

CHAPTER 338

TRANSPORTATION

SENATE BILL 99-040

BY SENATORS Thiebaut, Blickensderfer, Chlouber, Congrove, Epps, Feeley, Matsunaka, Perlmutter, Phillips, Powers, Sullivan, Teck, and Weddig;
also REPRESENTATIVES Smith, Alexander, Decker, George, Gotlieb, Kaufman, Mace, May, Ragsdale, Scott, Stengel, Swenson, and Taylor.

AN ACT

CONCERNING A STATEWIDE TRANSPORTATION POLICY, AND, IN CONNECTION THEREWITH, DEVELOPING IMPROVED INTRASTATE COMMERCIAL AIR SERVICE IN COLORADO.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds, determines, and declares that:

(a) The health, safety, and welfare of the people of the state are dependent upon the continued existence and expansion of intrastate commercial air service in this state;

(b) There are many unique factors that necessitate intrastate commercial air service in Colorado, such as the seasonal demand for air service and the significant distances and extreme road travel conditions from the state's outlying areas to major airports such as Denver international airport and the Colorado Springs airport;

(c) The availability of intrastate commercial air service is crucial to the economic livelihood of the state's outlying communities;

(d) Safety improvements at existing rural airports would enhance the available infrastructure and increase the reliability of the intrastate air transportation system;

(e) Aviation, including intrastate commercial air service, should be included as part of an integrated statewide transportation system;

(f) The state's airport and airway system is inadequate to meet the current and

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

projected growth in intrastate commercial air service; and

(g) Substantial expansion and improvement of the state's airport and airway system is required to meet the demands of intrastate commercial air service.

SECTION 2. 43-1-106 (8) (e), Colorado Revised Statutes, is amended to read:

43-1-106. Transportation commission - powers and duties. (8) In addition to all other powers and duties imposed upon it by law, the commission has the following powers and duties:

(e) To advise and make recommendations to the governor and the general assembly relative to the transportation policy of the state AND, TO ACHIEVE THESE ENDS, FORMULATE AND RECOMMEND FOR APPROVAL A STATEWIDE TRANSPORTATION POLICY TO THE GOVERNOR AND THE GENERAL ASSEMBLY WITHIN ONE YEAR AFTER THE ENACTMENT OF THIS PARAGRAPH (e). IN FORMULATING THE POLICY THE COMMISSION SHALL TAKE INTO CONSIDERATION, BUT SHALL NOT BE LIMITED TO, THE FOLLOWING FACTORS:

(I) THE COORDINATED DEVELOPMENT AND IMPROVEMENT OF ALL MODES OF TRANSPORTATION AS DEVELOPED PURSUANT TO SECTION 43-1-1103; AND

(II) THE COORDINATION OF RECOMMENDATIONS MADE UNDER THIS PARAGRAPH (e) RELATING TO AIRPORT AND INTRASTATE COMMERCIAL AIR SERVICE WITH ALL OTHER RECOMMENDATIONS TO THE GOVERNOR AND THE GENERAL ASSEMBLY FOR THE DEVELOPMENT AND IMPROVEMENT OF THE STATEWIDE TRANSPORTATION SYSTEM.

SECTION 3. 32-9-103 (6.5), Colorado Revised Statutes, is amended to read:

32-9-103. Definitions. As used in this article, unless the context otherwise requires:

(6.5) "Fixed guideway mass transit system" means any public transportation system ~~which~~ THAT utilizes and occupies a separate right-of-way or rail for the exclusive use of public transportation service. No such system shall intersect any road or street with an average daily traffic count of twenty thousand OR GREATER at grade unless the municipality or county having jurisdiction over such road or street specifically requests an at grade crossing.

SECTION 4. 32-9-103 (7) (a), Colorado Revised Statutes, is amended to read:

32-9-103. Definitions. As used in this article, unless the context otherwise requires:

(7) (a) "Mass transportation system" or "system" means any system of the district or any other system, the owner or operator of which contracts with the district for the provision of transportation services, ~~which~~ THAT transports the general public by bus, rail, ~~air~~; or any other means of SURFACE conveyance or any combination thereof, within the district.

SECTION 5. 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: June 4, 1999