

Final
STAFF SUMMARY OF MEETING

TRANSPORTATION LEGISLATION REVIEW COMMITTEE

Date: 06/10/2014

Time: **09:35 AM to 03:46 PM**

Place: HCR 0112

This Meeting was called to order by
Senator Todd

This Report was prepared by
Mistia Zuckerman

ATTENDANCE

Becker	E
Buck	X
Coram	X
Everett	E
Ginal	E
Jahn	X
Jones	X
King	E
Kraft-Tharp	X
Lawrence	X
Lee	X
Mitsch Bush	X
Moreno	X
Peniston	E
Rivera	E
Scott	X
Tyler	X
Todd	X

X = Present, E = Excused, A = Absent, * = Present after roll call

Bills Addressed:	Action Taken:
Overview of Committee Materials	Witness Testimony and/or Committee Discussion Only
Presentation by the Colorado Motor Carriers Association	Witness Testimony and/or Committee Discussion Only
Presentation on Transportation for Persons with Disabilities	Witness Testimony and/or Committee Discussion Only
Presentation by Swift Tram Inc	Witness Testimony and/or Committee Discussion Only
Panel on Distracted Driving	Witness Testimony and/or Committee Discussion Only
Local Government Panel	Witness Testimony and/or Committee Discussion Only

09:36 AM -- Overview of Committee Materials

Senator Todd, chair, called the meeting to order. Ms.Kelli Kelty, Legislative Council Staff, gave an overview of the committee charge memorandum (Attachment A), which includes an overview of the statutory authority of the Transportation Legislation Review Committee (TLRC) and a list of bills previously recommended by the committee. She commented on the committee's schedule and answered questions from the committee regarding the planned tour of the cement plant on July 15. Senator Todd gave an overview of the meeting's agenda.

09:43 AM -- Presentation by the Colorado Motor Carriers Association

09:50 AM -- Mr. RJ Hicks, representing the Western State Transportation Alliance (WSTA), introduced himself to the committee and gave an overview of WSTA. A handout was distributed (Attachment B). He said that WSTA is most concerned about future funding and discussed the Moving Ahead for Progress in the 21st Century Act (MAP-21) and the Highway Trust Fund. He discussed the agenda for the WSTA conference in July and said that it will include topics on alternative fuel incentives for commercial vehicles, the role of data in improving transportation, and improving efficiency for the industry between western states.

09:56 AM

Representative Moreno asked for clarification on an interstate compact pilot project for western states to better work together. Representative Mitsch Bush commented on Independence Pass and asked about federal funding projections. Mr. Hicks said that he expects that federal transportation funding will be reauthorized after the 2014 elections and also hopes that current funding levels will be extended in the meantime. Representative Tyler commented on radar control for speed in cars. Mr. Hicks discussed the increasing demand for freight and said that 95 percent of cities are served solely by truck. He commented on how new technology may be able to get goods to these areas in a smarter and better way.

10:03 AM -- Mr. Greg Fulton, representing Colorado Motor Carriers Association (CMCA), gave an overview of the trucking industry. He said that there are about 17,000 trucking companies in the state and presented a PowerPoint (Attachment C). He discussed improvements in truck safety and emissions, and said that CMCA is currently working to reduce idling with auxiliary power units. He also discussed the issues the CMCA views as critical, including the projected demand for truck drivers and mechanics.

10:12 AM

Senator Todd asked about the training of drivers and how to create public awareness that truck drivers are needed in the state. Mr. Fulton discussed reasons that there is not a surge of new drivers to meet the demand and suggested working with the Department of Labor for training in this area. Committee discussion ensued.

10:16 AM

Mr. Fulton discussed several issue areas that CMCA would like to see legislation introduced on inadequate tires, overweight vehicle permitting, and public-private partnerships (PPPs).

10:30 AM

Representative Mitsch Bush commented on road closures on I-70. Senator Jones discussed PPPs and commented on the Governor's veto of Senate Bill 14-197, which would have increased legislative oversight of PPPs. Mr. Fulton discussed how CMCA would support increased oversight for PPPs. Representative Tyler asked if there are ways to get older trucks off the road. Mr. Fulton said that CMCA would also like to solve this problem and suggested incentives to encourage the owners of older trucks to purchase newer, more efficient vehicles.

10:45 AM

The committee took a brief recess.

11:00 AM -- Presentation on Transportation for Persons with Disabilities

Senator Todd called the meeting back to order. She discussed the importance of listening to persons with disabilities about the challenges they face with transportation.

11:02 AM -- Ms. Sue Fager, representing the Colorado Developmental Disabilities Council (CDDC), introduced herself. Two handouts were distributed (Attachment D and E). She discussed the requirements that each state must meet in order to receive federal funding and a recent survey of older adults and adults with disabilities.

11:08 AM -- Ms. Julie Farrar, representing CDDC, introduced herself and discussed challenges for getting around without a car. She discussed the importance of expanding infrastructure to serve the large number of baby boomers as they get older. She commented on the Regional Transportation District's (RTD) mobility training for everyone and said that it is unacceptable to permit Uber and Lyft drivers to discriminate.

11:14 AM -- Mr. Brain Allem, representing Denver Regional Mobility and Access Council (DRMAC), introduced himself to the committee. He provided a presentation (Attachment F) discussing the need for coordination between organizations in order to provide the best transportation services for people with disabilities. Mr. Allem discussed how DRMAC provides regional collaboration to help people get accurate information on transportation options and resources in the Denver Metro area. He said that the demand for transportation services currently exceeds supply and will continue to grow as the population ages and more people move to Colorado. A handout and a brochure were distributed (Attachments G and H). He answered questions from the committee regarding the availability of similar programs in rural areas. Committee discussion ensued. Senator Todd asked if state law needed to be changed.

11:25 AM -- Ms. Danelle Young, representing the Colorado Coordinating Council for Transportation Access and Mobility, discussed the need for a more person-centered approach for funding and ways to blend funding between organizations to better serve the disabled community. She discussed the importance of developing a coordinated system of transportation in the region. She commented on job interview questions that creates barriers for people with disabilities. She said that they would like an opportunity to discuss barriers with the committee in the future. She also commented on the importance of car-sharing programs.

11:33 AM

Representative Mitsch Bush asked if there was a way for the General Assembly to promote grants to provide funding. Ms. Young discussed recent innovations in transportation operations. Senator Jahn asked about the possible duplication of services. Ms. Farrar discussed the repercussions of the new requirement that strollers be folded on public transportation. She also suggested that everyone have an RTD SmartCard. Senator Todd said that the idea of collaboration is very important.

11:53 AM

The committee recessed for lunch.

01:08 PM -- Presentation by Swift Tram, Inc.

Senator Todd called the committee back to order.

Presenters from Swift Tram, Inc. came to the table to brief the committee. Ms. Becky English, Director of Business Development, introduced Mr. Graham Hill, Vice President of Marketing, and Mr. John V. Anderson, Executive Vice President of Production, for Swift Tram, Inc.

Mr. Anderson began the presentation by providing a power point presentation (Attachment I) and background information on Swift Tram, Inc., which is a start-up company based in Colorado. He stated that Swift Tram's trams are highly networked intelligence systems that operate on an above ground fixed guide way. He said that the system is similar to the way an elevator operates, in that a person can call up a tram car and the car will take the person directly to their destination without making stops along the way. He discussed the common and frequent transportation-related issues that the state faces today, including pollution, congestion, and loss of productivity. He discussed the advantages of the Swift Tram trams to planners (lower capital expenditures, easier right of way); to passengers (direct to destination, clean and quiet ride, quick and convenient, safe); and to Colorado (attracts new businesses, creates jobs, gives clean and modern image to the state, efficient use of energy, reduced pollution and congestion, low operating expenses). He stated that the tram system is meant for inter-modal integration and will provide space for passengers to transport bicycles. He added that the tram system is largely impervious to weather since it operates above the ground at approximately the height of a two- or three-story building and has been designed to withstand sustained winds of up to 80 miles per hour (MPH).

01:20 PM

Mr. Anderson discussed financing for Swift Tram and the attractiveness of P3s. He discussed the importance of state oversight for contracts or agreements entered into between the state and private organizations. He stressed the importance of contract transparency and flexibility to meet future needs, changes, and challenges that the state may face related to transportation. He said that Swift Tram, Inc. is in advanced discussions with the Fitzsimons redevelopment and University of Colorado Hospital (CU) campus to install a tram system. He said that the company is also talking with the Denver International Airport (DIA) regarding a tram system that would serve rental car companies and parking lots at the airport. He said that rental car companies spend about \$60 million per year on shuttle bus service and make about 80 runs through the airport terminal each hour. In addition, he stated that the City and County of Denver spends approximately \$20 million per year to service the outer parking lots at the airport.

01:29 PM

Representative Buck asked in which states the trams are currently operating. Mr. Anderson stated that there is not production in any state at this time. Representative Buck and Mr. Anderson discussed the operation costs of the tram system. Representative Mitsch Bush asked about the travel distance and speed of the tram system. Mr. Hill responded that the tram system for the CU hospital campus would travel about 30 MPH, but that other longer distance tram set-ups would be able to achieve speeds of 150 MPH. Representative Lee asked about the cost of the system. Mr. Hill responded that it would cost about \$25-30 million per mile for the tram system, and compared that to the RTD Fasttracks Light Rail system that runs from Golden to Denver and cost \$59 million per mile.

01:39 PM

Senator Todd asked about the tram system in Portland, Oregon. Mr. Hill explained that the Portland tram operates on a cable system and travels about 15 MPH. He said that the city of Portland owns, pays for, and operates the system. Ms. English stated that Swift Tram, Inc. has been working closely the Colorado Department of Transportation (CDOT), RTD, the Office of Economic Development and International Trade (OEDIT), and the High-Performance Transportation Enterprise (HPTE) to identify priority projects. Representative Kraft-Tharp asked about the cost of the tram system compared to bus rapid transit (BRT) and light rail. Mr. Hill responded that the tram system costs about 20 percent less than light rail.

01:48 PM

Senator Todd thanked the presenters and the committee took a brief recess.

01:48 PM -- Panel on Distracted Driving

Senator Todd called the meeting back to order and welcomed the panelists to the table. The panel members include Mr. Dave Hall, Legislative Liaison, Colorado State Patrol (CSP); Ms. Wave Dreher, AAA Colorado; Mr. Brandon LaSalle, Government Affairs Counsel, American Family Insurance Group; and Mr. Dennis Haberstumpf, Legislative Affairs Officer, ABATE Colorado.

Mr. Hall began the presentation by providing an overview on distracted driving through a power point presentation (Attachment J). Mr. Hall defined distracted driving as any activity that could divert a driver's attention away from the primary task of driving. He said that there are three types of distractions when it comes to driving: visual distractions, manual distractions, and cognitive distractions. He said that the primary distraction the CSP is concerned with is the use of technology while driving because these distractions encompass all three types of driving distractions in one. He said that in 2013, the CSP investigated 6,390 "front to rear" crashes, and that almost all of the crashes were the result of distracted driving. In the same year, CSP issued 244 cell phone citations and 12,292 careless driving citations. He discussed the difficulty of issuing citations for cell phone use; because of the way the law is written, a trooper must actually witness the use of a cell phone occurring. He stated that it is even more difficult to physically observe manual data entry into a wireless phone. He said that statistics regarding crashes involving technology are difficult to pinpoint because, most often, the person receives a careless driving citation for their behavior, even if the cause of the careless driving was the use of a cell phone. He said that a recent survey conducted shows that 31 percent of persons aged 18-24 years had sent or read a text message while driving in the last 30 days. He discussed why distracted driving is so dangerous. He said that a vehicle going 55 MPH can travel the entire length of a football field in 5 seconds and that it takes, at a minimum, 5 seconds to look down at the phone and return to looking at the street.

02:11 PM

Representative Kraft-Tharp asked about the effectiveness of legislation that has been passed banning the use of cell phones while driving. Mr. Hall responded that since 2003, there has been a decrease every year in the number of automobile fatalities, but that it is hard to know why exactly the decrease has occurred. He said it could be the result of many variables, including law enforcement, education campaigns, car safety, road or designs. Committee discussion ensued regarding public service announcements (PSAs) and public education and awareness campaigns. Ms. Dreher said that AAA Foundation studied the hands-free cell phone law that was passed in California and found that there were dramatic drops in usage during the first year after the law was enacted, but now, the usage rate is back up and even greater than the usage rates before the law was enacted. Representative Kraft-Tharp asked for a table comparing the fatality rates before and after the bill banning cell phone use for those under 18 years old was passed in Colorado. Mr. Hall discussed the penalty for careless driving versus the penalty for cell phone use while driving.

02:22 PM

Senator Jahn asked about the difference between using a hands-free cell phone and having a talkative passenger in the car. Ms. Dreher responded that the difference is the passenger's situational awareness and their ability to assist the driver by judging traffic. Senator Jahn asked at what point a passenger is considered to be a distraction.

02:28 PM

Ms. Dreher began her portion of the presentation. She said that distracted driving has gained much more attention over the last several years and that a recent survey showed that 66 percent of the public believe that use of a device requiring the use of the operators hands while driving, is unacceptable, but that use of a hands-free device while driving is acceptable. She said that hands-free devices are safe according to the auto industry. She discussed a study conducted by the AAA Foundation showing that hands-free devices still cause distractions for drivers. The study found that using hands-free devices is only slightly less dangerous than using hand-held devices while driving. She said that the study investigated what happens in the brain when a driver tries to do multiple things at once and that reaction time is slowed and brain activity is compromised. She discussed the banning of the use of technology while driving in other states. Committee discussion ensued regarding crash statistics.

02:45 PM

Mr. LaSalle began his portion of the presentation. He stated that 12 states currently prohibit all drivers from using hand-held cell phones while driving. He said that Washington state was the first state to pass a texting-while-driving ban in 2007, and that all member nations of the European Union, except Sweden, ban hand-held cell phone use while driving. He discussed the growing competition in the auto industry to add new technology to cars. He said that the auto industry sees it as a way to minimize distractions. He discussed a report published by the Governors Highway Safety Association concerning distracted driving and steps that states can take to reduce the prevalence of distracted driving.

02:56 PM

Mr. Haberstumpf began his portion of the presentation. He said that his organization supports legislation that makes roads safer. He said that as a motorcyclist, he is concerned about distracted drivers. He stated that, according to the American Motorcyclist Association, over 200 bills in 50 states were introduced regarding distracted driving and approximately 23 states have legislation regarding the use of hands-free devices while driving. Representative Lee asked if ABATE Colorado supports requiring motorcycle helmets while riding. Mr. Haberstumpf said that ABATE Colorado supports freedom of choice.

Senator Todd thanked the panelists for their presentations. The committee took a brief recess.

03:05 PM -- Local Government Panel

Senator Todd called the meeting back to order and welcomed the Local Government Panel members to the table. The Local Government Panel includes Mr. Eric Bergman, Policy and Research Supervisor, Colorado Counties, Inc. (CCI); Mr. Rich Mauro, Senior Policy and Legislative Analyst, Denver Regional Council of Governments (DRCOG); and Mr. Mark Radtke, Legislative and Policy Advocate, Colorado Municipal League (CML).

Mr. Bergman began his presentation by providing background information on CCI. A handout was distributed to the committee members (Attachment K). He said that the state's county commissioners are responsible for the construction and maintenance of over 58,000 center line miles of county roads, and that the state's counties are also responsible for the construction and maintenance of over 3,100 county bridges. He said that road and bridge construction and maintenance, which also includes actions such as planning, engineering, grading, establishing drainage systems, and snow removal are overseen by county road and bridge departments. He discussed the funding sources for these activities.

03:16 PM

Mr. Radtke began his portion of the presentation and distributed two handouts to the committee members (Attachments L and M). He discussed Attachment M, which provides a listing of the bridges in the state and their current conditions. He said that many bridges throughout the state are in poor repair. He discussed the Highway Users Tax Fund (HUTF) as the major source of funding for municipal transportation-related needs. He discussed the state of the HUTF and expressed his concern regarding enacted legislation that takes money away from the HUTF. Representative Kraft-Tharp asked for a listing of the 2014 legislation that impacted the HUTF.

03:20 PM

Mr. Mauro began his portion of the presentation and distributed two handouts to the committee members (Attachments N and O). He provided background information on DRCOG and described the role of the council, as the federally-designated Metropolitan Planning Organization (MPO) for the Denver region. He said that more than 50 governments are represented in DRCOG's transportation planning process. He said that DRCOG's charge is to prepare a plan for the growth and development of the Denver-metro area. He discussed the forecasted growth for the region and talked specifically about the state's aging population. He talked about DRCOG's work with local governments to update zoning codes and regulations and to update and adopt best practices on ways to help the population "age in place."

Senator Jones asked how a project gets put onto the DRCOG list of priority projects. Mr. Mauro explained that DRCOG's partners, such as counties, municipalities, and CDOT, come to them with requests and then undergo a process to submit documents and other items for DRCOG's consideration.

Mr. Bergman responded to a question from Senator Jones about funding. Mr. Bergman talked about a poll conducted by CCI a couple of years ago concerning the gas tax. He said that the gas tax in Colorado has not been changed in the last 20 years, but that the polling responses to an increase were very unfavorable. He said that transportation funding is a Colorado problem. Committee discussion ensued about the polling results and transportation being low on the list of priorities for Colorado's citizens. Mr. Radtke stated that the TLRC can help the situation by ending the erosion of funds from the HUTF. Senator Jones commented on public-private partnership contracts. Mr. Bergman talked about the activities of MPACT 64.

03:45 PM

Senator Todd thanked the panelists for presenting. She made an announcement about a possible site tour field trip to Denver Union Station and to the Denver International Airport.

03:46 PM

The committee adjourned.