

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

INTRODUCED

LLS NO. 01-0791.01 Gregg Fraser

HOUSE BILL 01-1278

HOUSE SPONSORSHIP

Tapia

SENATE SPONSORSHIP

Thiebaut

House Committees

Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ALLOCATION OF A SPECIFIED AMOUNT OF STATE**
102 **FUNDING FOR TRANSPORTATION NEEDS TO AREAS WITH A**
103 **POPULATION OF TWO HUNDRED THOUSAND PEOPLE OR LESS.**

Bill Summary

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

For the 2002-03 fiscal year through the 2007-08 fiscal year, requires the general assembly to appropriate not less than \$10 million each year to be distributed among small rural transportation planning regions that have populations of 200,000 people or less. Requires the \$10 million figure be adjusted for the annual inflation rate projected by the Colorado department of transportation.

Requires 1% of the moneys to be appropriated to the department

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.

of transportation for administrative expenses. Requires the remaining moneys to be distributed to the regional transportation planning commission for each region as follows:

- 50% to be distributed on the basis of population as determined by the federal department of commerce and census bureau; and
- 50% to be distributed on the basis of daily state highway miles traveled as determined by the department.

Requires the regional transportation commissions, in cooperation with the department of transportation, to prioritize and select transportation projects for inclusion in the state transportation improvement plan.

Requires each regional transportation planning region or respective metropolitan planning organization to provide an annual report and accounting to the Colorado transportation commission. Requires that the program be reviewed for effectiveness and continuance by the state transportation legislation review committee in 2006.

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

2 **SECTION 1.** Part 1 of article 1 of title 43, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

4 **43-1-120. Transportation equity authorization - legislative**
5 **declaration - funding allocation.** (1) THIS SECTION SHALL BE KNOWN
6 AND MAY BE CITED AS THE "TRANSPORTATION EQUITY AUTHORIZATION
7 FOR IMPLEMENTING TEA-15".

8 (2) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND
9 DECLARES THAT:

10 (a) THE TRANSPORTATION NEEDS OF RURAL AND SMALL URBAN
11 COMMUNITIES WITH POPULATIONS OF TWO HUNDRED THOUSAND PEOPLE OR
12 LESS ARE IN JEOPARDY OF HAVING FUNDING FOR LOCAL TRANSPORTATION
13 NEEDS SUBSTANTIALLY REDUCED OR ELIMINATED BECAUSE OF CURRENT
14 AND FUTURE CHANGES IN THE DEPARTMENT'S PRIORITY FOR USING STATE
15 AND FEDERAL TRANSPORTATION PROGRAM MONEYS AND BECAUSE AN
16 INADEQUATE PORTION OF THE STATE'S HIGHWAY USERS TAX FUND IS

1 CURRENTLY EXPENDED TO MEET THE TRANSPORTATION NEEDS OF SUCH
2 COMMUNITIES.

3 (b) FOR PURPOSES OF ADDRESSING THESE TRANSPORTATION NEEDS,
4 THE FEDERAL SURFACE TRANSPORTATION PROGRAM, CONTINUED THROUGH
5 THE FEDERAL "TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY", AS
6 AMENDED, (P.L. 105-178), ALSO KNOWN AS "TEA-21", ALLOWS GREAT
7 FLEXIBILITY IN HOW MONEYS MAY BE ALLOCATED FOR PROJECTS ON
8 FEDERAL AID HIGHWAYS, INCLUDING FEDERAL HIGHWAY SYSTEM
9 TRANSPORTATION IMPROVEMENTS, BRIDGE PROJECTS ON ANY ROAD, AND
10 TRANSIT CAPITAL PROJECTS. NEW PROVISIONS WITHIN TEA-21, PERMIT A
11 PORTION OF THE MONEYS RESERVED FOR RURAL AREAS TO BE ALLOCATED
12 TO RURAL MINOR COLLECTORS. SIMILARLY, MONEYS ALLOCATED
13 THROUGH TEA-15 SHALL HAVE FUNDING FLEXIBILITY FEATURES TO
14 PRIORITIZE AND IMPLEMENT ROADWAY, TRANSIT, OR MULTI-MODAL
15 TRANSPORTATION IMPROVEMENTS SELECTED BY THE REGIONAL
16 TRANSPORTATION PLANNING COMMISSIONS OR METROPOLITAN PLANNING
17 ORGANIZATIONS THROUGH THE DEPARTMENT'S ESTABLISHED COOPERATIVE
18 STATE AND LOCAL TRANSPORTATION PLANNING PROCESS. AS SUCH, A
19 COMPREHENSIVE REGIONAL PUBLIC INVOLVEMENT PROCESS SHALL BE
20 REQUIRED.

21 (c) IT IS IN THE BEST INTEREST OF THE CITIZENS OF THE STATE TO
22 ALLOCATE MONEYS FOR ROADWAY, HIGHWAY, AND MULTI-MODAL
23 PROJECTS THROUGHOUT THE STATE; AND

24 (d) SUCH ALLOCATION OF MONEYS SHALL HELP TO ENSURE AN
25 EQUITABLE SHARE OF TRANSPORTATION RESOURCES TO ADDRESS LOCAL
26 TRANSPORTATION NEEDS AND THE CONTINUATION OF STATEWIDE
27 PROGRAMS IN RURAL AND SMALL URBAN AREAS WITH TWO HUNDRED

1 THOUSAND PEOPLE OR LESS.

2 (3) (a) COMMENCING WITH THE 2002-03 FISCAL YEAR THROUGH
3 THE 2007-08 FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE
4 AN AMOUNT OF NOT LESS THAN TEN MILLION DOLLARS EACH YEAR TO BE
5 DISTRIBUTED AMONG THE FIFTEEN REGIONAL TRANSPORTATION PLANNING
6 COMMISSIONS FOR RURAL AND SMALL URBAN AREAS WITH POPULATIONS OF
7 TWO HUNDRED THOUSAND PEOPLE OR LESS, AS DETERMINED BY THE
8 UNITED STATES DEPARTMENT OF COMMERCE AND THE UNITED STATES
9 BUREAU OF THE CENSUS.

10 (b) COMMENCING WITH THE 2003-04 FISCAL YEAR, THE DOLLAR
11 AMOUNT SPECIFIED FOR APPROPRIATION SHALL BE ANNUALLY ADJUSTED
12 FOR INFLATION PURSUANT TO THE DEPARTMENT'S ANNUAL PROJECTED RATE
13 OF INFLATION.

14 (c) THE MONEYS APPROPRIATED EACH YEAR TO THE REGIONAL
15 TRANSPORTATION PLANNING COMMISSIONS PURSUANT TO PARAGRAPH (a)
16 OF THIS SUBSECTION (3) SHALL BE DISTRIBUTED AS FOLLOWS:

17 (I) ONE PERCENT OF THE TOTAL AMOUNT APPROPRIATED SHALL BE
18 APPROPRIATED TO THE DEPARTMENT FOR ADMINISTERING TEA-15;

19 (II) FIFTY PERCENT OF THE MONEYS REMAINING AFTER MAKING THE
20 APPROPRIATION PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (c)
21 SHALL BE DISTRIBUTED TO THE REGIONAL TRANSPORTATION PLANNING
22 COMMISSIONS BASED ON THE POPULATION OF THE TRANSPORTATION
23 PLANNING REGION AS DETERMINED BY THE UNITED STATES DEPARTMENT
24 OF COMMERCE AND THE UNITED STATES BUREAU OF THE CENSUS; AND

25 (III) FIFTY PERCENT OF THE MONEYS REMAINING AFTER MAKING
26 THE APPROPRIATION PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH
27 (c) SHALL BE DISTRIBUTED TO THE REGIONAL TRANSPORTATION PLANNING

1 COMMISSIONS BASED ON THE DAILY STATE HIGHWAY VEHICLE MILES
2 TRAVELED IN EACH TRANSPORTATION PLANNING REGION AS DETERMINED
3 BY THE DEPARTMENT.

4 (4) EACH REGIONAL TRANSPORTATION PLANNING COMMISSION AND
5 THE DEPARTMENT SHALL PRIORITIZE AND SELECT PROJECTS FOR INCLUSION
6 INTO THE STATE TRANSPORTATION IMPROVEMENT PLAN. SUCH
7 RECOMMENDATIONS SHALL BE FORWARDED TO THE TRANSPORTATION
8 COMMISSION CREATED IN SECTION 43-1-106. EACH TRANSPORTATION
9 PLANNING REGION OR RESPECTIVE METROPOLITAN PLANNING
10 ORGANIZATION SHALL PROVIDE AN ANNUAL REPORT AND ACCOUNTING TO
11 THE COLORADO TRANSPORTATION COMMISSION NO LATER THAN OCTOBER
12 31 OF EACH YEAR IN WHICH A DISTRIBUTION IS MADE PURSUANT TO
13 SUBSECTION (3) OF THIS SECTION. THE STATE TRANSPORTATION
14 LEGISLATION REVIEW COMMITTEE SHALL REVIEW THE PROVISIONS OF THIS
15 SECTION ON OR BEFORE OCTOBER 31, 2006, TO EVALUATE ITS
16 EFFECTIVENESS, CONSIDER THE FEASIBILITY OF CONTINUING ITS
17 PROVISIONS AFTER ITS EXPIRATION, AND PROPOSE ANY LEGISLATION TO
18 EFFECT ANY SUCH CONTINUANCE.

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