

TRANSPORTATION

Colorado Department of Transportation

HB 09-1066 (Signed Into Law)
Division of Aeronautics

SB 09-094 (Enacted)
*Create Transit and Rail Division
in CDOT*

Toll Roads

HB 09-1187 (Postponed Indefinitely)
*Allow Tolling of Existing Toll-free
Highways*

State Highways and Transportation Infrastructure

HB 09-1284 (Lost)
Corridor Capacity Strategic Planning

HB 09-1114 (Postponed Indefinitely)
*Devolve State Commuter Highways
to Local Governments*

SB 09-078 (Signed Into Law)
*Devolve State Highways to
Local Governments*

SB 09-108 (Signed Into Law)
*Transportation System Planning
and Funding*

Passenger Rail

HB 09-1134 (Postponed Indefinitely)
Create Colorado Railroad Authority

Colorado Department of Transportation

The General Assembly enacted two bills pertaining to the statutory authority of the Department of Transportation (CDOT) and its divisions. The bills modify current practices by the Division of Aeronautics and establish the Division of Transit and Rail.

Division of Aeronautics. The CDOT Division of Aeronautics is responsible for statewide aviation planning, safety promotion, and federal coordination. The division also administers the Aviation Fund. The General Assembly enacted modifications to the authority of the division through **House Bill 09-1066**. Among its provisions, the bill eliminated the division's responsibility to deploy remote weather systems. The bill also updated statutes governing the state Aviation Fund, including making the City and County of Denver eligible for state aviation grants, clarifying that entities operating a public-use airport are entitled to disbursements from the fund based on fuel sold at the airport, and providing guidance on fund transfers.

Division of Transit and Rail. The General Assembly passed legislation, **Senate Bill 09-094**, to create a new CDOT transit and rail division to integrate rail into the statewide transportation system. Powers and duties granted to the division include:

- developing a statewide transit and passenger rail plan to be incorporated into the statewide transportation plan;
- promoting, planning, designing, building, financing, operating, and contracting for transit services, including passenger rail, bus, and advanced guideway systems;
- establishing and modifying fares and schedules for state-provided transit services;
- administering state and federal funds appropriated for interregional transit services, advanced guideway services, passenger rail services, and transit-related projects;
- coordinating with railroads regarding tracks, facilities, and transit services;
- representing the state on intercity rail facility development; and
- coordinating with regional transportation authorities (RTAs) and other organizations or entities pertaining to transit, passenger rail, or advanced guideway systems.

The bill also establishes an interim transit and rail advisory committee appointed by the CDOT executive director in consultation with the state Transportation Advisory Committee. The committee is charged with recommending a long-term advisory structure for the new division.

Toll Roads

The General Assembly reviewed one bill on toll road expansion. Current law does not permit tolling on existing highway lanes unless it is for specific lanes dedicated for use by high-occupancy vehicles (HOV). **House Bill 09-1187** would have authorized the Colorado Transportation Commission to designate existing highways for tolling and broadened the authority of the Colorado Tolling Enterprise. The bill was postponed indefinitely.

State Highways and Transportation Infrastructure

Corridor planning. **House Bill 09-1284**, which did not pass, would have created a new system under which CDOT would coordinate with local governments and metropolitan planning organizations to address the impact of future development upon traffic congestion growth in transportation corridors. The bill provided a process, deadlines, and planning components for corridors to be evaluated during the statewide transportation planning process.

Devolving state highways. The General Assembly considered two bills to permit CDOT to transfer state highways to counties and municipalities. **Senate Bill 09-078** permits the Colorado Transportation Commission to abandon segments of the state highway system if it finds that the road no longer functions as part of the state highway system. Once abandoned by the state, a transfer of ownership is made to the county or municipality in which it is located. The bill does not permit such a transfer, however, unless agreement is received from each impacted county or municipality.

House Bill 09-1114 would have required CDOT to evaluate the state highway system and determine segments used as commuter highways within the boundaries of the five Colorado metropolitan planning organizations (MPOs). The bill defined commuter highways as those in which 80 percent of trips originate and terminate within a single MPO's boundary limits. Upon completion, the findings would have been presented to the Colorado Transportation Commission, resulting in the segments being removed from the state highway system and conveyed to the county or municipalities in which the segment was located. The bill was postponed indefinitely.

Transportation infrastructure financing. The Funding Advancements for Surface Transportation and Economic Recovery Act of 2009, **Senate Bill 09-108**, established a new motor vehicle safety surcharge to generate new revenues for transportation infrastructure. The surcharge is estimated to increase Highway Users Trust Fund revenues by approximately \$450 million in the first two fiscal years following its enactment. The surcharge, remitted along with annual vehicle registration fees, is set according to the following fee schedule:

- \$16 – vehicles weighing 2,000 pounds or less, motorcycles, motorscooters, and motorbicycles;
- \$23 – vehicles weighing 2,000 to 5,000 pounds;
- \$28 – vehicles weighing 5,000 to 10,000 pounds;
- \$37 – vehicles weighing 10,000 to 16,000 pounds, and passenger buses; and
- \$39 – vehicles weighing more than 16,000 pounds.

The bill also establishes a new fee of \$2 per day applied to automobile rentals. A Statewide Bridge Enterprise was also created under the bill to finance, repair, and maintain certain designated bridges in the state highway system. Lastly, the bill established a High-Performance Transportation Enterprise to generate participation in public-private partnerships to support transportation infrastructure projects.

Passenger Rail

Colorado railroad authority. The General Assembly considered a bill, **House Bill 09-1134**, to establish a Colorado Railroad Authority charged with establishing a rail system along the Interstate 25 and Interstate 70 transportation corridors. Under the bill, the authority was authorized to develop, construct, and operate a Colorado passenger rail system. The authority would have had the power to acquire personal property through purchasing, leasing, and condemnation and to issue bonds. The bill was postponed indefinitely.