

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 11-0474.01 Gregg Fraser

HOUSE BILL 11-1054

HOUSE SPONSORSHIP

Ramirez,

SENATE SPONSORSHIP

Harvey,

House Committees
Transportation

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT THE REGIONAL TRANSPORTATION**
102 **DISTRICT CONTRACT A CERTAIN AMOUNT OF ITS VEHICULAR**
103 **SERVICE TO PRIVATE BUSINESSES PURSUANT TO COMPETITIVELY**
104 **NEGOTIATED CONTRACTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Prior to 2007, the regional transportation district (RTD) was required to contract at least 50% of its vehicular service with qualified

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.

HOUSE
2nd Reading Unamended
February 8, 2011

private businesses pursuant to competitively negotiated contracts. This provision was modified in 2007 to allow RTD, in its discretion, to contract up to 58% of its vehicular service pursuant to such contracts. The bill repeals the 58% ceiling for private contracts and returns the contracting provision back to the mandatory 50% minimum requirement that existed prior to 2007.

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

2 **SECTION 1.** 32-9-119.5 (2) (a) and (3) (a) (I), Colorado Revised
3 Statutes, are amended to read:

4 **32-9-119.5. Competition to provide vehicular service within**
5 **the regional transportation district.** (2) (a) The district ~~may~~ SHALL
6 implement a system ~~under which up to fifty-eight~~ WHEREBY AT LEAST
7 FIFTY percent of ~~the district's~~ ALL vehicular service ~~is~~ SHALL BE provided
8 by qualified private businesses pursuant to competitively negotiated
9 contracts.

10 (3) (a) (I) Subject to the requirements of the "Federal Transit Act",
11 49 U.S.C. SEC. 5301 ET SEQ., as amended, the district ~~may~~ SHALL request
12 proposals from private providers to provide ~~up to fifty-eight~~ AT LEAST
13 FIFTY percent of all of the vehicular service of the district as measured by
14 vehicle hours or vehicle hour equivalents. The district's decision as to
15 which vehicular services ~~are~~ SHALL BE subject to requests for proposals
16 shall be representative of the district's total vehicular service operations;
17 except that each individual request for proposals may designate one type
18 of vehicular service. Service provided by private businesses pursuant to
19 this section shall be accomplished through attrition of the district's
20 full-time employees. No layoffs shall occur solely as a result of the
21 implementation of this section. If the director of the division of labor in
22 the department of labor and employment orders an arbitration pursuant to

1 section 8-3-113 (3), C.R.S., the arbitrator shall not have the power to
2 establish a level of vehicular service to be provided by private businesses
3 in accordance with this section.

4 **SECTION 2. Act subject to petition - effective date.** This act
5 shall take effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part shall not take effect
11 unless approved by the people at the general election to be held in
12 November 2012 and shall take effect on the date of the official
13 declaration of the vote thereon by the governor.