statutes, **amend** 32-9-118 as follows:

32-9-118. Conflicts in interest prohibited.

(1) ~~No~~ A director, officer, employee, or agent of the district shall ~~be interested~~ NOT HAVE AN INTEREST in any contract or transaction with the district except in ~~his~~ AN official representative capacity.

(2) A DIRECTOR WHO HAS A PERSONAL OR PRIVATE INTEREST IN ANY MATTER PROPOSED OR PENDING BEFORE THE BOARD SHALL DISCLOSE SUCH INTEREST TO THE BOARD, SHALL NOT VOTE THEREON, AND SHALL REFRAIN FROM ATTEMPTING TO INFLUENCE THE DECISIONS OF THE OTHER DIRECTORS IN VOTING ON THE MATTER.

(3) A DIRECTOR WHO IS A CURRENT MEMBER OF THE UNION THAT REPRESENTS THE LARGEST COLLECTIVE BARGAINING UNIT OF EMPLOYEES OF THE DISTRICT SHALL RECUSE THEMSELF FROM ANY BOARD ACTION OR VOTE DIRECTLY CONCERNING COLLECTIVE BARGAINING, A LABOR AGREEMENT, OR THE TERMS AND CONDITIONS OF EMPLOYMENT OF THE BARGAINING UNIT REPRESENTED BY THE DIRECTOR.

SECTION 13. In Colorado Revised Statutes, 32-9-119.7, **add** (13) as follows:

32-9-119.7. Cost efficiency of transit services - climate goals - employee retention goals - subregional service council coordination - reporting - plans - definition - repeal.

(13) (a) ON AND AFTER JANUARY 1, 2027, TO SUPPORT THE SUBREGIONAL SERVICE COUNCILS CREATED BY THE DISTRICT, THE DISTRICT SHALL:

(I) PROVIDE DEDICATED STAFF TO CO-CHAIR AND SUPPORT EACH SUBREGIONAL SERVICE COUNCIL; AND

(II) WORK WITH SUBREGIONAL SERVICE COUNCIL MEMBERS TO IDENTIFY A LOCAL LEADER TO CO-CHAIR EACH SUBREGIONAL SERVICE COUNCIL.

(b) ON AND AFTER JULY 1, 2028, THE SUBREGIONAL SERVICE COUNCILS SHALL MAKE RECOMMENDATIONS TO THE BOARD ON:

(I) ALIGNING DISTRICT TRANSIT SERVICES WITH LOCAL AND REGIONAL PLANS;

(II) IMPLEMENTING JOINT PROJECTS TO ADDRESS SERVICE GAPS;

(III) LEVERAGING EXISTING INTERGOVERNMENTAL AGREEMENTS AND PROJECTS FOR EXPANDED SERVICE DELIVERY;

(IV) IDENTIFYING STRATEGIES TO EXPAND FUNDING; AND

(V) CONSIDERATIONS OF EQUITY, RIDERSHIP, DEMAND, AND LONG-TERM REGIONAL GROWTH.

(c) THE BOARD SHALL MEET AT LEAST TWICE PER YEAR TO RECEIVE RECOMMENDATIONS FROM THE SUBREGIONAL SERVICE COUNCILS AS DESCRIBED IN SUBSECTION (13)(b) OF THIS SECTION.

(d) ANNUALLY BEGINNING IN 2028, THE DISTRICT SHALL REPORT TO THE TRANSPORTATION LEGISLATION REVIEW COMMITTEE CREATED IN SECTION 43-2-145 (1)(a) AND TO A JOINT MEETING OF THE HOUSE OF REPRESENTATIVES TRANSPORTATION, HOUSING, AND LOCAL GOVERNMENT COMMITTEE AND THE SENATE TRANSPORTATION AND ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, ON THE SUBREGIONAL SERVICE COUNCIL RECOMMENDATIONS AND THE DISTRICT'S RESPONSES THERETO.

SECTION 14. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 26, 2026