

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

DRAFT
9/12/23

Bill 2

LLS NO. 24-0245.01 Jason Gelender x4330

INTERIM COMMITTEE BILL

Transportation Legislation Review Committee

BILL TOPIC: Front Range Passenger Rail District Efficiency

A BILL FOR AN ACT

101 **CONCERNING THE OPERATIONAL EFFICIENCY OF THE FRONT RANGE**
102 **PASSENGER RAIL DISTRICT.**

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://leg.colorado.gov/>.)

Transportation Legislation Review Committee. To improve the operational efficiency of the front range passenger rail district (district):

- **Section 1** of the bill replaces the requirement that the board of the district (board) hold annual joint meetings with the transportation commission, the board of directors of the I-70 coalition or any successor entity, and the board of

*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.*

directors of the regional transportation district with a requirement that the board provide an annual update, which may be provided by district staff and may be provided electronically, to each of those entities;

- **Section 2** eliminates the requirement that board directors appointed by transportation planning organizations be confirmed by the senate;
- **Section 3** establishes that the board exercises its powers by a majority vote of a quorum of its voting directors rather than a majority vote of a quorum of its total membership and allows the board to delegate to its officers and employees the power to enter into routine contracts for day-to-day administration of the district.

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

2 **SECTION 1.** In Colorado Revised Statutes, 32-22-103, **amend**
3 (2)(d), (2)(e), and (2)(f) as follows:

4 **32-22-103. Front range passenger rail district - creation -**
5 **purpose - boundaries.** (2) The purpose of the district is to research,
6 develop, construct, operate, and maintain an interconnected passenger rail
7 system within the front range that is competitive in terms of travel time
8 for comparable trips with other modes of surface transportation. In
9 addition to a main North-South passenger rail line, the district shall, as
10 specified in this article 22:

11 (d) Coordinate with the department of transportation to ensure that
12 any district front range passenger rail system is well-integrated into the
13 state's multimodal transportation system and does not impair the
14 efficiency or safety of or otherwise adversely affect existing
15 transportation infrastructure or operations and ~~hold at least one joint~~
16 ~~meeting annually of the board and~~ PROVIDE AN ANNUAL UPDATE, WHICH
17 MAY BE PROVIDED BY DISTRICT STAFF AND MAY BE PROVIDED
18 ELECTRONICALLY, TO the transportation commission created in section

1 43-1-106 (1);

2 (e) ~~Hold at least one joint meeting annually of the board and~~
3 PROVIDE AN ANNUAL UPDATE, WHICH MAY BE PROVIDED BY DISTRICT
4 STAFF AND MAY BE PROVIDED ELECTRONICALLY, TO the board of directors
5 of the I-70 coalition, or a successor entity of the coalition, to ensure that
6 any district front range passenger rail system interconnects with any
7 passenger rail system that serves the interstate highway 70 mountain
8 corridor; and

9 (f) ~~Hold at least one joint meeting annually of the board and~~
10 PROVIDE AN ANNUAL UPDATE, WHICH MAY BE PROVIDED BY DISTRICT
11 STAFF AND MAY BE PROVIDED ELECTRONICALLY, TO the board of directors
12 of the regional transportation district ~~to discuss and resolve~~ REGARDING
13 operational and interconnectivity issues.

14 **SECTION 2.** In Colorado Revised Statutes, 32-22-104, **amend**
15 (1)(b)(I) introductory portion and (1)(b)(II) as follows:

16 **32-22-104. Board of directors - appointment - meetings -**
17 **compensation - conflicts of interest.** (1) The district is governed by a
18 board of directors, all of whom shall represent the residents of the district,
19 which consists of:

20 (b) (I) Subject to the requirements of subsection (1)(b)(II) of this
21 section, ten directors appointed ~~subject to senate confirmation~~ by
22 metropolitan planning organizations and rural transportation planning
23 organizations that conduct transportation planning for state transportation
24 planning regions that include territory of the district as follows:

25 (II) A director appointed by a metropolitan planning organization
26 or a council of governments pursuant to subsection (1)(b)(I) of this
27 section must be or must have been an appointed representative to the

1 board of directors of the appointing authority and must represent or must
2 have represented a member local government of the appointing authority
3 that is wholly or partly included within the district. When appointing such
4 a director, only members of the board of directors of the appointing
5 authority who represent a member local government of the appointing
6 authority that is wholly or partly included within the district may vote on
7 the appointment. The appointing authorities for such directors shall make
8 initial appointments no later than March 1, 2022. ~~and the initial directors~~
9 ~~appointed may act as directors pending their confirmation by the senate.~~
10 Directors are appointed for four-year terms; except that the initial terms
11 of two of the directors appointed pursuant to subsection (1)(b)(I)(A) of
12 this section, one of the directors appointed by each metropolitan planning
13 organization pursuant to subsection (1)(b)(I)(B) of this section, and the
14 director appointed pursuant to subsection (1)(b)(I)(D) of this section are
15 two years. By a two-thirds vote of its members, the senate may remove
16 any member of the board appointed pursuant to subsection (1)(a) of this
17 section or this subsection (1)(b) for cause.

18 **SECTION 3.** In Colorado Revised Statutes, 32-22-105, **amend**
19 (1)(a) introductory portion and (1)(a)(VIII) as follows:

20 **32-22-105. Board of directors - powers and duties.**

21 (1) (a) Except as otherwise specifically provided in this article 22, the
22 board, acting by a majority vote of a quorum of its ~~total membership,~~
23 VOTING DIRECTORS shall exercise and perform all powers, privileges, and
24 duties vested in or imposed upon the district pursuant to this article 22.
25 The board may delegate any of its powers to its officers and employees;
26 except that, to ensure that the public interest is represented in policy
27 decisions, the board shall not delegate any of the following:

1 (VIII) The power to enter into contracts on behalf of the district,
2 including but not limited to intergovernmental agreements and contracts
3 for public-private partnerships, OTHER THAN ROUTINE CONTRACTS FOR
4 DAY-TO-DAY ADMINISTRATION OF THE DISTRICT.

5 **SECTION 4. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly; except
8 that, if a referendum petition is filed pursuant to section 1 (3) of article V
9 of the state constitution against this act or an item, section, or part of this
10 act within such period, then the act, item, section, or part will not take
11 effect unless approved by the people at the general election to be held in
12 November 2024 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.