

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 27, 2024
Date

Committee on Transportation & Energy.

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

SB24-184 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 4, line 20, strike "Rental cars" and substitute
2 "All rental cars, regardless of where they are rented, use public highways
3 and" and strike "highways," and substitute "highway systems,".

4 Page 5, line 5, strike "encounter." and substitute "encounter throughout
5 the state. A generally applicable fee on short-term vehicle rentals would
6 equitably support investment in such offsets to reduce congestion on the
7 public highway system.".

8 Page 7, line 3, strike "fulfill" and substitute "advance".

9 Page 7, after line 13 insert:

10 "(o) As Colorado continues to invest in smart, dense
11 transit-oriented development, it needs high-capacity mass transit to help
12 meet the travel demands of residents, and density itself supports the
13 implementation of mass transit because higher levels of density and
14 transit service are strongly correlated with a reduction in vehicle miles
15 traveled and general car use, which helps increase affordability for
16 residents;".

17 Reletter succeeding paragraphs accordingly.

18 Page 7, line 19, after "rail." insert "As freight traffic volumes, types, and
19 commodities shift and change, we have an opportunity to partner with the
20 freight rail system for dual use of existing freight rail lines to include
21 northern rocky mountain passenger rail service.".

1 Page 8, after line 14 insert:

2 "(r) In addition to the proposed future passenger rail service for
3 the northern Rocky Mountains, there are multiple other underutilized or
4 abandoned freight rail rights-of-way that could be repurposed for
5 passenger rail service to connect mountain communities with the front
6 range, and the state should continue to explore opportunities for
7 establishing more passenger rail services."

8 Reletter succeeding paragraph accordingly.

9 Page 10, line 17, strike "cooperation or a lack of cooperation" and
10 substitute "coordination".

11 Page 10, after line 24 insert:

12 "(3) The general assembly further finds and declares that:

13 (a) The division will complete a report on the status of a service
14 development plan for the northern rocky mountain rail corridor by
15 December 31, 2024;

16 (b) The division has identified potential private partners to operate
17 new passenger rail services along the northern rocky mountain rail
18 corridor;

19 (c) Western slope communities in Grand, Routt and Moffat
20 counties have existing and emerging transportation needs that are
21 currently underserved; and

22 (d) As it is the intent of the general assembly to ensure not only
23 expanded passenger rail service from Denver to Winter Park but also to
24 establish passenger rail service from Denver to Craig and Hayden, this act
25 also requires the division:

26 (I) To report to the general assembly regarding a plan and an
27 expeditious timeline by which CDOT will deliver passenger rail service
28 from Denver to the Hayden and Craig communities; and

29 (II) To report periodically to the general assembly regarding its
30 planning and implementation progress and barriers and challenges it faces
31 for extending service along the full length of the northern rocky mountain
32 rail corridor.

33 **SECTION 2.** In Colorado Revised Statutes, 29-1-203.5, **amend**
34 (1)(a) as follows:

35 **29-1-203.5. Separate legal entity established under section**
36 **29-1-203 - legal status - authority to exercise special district powers**
37 **- additional financing powers.** (1) (a) Any combination of counties,

1 municipalities, special districts, or other political subdivisions of this state
2 that are each authorized to own, operate, finance, or otherwise provide
3 public improvements, functions, services, or facilities may enter into a
4 contract under section 29-1-203 to establish a separate legal entity to
5 provide any such public improvements, functions, services, or facilities.
6 IN ADDITION, SUCH A SEPARATE LEGAL ENTITY MAY BE ESTABLISHED AS
7 AUTHORIZED BY SECTIONS 32-19-119 (1)(w.5), 32-22-106 (1)(s.5),
8 43-1-106 (8)(q.5), AND 43-4-806 (6)(p.5). Any separate legal entity
9 established is a political subdivision and public corporation of the state
10 and is separate from the parties to the contract if the contract or an
11 amendment to the contract states that the entity is formed in conformity
12 with the provisions of this section and that the provisions of this section
13 apply to the entity."

14 Renumber succeeding sections accordingly.

15 Page 12, line 3, strike "and (4)".

16 Page 12, line 5, after "**construction -**" insert "**front range passenger rail**
17 **service -**".

18 Page 12, line 6, strike "**district - report.**" and substitute "**district.**".

19 Page 12, strike lines 12 to 27.

20 Strike page 13.

21 Page 14, strike line 1.

22 Page 14, line 8, strike "32-9-107.7 (4)," and substitute "32-22-103 (5),".

23 Page 14, line 11, after "29-1-203.5" insert "or pursuant to articles 121 to
24 137 of title 7".

25 Page 14, after line 17, insert:

26 "SECTION 6. In Colorado Revised Statutes, 32-22-103, **add** (5)
27 as follows:

28 **32-22-103. Front range passenger rail district - creation -**
29 **purpose - boundaries - reports.** (5) (a) IN PURSUING THE COMPLETION
30 OF CONSTRUCTION AND OPERATION OF THE NORTHWEST FIXED GUIDEWAY
31 CORRIDOR, INCLUDING AN EXTENSION OF THE CORRIDOR TO FORT COLLINS
32 AS THE FIRST PHASE OF FRONT RANGE PASSENGER RAIL SERVICE, THE

1 DISTRICT, THE DEPARTMENT OF TRANSPORTATION, THE
2 HIGH-PERFORMANCE TRANSPORTATION ENTERPRISE, CREATED IN SECTION
3 43-4-806 (2)(a)(I), AND THE REGIONAL TRANSPORTATION DISTRICT,
4 CREATED IN SECTION 32-9-105, SHALL PROVIDE A REPORT CONTAINING AN
5 IMPLEMENTATION PLAN FOR CONSTRUCTION AND OPERATIONS OF THE
6 CORRIDOR TO THE TRANSPORTATION LEGISLATION REVIEW COMMITTEE,
7 CREATED IN SECTION 43-2-145 (1)(a), OR ITS SUCCESSOR COMMITTEE, AND
8 TO THE GOVERNOR NO LATER THAN SEPTEMBER 30, 2024. THE
9 IMPLEMENTATION PLAN MUST:

10 (I) IDENTIFY ALL ONGOING OR COMPLETED STUDIES AND SERVICE
11 DEVELOPMENT PLANS THAT COULD BE LEVERAGED TO ACCELERATE
12 APPROVAL AND PERMITTING AND REQUIRE THE DISTRICT AND THE
13 DEPARTMENT OF TRANSPORTATION TO USE EXISTING CONTRACTS TO THE
14 EXTENT POSSIBLE TO CONDUCT RAIL TRAFFIC CONTROLLER MODELING AND
15 OTHER ANALYSES FOR INTERCITY PASSENGER RAIL SERVICE FROM UNION
16 STATION TO FORT COLLINS FOR AT LEAST TWO SCENARIOS, INCLUDING A
17 SCENARIO OF THREE ROUND TRIPS PER DAY AND A SCENARIO OF FIVE
18 ROUND TRIPS PER DAY;

19 (II) IDENTIFY AND EVALUATE OPTIONS FOR CREATING A NEW
20 STANDALONE ENTITY SUCH AS A COLORADO RAIL AUTHORITY, A SEPARATE
21 LEGAL ENTITY CREATED PURSUANT TO SECTIONS 29-1-203 AND
22 29-1-203.5, A SEPARATE LEGAL ENTITY CREATED PURSUANT TO ARTICLES
23 121 TO 137 OF TITLE 7, OR A STANDALONE INTERGOVERNMENTAL
24 AGREEMENT AS A BUSINESS MODEL WITH A GOAL OF CREATING SUCH A
25 SEPARATE LEGAL ENTITY OR EXECUTING SUCH AN AGREEMENT NO LATER
26 THAN DECEMBER 31, 2024; AND

27 (III) EXPLORE THE VIABILITY OF AMTRAK OR OTHER ENTITIES AS
28 POTENTIAL OPERATORS FOR INTERCITY PASSENGER RAIL SERVICE.

29 (b) IN ADDITION TO THE REPORT REQUIRED BY SUBSECTION (5)(a)
30 OF THIS SECTION, NO LATER THAN MARCH 1, 2025, THE DISTRICT, THE
31 DEPARTMENT OF TRANSPORTATION, THE HIGH-PERFORMANCE
32 TRANSPORTATION ENTERPRISE, CREATED IN SECTION 43-4-806 (2)(a)(I),
33 THE REGIONAL TRANSPORTATION DISTRICT, CREATED IN SECTION
34 32-9-105, AND ANY SEPARATE LEGAL ENTITY CREATED PURSUANT TO
35 SECTIONS 29-1-203 AND 29-1-203.5 OR ARTICLES 121 TO 137 OR TITLE 7
36 SHALL PROVIDE A REPORT CONCERNING A PLAN TO BEGIN PROVIDING
37 FRONT RANGE PASSENGER RAIL SERVICE NO LATER THAN JANUARY 1,
38 2029, TO THE HOUSE OF REPRESENTATIVES TRANSPORTATION, HOUSING
39 AND LOCAL GOVERNMENT COMMITTEE AND THE SENATE TRANSPORTATION
40 AND ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND THE
41 GOVERNOR. THE REPORT SHALL INCLUDE AN ASSESSMENT OF WHETHER
42 ADDITIONAL REVENUE IS NEEDED TO SUPPORT SUCH SERVICE AND, IF SO,
43 RECOMMENDED SOURCES OF SUCH FUNDING.

1 (c) IN ADDITION TO THE REPORTS REQUIRED IN SUBSECTIONS (5)(a)
2 AND (5)(b) OF THIS SECTION, IF FRONT RANGE PASSENGER SERVICE HAS
3 NOT BEGUN BY JANUARY 1, 2029, THE DISTRICT, IN COOPERATION WITH
4 THE DEPARTMENT OF TRANSPORTATION, THE HIGH-PERFORMANCE
5 TRANSPORTATION ENTERPRISE, CREATED IN SECTION 43-4-806 (2)(a)(I),
6 THE REGIONAL TRANSPORTATION DISTRICT, CREATED IN SECTION
7 32-9-105, AND ANY SEPARATE LEGAL ENTITY CREATED PURSUANT TO
8 SECTIONS 29-1-203 AND 29-1-203.5 OR ARTICLES 121 TO 137 OF TITLE 7
9 SHALL PROVIDE A REPORT DETAILING THE REASONS WHY SUCH SERVICE
10 HAS NOT BEGUN AND A DETAILED PLAN FOR PROVIDING SERVICE ON
11 JANUARY 1, 2029, AND EACH SIX MONTHS THEREAFTER UNTIL SERVICE IS
12 INITIATED."

13 Renumber succeeding sections accordingly.

14 Page 15, line 3, after "29-1-203.5" insert "OR PURSUANT TO ARTICLES 121
15 TO 137 OF TITLE 7".

16 Page 15, line 21, after "29-1-203.5" insert "OR PURSUANT TO ARTICLES
17 121 TO 137 OF TITLE 7".

18 Page 16, after line 2 insert:

19 "SECTION 9. In Colorado Revised Statutes, 43-1-117.5, **add** (5)
20 as follows:

21 **43-1-117.5. Transit and rail division - created - powers and**
22 **duties - pilot project to expand transit - reports - repeal.** (5) (a) THE
23 TRANSIT AND RAIL DIVISION SHALL PROVIDE A REPORT CONTAINING A
24 DEVELOPMENT PLAN FOR ROCKY MOUNTAIN RAIL SERVICE TO THE HOUSE
25 OF REPRESENTATIVES TRANSPORTATION, HOUSING AND LOCAL
26 GOVERNMENT COMMITTEE AND THE SENATE TRANSPORTATION AND
27 ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND THE
28 GOVERNOR NO LATER THAN DECEMBER 31, 2024.

29 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2025."

30 Renumber succeeding sections accordingly.

31 Page 16, line 16, strike "CLASS I" and substitute "HOST".

32 Page 16, line 17 , strike "RAILWAY and substitute "RAILROAD" and after
33 "ADMINISTRATION," insert "OTHER POTENTIAL OPERATORS".

34 Page 17, strike lines 23 through 27.

1 Page 18, strike lines 1 and 2 and substitute:

2 "(26.3) "TRAVEL CORRIDOR" MEANS THE SURFACE
3 TRANSPORTATION INFRASTRUCTURE THAT IS IN CLOSE PROXIMITY, AS
4 DETERMINED BY THE TRANSPORTATION ENTERPRISE, TO A SURFACE
5 TRANSPORTATION INFRASTRUCTURE PROJECT FOR WHICH USER FEES WERE
6 COLLECTED."

7 Page 20, line 1, strike "(8)(b),".

8 Page 26, line 8, strike "ENGINE" and substitute "ENGINE, INCLUDING A
9 PLUG-IN HYBRID ELECTRIC MOTOR VEHICLE,".

10 Page 26, lines 9 and 10, strike "VEHICLE OR PLUG-IN HYBRID ELECTRIC
11 MOTOR VEHICLE;" and substitute "VEHICLE;".

12 Page 30, strike lines 15 through 27.

13 Page 31, strike lines 1 through 7.

14 Page 32, line 22, strike "STATE".

15 Strike "SHED" and substitute "CORRIDOR" on: **Page 24**, line 23; and **Page**
16 **32**, line 23.

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