

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 25-030

BY SENATOR(S) Winter F. and Hinrichsen, Ball, Cutter, Danielson, Exum, Jodeh, Kipp, Kolker, Marchman, Michaelson Jenet, Sullivan, Wallace;
also REPRESENTATIVE(S) Froelich and Lindstedt, Lindsay, Boesenecker, Brown, Duran, Garcia, Mabrey, Rutinel, Sirota, Story, Valdez, Velasco, Willford, Zokaie.

CONCERNING MEASURES TO INCREASE TRANSPORTATION MODE CHOICE TO
REDUCE EMISSIONS.

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

SECTION 1. In Colorado Revised Statutes, **add** 43-1-138 as follows:

43-1-138. Transit and active transportation project inventory - transportation planning - mode choice targets - report - definitions.

(1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "METROPOLITAN PLANNING ORGANIZATION" MEANS A METROPOLITAN PLANNING ORGANIZATION UNDER THE "FEDERAL TRANSIT ACT", 49 U.S.C. SEC. 5301 ET SEQ.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(b) "MODE CHOICE TARGET" MEANS A GOAL ESTABLISHED FOR THE SHARE OF TOTAL TRIPS WITHIN A SPECIFIED GEOGRAPHIC AREA COMPLETED USING BIKING, CARPOOLING, PUBLIC TRANSIT, SINGLE-OCCUPANCY VEHICLES, OR WALKING.

(c) "STATE HIGHWAY" MEANS ANY HIGHWAY OWNED, CONTROLLED, OR MAINTAINED BY THE STATE, INCLUDING FEDERAL-AID PRIMARY OR SECONDARY SYSTEMS OR THE INTERSTATE SYSTEM. "STATE HIGHWAY" DOES NOT INCLUDE A PUBLIC HIGHWAY OPERATED BY A PUBLIC HIGHWAY AUTHORITY IN ACCORDANCE WITH THE "PUBLIC HIGHWAY AUTHORITY LAW", PART 5 OF ARTICLE 4 OF THIS TITLE 43.

(d) "SUBJECT LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY CITY, TOWN, COUNTY, OR CITY AND COUNTY WITH A POPULATION OF FIVE THOUSAND OR MORE THAT IS WITHIN THE JURISDICTION OF A METROPOLITAN PLANNING ORGANIZATION.

(2) (a) (I) ON OR BEFORE JULY 1, 2026, IN COORDINATION WITH LOCAL GOVERNMENTS AND TRANSIT AGENCIES, THE DEPARTMENT SHALL CREATE A TRANSIT AND ACTIVE TRANSPORTATION PROJECT INVENTORY THAT IDENTIFIES GAPS IN TRANSIT, BICYCLE, AND PEDESTRIAN INFRASTRUCTURE AND ACCESS ON STATE HIGHWAYS AND RIGHTS-OF-WAY THAT ARE CONTROLLED AND MAINTAINED BY THE DEPARTMENT AND FOR WHICH THERE IS A REASONABLE EXPECTATION OF USER DEMAND FOR THOSE TRANSPORTATION MODES. THE INVENTORY MUST IDENTIFY PROJECTS THAT WOULD SIGNIFICANTLY INCREASE TRANSIT, BIKING, AND WALKING BY IMPROVING CONNECTIVITY AND SAFETY, AND MUST INCLUDE COST ESTIMATES OF SUCH PROJECTS WHERE AVAILABLE.

(II) ON OR BEFORE JULY 1, 2026, IN COORDINATION WITH LOCAL GOVERNMENTS AND TRANSIT AGENCIES, A METROPOLITAN PLANNING ORGANIZATION SHALL CREATE A TRANSIT AND ACTIVE TRANSPORTATION PROJECT INVENTORY THAT IDENTIFIES GAPS IN TRANSIT, BICYCLE, AND PEDESTRIAN INFRASTRUCTURE AND ACCESS WITHIN THE NETWORK OF REGIONALLY SIGNIFICANT ROADWAYS AND RIGHTS-OF-WAY THAT ARE TYPICALLY SUBJECT TO PLANNING AND PROGRAMMING BY THE METROPOLITAN PLANNING ORGANIZATION AND FOR WHICH THERE IS A REASONABLE EXPECTATION OF USER DEMAND FOR THOSE TRANSPORTATION MODES. THE INVENTORY MUST IDENTIFY PROJECTS THAT WOULD

SIGNIFICANTLY INCREASE TRANSIT, BIKING, AND WALKING BY IMPROVING CONNECTIVITY AND SAFETY, AND MUST INCLUDE COST ESTIMATES FOR SUCH PROJECTS IF AVAILABLE.

(b) ON OR BEFORE OCTOBER 31, 2026, THE DEPARTMENT AND EACH METROPOLITAN PLANNING ORGANIZATIONS SHALL REPORT TO THE TRANSPORTATION LEGISLATION REVIEW COMMITTEE CREATED IN SECTION 43-2-145 (1)(a) ON THE INVENTORIES CREATED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION, INCLUDING AN ASSESSMENT OF EXISTING AND POTENTIAL FUNDING SOURCES FOR THE PROJECTS LISTED IN THE INVENTORIES.

(c) THE DEPARTMENT AND METROPOLITAN PLANNING ORGANIZATIONS SHALL USE THE INVENTORIES CREATED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION TO INFORM THE REGIONAL AND STATEWIDE TRANSPORTATION PLANS REQUIRED BY SECTION 43-1-1103, TRANSPORTATION IMPROVEMENT PROGRAMS, AND TRANSIT SERVICE PLANS.

(d) THE DEPARTMENT AND METROPOLITAN PLANNING ORGANIZATIONS SHALL UPDATE THE INVENTORIES CREATED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION AS PART OF THE PLANNING PROCESSES FOR THE REGIONAL AND STATEWIDE TRANSPORTATION PLANS REQUIRED BY SECTION 43-1-1103.

(3) ON OR BEFORE JULY 1, 2026, THE DEPARTMENT SHALL DEVELOP CLEAR DEFINITIONS FOR ROADWAY CAPACITY INVESTMENTS AND STATE-OF-GOOD-REPAIR INVESTMENTS. THE DEPARTMENT AND METROPOLITAN PLANNING ORGANIZATIONS SHALL SEPARATELY CATEGORIZE THESE INVESTMENT COSTS IN THEIR REGIONAL AND STATEWIDE TRANSPORTATION PLANS AND ANY PUBLISHED DASHBOARDS.

(4) (a) ON OR BEFORE DECEMBER 31, 2025, A SUBJECT LOCAL GOVERNMENT SHALL SUBMIT ALL PLANNED TRANSIT, BICYCLE, AND PEDESTRIAN PROJECTS INCLUDED IN ANY TRANSPORTATION, CAPITAL, OR OTHER PLAN TO ITS METROPOLITAN PLANNING ORGANIZATION.

(b) A SUBJECT LOCAL GOVERNMENT MAY ALSO:

(I) ADOPT MODE CHOICE TARGETS IN COLLABORATION WITH THE DEPARTMENT, ITS METROPOLITAN PLANNING ORGANIZATION, AND TRANSIT

AGENCIES THAT OPERATE WITHIN ITS BOUNDARIES;

(II) SUBMIT LOCAL TRANSPORTATION DEMAND MANAGEMENT STRATEGIES TO ITS METROPOLITAN ORGANIZATION; AND

(III) IN COORDINATION WITH THE DEPARTMENT, ITS METROPOLITAN PLANNING ORGANIZATION, AND TRANSIT AGENCIES, IDENTIFY UNFINISHED TRANSIT, BICYCLE, AND PEDESTRIAN PROJECTS IN TRANSIT AREAS, AS DEFINED IN SECTION 29-35-202 (8), AND NEIGHBORHOOD CENTERS, AS DEFINED IN SECTION 29-35-202 (5), AND PRIORITIZE SUCH PROJECTS BASED ON EACH PROJECT'S POTENTIAL TO INCREASE TRANSPORTATION MODE CHOICE, PROTECT VULNERABLE ROAD USERS, REDUCE VEHICLE MILES TRAVELED AND GREENHOUSE GAS EMISSIONS, AND IMPROVE ACCESS TO NONDRIVING TRANSPORTATION OPTIONS IN DISPROPORTIONATELY IMPACTED COMMUNITIES, AS DEFINED IN SECTION 24-4-109 (2)(b)(II).

(c) NOTHING IN THIS SUBSECTION (4) REQUIRES A LOCAL GOVERNMENT TO DEVELOP PLANS IN ADDITION TO THOSE THAT IT IS OTHERWISE REQUIRED TO DEVELOP.

SECTION 2. In Colorado Revised Statutes, 32-8-101.5, **amend** the introductory portion and (3) as follows:

32-8-101.5. Definitions. As used in this ~~article~~ ARTICLE 8, unless the context otherwise requires:

(3) "Department" means the department of ~~local affairs~~ TRANSPORTATION created in ~~section 24-1-125, C.R.S~~ SECTION 43-1-103.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; 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 such period, 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 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO