

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 17-0286.01 Jennifer Berman x3286

SENATE BILL 17-011

SENATE SPONSORSHIP

Lambert, Lundberg

HOUSE SPONSORSHIP

Lawrence, Hamner, Rankin, Young

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A TECHNICAL DEMONSTRATION**
102 **FORUM TO STUDY SOLUTIONS TO IMPROVE TRANSPORTATION**
103 **ACCESS FOR PEOPLE WITH DISABILITIES.**

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://leg.colorado.gov/>.)

The bill creates a technical demonstration forum consisting of seven members to study and document how advanced technologies can improve transportation access for people with disabilities. The forum consists of the following agency officers or their designees:

! The executive director of the department of labor and

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.

SENATE
Amended 2nd Reading
January 31, 2017

- ! employment, who serves as chair of the forum;
- ! The executive director of the department of health care policy and financing, who serves as vice-chair of the forum;
- ! The director of the public utilities commission;
- ! The chief information officer of the office of information technology;
- ! The executive director of the department of human services;
- ! The director of the division of veterans affairs; and
- ! The superintendent of the Colorado school for the deaf and the blind.

To demonstrate the transportation access needs of people with disabilities in both urban and rural areas of the state, the forum is directed to study the transportation access needs of people with disabilities in El Paso and Teller counties and explore technological and transportation business solutions that could increase transportation access for people with disabilities in those areas. The forum may recommend that the executive director of the department of labor and employment enter into a contract with a technology developer or transportation business to conduct one or more pilot projects in El Paso County, Teller County, or both counties to demonstrate the efficacy of a certain technology or transportation business product to improve transportation access for people with disabilities.

On or before December 31, 2017, the forum is required to publish a report of its research and findings, including the results of any pilot projects and any legislative recommendations developed, and to furnish copies of the report to the governor, members of the general assembly's majority and minority leadership, and the members of the joint budget committee.

The forum and its responsibilities are repealed, effective July 1, 2018.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 86 to title
3 8 as follows:

4 **ARTICLE 86**

5 **Study of Transportation Access**
6 **for People with Disabilities**

7 **8-86-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY

1 HEREBY FINDS AND DETERMINES THAT:

2 (a) ACCORDING TO UNITED STATES CENSUS BUREAU STATISTICS
3 FROM 2009, ONLY THIRTY-EIGHT PERCENT OF PEOPLE WITH DISABILITIES
4 AGED SIXTEEN TO SIXTY-FOUR WERE EMPLOYED, COMPARED TO
5 SEVENTY-TWO PERCENT OF PEOPLE WITHOUT DISABILITIES AGED SIXTEEN
6 TO SIXTY-FOUR WHO WERE EMPLOYED;

7 (b) INCREASINGLY, JOBS ARE GEOGRAPHICALLY DISPERSED. IN A
8 STUDY CITED BY THE LEADERSHIP CONFERENCE EDUCATION FUND IN
9 2011, RESEARCHERS FOUND THAT, IN THE NINETY-EIGHT LARGEST
10 METROPOLITAN AREAS IN THE UNITED STATES, FORTY-FIVE PERCENT OF
11 ALL JOBS WERE LOCATED MORE THAN TEN MILES FROM THE URBAN CENTER
12 OF THE METROPOLITAN AREA.

13 (c) ACCORDING TO A 2010 HARRIS POLL STUDY CONDUCTED BY
14 THE NATIONAL ORGANIZATION ON DISABILITY, PEOPLE WITH DISABILITIES
15 ARE THREE TIMES MORE LIKELY TO DEPEND ON PUBLIC TRANSIT THAN
16 PEOPLE WITHOUT DISABILITIES.;

17 (d) HOWEVER, EXISTING PUBLIC TRANSIT IN THE UNITED STATES
18 DOES NOT PROVIDE ADEQUATE ACCESS TO GEOGRAPHICALLY DISPERSED
19 JOBS. ACCORDING TO A 2016 REPORT BY THE NATIONAL CONFERENCE OF
20 STATE LEGISLATURES ON WORKFORCE DEVELOPMENT FOR PEOPLE WITH
21 DISABILITIES, FORTY PERCENT OF RURAL AREAS IN THE UNITED STATES
22 LACK ANY ACCESS TO PUBLIC TRANSIT. IN A 2011 STUDY BY THE
23 BROOKINGS INSTITUTION, RESEARCHERS FOUND THAT EVEN IF PEOPLE
24 HAVE ACCESS TO PUBLIC TRANSIT, THEY WOULD, ON AVERAGE, ONLY BE
25 ABLE TO REACH FORTY PERCENT OF THE JOB SITES IN THEIR METROPOLITAN
26 AREA WITHIN NINETY MINUTES.

27 (e) IN CONTRAST, VEHICLE OWNERSHIP SIGNIFICANTLY INCREASES

1 A PERSON'S ACCESS TO JOB SITES. IN A PORTLAND STUDY CITED BY THE
2 INDEPENDENCE INSTITUTE IN 2006, RESEARCHERS FOUND THAT IF A
3 PERSON DID NOT HAVE A HIGH SCHOOL DIPLOMA BUT OWNED A VEHICLE,
4 THAT PERSON WAS EIGHTY PERCENT MORE LIKELY TO HAVE A JOB THAN A
5 SIMILARLY SITUATED PERSON WHO DID NOT OWN A VEHICLE. THE
6 RESEARCHERS CONCLUDED THAT VEHICLE OWNERSHIP WAS MORE HELPFUL
7 THAN OBTAINING A HIGH SCHOOL GENERAL EQUIVALENCY DEGREE IN
8 GETTING A JOB.

9 (f) FOR SOME PEOPLE WITH DISABILITIES, HOWEVER, DRIVING A
10 VEHICLE IS NOT AN OPTION, AND THEY MUST RELY ON PUBLIC TRANSIT AND
11 OTHER FORMS OF FIXED-ROUTE TRANSPORTATION SERVICES TO ACCESS
12 WORK, MEDICAL APPOINTMENTS, VETERANS' SERVICES, OR OTHER
13 SERVICES OR ACTIVITIES OF DAILY LIVING OUTSIDE THE HOME.
14 FIXED-ROUTE TRANSPORTATION SERVICES MIGHT NOT PROVIDE THE
15 GEOGRAPHIC AND TIME FLEXIBILITY THAT A PERSON WITH DISABILITIES
16 NEEDS TO ACCESS JOBS, MEDICAL OR VETERANS' SERVICES, OR OTHER
17 SERVICES OR ACTIVITIES OF DAILY LIVING OUTSIDE THE HOME.

18 (g) AT THE SAME TIME, ON-CALL TRANSPORTATION SERVICES LIKE
19 TAXICAB AND TRANSPORTATION NETWORK COMPANY SERVICES MIGHT BE
20 TOO EXPENSIVE FOR A PERSON WITH A DISABILITY TO RELY ON FOR HIS OR
21 HER DAILY TRANSPORTATION NEEDS, AND A GIVEN AREA'S
22 TRANSPORTATION SERVICES COMPANIES MIGHT NOT HAVE ENOUGH
23 VEHICLES IN THEIR FLEET THAT ARE EQUIPPED TO TRANSPORT MOBILITY
24 EQUIPMENT. ACCORDING TO A 2002 SURVEY OF PEOPLE WITH DISABILITIES
25 CONDUCTED BY THE BUREAU OF TRANSPORTATION STATISTICS WITHIN THE
26 FEDERAL DEPARTMENT OF TRANSPORTATION, MORE THAN TWENTY-TWO
27 PERCENT OF RESPONDENTS INDICATED THAT THEY NEEDED SPECIALIZED

1 ASSISTANCE OR EQUIPMENT TO TRAVEL OUTSIDE OF THEIR HOMES, AND
2 MORE THAN TWELVE PERCENT OF RESPONDENTS INDICATED THEY HAD
3 DIFFICULTY GETTING THE TRANSPORTATION THEY NEED.

4 (h) ADVANCED PERSONALIZED SOFTWARE AND OTHER
5 TECHNOLOGY COULD HELP INCREASE ACCESS FOR PEOPLE WITH
6 DISABILITIES TO SUCH ON-CALL TRANSPORTATION SERVICES BY
7 SPECIFICALLY TARGETING THE TECHNOLOGY NEEDS OF PEOPLE WITH
8 DISABILITIES.

9 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS
10 IMPORTANT TO STUDY:

11 (a) THE TRANSPORTATION NEEDS OF PEOPLE WITH DISABILITIES IN
12 COLORADO AND THE DEGREE TO WHICH THOSE NEEDS ARE CURRENTLY
13 BEING MET;

14 (b) EXISTING AND POTENTIAL BUSINESS AND TECHNOLOGICAL
15 SOLUTIONS THAT COULD IMPROVE TRANSPORTATION ACCESS FOR PEOPLE
16 WITH DISABILITIES AND HOW THOSE SOLUTIONS MIGHT BEST BE
17 IMPLEMENTED IN COLORADO;

18 (c) WHAT LEGAL OR OTHER BARRIERS, IF ANY, MIGHT HINDER
19 IMPLEMENTATION OF THE POSSIBLE BUSINESS AND TECHNOLOGICAL
20 SOLUTIONS AND HOW THOSE BARRIERS COULD BE REMOVED TO BETTER
21 MEET THE TRANSPORTATION NEEDS OF PEOPLE WITH DISABILITIES; AND

22 (d) WHAT EXISTING FUNDING SOURCES, IF ANY, COULD BE
23 LEVERAGED TO IMPROVE TRANSPORTATION ACCESS FOR PEOPLE WITH
24 DISABILITIES.

25 **8-86-102. Definitions.** AS USED IN THIS ARTICLE 86, UNLESS THE
26 CONTEXT OTHERWISE REQUIRES:

27 (1) "AREA AGENCY ON AGING" HAS THE SAME MEANING AS SET

1 FORTH IN SECTION 26-11-201 (2).

2 (2) "CROSS-DISABILITY SERVICES" MEANS SERVICES PROVIDED FOR
3 INDIVIDUALS REPRESENTING A RANGE OF DISABILITIES.

4 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND
5 EMPLOYMENT.

6 (4) "DISABILITY" MEANS A PHYSICAL OR MENTAL IMPAIRMENT OR
7 CHRONIC MEDICAL CONDITION THAT SUBSTANTIALLY LIMITS ONE OR MORE
8 OF AN INDIVIDUAL'S MAJOR LIFE ACTIVITIES.

9 (5) "INDEPENDENT LIVING CENTER" HAS THE SAME MEANING SET
10 FORTH IN SECTION 8-85-102 (5).

11 (6) "INDEPENDENT LIVING SERVICES" HAS THE SAME MEANING SET
12 FORTH IN SECTION 8-85-102 (7).

13 (7) "PEOPLE SERVICE TRANSPORTATION" HAS THE SAME MEANING
14 SET FORTH IN SECTION 40-1.1-102 (5).

15 (8) "TAXICAB SERVICE" HAS THE SAME MEANING SET FORTH IN
16 SECTION 40-10.1-101 (19).

17 (9) "TRANSPORTATION NETWORK COMPANY" HAS THE SAME
18 MEANING SET FORTH IN SECTION 40-10.1-602 (3).

19 **8-86-103. Forum to study transportation access needs of**
20 **people with disabilities - creation - membership.** (1) THERE IS HEREBY
21 CREATED A TECHNICAL DEMONSTRATION FORUM, REFERRED TO IN THIS
22 ARTICLE 86 AS THE "FORUM", TO STUDY AND DOCUMENT HOW ADVANCED
23 TECHNOLOGIES CAN IMPROVE TRANSPORTATION ACCESS FOR PEOPLE WITH
24 DISABILITIES.

25 (2) (a) THE FORUM CONSISTS OF THE FOLLOWING EIGHT MEMBERS
26 REPRESENTING GOVERNMENT INTERESTS:

27 (I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR THE

1 EXECUTIVE DIRECTOR'S DESIGNEE, WHO SHALL SERVE AS CHAIR OF THE
2 FORUM;

3 (II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH
4 CARE POLICY AND FINANCING OR THE EXECUTIVE DIRECTOR'S DESIGNEE,
5 WHO SHALL SERVE AS VICE-CHAIR OF THE FORUM;

6 (III) THE DIRECTOR OF THE PUBLIC UTILITIES COMMISSION OR THE
7 DIRECTOR'S DESIGNEE;

8 (IV) THE CHIEF INFORMATION OFFICER IN THE OFFICE OF
9 INFORMATION TECHNOLOGY OR THE CHIEF INFORMATION OFFICER'S
10 DESIGNEE;

11 (V) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN
12 SERVICES OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

13 (VI) THE DIRECTOR OF THE DIVISION OF VETERANS AFFAIRS OR THE
14 DIRECTOR'S DESIGNEE;

15 (VII) THE SUPERINTENDENT OF THE COLORADO SCHOOL FOR THE
16 DEAF AND THE BLIND OR THE SUPERINTENDENT'S DESIGNEE; AND

17 (VIII) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
18 TRANSPORTATION OR THE EXECUTIVE DIRECTOR'S DESIGNEE.

19 (b) THE FORUM SHALL INVITE REPRESENTATIVES OF VARIOUS
20 INTERESTED GROUPS TO PRESENT ON THE ISSUES TO BE STUDIED PURSUANT
21 TO SECTION 8-86-104, INCLUDING REPRESENTATIVES OF THE FOLLOWING
22 GROUPS:

23 (I) REPRESENTATIVES OF FOR-PROFIT AND NOT-FOR-PROFIT
24 ORGANIZATIONS PROVIDING CROSS-DISABILITY SERVICES FOR PEOPLE WITH
25 DISABILITIES, INCLUDING REPRESENTATIVES OF COMMUNITY-CENTERED
26 BOARDS DESIGNATED PURSUANT TO SECTION 25.5-10-209;

27 (II) INDIVIDUALS WITH DISABILITIES, INCLUDING THOSE WHO

1 RECEIVE INDEPENDENT LIVING SERVICES FROM AN INDEPENDENT LIVING
2 CENTER;

3 (III) REPRESENTATIVES OF TRANSPORTATION NETWORK
4 COMPANIES;

5 (IV) REPRESENTATIVES OF TAXICAB SERVICES, PREFERABLY THOSE
6 WHO REPRESENT A TAXICAB SERVICE THAT OFFERS OR IS IN THE PROCESS
7 OF DEVELOPING A NETWORK PLATFORM THAT ALLOWS CUSTOMERS TO
8 REQUEST ON-DEMAND RIDES THROUGH USE OF A MOBILE PHONE
9 APPLICATION;

10 (V) REPRESENTATIVES OF THE STATEWIDE INDEPENDENT LIVING
11 COUNCIL, CREATED PURSUANT TO THE FEDERAL "REHABILITATION ACT OF
12 1973", AS AMENDED, 29 U.S.C. SEC. 701 ET SEQ.;

13 (VI) REPRESENTATIVES OF THE STATE REHABILITATION COUNCIL
14 IN THE DEPARTMENT;

15 (VII) REPRESENTATIVES OF COUNTY SOCIAL SERVICE AGENCIES;

16 (VIII) REPRESENTATIVES OF AREA AGENCIES ON AGING;

17 (IX) REPRESENTATIVES OF ORGANIZATIONS PROVIDING PEOPLE
18 SERVICE TRANSPORTATION TO PEOPLE WITH DISABILITIES; AND

19 (X) REPRESENTATIVES OF COMPANIES THAT DEVELOP
20 TECHNOLOGICAL PRODUCTS AND APPLICATIONS RELATED TO
21 TRANSPORTATION ACCESS FOR PEOPLE WITH DISABILITIES.

22 (3) (a) THE FORUM SHALL MEET AT THE CALL OF THE CHAIR AS
23 MANY TIMES AS THE CHAIR DEEMS NECESSARY.

24 (b) THE FIRST MEETING OF THE FORUM MUST TAKE PLACE ON OR
25 BEFORE JULY 1, 2017.

26 (c) IF PRACTICABLE AND AT THE DISCRETION OF THE CHAIR, A
27 FORUM MEMBER MAY ATTEND A MEETING OF THE FORUM REMOTELY VIA

1 TWO-WAY TELECONFERENCING OR VIDEO CONFERENCING.

2 (d) AT THE DISCRETION OF THE CHAIR, THE FORUM MAY
3 DESIGNATE ONE OR MORE SUBCOMMITTEES FROM AMONG ITS MEMBERS TO
4 PERFORM ANY OF THE DUTIES OF THE FORUM SET FORTH IN SECTION
5 8-86-104.

6 (4) THE FORUM MAY HOLD ITS MEETINGS AT AN INDEPENDENT
7 LIVING CENTER IN OR NEAR EL PASO OR TELLER COUNTIES.

8 **8-86-104. Duties of forum - recommendations.** (1) THE DUTIES
9 OF THE FORUM ARE TO:

10 (a) STUDY THE UNIQUE NEEDS OF, ISSUES SURROUNDING, AND
11 OBSTACLES FACING, PEOPLE WITH DISABILITIES CONCERNING ACCESS TO
12 TRANSPORTATION;

13 (b) IN ORDER TO DEMONSTRATE THE SPECIFIC TRANSPORTATION
14 ACCESS NEEDS OF PEOPLE WITH DISABILITIES IN BOTH URBAN AND RURAL
15 AREAS OF THE STATE, REVIEW THE DEGREE TO WHICH THE
16 TRANSPORTATION NEEDS OF PEOPLE WITH DISABILITIES ARE BEING MET IN
17 EL PASO AND TELLER COUNTIES;

18 (c) DETERMINE THE AVAILABILITY OF TECHNOLOGY AND
19 TRANSPORTATION BUSINESS OPTIONS IN VARIOUS GEOGRAPHIC AREAS OF
20 THE STATE, INCLUDING EL PASO AND TELLER COUNTIES, THAT ARE
21 SPECIFICALLY TAILORED TO PROVIDE TRANSPORTATION ACCESS TO PEOPLE
22 WITH DISABILITIES;

23 (d) EXPLORE TECHNOLOGICAL AND TRANSPORTATION BUSINESS
24 SOLUTIONS THAT COULD INCREASE TRANSPORTATION ACCESS FOR PEOPLE
25 WITH DISABILITIES;

26 (e) DETERMINE WHAT EXISTING FUNDING SOURCES, IF ANY,
27 INCLUDING FEDERAL, STATE, OR LOCAL GOVERNMENT GRANTS OR

1 FOR-PROFIT OR NONPROFIT GRANTS, COULD BE LEVERAGED TO IMPROVE
2 TRANSPORTATION ACCESS FOR PEOPLE WITH DISABILITIES; AND

3 (f) AS APPROPRIATE, MAKE LEGISLATIVE RECOMMENDATIONS TO
4 THE GENERAL ASSEMBLY AS PART OF THE FORUM'S REPORTING
5 REQUIREMENTS SET FORTH IN SECTION 8-86-105.

6 (2)(a) IF THE FORUM DETERMINES THAT CERTAIN TECHNOLOGICAL
7 OR TRANSPORTATION BUSINESS SOLUTIONS SEEM TO PROVIDE A PROMISING
8 STRATEGY TO INCREASE TRANSPORTATION ACCESS FOR PEOPLE WITH
9 DISABILITIES, THE FORUM MAY RECOMMEND THAT THE EXECUTIVE
10 DIRECTOR OF THE DEPARTMENT ENTER INTO A CONTRACT, IN ACCORDANCE
11 WITH THE COMPETITIVE BIDDING PROCEDURES SET FORTH IN THE
12 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, WITH A
13 TECHNOLOGY DEVELOPER, TRANSPORTATION NETWORK COMPANY,
14 TAXICAB SERVICE, OR OTHER TECHNOLOGICAL OR TRANSPORTATION
15 BUSINESS SOLUTION PROVIDER TO CONDUCT ONE OR MORE PILOT PROJECTS
16 IN EL PASO COUNTY, TELLER COUNTY, OR BOTH COUNTIES TO
17 DEMONSTRATE THE EFFICACY OF THE TECHNOLOGICAL OR
18 TRANSPORTATION BUSINESS SOLUTION TO IMPROVE TRANSPORTATION
19 ACCESS FOR PEOPLE WITH DISABILITIES WITHIN A SPECIFIC GEOGRAPHIC
20 AREA WHERE SUCH ACCESS IS LACKING.

21 (b) ANY PILOT PROJECT CONDUCTED PURSUANT TO SUBSECTION
22 (2)(a) OF THIS SECTION MUST BE COMPLETED BY DECEMBER 1, 2017, SO
23 THAT THE RESULTS OF THE PILOT PROJECT MAY BE REPORTED ON OR
24 BEFORE DECEMBER 31, 2017, IN ACCORDANCE WITH SECTION 8-86-105.

25 **8-86-105. Reporting.** ON OR BEFORE DECEMBER 31, 2017, THE
26 FORUM SHALL PUBLISH ON THE DEPARTMENT'S WEBSITE A REPORT OF ITS
27 RESEARCH AND FINDINGS, THE RESULTS OF ANY PILOT PROJECTS

1 CONDUCTED PURSUANT TO SECTION 8-86-104 (2)(a), AND ANY
2 LEGISLATIVE RECOMMENDATIONS DEVELOPED IN ACCORDANCE WITH
3 SECTION 8-86-104 (1)(f). THE FORUM SHALL FURNISH COPIES OF THE
4 REPORT TO THE GOVERNOR, THE MEMBERS OF THE GENERAL ASSEMBLY'S
5 MAJORITY AND MINORITY LEADERSHIP, AND THE MEMBERS OF THE JOINT
6 BUDGET COMMITTEE.

7 **8-86-106. Repeal of article.** THIS ARTICLE 86 IS REPEALED,
8 EFFECTIVE JULY 1, 2018.

9 **SECTION 2. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.