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### Amending Article 20 of Chapter 89, Colorado Revised Statutes 1963, as Amended, Concerning the Regional Transportation District

Colorado General Assembly

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#### Recommended Citation

Colorado General Assembly, "Amending Article 20 of Chapter 89, Colorado Revised Statutes 1963, as Amended, Concerning the Regional Transportation District" (1971). *Session Laws 1951-2000*. 5532. <https://scholar.law.colorado.edu/session-laws-1951-2000/5532>

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## CHAPTER 243

## LOCAL IMPROVEMENT AND SERVICE DISTRICTS

## REGIONAL TRANSPORTATION DISTRICT ACT

House Bill No. 1094. By Representatives Bryant, Benavidez, Byerly, Cooper, Gustafson, Lamm, Mullen, Newman, Pepper, and Valdez; also Senators MacManus and Shoemaker.

## A N A C T

AMENDING ARTICLE 20 OF CHAPTER 89, COLORADO REVISED STATUTES 1963, AS AMENDED, CONCERNING THE REGIONAL TRANSPORTATION DISTRICT.

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

Section 1. 89-20-3 (15), Colorado Revised Statutes 1963 (1969 Supp.), is amended to read:

89-20-3. Definitions. (15) (a) "Mass transportation system" OR "SYSTEM" means any system OF THE DISTRICT which transports the general public by bus, rail, air, or by any other means of conveyance, or any combination thereof, along prescribed routes WITHIN THE DISTRICT, except any railroad subject to the "Federal Railway Labor Act", Title 45, U.S.C.

(b) SUCH SYSTEM MAY INCLUDE FACILITIES FOR TRANSPORTATION WITHIN OR WITHOUT OR BOTH WITHIN AND WITHOUT THE DISTRICT AS SPECIAL CHARTER SERVICES PROVIDED TO THE GENERAL PUBLIC. THE SCHEDULE OF CHARGES FOR SPECIAL CHARTER SERVICE SHALL BE EQUAL TO BUT NOT LESS THAN THOSE CHARGED BY AUTHORIZED COMMON CARRIERS RENDERING THE SAME OR SIMILAR SERVICE. THE SERVICE MAY BE PERFORMED UNDER SUCH TERMS AND CONDITIONS FOR WHICH FACILITIES ARE MADE AVAILABLE FOR SUCH CHARTER USE AND IN CONFORMITY WITH THE REASONABLE RULES AND REGULATIONS PROVIDED BY THE BOARD WITH RESPECT TO THE USE THEREOF, PROVIDED, HOWEVER, THAT SUCH SPECIAL CHARTER SERVICE OUTSIDE THE DISTRICT SHALL BE LIMITED TO SUCH RIGHTS AND PRIVILEGES AS SHALL BE OBTAINED BY THE DISTRICT IN THE ACQUISITION OF MASS TRANSPORTATION FACILITIES AND PROPERTY.

Section 2. 89-20-18 (1) (m), (n), and (r), Colorado Revised Statutes 1963 (1969 Supp.), are amended to read:

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

89-20-18. Additional powers of district. (1) (m) To establish, maintain, and operate a mass transportation system and all necessary facilities relating thereto within the district across or along any public street, highway, bridge, viaduct, or other public right-of-way, or in, upon, under, or over any vacant public lands without first obtaining a franchise from the public body having jurisdiction over same; except that the district shall cooperate with any public body having such jurisdiction and the district shall promptly restore any such street, highway, bridge, viaduct, or other public right-of-way to its former state of usefulness as nearly as may be and shall not use the same in such manner as to impair completely or unnecessarily the usefulness thereof.

(n) To fix and from time to time increase or decrease the revenues for services and facilities provided by the district; to pledge net revenues for the payment of special district obligation bonds which have been issued in accordance with this article; and to enforce the collection of such revenues. ~~Revenues for services and facilities provided by the district shall be so set as to pay all operation and maintenance expenses of the district.~~

(r) To accept grants or loans from the federal government, THE STATE GOVERNMENT, OR ANY POLITICAL SUBDIVISION THEREOF, to enter into contracts and cooperate with the federal government, THE STATE GOVERNMENT, OR ANY POLITICAL SUBDIVISION THEREOF, and to do any and all things necessary, not inconsistent with this article or the laws of this state, in order to avail itself of such aid, assistance, and cooperation under any federal OR STATE legislation now or hereafter enacted.

Section 3. 89-20-19 (1) and (2), Colorado Revised Statutes 1963, as amended, are amended to read:

89-20-19. Levy of taxes — limitations. (1) Notwithstanding any other provision of law or this article to the contrary, no taxes shall be levied, directly or indirectly, by the district under the provisions of this article unless such levy is solely for the payment of a debt of the district, the incurrence of which debt has been authorized in advance at an election for that purpose, as provided in this article, or for the payment of any annual deficit, if any, in the operation and maintenance expenses of the district, such levy not to exceed two mills on each dollar of valuation for assessment each year, or for the payment of the actual costs incurred under sections 89-20-6, 89-20-7, and 89-20-58 ALL OTHER EXPENSES OF THE DISTRICT, such levy not to exceed one-half mill on each dollar of valuation for assessment each year.

(2) Annually, the board shall determine the amount of money necessary to be raised by taxation for the coming year and shall fix a rate of levy, subject to the provisions of subsection (1) of this section, which rate when levied upon every dollar of valuation for assessment of taxable property within the district, together with any other unencumbered revenues and moneys of the district, shall raise that sum necessary to pay in full all interest and principal on securities of the district, except special obligations payable solely from the net revenues of the district, AND TO PAY, TO THE EXTENT PERMITTED BY THIS SECTION, ALL OTHER OBLIGATIONS OF THE DISTRICT WHICH THE DISTRICT CAN PAY UNDER THIS ARTICLE WITH TAXES, coming due within the coming year, BUT EXCLUDING ANY SPECIAL OBLIGATIONS.

Section 4. **Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 19, 1971

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