

CHAPTER 43

PUBLIC UTILITIES

HOUSE BILL 96-1059

BY REPRESENTATIVES Musgrave and Reeser;
also SENATORS Alexander and Tebedo.

AN ACT

CONCERNING THE INCLUSION OF PERSONS PROVIDING TRANSPORTATION BY RAILROAD WITHIN THE DEFINITION OF "COMMON CARRIER" UNDER THE "PUBLIC UTILITIES LAW".

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

SECTION 1. 40-1-102 (3), Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended to read:

40-1-102. Definitions. As used in articles 1 to 7 of this title, unless the context otherwise requires:

(3) (a) "Common carrier" means:

(I) Every person directly or indirectly affording a means of transportation, or any service or facility in connection therewith, within this state by ~~railroad~~, motor vehicle, aircraft, or other vehicle whatever by indiscriminately accepting and carrying for compensation passengers between fixed points or over established routes or otherwise and includes lessees, trustees, or receivers thereof, whether appointed by a court or otherwise; ~~except that~~ AND

(II) EVERY PERSON AFFORDING A MEANS OF TRANSPORTATION WITHIN THIS STATE BY RAILROAD BY INDISCRIMINATELY ACCEPTING AND CARRYING FOR COMPENSATION PASSENGERS OR PROPERTY.

(b) "Common carrier" does not include a ridesharing arrangement, as defined in section 10-4-707.5 (2), C.R.S., or a motor vehicle carrier exempt from regulation as a public utility, as defined in section 40-16-101 (4).

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. 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: April 8, 1996