

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

DRAFT
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BILL 2

LLS NO. 25-0231.02 Sarah Lozano x3858

INTERIM COMMITTEE BILL

Transportation Legislation Review Committee

BILL TOPIC: Increase Transp Mode Choice Reduce Emissions

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO INCREASE TRANSPORTATION MODE**
102 **CHOICE TO REDUCE EMISSIONS.**

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. The bill requires the department of transportation (department), no later than October 31, 2025, to present a statewide mode choice assessment to the transportation legislation review committee, the transportation commission, and the Colorado energy office, which assessment must include recommendations for targets for 2030, 2035, 2040, 2045, and

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

2050 for the department, metropolitan planning organizations, and transit providers that provide public transit to a population of 100,000 individuals or more (subject transit provider) for the share of total trips within a specified geographic area completed using certain transportation methods (mode choice targets).

No later than June 1, 2026, using certain criteria, the department must adopt rules establishing mode choice targets. The department must reassess the mode choice targets before each statewide plan development cycle.

No later than October 31, 2026, and every 3 years thereafter, the department, in coordination with the metropolitan planning organizations, must present a report to the transportation legislation review committee that provides certain information about the mode choice targets and the entities' plans to implement the mode choice targets (mode choice implementation plans).

No later than December 31, 2026, and every 5 years thereafter, the department, metropolitan planning organizations, subject transit providers, and local governments with a population of 25,000 individuals or more must each prepare a mode choice implementation plan, which must include certain information about the mode choice targets, a multimodal transportation gaps summary, and an analysis of certain projected greenhouse gas emissions.

The bill also allows:

- The nonattainment area air pollution mitigation enterprise to award grants for the development of mode choice implementation plans; and
- The multimodal transportation options fund to be used for the development of mode choice implementation plans.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 43-1-138 as
3 follows:

4 **43-1-138. Mode choice targets - mode choice implementation**
5 **plans - grants - report - rules - definitions.** (1) AS USED IN THIS
6 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE
8 MEANING SET FORTH IN SECTION 24-4-109 (2)(b)(II).

9 (b) "MODE CHOICE TARGET" MEANS THE SHARE OF TOTAL TRIPS

1 WITHIN A SPECIFIED GEOGRAPHIC AREA COMPLETED USING BIKING,
2 CARPOOLING, PUBLIC TRANSIT, SINGLE-OCCUPANCY VEHICLES, OR
3 WALKING.

4 (c) "SUBJECT LOCAL GOVERNMENT" MEANS A HOME RULE OR
5 STATUTORY CITY, COUNTY, OR CITY AND COUNTY WITHIN THE
6 JURISDICTION OF A METROPOLITAN PLANNING ORGANIZATION WITH A
7 POPULATION OF TWENTY-FIVE THOUSAND INDIVIDUALS OR MORE.

8 (d) "SUBJECT TRANSIT PROVIDER" MEANS A LOCAL OR REGIONAL
9 TRANSPORTATION DISTRICT OR REGIONAL TRANSPORTATION AUTHORITY
10 PROVIDING PUBLIC TRANSIT TO A POPULATION OF ONE HUNDRED
11 THOUSAND INDIVIDUALS OR MORE.

12 (2) (a) NO LATER THAN OCTOBER 31, 2025, THE DEPARTMENT
13 SHALL PRESENT A STATEWIDE MODE CHOICE ASSESSMENT THAT INCLUDES
14 RECOMMENDATIONS FOR MODE CHOICE TARGETS FOR THE DEPARTMENT,
15 METROPOLITAN PLANNING ORGANIZATIONS, AND SUBJECT TRANSIT
16 PROVIDERS FOR 2030, 2035, 2040, 2045, AND 2050 TO THE
17 TRANSPORTATION LEGISLATION REVIEW COMMITTEE CREATED IN SECTION
18 43-2-145 (1)(a), THE COMMISSION, AND THE COLORADO ENERGY OFFICE
19 CREATED IN SECTION 24-38.5-101 (1).

20 (b) NO LATER THAN JUNE 1, 2026, THE DEPARTMENT SHALL ADOPT
21 RULES ESTABLISHING MODE CHOICE TARGETS FOR THE DEPARTMENT,
22 METROPOLITAN PLANNING ORGANIZATIONS, AND SUBJECT TRANSIT
23 PROVIDERS FOR 2030, 2035, 2040, 2045, AND 2050. IN ESTABLISHING THE
24 MODE CHOICE TARGETS, THE DEPARTMENT SHALL CONSIDER THE
25 FOLLOWING CRITERIA:

- 26 (I) CURRENT MODE SHARE;
- 27 (II) POPULATION AND JOB DENSITY;

1 (III) CURRENT AND PROJECTED POPULATION AND JOB GROWTH;
2 (IV) TRANSIT PROPENSITY; AND
3 (V) OTHER RELEVANT CRITERIA DETERMINED BY THE
4 DEPARTMENT.

5 (c) THE DEPARTMENT SHALL ESTABLISH THE MODE CHOICE
6 TARGETS TO:

7 (I) IN CONJUNCTION WITH OTHER STRATEGIES, ADDRESS:

8 (A) THE GAP IN MEETING THE 2030 GREENHOUSE GAS EMISSION
9 REDUCTION TARGET FOR THE TRANSPORTATION SECTOR ESTABLISHED BY
10 THE AIR QUALITY CONTROL COMMISSION BY RULE; AND

11 (B) THE TRANSPORTATION SECTOR'S PORTION OF THE STATEWIDE
12 GREENHOUSE GAS EMISSION REDUCTION TARGETS FOR 2035, 2040, 2045,
13 AND 2050 DESCRIBED IN SECTION 25-7-102 (2)(g);

14 (II) REDUCE THE TRANSPORTATION COST BURDEN FOR
15 INCOME-QUALIFIED COLORADANS BY IMPROVING ACCESS TO AFFORDABLE
16 TRANSPORTATION OPTIONS, INCLUDING IN DISPROPORTIONATELY
17 IMPACTED COMMUNITIES;

18 (III) IMPROVE MOBILITY AND ACCESS TO JOBS AND SERVICES FOR
19 COLORADANS WHO ARE UNABLE TO DRIVE OR DO NOT HAVE ACCESS TO A
20 VEHICLE; AND

21 (IV) IMPROVE SAFETY FOR VULNERABLE ROAD USERS.

22 (d) THE DEPARTMENT SHALL REASSESS THE MODE CHOICE
23 TARGETS BEFORE EACH STATEWIDE PLAN DEVELOPMENT CYCLE PURSUANT
24 TO SECTION 43-1-1103.

25 (e) THE DEPARTMENT MAY CONSIDER INCLUDING ADDITIONAL
26 TARGETS TO INCREASE MODE CHOICE THROUGH LAND USE STRATEGIES
27 THAT PLACE HOUSING CLOSER TO JOBS, PUBLIC TRANSIT, SERVICES, AND

1 OTHER DESTINATIONS.

2 (f) LOCAL GOVERNMENTS AND LOCAL OR REGIONAL
3 TRANSPORTATION DISTRICTS AND REGIONAL TRANSPORTATION
4 AUTHORITIES THAT ARE NOT SUBJECT TRANSIT PROVIDERS MAY
5 COORDINATE WITH THE DEPARTMENT TO ESTABLISH MODE CHOICE
6 TARGETS FOR THE APPLICABLE ENTITY'S AREA.

7 (g) NO LATER THAN OCTOBER 31, 2026, AND EVERY THREE YEARS
8 THEREAFTER, THE DEPARTMENT, IN COORDINATION WITH THE
9 METROPOLITAN PLANNING ORGANIZATIONS, SHALL PRESENT A REPORT TO
10 THE TRANSPORTATION LEGISLATION REVIEW COMMITTEE THAT PROVIDES:

11 (I) THE MODE CHOICE TARGETS FOR THE DEPARTMENT,
12 METROPOLITAN PLANNING ORGANIZATIONS, SUBJECT TRANSIT PROVIDERS,
13 AND OTHER ENTITIES THAT HAVE ESTABLISHED MODE CHOICE TARGETS
14 PURSUANT TO SUBSECTION (2)(f) OF THIS SECTION;

15 (II) A SUMMARY OF THE MODELING USED TO DEVELOP THE MODE
16 CHOICE TARGETS;

17 (III) AN ANALYSIS OF THE PROGRESS TOWARD MEETING THE MODE
18 CHOICE TARGETS; AND

19 (IV) A SUMMARY OF THE MODE CHOICE IMPLEMENTATION PLANS
20 THAT HAVE BEEN PREPARED PURSUANT TO SUBSECTION (3)(a) OF THIS
21 SECTION.

22 (h) THE DEPARTMENT, METROPOLITAN PLANNING ORGANIZATIONS,
23 SUBJECT TRANSIT PROVIDERS, AND OTHER ENTITIES THAT HAVE
24 ESTABLISHED MODE CHOICE TARGETS PURSUANT TO SUBSECTION (2)(f) OF
25 THIS SECTION SHALL USE THE APPLICABLE ENTITY'S MODE CHOICE
26 TARGETS TO INFORM STATE AND REGIONAL TRANSPORTATION PLANS,
27 TRANSPORTATION IMPROVEMENT PROGRAMS, AND TRANSIT SERVICE

1 PLANS.

2 (3) (a) NO LATER THAN DECEMBER 31, 2026, AND EVERY FIVE
3 YEARS THEREAFTER, THE DEPARTMENT AND EACH METROPOLITAN
4 PLANNING ORGANIZATION, SUBJECT TRANSIT PROVIDER, AND SUBJECT
5 LOCAL GOVERNMENT SHALL PREPARE A MODE CHOICE IMPLEMENTATION
6 PLAN, WHICH MUST INCLUDE, AT A MINIMUM:

7 (I) IF APPLICABLE, THE APPLICABLE ENTITY'S MODE CHOICE
8 TARGETS ESTABLISHED BY THE DEPARTMENT PURSUANT TO SUBSECTION
9 (2)(b) OF THIS SECTION AND A DESCRIPTION OF THE APPLICABLE ENTITY'S
10 CURRENT AND FUTURE POLICIES AND PROGRAMS DESIGNED TO MEET THE
11 MODE CHOICE TARGETS, INCLUDING IMPLEMENTATION TIMELINES FOR THE
12 POLICIES AND PROGRAMS;

13 (II) A MULTIMODAL TRANSPORTATION GAPS SUMMARY THAT
14 DESCRIBES THE APPLICABLE ENTITY'S CURRENT MULTIMODAL
15 TRANSPORTATION NETWORK; THE GAPS IN PEDESTRIAN, BICYCLE, AND
16 TRANSIT NETWORKS; AND A LIST OF PROPOSED PROJECTS TO FILL THE GAPS,
17 INCLUDING ESTIMATED COSTS OF THE PROPOSED PROJECTS;

18 (III) USING THE DEPARTMENT'S POLICY DIRECTIVE CONCERNING
19 GREENHOUSE GAS MITIGATION MEASURES, EFFECTIVE MAY 19, 2022, AN
20 ANALYSIS OF PROJECTED GREENHOUSE GAS EMISSION REDUCTIONS
21 RESULTING FROM THE PROPOSED PROJECTS DESCRIBED IN SUBSECTION
22 (3)(a)(II) OF THIS SECTION AND, IF APPLICABLE, FROM THE POLICIES AND
23 PROGRAMS DESCRIBED IN SUBSECTION (3)(a)(I) OF THIS SECTION; AND

24 (IV) OTHER REQUIREMENTS DETERMINED BY THE DEPARTMENT BY
25 RULE.

26 (b) THE DEPARTMENT SHALL POST THE MODE CHOICE
27 IMPLEMENTATION PLANS ON THE DEPARTMENT'S WEBSITE.

1 (c) THE NONATTAINMENT AREA AIR POLLUTION MITIGATION
2 ENTERPRISE CREATED IN SECTION 43-4-1303 (1) MAY AWARD GRANTS
3 PURSUANT TO SECTION 43-4-1303 (9) TO METROPOLITAN PLANNING
4 ORGANIZATIONS, SUBJECT TRANSIT PROVIDERS, AND SUBJECT LOCAL
5 GOVERNMENTS THAT QUALIFY AS AN ELIGIBLE ENTITY PURSUANT TO
6 SECTION 43-4-1302 (9) FOR THE DEVELOPMENT OF MODE CHOICE
7 IMPLEMENTATION PLANS.

8 **SECTION 2.** In Colorado Revised Statutes, 43-4-1102, **amend**
9 (5) as follows:

10 **43-4-1102. Definitions.** As used in this part 11, unless the context
11 otherwise requires:

12 (5) "Multimodal projects" means capital or operating costs for
13 fixed route and on-demand transit, transportation demand management
14 programs, THE PREPARATION OF MODE CHOICE IMPLEMENTATION PLANS
15 PURSUANT TO SECTION 43-1-138 (3)(a), multimodal mobility projects
16 enabled by new technology, multimodal transportation studies, modeling
17 tools, greenhouse gas mitigation projects, and bicycle or pedestrian
18 projects.

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

