



COLORADO
Department of Transportation

2 CCR 601-22
Rules Governing Statewide Transportation Planning
and Transportation Planning Regions
March 6 & 11, 2024



Overview of 2 CCR 601-22

Rules Governing the Statewide Transportation Planning Process and Transportation Planning Regions (Rules)

- The purpose of the Rules is to prescribe the statewide transportation planning process through which a long-range multimodal, comprehensive Statewide Transportation Plan will be developed by CDOT, in cooperation with local governments, Metropolitan Planning Organizations (MPOs), Regional Planning Commissions, Indian tribal governments, relevant state and federal agencies, the private sector, transit and freight operators, and the general public.
- Further, the Rules define the state's Transportation Planning Regions for which long-range Regional Transportation Plans are developed, prescribe the process for conducting and initiating transportation planning in the non-MPO Transportation Planning Regions and coordinating with the MPOs for planning in the metropolitan areas.



Changes to the Rules are Limited

- The Transportation Commission has opened the Rules for modifications to only 3 sections:
 - Section 1.11: The definition of Disproportionately Impacted Communities (DIC).
 - Section 2: Transportation Planning Regions (TPRs).
 - Section 3: Statewide Transportation Advisory Committee (STAC).
- Modifications to sections of the Rule other than those listed above will not be entertained during this rulemaking process.



What Is the TPR Study?

- CDOT staff provided a report- “HB 23-1101: Transportation Planning Region Study” to the Transportation Commission on November 16 to comply with the requirements of HB 23-1101.
- With the exception of the definition of DICs, the proposed changes to the Rule are consistent with the staff recommendations that came out of that report.
- Pursuant to HB 23-1101, following completion of the study and with consideration of its findings, the Transportation Commission shall initiate updates to the rules before June 1, 2024. This process fulfills that statutory requirement.
- The Transportation Commission, not CDOT, has the authority to make changes to the Rules, and they are not required to do so.



Proposed Changes to Rule





Definition of Disproportionately Impacted Communities

2 CCR 601-22 Contains a Definition of Disproportionately Impacted Communities

- The current definition in the Planning Rule, located as section 1.11, is no longer consistent with the state statutory definition.
- Rule proposal is to adjust the definition to match the definition in state statute.



1.11- Definition of Disproportionately Impacted Communities

Disproportionately Impacted Communities - defined in ~~§ 24-38.5-302(3)~~ §24-4-109, C.R.S. as a community that is described in § 24-4-109(2)(b)(II)(G) or (2)(b)(II)(H), C.R.S. or that is in a census block group, as determined in accordance with the most recent five-year United States bureau of the census American community survey and meets one or more of the following criteria. ~~Decennial Census where the proportion of households that are low income is greater than forty percent (40%), the proportion of households that identify as minority is greater than forty percent (40%), or the proportion of households that are housing cost burdened is greater than forty percent (40%).~~



1.11- Definition of Disproportionately Impacted Communities (continued)

- 1.11.1 The proportion of the population living in households that are below two hundred percent of the federal poverty level is greater than forty percent;
- 1.11.2 The proportion of households that spend more than thirty percent of household income on housing is greater than fifty percent;
- 1.11.3 The proportion of the population that identifies as people of color is greater than forty percent;
- 1.11.4 The proportion of the population that is linguistically isolated is greater than twenty percent;
- 1.11.5 A statewide agency determines, after a community presents evidence of being and requests to be classified as a disproportionately impacted community, that the population is disproportionately impacted based on evidence, presented in a relevant statewide agency decision-making process, that a census block group is disproportionately impacted because it has a history of environmental racism perpetuated through redlining or through anti-indigenous, anti-immigrant, anti-Latino, or anti-Black laws, policies, or practices and that present-day demographic factors and data demonstrate that the community currently faces environmental health disparities;
- 1.11.6 The community is identified by a statewide agency as being one where multiple factors, including socioeconomic stressors, vulnerable populations, disproportionate environmental burdens, vulnerability to environmental degradation or climate change, and lack of public participation may act cumulatively to affect health and the environment and may contribute to persistent disparities;
- 1.11.7 The community is a mobile home park, as defined in section 38-12-201.5 (6), regardless of whether the mobile home park is a census block group; or
- 1.11.8 The community is located on the Southern Ute or Ute Mountain Ute Indian reservation, regardless of whether the community is a census block group.



Transportation Planning Regions Boundaries

Recommendations for TPR Boundary Changes & Representation

- a. Combine Southeast TPR and South Central TPR into one new TPR. (Found in 2.01.7 and 2.01.15)
- b. Divide the Intermountain TPR into two TPRs: (Found in 2.01.11 and 2.01.12)



2.01- Transportation Planning Region Boundaries

- 2.01.7 The Southeast TPR comprises Baca, Bent, Crowley, Huerfano, Kiowa, Las Animas, Otero, and Prowers counties.
- 2.01.11 The West Intermountain TPR comprises ~~Eagle~~, Garfield ~~and, Lake~~, Pitkin counties, and the portion of Eagle County that is within the boundaries of the Roaring Fork RTA. Summit counties.
- 2.01.12 The East Intermountain TPR comprises Lake and Summit counties, and the portion of Eagle County that is within the boundaries of the Eagle Valley Transportation Authority.
- ~~2.01.15 The South Central TPR comprises Huerfano, and Las Animas Counties.~~

* Renumber rules accordingly



TPR Consistency and Transparency

Recommendations for TPR Governing Documents

- a. Require the governing documents of TPRs to contain a set of required and best practice provisions (Found in 2.07.1 - 2.07.13 of Rule)
- b. Ensure each TPR has a member that represents transit agencies from within the TPR as required in statute (Found in 2.07.1 of Rule)
- c. Encourage TPRs that have governmental jurisdictions that are represented within multiple TPRs to work together to ensure no single jurisdiction represents multiple TPRs on STAC (Found in 2.08 of Rule)



2.07 & 2.08- Transportation Planning Regions Consistency and Transparency

2.07 Transportation Commission expectations for consistency and transparency of RPCs and TPRs governing documents. To ensure consistency and transparency among RPCs and TPRs that conduct transportation planning and develop RTPs under Rule 4.00, the governing documents of RPCs ~~these entities~~ must include the following information.

2.07.1 The name of the organization, and the membership, including transit membership consistent with and required under 43-1-1103.

2.07.2 The duties of the organization, and the ability to spend and receive funds, sue and be sued, and enter into contracts.

2.07.3 The ability to terminate and amend its governing documents.

2.07.4 An overview of general meeting cadence and locations.

2.07.5 A list of officers, process for the elections of officers, and the length of term of officers.

2.07.6 What shall constitute a quorum and what the voting structure shall be.

2.07.7 An assurance that meetings are open to the public and must be publicly noticed.



2.07 & 2.08- Transportation Planning Region Consistency and Transparency (continued)

2.07.8 An assurance that agendas and meeting minutes are available and accessible to the public.

2.07.9 An assurance that regularly scheduled meetings shall allow time for public comment on the agenda.

2.07.10 The process for identifying how the TPR's STAC representative is chosen.

2.07.11 A statement on how the TPR ~~arranges for administrative support for its activities and responsibilities~~ ~~is to be administered.~~

2.07.12 The inclusion of a Conflict of Interest Statement.

2.07.13 An assurance that TPR information can be found on the internet.

2.08 TPRs that have governmental jurisdictions that are represented within multiple TPRs are encouraged to work together to ensure no political jurisdiction represents more than one TPR on STAC.



Recommendations for STAC and TRAC

Recommendations for STAC and TRAC

- a. Strike the requirement that Fax numbers be included in STAC member contact information (Found in 3.02.1 of Rule)
- b. Add the Chair of the Transit and Rail Advisory Committee (TRAC) to STAC as a non-voting member. (Found in 3.02.2 of Rule)
- c. Establish term limits for STAC Chairs and Vice-Chairs. Up to two consecutive terms of two years each, with details worked out by STAC via an update to their bylaws. (Found in 3.03.2.1 of Rule).
- d. Rotate Chairs/Vice-Chairs between rural TPRs and urban TPRs, ensuring STAC leadership always has both a rural and urban voice, with details worked out by STAC via an update to their bylaws. (Found in 3.03.2.2 of Rule)



3.02.1 - State Transportation Advisory Committee Notification of Membership

3.02.1 Each RPC and tribal government shall select its representative to the STAC pursuant to § 43-1-1104(1), C.R.S. The Ute Mountain Ute Tribal Council and the Southern Ute Indian Tribal Council each appoint one representative to the STAC. Each TPR and tribal government is also entitled to name an alternative representative who would serve as a proxy in the event their designated representative is unable to attend a STAC meeting and would be included by the Department in distributions of all STAC correspondence and notifications. The Division Director shall be notified in writing of the name, title, mailing address, telephone number, ~~fax number~~ and electronic mail address (if available) of the STAC representative and alternative representative from each TPR and tribal government within thirty (30) days of selection.



2.02.2- State Transportation Advisory Committee Transit & Rail Advisory Committee

3.02.2 The chairperson of the Transit and Rail Advisory Committee (TRAC) shall be a non-voting member of STAC and is entitled to name an alternative representative in the event the chairperson is unable to attend a STAC meeting and both individuals shall be included by the Department in distributions of all STAC correspondence and notifications. The Division Director shall be notified in writing of the name, title, mailing address, telephone number, and electronic mail address of the STAC representative and alternative representative within thirty (30) days of selection.



3.03.2- Administration of STAC

3.03.2 The STAC shall establish procedures to govern its affairs in the performance of its advisory capacity, including, but not limited to, the appointment of a chairperson and the length of the chairperson's term, meeting times, and locations.

3.03.2.1 In establishing procedures for the appointment of a chairperson and vice chairperson, STAC shall include a provision for term limits for each office so that no individual may serve in either position for more than two consecutive two-year terms.

3.03.2.2 To ensure the STAC's leadership ~~represents~~ ~~come from~~ both rural and urban Colorado, STAC procedures shall require that when the chairperson is chosen from a rural TPR or tribe, the vice chairperson shall be chosen from an urban MPO area, and each position shall rotate so that no consecutive chairpersons or vice chairpersons come from either a rural TPR or tribe, or urban MPO area consecutively.



Thank You!
Let's Hear Your Public Comment