

HOUSE COMMITTEE OF REFERENCE REPORT

March 11, 2020

Chair of Committee

Date

Committee on Transportation & Local Government.

After consideration on the merits, the Committee recommends the following:

HB20-1151 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, line 14, strike "AUTHORITY," and substitute
- 2 "AUTHORITY, AS MAY BE CHANGED IN THE MANNER PROVIDED IN SECTION
- 3 43-4-605 (2),".

- 4 Page 2, line 20, strike "43-4-622." and substitute "43-4-622, AS MAY BE
- 5 CHANGED IN THE MANNER PROVIDED IN SECTION 43-4-605 (2).".

- 6 Page 4, line 13, after "contract" insert "OR RESOLUTION".

- 7 Page 4, line 19, after "AUTHORITY." insert "A TRANSPORTATION PLANNING
- 8 ORGANIZATION ADOPTING A RESOLUTION AUTHORIZING IT TO EXERCISE
- 9 THE POWERS OF AN AUTHORITY SHALL ALSO PROVIDE A COPY OF THE
- 10 RESOLUTION FOR COMMENT TO ANY EXISTING AUTHORITY THAT INCLUDES
- 11 OR BORDERS ANY OF THE TERRITORY IN WHICH THE TRANSPORTATION
- 12 PLANNING ORGANIZATION WILL EXERCISE THE POWERS OF AN
- 13 AUTHORITY.".

- 14 Page 5, line 12, strike the second "or" and substitute "~~or~~".

- 15 Page 5, line 14, strike "4" and substitute "4, OR, WITH RESPECT TO A
- 16 RESOLUTION ONLY, AN EXISTING AUTHORITY,".

- 17 Page 5, line 27, after "authority," insert "THE EXISTING AUTHORITY,".

1 Page 7, line 9, strike "INCLUDE TERRITORY" and substitute "INCLUDE:
2 (I) TERRITORY".

3 Page 7, strike line 11 and substitute "PLANNING ORGANIZATION;
4 (II) TERRITORY WITHIN THE BOUNDARIES OF AN EXISTING
5 AUTHORITY WITHOUT THE APPROVAL OF THE EXISTING AUTHORITY AS
6 PROVIDED IN SECTION 43-4-622 (4);

7 (III) TERRITORY WITHIN THE BOUNDARIES OF A MUNICIPALITY
8 THAT IS A MEMBER OF THE TRANSPORTATION PLANNING ORGANIZATION IF
9 THE GOVERNING BODY OF THE MUNICIPALITY ADOPTS A RESOLUTION
10 OBJECTING TO THE INCLUSION OF THE TERRITORY;

11 (IV) TERRITORY WITHIN THE BOUNDARIES OF A COUNTY THAT IS
12 A MEMBER OF THE TRANSPORTATION PLANNING ORGANIZATION IF THE
13 GOVERNING BODY OF THE COUNTY ADOPTS A RESOLUTION OBJECTING TO
14 THE INCLUSION OF THE TERRITORY;

15 (V) TERRITORY WITHIN THE".

16 Page 7, lines 15 and 16, strike "MUNICIPALITY, AND MAY NOT INCLUDE
17 TERRITORY" and substitute "MUNICIPALITY; OR
18 (VI) TERRITORY".

19 Page 8, line 15, strike "REGION" and substitute "ORGANIZATION".

20 Page 15, line 25, strike "(3)" and substitute "(4)".

21 Page 16, after line 18 insert:

22 "(3) BEFORE COMMENCING CONSTRUCTION OF A REGIONAL
23 TRANSPORTATION SYSTEM, A TRANSPORTATION PLANNING ORGANIZATION
24 EXERCISING THE POWERS OF AN AUTHORITY SHALL ANALYZE AND
25 DOCUMENT TO THE DEPARTMENT OF TRANSPORTATION THE SYSTEM'S
26 ANTICIPATED IMPACTS ON THE ACHIEVEMENT OF THE STATE GREENHOUSE
27 GAS POLLUTION GOALS SET FORTH IN SECTION 25-7-102 (2)(g) AND ON
28 COMPLIANCE WITH APPLICABLE STANDARDS UNDER THE ATTAINMENT
29 PROGRAM CREATED AND DEVELOPED PURSUANT TO PART 3 OF ARTICLE 7
30 OF TITLE 25. UPON THE REQUEST OF A RURAL TRANSPORTATION PLANNING
31 ORGANIZATION, THE DEPARTMENT OF TRANSPORTATION SHALL PROVIDE
32 TECHNICAL ASSISTANCE TO FACILITATE THE COMPLETION OF THE
33 ANALYSIS. THE TRANSPORTATION PLANNING ORGANIZATION SHALL ALSO
34 SUBMIT THE ANALYSIS TO THE AIR QUALITY CONTROL COMMISSION
35 CREATED IN SECTION 25-7-104 (1) AND SHALL NOT COMMENCE
36 CONSTRUCTION OF THE REGIONAL TRANSPORTATION SYSTEM UNTIL THE

1 COMMISSION HAS REVIEWED AND APPROVED IT IN ACCORDANCE WITH
2 COMMISSION RULES ADOPTED PURSUANT TO SECTION 25-7-105 (1)(f)."

3 Renumber succeeding subsection accordingly.

4 Page 16, after line 25, insert:

5 "(5) NOTWITHSTANDING ANY PROVISION OF THIS PART 6 TO THE
6 CONTRARY, A TRANSPORTATION PLANNING ORGANIZATION MAY NOT
7 EXERCISE ANY OF THE POWERS OF AN AUTHORITY WITHIN THE BOUNDARIES
8 OF AN EXISTING AUTHORITY WITHOUT THE PRIOR APPROVAL OF THE BOARD
9 OF THE EXISTING AUTHORITY BY ADOPTION OF A RESOLUTION BY THE
10 AFFIRMATIVE VOTE OF TWO-THIRDS OF THE DIRECTORS OF THE
11 BOARD. THE BOARD OF THE EXISTING AUTHORITY SHALL FILE ANY SUCH
12 RESOLUTION ADOPTED WITH THE DIRECTOR OF THE DIVISION. THE
13 DIRECTOR OF THE DIVISION SHALL NOT ISSUE THE CERTIFICATE REQUIRED
14 BY SECTION 43-4-603 (1) TO A TRANSPORTATION PLANNING
15 ORGANIZATION, IF THE TRANSPORTATION PLANNING ORGANIZATION IS
16 ATTEMPTING TO EXERCISE THE POWERS OF AN AUTHORITY WITHIN THE
17 BOUNDARIES OF AN EXISTING AUTHORITY WITHOUT THE EXISTING
18 AUTHORITY'S DULY ADOPTED AND FILED RESOLUTION OF APPROVAL."

19 **SECTION 9.** In Colorado Revised Statutes, 25-7-105, **add** (1)(f)
20 as follows:

21 **25-7-105. Duties of commission - rules - legislative declaration**
22 **- definitions.** (1) Except as provided in sections 25-7-130 and 25-7-131,
23 the commission shall promulgate such rules and regulations as are
24 consistent with the legislative declaration set forth in section 25-7-102
25 and necessary for the proper implementation and administration of this
26 article 7, including, but not limited to:

27 (f) RULES THAT DEFINE CONFORMANCE AND MEASUREMENT OF
28 CONFORMANCE WITH STATE GREENHOUSE GAS GOALS AND APPLICABLE
29 ATTAINMENT PROGRAM STANDARDS IN NONATTAINMENT AREAS FOR ANY
30 REGIONAL TRANSPORTATION SYSTEM, AS DEFINED IN SECTION 43-4-602
31 (16), PROPOSED TO BE COMPLETED BY A TRANSPORTATION PLANNING
32 ORGANIZATION, AS DEFINED IN SECTION 43-4-602 (19), EXERCISING THE
33 POWERS OF A REGIONAL TRANSPORTATION AUTHORITY."

34 Renumber succeeding sections accordingly.

35 Page 17, line 7, after "STATE" insert "AND FEDERAL".

- 1 Page 17, line 11, after "STATE" insert "AND FEDERAL".
- 2 Page 17, line 15, after "STATE" insert "AND FEDERAL".

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