

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0894.01 Gregg Fraser x4325

SENATE BILL 15-221

SENATE SPONSORSHIP

Cooke,

HOUSE SPONSORSHIP

Danielson and Priola,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING PUBLIC TRANSIT OFFICERS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Current law specifies that a public transit officer is a peace officer only while engaged in the performance of his or her duties. The bill eliminates the requirement that the officer be must be engaged in the performance of his or her duties in order to be considered a peace officer.

The authority of a public transit officer is modified to specify that it includes the enforcement of all laws of the state. The definition of public transit facilities is replaced with a definition of public transportation entity.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 16-2.5-146
3 as follows:

4 **16-2.5-146. Public transit officer - definitions.** (1) A public
5 transit officer who is employed by a public transportation entity as
6 ~~defined in section 42-4-1416 (5) (b), C.R.S., and is specifically~~
7 ~~designated a peace officer by the public transportation entity is a peace~~
8 ~~officer. while engaged in the performance of his or her duties.~~ A public
9 transit officer's authority ~~shall be limited to~~ INCLUDES the enforcement of
10 all laws of the state of Colorado. ~~and the provision of security for~~
11 ~~passengers, employees, and property of the public transportation entity on~~
12 ~~public transportation vehicles, as defined in section 42-4-1416 (5) (c),~~
13 ~~C.R.S., and at public transportation facilities.~~ A public transit officer's
14 authority shall include the power of arrest based upon probable cause
15 ~~while engaged in the performance of his or her duties.~~ A public transit
16 officer shall be certified by the P.O.S.T. board.

17 (2) As used in this section, "public transportation facilities
18 ENTITY" means ~~any movable or fixed facility operated by a transit~~
19 ~~authority and used primarily for mass transportation purposes, including~~
20 ~~but not limited to fixed guideway systems, parking lots, parking~~
21 ~~buildings, bus stops, transit stations, garages, and offices~~ A MASS TRANSIT
22 DISTRICT, A MASS TRANSIT AUTHORITY, OR ANY PUBLIC ENTITY
23 AUTHORIZED UNDER THE LAWS OF THIS STATE TO PROVIDE MASS
24 TRANSPORTATION SERVICES TO THE GENERAL PUBLIC.

25 **SECTION 2. Act subject to petition - effective date.** This act
26 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly (August
2 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
3 referendum petition is filed pursuant to section 1 (3) of article V of the
4 state constitution against this act or an item, section, or part of this act
5 within such period, then the act, item, section, or part will not take effect
6 unless approved by the people at the general election to be held in
7 November 2016 and, in such case, will take effect on the date of the
8 official declaration of the vote thereon by the governor.