

CHAPTER 239

GOVERNMENT - SPECIAL DISTRICTS

HOUSE BILL 99-1030

BY REPRESENTATIVES Allen, Clapp, Dean, Fairbank, Gotlieb, Hefley, Kester, Larson, Lawrence, Lee, May, McElhany, McKay, Mitchell, Nunez, Paschall, Pfiffner, Scott, Spence, Stengel, Webster, and Young;
also SENATORS Powers, Andrews, Congrove, Hillman, Musgrave, and Teck.

AN ACT

CONCERNING THE INCREASE OF THE PRIVATIZATION OF THE REGIONAL TRANSPORTATION DISTRICT'S BUS SERVICE OPERATIONS TO THIRTY-FIVE PERCENT.

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

SECTION 1. 32-9-119.5 (2) (a), (2) (d) (X), and (3) (a), Colorado Revised Statutes, are amended to read:

32-9-119.5. Competition to provide bus service within the regional transportation district. (2) (a) The district shall implement a system whereby at least ~~twenty~~ THIRTY-FIVE percent of the bus service determined by the district to be in the public interest shall be provided by qualified private businesses pursuant to competitively negotiated contracts.

(d) By October 31, 1988, the district shall prepare a standard form of agreement to provide bus services. Such contract shall include:

~~(X) An initial term of up to three years, with options for the provider to extend the contract for a total of up to five years, unless the district and the provider shall mutually agree to a lesser initial term or extension; and~~ THE TERM OF THE AGREEMENT, WHICH SHALL BE AS FOLLOWS:

(A) FOR ANY AGREEMENT UNDER WHICH THE DISTRICT SHALL SUPPLY VEHICLES FOR USE BY THE PROVIDER AND IF SUCH VEHICLES HAVE BEEN FINANCED UNDER ANY SECTION OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, THAT PROVIDES TAX-FREE STATUS FOR SUCH VEHICLES, A TERM OF NOT MORE THAN THREE YEARS, INCLUDING ANY RENEWAL OPTIONS;

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(B) FOR ANY AGREEMENT UNDER WHICH THE DISTRICT SHALL SUPPLY VEHICLES FOR USE BY THE PROVIDER AND IF SUCH VEHICLES HAVE NOT BEEN FINANCED UNDER ANY SECTION OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, THAT PROVIDES TAX-FREE STATUS FOR SUCH VEHICLES, A TERM OF NOT MORE THAN FIVE YEARS, INCLUDING ANY RENEWAL OPTIONS; OR

(C) FOR ANY AGREEMENT UNDER WHICH THE PROVIDER SHALL SUPPLY ITS OWN VEHICLES, A TERM OF YEARS AS NEGOTIATED BY THE DISTRICT AND THE PROVIDER; AND

(3) (a) Subject to the requirements of the federal "Urban Mass Transportation Act of 1964", as amended, by March 31, ~~1989~~ 2000, the district shall request proposals from private providers to provide at least ~~twenty~~ THIRTY-FIVE percent of the bus service of the district as measured by vehicle hours. The district's decision as to which bus service routes shall be subject to requests for proposals shall be representative of the district's total bus service operations; except that each individual request for proposals may designate one type of bus service provided by the district. Service provided by private businesses pursuant to this section shall be accomplished through attrition of the district's full-time employees. No layoffs shall occur solely as a result of the implementation of this section.

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: May 28, 1999