

CHAPTER 71

TRANSPORTATION

SENATE BILL 06-093

BY SENATOR(S) Tupa, Groff, Jones, and Spence;
also REPRESENTATIVE(S) Madden, Cadman, Decker, Hefley, Knoedler, Lindstrom, Schultheis, Stafford, Crane, Green, Liston,
Lundberg, Todd, Berens, Cloer, Coleman, Kerr, Marshall, McFadyen, Plant, and Sullivan.

AN ACT**CONCERNING PROPERTY USED FOR PARKING RELATED TO SERVICES PROVIDED BY THE REGIONAL
TRANSPORTATION DISTRICT.**

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

SECTION 1. Article 9 of title 32, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

32-9-119.9. Limited authority to charge fees for parking - reserved parking spaces. (1) (a) THE DISTRICT MAY CHARGE A PARKING FEE TO THE OWNER OF A MOTOR VEHICLE WHO PARKS THE VEHICLE OR ALLOWS THE VEHICLE TO BE PARKED AT A PARK-N-RIDE LOT OR ANY OTHER PARKING LOT OR STRUCTURE OWNED OR LEASED BY THE DISTRICT IF THE AVERAGE USAGE RATE OF SUCH PARKING FACILITY IS MORE THAN FIFTY PERCENT OF CAPACITY AND IF THE VEHICLE IS:

- (I) REGISTERED AT AN ADDRESS OUTSIDE THE DISTRICT; OR
- (II) LEFT IN THE PARKING FACILITY FOR MORE THAN TWENTY-FOUR HOURS.

(b) THE DISTRICT SHALL NOT CHARGE A PARKING FEE AT ANY PARKING FACILITY PURSUANT TO THIS SUBSECTION (1) UNTIL IT HAS POSTED SIGNS WARNING OF THE PARKING FEE TO BE IMPOSED PURSUANT TO THIS SUBSECTION (1) AT ALL ENTRANCES AND EXITS TO THE PARKING FACILITY FOR AT LEAST SIX MONTHS. THE WARNING SIGNS SHALL REMAIN IN PLACE SO LONG AS THE DISTRICT CHARGES A PARKING FEE AT THE PARKING FACILITY.

(c) THE DISTRICT SHALL BE PROHIBITED FROM REQUIRING AN INDIVIDUAL TO GIVE ANY TYPE OF PERSONAL INFORMATION, INCLUDING, BUT NOT LIMITED TO, ANY

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

MOTOR VEHICLE REGISTRATION OR DRIVER'S LICENSE INFORMATION, IN FURTHERANCE OF THE ADMINISTRATION AND ENFORCEMENT OF THE PARKING FEE IMPOSED PURSUANT TO THIS SUBSECTION (1), BUT AN INDIVIDUAL MAY ELECT TO PROVIDE SUCH INFORMATION TO THE DISTRICT TO PROVE THAT HE OR SHE IS A RESIDENT OF THE DISTRICT.

(d) EXCEPT AS OTHERWISE PROVIDED BY THIS SUBSECTION (1), THE DISTRICT SHALL NOT CHARGE A PERSON ANY TYPE OF FEE, REGARDLESS OF WHAT IT MAY BE CALLED, TO PARK AT A PARK-N-RIDE LOT OR ANY OTHER PARKING LOT OR STRUCTURE OWNED, LEASED, OR USED BY THE DISTRICT.

(2) NO PARK-N-RIDE LOT OR OTHER PARKING LOT OR STRUCTURE OWNED, LEASED, OR USED BY THE DISTRICT SHALL PROVIDE ANY RESERVED PARKING SPACES, OTHER THAN FOR HANDICAPPED-DESIGNATED OR AUTHORIZED EMERGENCY VEHICLES, AS SUCH TERM IS DEFINED IN SECTION 42-1-102 (6), C.R.S. THIS SUBSECTION (2) SHALL NOT APPLY TO PARKING FACILITIES THAT ARE MAINTAINED BY THE DISTRICT FOR THE USE OF ITS EMPLOYEES OR MEMBERS OF THE BOARD.

(3) THIS SECTION SHALL NOT APPLY TO A PARKING FACILITY FOR WHICH A LEASE WAS ENTERED INTO BY THE DISTRICT PRIOR TO JANUARY 1, 2006, OR A PARKING FACILITY WHERE THE DISTRICT CHARGED FOR PARKING PRIOR TO JANUARY 1, 2006.

(4) THE BOARD MAY ESTABLISH REASONABLE RULES CONCERNING THE ADMINISTRATION AND ENFORCEMENT OF THIS SECTION.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution (August 9, 2006, if adjournment sine die is on May 10, 2006); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 31, 2006