

CHAPTER 398

TRANSPORTATION

SENATE BILL 23-268

BY SENATOR(S) Mullica and Kirkmeyer, Ginal, Hansen, Liston, Moreno, Pelton B., Priola, Roberts, Simpson, Winter F.;
also REPRESENTATIVE(S) Bird and Bockenfeld, Amabile, Boesenecker, Brown, Dickson, Frizzell, Froelich, Hamrick, Kipp,
Lieder, Lindsay, Lindstedt, Lynch, Ricks, Snyder, Soper, Taggart, Velasco, Weinberg.

AN ACT

CONCERNING THE PROVISION OF INFORMATION REGARDING THE TEN-YEAR TRANSPORTATION PLAN.

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

SECTION 1. In Colorado Revised Statutes, 43-1-106, **amend** (15)(d) as follows:

43-1-106. Transportation commission - efficiency and accountability committee - powers and duties - rules - definitions. (15) In addition to any other duties required by law, the commission shall have the following charges:

(d)(I) To study and make recommendations for existing and future transportation systems in Colorado with a focus of such study and recommendations being a ten-year plan for each mode of transportation. ~~Such~~ THE ten-year plan ~~shall~~ MUST be based on what can be reasonably expected to be implemented with the estimated revenues which are likely to be available. FOR EACH TRANSPORTATION PROJECT IDENTIFIED IN THE TEN-YEAR PLAN, THE PLAN MUST SPECIFY AND REGULARLY UPDATE AS CIRCUMSTANCES CHANGE:

(A) THE TIME FRAME DURING WHICH THE PROJECT IS EXPECTED TO BE COMPLETED;

(B) THE TOTAL ESTIMATED AMOUNT OF FUNDING REQUIRED TO COMPLETE THE PROJECT; AND

(C) ACCOUNTING FOR THE TOTAL ESTIMATED AMOUNT OF FUNDING FOR THE PROJECT, THE AMOUNT OF FUNDING FROM EACH FUNDING SOURCE THAT HAS BEEN ALLOCATED FOR THE PROJECT OR IS ANTICIPATED TO BE ALLOCATED FOR THE

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PROJECT. THE PLAN MUST ALWAYS IDENTIFY SPECIFIC FUNDING SOURCES AND AMOUNTS THAT TAKEN TOGETHER ACCOUNT FOR FULL FUNDING FOR EACH PROJECT IDENTIFIED IN THE PLAN BUT MAY INDICATE, TO THE EXTENT MADE NECESSARY BY DATA LIMITATIONS AND UNCERTAINTIES REGARDING THE AVAILABILITY OF FUTURE FUNDING AND WITH RESPECT TO BOTH THE PLAN GENERALLY AND ANY INDIVIDUAL PROJECT, THE EXTENT TO WHICH AND REASONS WHY THE SOURCES AND AMOUNTS OF FUNDING LISTED ARE UNCERTAIN AND SUBJECT TO CHANGE.

(II) THE COMMISSION SHALL ALLOCATE DEPARTMENT OF TRANSPORTATION FUNDING AND RESOURCES TO THE EXTENT NECESSARY TO PROVIDE TO STATE AND LOCAL GOVERNMENT ELECTED OFFICIALS A DESIGNATED AND READILY AVAILABLE DEPARTMENT CONTACT TO RECEIVE AND RESPOND TO THEIR QUESTIONS ABOUT THE STATUS AND FUNDING OF SPECIFIC TRANSPORTATION PROJECTS THAT AFFECT THEIR COMMUNITIES AND CONSTITUENTS. THE DEPARTMENT SHALL INFORM THE MEMBERS OF THE GENERAL ASSEMBLY AND THE GOVERNING BODY OF EACH COUNTY AND MUNICIPALITY IN THE STATE OF THE IDENTITY OF THE DESIGNATED CONTACT AND THE MEANS BY WHICH THE DESIGNATED CONTACT MAY BE REACHED.

SECTION 2. In Colorado Revised Statutes, **add** 43-1-227 as follows:

43-1-227. Ten-year plan reporting requirements. (1) THE DEPARTMENT AND THE COMMISSION SHALL ANNUALLY REPORT ON THE STATUS OF THE TEN-YEAR PLAN FOR EACH MODE OF TRANSPORTATION DESCRIBED IN SECTION 43-1-106 (15)(d)(I) AS FOLLOWS:

(a) (I) DURING EACH LEGISLATIVE INTERIM, THE DEPARTMENT SHALL PRESENT A REPORT ON ITS PROGRESS IN DELIVERING THE PROJECTS IDENTIFIED IN THE TEN-YEAR PLAN TO THE TRANSPORTATION LEGISLATION REVIEW COMMITTEE CREATED IN SECTION 43-2-145 (1)(a). AS PART OF THE REPORT, THE DEPARTMENT SHALL PROVIDE GUIDANCE TO THE COMMITTEE AS TO HOW TO ACCESS AND UNDERSTAND THE PLAN, AND THE COMMITTEE MAY, IF IT DETERMINES THAT THE PLAN DOES NOT INCLUDE ALL THE INFORMATION REQUIRED BY SECTION 43-1-106 (15)(d)(I), INSTRUCT THE DEPARTMENT TO ENSURE THAT ANY MISSING REQUIRED INFORMATION IS PROMPTLY ADDED TO THE PLAN.

(II) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS SUBSECTION (1) CONTINUES INDEFINITELY.

(b) THE COMMISSION SHALL INCLUDE IN ITS ANNUAL PROPOSED BUDGET ALLOCATION PLAN PRESENTED TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY AN UPDATE ON THE TEN-YEAR PLAN.

SECTION 3. Act subject to petition - effective date. This act takes effect September 1, 2023; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by

the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 6, 2023