

SB151_L.007

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Energy.

SB20-151 be amended as follows:

- 1 Amend printed bill, page 9, line 12, strike "SEVENTEEN" and substitute
- 2 "FIFTEEN ELECTED".

- 3 Page 9, line 13, strike "EX-OFFICIO" and substitute "APPOINTED".

- 4 Page 9, line 18, strike "VOTING" and substitute "NONVOTING".

- 5 Page 10, line 20, strike "(2)(b)(I) OR (2)(b)(II)" and substitute
- 6 "(2)(b)(I)(A) OR (2)(b)(I)(B)".

- 7 Page 10, line 21, strike "VACANCY, THE" and substitute "VACANCY. THE".

- 8 Page 10, strike lines 26 and 27.

- 9 Page 11, strike lines 1 and 2 and substitute:
- 10 "(c) AN APPOINTED MEMBER MAY CAST AN".

- 11 Page 13, line 21, strike "(1)(a), (1)(c)," and substitute "(1)(a)".

- 12 Page 13, strike line 27.

- 13 Page 14, strike lines 1 through 6.

- 14 Page 14, line 14, strike "TWELVE" and substitute "TEN".

- 15 Page 14, lines 17 and 18, strike "EX-OFFICIO DIRECTORS ARE NOT SUBJECT
- 16 TO REMOVAL."

- 17 Page 16, lines 10 and 11, strike "**amend** (3); and".

- 18 Page 16, strike lines 20 through 23.

- 19 Page 17, lines 16 and 17, strike "EX-OFFICIO DIRECTORS ARE NOT
- 20 ELIGIBLE FOR COMPENSATION."

- 21 Page 17, line 24, strike "EX-OFFICIO" and substitute "APPOINTED".

- 22 Page 29, strike lines 24 through 27.

- 23 Strike page 30 and substitute:

1 **"SECTION 20.** In Colorado Revised Statutes, **add** 43-1-126 and
2 43-1-127 as follows:

3 **43-1-126. Regional transportation district blue ribbon panel**
4 **- creation - powers and duties - definitions - repeal.** (1) AS USED IN
5 THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

6 (a) "ADA" MEANS THE FEDERAL "AMERICANS WITH DISABILITIES
7 ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED.

8 (b) "DISTRICT" MEANS THE REGIONAL TRANSPORTATION DISTRICT
9 CREATED IN ARTICLE 9 OF TITLE 32.

10 (c) "PANEL" MEANS THE REGIONAL TRANSPORTATION DISTRICT
11 BLUE RIBBON PANEL CREATED IN SUBSECTION (2) OF THIS SECTION.

12 (2) THERE IS HEREBY CREATED IN THE DEPARTMENT THE REGIONAL
13 TRANSPORTATION DISTRICT BLUE RIBBON PANEL.

14 (3) (a) THE PANEL CONSISTS OF SIX MEMBERS APPOINTED AS
15 FOLLOWS:

16 (I) ONE MEMBER ASSOCIATED WITH AN ACADEMIC INSTITUTION
17 WITH EXPERTISE IN REGIONAL TRANSPORTATION AUTHORITIES AND MASS
18 TRANSIT, APPOINTED BY THE PRESIDENT OF THE SENATE;

19 (II) ONE MEMBER WITH EXPERTISE IN URBAN PLANNING AND
20 DEVELOPMENT, APPOINTED BY THE GOVERNOR;

21 (III) ONE MEMBER WITH EXPERTISE IN TRANSPORTATION POLICY,
22 APPOINTED BY THE GOVERNOR;

23 (IV) ONE MEMBER WHO IS AN ELECTED OFFICIAL FROM A LOCAL
24 GOVERNMENT WITHIN THE DISTRICT, APPOINTED BY THE MINORITY LEADER
25 OF THE HOUSE OF REPRESENTATIVES;

26 (V) ONE MEMBER WITH EXPERTISE IN FISCAL POLICY, APPOINTED
27 BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES; AND

28 (VI) ONE MEMBER WITH EXPERTISE IN ADA COMPLIANCE AND
29 EQUITY, APPOINTED BY THE MINORITY LEADER OF THE SENATE.

30 (b) THE APPOINTING AUTHORITIES SHALL MAKE APPOINTMENTS TO
31 THE PANEL AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS
32 SECTION. IN THE EVENT OF A VACANCY, A NEW MEMBER SHALL BE
33 APPOINTED IN THE SAME MANNER AS PROVIDED IN SUBSECTION (3)(a) OF
34 THIS SECTION FOR THE VACANT POSITION.

35 (c) EACH MEMBER OF THE PANEL SERVES WITHOUT COMPENSATION
36 BUT IS ENTITLED TO RECEIVE REIMBURSEMENT FOR ACTUAL AND
37 NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THE MEMBER'S
38 DUTIES.

39 (4) (a) THE FIRST MEETING OF THE PANEL MUST BE HELD AS SOON
40 AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS SECTION.

41 (b) THE PANEL SHALL ELECT A CHAIR AND A VICE-CHAIR FROM
42 AMONG ITS MEMBERS. THE PANEL SHALL MEET AS OFTEN AS NECESSARY

1 AS DETERMINED BY THE CHAIR TO FULFILL THE PANEL'S DUTIES UNDER
2 THIS SECTION.

3 (5) (a) THE PANEL SHALL PERFORM AN IN-DEPTH DIAGNOSTIC
4 REVIEW OF THE DISTRICT'S CORE FUNCTIONS AS DESCRIBED IN ARTICLE 9
5 OF TITLE 32. THE REVIEW MUST INCLUDE, BUT NEED NOT BE LIMITED TO:

6 (I) A LITERATURE REVIEW ENCOMPASSING RECENT STUDIES OF THE
7 DISTRICT AND OF SIMILAR TRANSIT AGENCIES IN COLORADO AND ACROSS
8 THE UNITED STATES;

9 (II) A PERFORMANCE REVIEW OF THE DISTRICT, BENCHMARKED
10 AGAINST SIMILARLY SIZED TRANSIT AGENCIES;

11 (III) A REVIEW OF THE DISTRICT'S CORE FUNCTIONS AND ANY
12 DEFICIENCIES IN MEETING THEM;

13 (IV) A REVIEW OF THE DISTRICT'S PRACTICES AND PROCEDURES
14 RELATED TO ASSET MANAGEMENT, EXPANSION, AND MAINTENANCE;

15 (V) A REVIEW OF THE DISTRICT'S FINANCES AND FINANCIAL
16 MANAGEMENT;

17 (VI) A REVIEW OF THE DISTRICT'S SYSTEM OF GOVERNANCE;

18 (VII) A REVIEW OF THE DISTRICT'S CAPITAL PLANNING PROCESSES;

19 (VIII) A REVIEW OF THE DISTRICT'S EFFORTS TO ADDRESS THE
20 STATE'S CLIMATE CHANGE GOALS;

21 (IX) THE COLLECTION AND ANALYSIS OF DATA FROM THE DISTRICT
22 AND THIRD PARTIES RELATED TO THE DISTRICT'S OPERATIONAL COSTS,
23 PROGRAM SPENDING, REVENUE SOURCES, PERFORMANCE DATA, AND
24 PERSONNEL NEEDS; AND

25 (X) THE DISTRICT'S COMPLIANCE WITH THE ADA AND ITS ABILITY
26 TO MEET THE NEEDS OF TRANSIT-DEPENDENT POPULATIONS IN THE
27 DISTRICT.

28 (b) THE PANEL SHALL CONDUCT INTERVIEWS AND MEETINGS WITH
29 CURRENT AND FORMER STAFF MEMBERS OF THE DISTRICT, MEMBERS OF
30 THE DISTRICT'S BOARD OF THE DIRECTORS, AND OTHER DISTRICT
31 STAKEHOLDERS TO ASSIST IN ITS ANALYSIS OF THE ISSUES DESCRIBED IN
32 SUBSECTION (5)(a) OF THIS SECTION. THE PANEL SHALL CONDUCT SITE
33 VISITS TO DISTRICT FACILITIES AS NECESSARY TO COMPLETE ITS REVIEW.

34 (6) THE DISTRICT SHALL ALLOW THE PANEL MEMBERS ACCESS TO
35 ITS FACILITIES AND TO ALL RELEVANT FILES, RECORDS, AND DOCUMENTS,
36 ON A TIMELY BASIS AND WITHOUT COST, AS NECESSARY TO ALLOW THE
37 PANEL TO COMPLETE ITS WORK IN ACCORDANCE WITH THIS SECTION. THE
38 DISTRICT MAY REQUIRE PANEL MEMBERS TO ENTER INTO A
39 NONDISCLOSURE AGREEMENT BEFORE REVIEWING FILES, RECORDS, OR
40 DOCUMENTS THAT WOULD BE EXEMPT FROM PUBLIC DISCLOSURE UNDER
41 PART 2 OF ARTICLE 72 OF TITLE 24. THE DISTRICT MAY IMPOSE SUCH
42 REQUIREMENTS FOR ACCESS TO ITS FACILITIES AS ARE NECESSARY TO
43 PROTECT THE SAFETY AND SECURITY OF PANEL MEMBERS, DISTRICT

1 EMPLOYEES, AND DISTRICT FACILITIES.

2 (7) ON OR BEFORE SEPTEMBER 1, 2020, THE PANEL SHALL SUBMIT
3 A WRITTEN REPORT SUMMARIZING ITS FINDINGS AND RECOMMENDATIONS
4 TO THE GOVERNOR, THE TRANSPORTATION AND ENERGY COMMITTEE OF
5 THE SENATE, THE TRANSPORTATION AND LOCAL GOVERNMENT COMMITTEE
6 OF THE HOUSE OF REPRESENTATIVES, THE DISTRICT, AND LOCAL
7 GOVERNMENTS WITHIN THE DISTRICT. THE DISTRICT SHALL MAKE THE
8 REPORT AVAILABLE TO THE PUBLIC ON ITS WEBSITE.

9 (8) UPON REQUEST BY THE CHAIR OF THE PANEL, THE DEPARTMENT
10 SHALL PROVIDE MEETING SPACE, EQUIPMENT, AND STAFF SERVICES AS MAY
11 BE NECESSARY TO IMPLEMENT THIS SECTION.

12 (9) THE DISTRICT SHALL NOT HIRE A PERMANENT GENERAL
13 MANAGER UNTIL THE PANEL'S REPORT REQUIRED BY SUBSECTION (7) OF
14 THIS SECTION IS COMPLETED.

15 (10) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM
16 THE GENERAL FUND TO THE DEPARTMENT TO COVER COSTS ASSOCIATED
17 WITH THE PANEL.

18 (11) THE PANEL IS DISSOLVED, EFFECTIVE SEPTEMBER 30, 2020.
19 THIS SECTION IS REPEALED, EFFECTIVE OCTOBER 1, 2021.

20 **43-1-127. Regional transportation district accountability**
21 **committee - creation - powers and duties - definitions - repeal.** (1) AS
22 USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

23 (a) "ADA" MEANS THE FEDERAL "AMERICANS WITH DISABILITIES
24 ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED.

25 (b) "BOARD" MEANS THE BOARD OF DIRECTORS OF THE DISTRICT
26 ESTABLISHED IN SECTION 32-9-109.5.

27 (c) "COMMITTEE" MEANS THE REGIONAL TRANSPORTATION
28 DISTRICT ACCOUNTABILITY COMMITTEE CREATED IN SUBSECTION (2) OF
29 THIS SECTION.

30 (d) "DISTRICT" MEANS THE REGIONAL TRANSPORTATION DISTRICT
31 CREATED IN ARTICLE 9 OF TITLE 32.

32 (e) "PANEL" MEANS THE REGIONAL TRANSPORTATION DISTRICT
33 BLUE RIBBON PANEL CREATED IN SECTION 43-1-126.

34 (2) THERE IS HEREBY CREATED IN THE DEPARTMENT THE REGIONAL
35 TRANSPORTATION DISTRICT ACCOUNTABILITY COMMITTEE.

36 (3) (a) THE COMMITTEE CONSISTS OF SEVEN MEMBERS APPOINTED
37 AS FOLLOWS:

38 (I) ONE MEMBER OF A LOCAL GOVERNMENT WITHIN THE DISTRICT,
39 APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF
40 REPRESENTATIVES;

41 (II) ONE MEMBER WITH EXPERTISE ON ISSUES FACING TRANSIT
42 RIDERS WITH DISABILITIES, APPOINTED BY THE PRESIDENT OF THE SENATE;

43 (III) ONE MEMBER WITH EXPERTISE IN HUMAN RESOURCES,

1 APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF
2 REPRESENTATIVES;

3 (IV) ONE MEMBER WITH EXPERTISE IN TRANSIT SERVICES AND
4 PLANNING, APPOINTED BY THE GOVERNOR;

5 (V) ONE MEMBER WITH EXPERTISE IN EQUITY, APPOINTED BY THE
6 SPEAKER OF THE HOUSE OF REPRESENTATIVES;

7 (VI) ONE MEMBER WITH EXPERTISE IN FINANCIAL PLANNING AND
8 MANAGEMENT, APPOINTED BY THE GOVERNOR; AND

9 (VII) ONE MEMBER WITH EXPERTISE IN URBAN PLANNING AND
10 RELATED ENVIRONMENTAL ISSUES, APPOINTED BY THE GOVERNOR.

11 (b) THE APPOINTING AUTHORITIES SHALL MAKE THEIR INITIAL
12 APPOINTMENTS ON OR BEFORE JULY 1, 2020, FOR TERMS LASTING FOR THE
13 DURATION OF THE COMMITTEE'S EXISTENCE. IN THE EVENT OF A VACANCY,
14 A NEW MEMBER SHALL BE APPOINTED IN THE SAME MANNER AS PROVIDED
15 IN SUBSECTION (3)(a) OF THIS SECTION FOR THE VACANT POSITION.

16 (c) EACH MEMBER OF THE COMMITTEE IS ENTITLED TO
17 COMPENSATION IN THE AMOUNT OF ONE THOUSAND DOLLARS PER MONTH
18 FROM THE TIME OF THE APPOINTMENT TO THE CONCLUSION OF THEIR
19 SERVICE. A MEMBER IS NOT ENTITLED TO REIMBURSEMENT FOR EXPENSES.

20 (4) (a) THE EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S
21 DESIGNEE SHALL CALL THE FIRST MEETING OF THE COMMITTEE AS SOON AS
22 PRACTICABLE AFTER THE PANEL COMPLETES ITS REPORT PURSUANT TO
23 SECTION 43-1-126 (7), BUT NO LATER THAN JULY 1, 2020.

24 (b) THE COMMITTEE SHALL ELECT A CHAIR AND A VICE-CHAIR
25 FROM AMONG ITS MEMBERS. THE COMMITTEE SHALL MEET AS OFTEN AS
26 NECESSARY AS DETERMINED BY THE CHAIR TO FULFILL THE COMMITTEE'S
27 DUTIES UNDER THIS SECTION.

28 (5) (a) THE COMMITTEE SHALL PERFORM A COMPREHENSIVE
29 REVIEW OF THE DISTRICT, TAKING INTO ACCOUNT THE PERSPECTIVES OF
30 THE STAFF AND MANAGERS OF THE DISTRICT, THE BOARD, AND THE PUBLIC.
31 THE COMMITTEE SHALL ISSUE A REPORT WITH WRITTEN FINDINGS AND
32 RECOMMENDATIONS ON OR BEFORE JANUARY 1, 2021, AND EVER SIX
33 MONTHS THEREAFTER THROUGH JULY 1, 2023. THE COMMITTEE SHALL
34 SUBMIT ITS REPORTS TO THE GOVERNOR, THE TRANSPORTATION AND
35 ENERGY COMMITTEE OF THE SENATE OR ITS SUCCESSOR COMMITTEE, THE
36 TRANSPORTATION AND LOCAL GOVERNMENT COMMITTEE OF THE HOUSE
37 OF REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE, THE DISTRICT, AND
38 LOCAL GOVERNMENTS WITHIN THE DISTRICT. THE DISTRICT SHALL MAKE
39 EACH REPORT ISSUED BY THE COMMITTEE AVAILABLE TO THE PUBLIC ON
40 ITS WEBSITE.

41 (b) IN ISSUING ITS REPORTS AND RECOMMENDATIONS, THE
42 COMMITTEE SHALL CONSIDER, BUT NEED NOT BE LIMITED TO, THE
43 FOLLOWING ISSUES:

- 1 (I) THE FINDINGS AND RECOMMENDATIONS OF THE PANEL;
- 2 (II) ACCESSIBILITY OF THE DISTRICT'S SERVICES AND FACILITIES IN
3 ACCORDANCE WITH THE ADA, WITH SPECIAL CONSIDERATION OF
4 PARATRANSIT;
- 5 (III) EQUITY IN SERVICES PROVIDED TO THE DISTRICT, ANALYZED
6 IN TERMS OF GEOGRAPHY, FARE STRUCTURES, AND THE NEEDS OF
7 TRANSIT-DEPENDENT POPULATIONS;
- 8 (IV) STAFF MANAGEMENT, RETENTION, AND HIRING;
- 9 (V) THE DISTRICT'S USE OF AND RELATIONSHIP WITH
10 CONTRACTORS, INCLUDING THE TRAINING REQUIREMENTS FOR AND PAY
11 STRUCTURES OF CONTRACTORS;
- 12 (VI) THE ADEQUACY, ACCESSIBILITY, AND RELIABILITY OF THE
13 SERVICES PROVIDED BY THE DISTRICT;
- 14 (VII) THE DISTRICT'S PARTNERSHIPS WITH LOCAL GOVERNMENTS;
- 15 (VIII) THE FINANCIAL HEALTH OF THE DISTRICT, INCLUDING ITS
16 SPENDING ON EXPENSES NOT DIRECTLY RELATED TO TRANSIT;
- 17 (IX) THE DISTRICT'S PLANS FOR EXPANSIONS OR REDUCTIONS IN
18 SERVICE AND ITS CRITERIA AND PROCESS FOR MAKING DECISIONS ON
19 EXPANSIONS AND REDUCTIONS IN SERVICE;
- 20 (X) THE DISTRICT'S STRATEGIC PLANNING PROCESS AND ANY
21 RECOMMENDATIONS FOR TRAINING FOR THE BOARD AND MANAGEMENT
22 PERSONNEL;
- 23 (XI) A REVIEW OF THE DISTRICT'S EFFORTS TO ADDRESS THE
24 STATE'S CLIMATE CHANGE GOALS;
- 25 (XII) STRATEGIES FOR THE DISTRICT TO INCREASE RIDERSHIP;
- 26 (XIII) THE RESULTS OF ANY AUDITS OF THE DISTRICT AND THE
27 NEED FOR ADDITIONAL AUDITS BY THE STATE; AND
- 28 (XIV) THE PENSIONS OFFERED BY THE DISTRICT.
- 29 (6) THE COMMITTEE MAY CONTRACT WITH A PUBLIC OR PRIVATE
30 ENTITY WITH EXPERTISE IN TRANSIT AGENCY FINANCE AND OPERATIONS TO
31 SUPPORT ITS WORK.
- 32 (7) (a) WITHIN THIRTY DAYS AFTER THE COMMITTEE ISSUES A
33 REPORT OF ITS RECOMMENDATIONS AS REQUIRED BY SUBSECTION (5)(a) OF
34 THIS SECTION, THE DISTRICT SHALL SUBMIT A WRITTEN RESPONSE TO EACH
35 ENTITY THAT RECEIVES THE COMMITTEE'S REPORT RESPONDING TO ANY
36 RECOMMENDATION THAT THE DISTRICT DOES NOT PLAN TO ADOPT AND
37 EXPLAINING WHY THE DISTRICT IS NOT ADOPTING THE RECOMMENDATION.
38 THE DISTRICT SHALL MAKE THE DISTRICT'S RESPONSES AVAILABLE TO THE
39 PUBLIC ON ITS WEBSITE.
- 40 (b) THE DISTRICT SHALL ALLOW THE COMMITTEE MEMBERS ACCESS
41 TO ITS FACILITIES AND TO ALL RELEVANT FILES, RECORDS, AND
42 DOCUMENTS, ON A TIMELY BASIS AND WITHOUT COST, AS NECESSARY TO
43 ALLOW THE COMMITTEE TO COMPLETE ITS WORK IN ACCORDANCE WITH

1 THIS SECTION. THE DISTRICT MAY REQUIRE COMMITTEE MEMBERS TO
2 ENTER INTO A NONDISCLOSURE AGREEMENT BEFORE REVIEWING FILES,
3 RECORDS, OR DOCUMENTS THAT WOULD BE EXEMPT FROM PUBLIC
4 DISCLOSURE UNDER PART 2 OF ARTICLE 72 OF TITLE 24. THE DISTRICT MAY
5 IMPOSE SUCH REQUIREMENTS FOR ACCESS TO ITS FACILITIES AS ARE
6 NECESSARY TO PROTECT THE SAFETY AND SECURITY OF COMMITTEE
7 MEMBERS, DISTRICT EMPLOYEES, AND DISTRICT FACILITIES.

8 (8) THE BOARD AND THE COMMITTEE MAY MEET IN JOINT SESSION
9 TO ASSIST THE COMMITTEE IN ITS REVIEW. WHEN THE BOARD AND
10 COMMITTEE MEET IN JOINT SESSION, THE COMBINED BODY IS A LOCAL
11 PUBLIC BODY FOR THE PURPOSES OF SECTION 24-6-402, AND MAY GO INTO
12 EXECUTIVE SESSION IN ACCORDANCE WITH SUBSECTION 24-6-402 (4). THE
13 BOARD'S BYLAWS GOVERN ANY PROCEDURAL MATTERS WHEN THE BOARD
14 AND THE COMMITTEE MEET IN JOINT SESSION.

15 (9) UPON REQUEST BY THE CHAIR OF THE COMMITTEE, THE
16 DEPARTMENT SHALL PROVIDE MEETING SPACE, EQUIPMENT, AND STAFF
17 SERVICES AS MAY BE NECESSARY TO IMPLEMENT THIS SECTION.

18 (10) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM
19 THE GENERAL FUND TO THE DEPARTMENT TO COVER COSTS ASSOCIATED
20 WITH THE COMMITTEE.

21 (11) THE COMMITTEE SHALL SUBMIT ITS FINAL REPORT IN
22 ACCORDANCE WITH SUBSECTION (5)(a) OF THIS SECTION ON OR BEFORE
23 JULY 1, 2023. THE COMMITTEE IS DISSOLVED, EFFECTIVE JULY 30, 2023.

24 (10) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2023.

25 **SECTION 21. Applicability.** Section 14 of this act applies to the
26 portion of any election cycle or for the portion of the calendar year
27 remaining after the effective date of this act, and for any election cycle or
28 calendar year commencing after said date.

29 **SECTION 22. Safety clause.** The general assembly hereby finds,
30 determines, and declares that this act is necessary for the immediate
31 preservation of the public peace, health, or safety."

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