

**First Regular Session  
Sixty-sixth General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 07-0064.01 Jery Payne

**HOUSE BILL 07-1019**

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**HOUSE SPONSORSHIP**

**Green,** Borodkin, Kerr J., McFadyen, Pommer, and Rose

**SENATE SPONSORSHIP**

**Hagedorn,** Isgar, May R., Spence, Takis, and Williams

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**House Committees**

Transportation & Energy  
Appropriations

**Senate Committees**

Transportation

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**A BILL FOR AN ACT**

101 **CONCERNING THE PUBLIC UTILITIES COMMISSION'S DUTY TO**  
102 **PROMULGATE RULES REGULATING CARRIERS EXEMPT FROM**  
103 **REGULATION AS A PUBLIC UTILITY.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Transportation Legislation Review Committee.** Requires the public utilities commission to promulgate rules governing:

- The standards used to define a luxury limousine;
- The operational requirements of luxury limousines; and
- Insurance requirements for carriers exempt from regulation as a public utility.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

SENATE  
2nd Reading Unamended  
April 18, 2007

HOUSE  
3rd Reading Unamended  
March 30, 2007

HOUSE  
Amended 2nd Reading  
March 29, 2007

Makes conforming amendments.

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

2 **SECTION 1.** 40-16-101 (3) and (6.3), Colorado Revised Statutes,  
3 are amended to read:

4 **40-16-101. Definitions.** As used in this article, unless the context  
5 otherwise requires:

6 (3) ~~(a) "Luxury limousine" means a chauffeur-driven, luxury~~  
7 ~~motor vehicle with a rear seating capacity of three or more, for hire on a~~  
8 ~~prearranged, charter basis to transport passengers in luxury limousine~~  
9 ~~service, that: AS DEFINED BY THE COMMISSION.~~

10 ~~(I) Is not identified by exterior signs or graphics other than license~~  
11 ~~plates;~~

12 ~~(II) Is not equipped with a taxicab meter or other device for~~  
13 ~~measuring time or mileage other than a factory-installed odometer;~~

14 ~~(III) Offers luxury features that shall include, but need not be~~  
15 ~~limited to, television, telephone, and beverages as specified by rules of~~  
16 ~~the commission; and~~

17 ~~(IV) In addition, qualifies for inclusion in one of the following~~  
18 ~~categories:~~

19 ~~(A) Stretched limousine, which is a motor vehicle, originally~~  
20 ~~designed as a luxury motor-driven passenger vehicle, whose wheelbase~~  
21 ~~has been lengthened beyond the manufacturer's original specifications,~~  
22 ~~whether at the manufacturer's factory or otherwise, and that meets~~  
23 ~~applicable standards of the federal department of transportation.~~

24 ~~(B) Executive sedan, which is a full-size, four-door, luxury sedan~~  
25 ~~or sports utility vehicle with a seating capacity of at least five, not~~

1 including the driver, that has not been altered from the manufacturer's  
2 original specifications.

3 ~~(C) Executive van, which is a van with a rear seating capacity of  
4 seven or more that may be of standard manufacturer's specifications, but  
5 may have been altered from the manufacturer's original specifications,  
6 and that meets applicable standards of the federal department of  
7 transportation.~~

8 ~~(D) Luxury vehicle, which is a luxury motor vehicle with a seating  
9 capacity of no more than five, not including the driver, that either has a  
10 National Automobile Dealers' Association (NADA) "blue book" retail  
11 value exceeding fifty thousand dollars at the time of registration or has a  
12 manufacturer's suggested retail price exceeding fifty thousand dollars and  
13 was purchased new during the current model year by a luxury limousine  
14 registrant.~~

15 ~~(E) Discretionary vehicle, which is any other luxury motor vehicle  
16 that, in the commission's discretion, qualifies as a luxury limousine.~~

17 ~~(b) An applicant for a luxury vehicle registration pursuant to  
18 sub-subparagraph (D) of subparagraph (IV) of paragraph (a) of this  
19 subsection (3) shall supply proof of the value of the vehicle in the form  
20 of either:~~

21 ~~(I) Reference to the most recent available edition of the NADA  
22 "blue book", where applicable; or~~

23 ~~(II) A sales receipt and affidavit confirming the actual price of the  
24 vehicle, where applicable. The fifty-thousand-dollar threshold value set  
25 forth in said sub-subparagraph (D) shall be adjusted annually, on July 1  
26 of each year, based upon the consumer price index for the  
27 Denver-Boulder-Greeley area as published by the federal bureau of labor~~

1 statistics.

2 (c) "Luxury limousine" does not include a taxicab.

3 (d) ~~If the commission questions whether a specific vehicle is a~~  
4 ~~luxury limousine, it may determine if such vehicle is a luxury limousine~~  
5 ~~when application is made for vehicle identification as required by section~~  
6 ~~40-2-110.5.~~

7 (6.3) ~~"Prearranged", in reference to a transportation service,~~  
8 ~~means that the transportation has been arranged or reserved by mail,~~  
9 ~~telephone, telefacsimile, or computer before the carrier begins to render~~  
10 ~~the transportation service or any service ancillary to the transportation,~~  
11 ~~such as loading of baggage.~~

12 **SECTION 2. Repeal.** 40-16-102.5, Colorado Revised Statutes,  
13 is repealed as follows:

14 **40-16-102.5. Luxury limousines - operational requirements.**

15 ~~Luxury limousine service shall be provided on a prearranged basis only.~~  
16 ~~A luxury limousine company shall, at all times when providing service,~~  
17 ~~carry in each vehicle a manifest or charter order containing the name and~~  
18 ~~pickup address of the passengers who have arranged for use of the~~  
19 ~~vehicle. Such manifest or charter order shall be made available~~  
20 ~~immediately upon request to any authorized representative of the~~  
21 ~~commission, a law enforcement agency, or an airport authority. The fact~~  
22 ~~that a luxury limousine operator stations equipment at an airport, in front~~  
23 ~~of or across the street from a hotel or motel, or within one hundred feet~~  
24 ~~of a recognized taxicab stand without a completed charter order in the~~  
25 ~~vehicle shall constitute prima facie evidence that the operator is operating~~  
26 ~~an illegal taxicab service.~~

27

1           **SECTION 3.** 40-16-103.8, Colorado Revised Statutes, is  
2 amended to read:

3           **40-16-103.8. Rules.** The commission shall promulgate such rules  
4 governing the operations [REDACTED] of motor vehicle carriers exempt from  
5 regulation as public utilities as may be necessary ~~for the effective~~  
6 ~~administration of this article~~ TO ENSURE PUBLIC SAFETY, CONSUMER  
7 PROTECTION, AND THE PROVISION OF SERVICES TO THE PUBLIC.

8           [REDACTED]

9           **SECTION 4. Effective date.** This act shall take effect July 1,  
10 2007.

11           **SECTION 5. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, and safety.