

## SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Cutter

1 Amend printed bill, page 3, line 25, before "**add**" insert "**amend** (9);  
2 and".

3 Page 3, line 27, strike "**Definitions.**" and substitute "**Definitions -**  
4 **repeal.**".

5 Page 4, after line 18 insert:

6 "(9)(a) "Fund" means the rail district maintenance and safety fund  
7 created in section 40-20-309.

8 (b) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2025."

9 Page 6, after line 14 insert:

10 "**SECTION 4.** In Colorado Revised Statutes, 40-20-308, **amend**  
11 (3) as follows:

12 **40-20-308. Violations - penalties - rules.** (3) The public utilities  
13 commission shall transfer all fines collected pursuant to subsections (1)  
14 and (2) of this section to the state treasurer, who shall credit the fines to  
15 the STATE HIGHWAY fund CREATED IN SECTION 43-1-219.

16 **SECTION 5.** In Colorado Revised Statutes, 40-20-309, **add** (4)  
17 and (5) as follows:

18 **40-20-309. Rail district maintenance and safety fund - created**  
19 **- repeal.** (4) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED  
20 AND UNENCUMBERED MONEY IN THE FUND ON JUNE 30, 2025, TO THE  
21 STATE HIGHWAY FUND CREATED IN SECTION 43-1-219.

22 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

23 **SECTION 6.** In Colorado Revised Statutes, **add** 40-20-309.5 as  
24 follows:

25 **40-20-309.5. Penalties collected and credited to the state**  
26 **highway fund - expenditure.** (1) MONEY CREDITED OR TRANSFERRED  
27 TO THE STATE HIGHWAY FUND PURSUANT TO SECTIONS 40-20-308 (3) AND  
28 40-20-309 (4) MUST BE EXPENDED BY THE TRANSIT AND RAIL DIVISION IN  
29 THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSES OF:

30 (a) SAFETY PLANNING AND DEVELOPMENT DURING THE RESEARCH,  
31 DEVELOPMENT, AND CONSTRUCTION OF A PASSENGER RAIL SYSTEM;

32 (b) PLANNING, DESIGN, CONSTRUCTION, OR MAINTENANCE AND  
33 OPERATION OF SAFETY IMPROVEMENTS ON ANY RAILROAD OR RAILROAD  
34 CROSSING IN THE STATE; AND

35 (c) COMPLETING CAPITAL DEVELOPMENT PROJECTS TO IMPROVE  
36 THE SAFETY OF A PASSENGER RAIL SYSTEM.

37 (2) MONEY CREDITED OR TRANSFERRED TO THE STATE HIGHWAY

1 FUND PURSUANT TO SECTIONS 40-20-308 (3) AND 40-20-309 (4) IS NOT  
2 INTENDED TO INCREASE THE NUMBER OF FULL-TIME EMPLOYEES OF THE  
3 DEPARTMENT OF TRANSPORTATION."

4 Renumber succeeding sections accordingly.

5 Page 14, after line 6 insert:

6 "SECTION 9. In Colorado Revised Statutes, 40-20-313, **amend**  
7 (3) as follows:

8 **40-20-313. Rail industry safety advisory committee -**  
9 **membership - duties - rail safety plan - repeal.** (3) Members of the rail  
10 industry safety advisory committee ~~serve without compensation but must~~  
11 ~~be reimbursed from money in the fund for actual and necessary expenses~~  
12 ~~incurred in the performance of the members' duties pursuant to this~~  
13 ~~section~~ WHO ARE NOT COMPENSATED FOR ACTING IN OFFICIAL JOB ROLES  
14 MAY RECEIVE PER DIEM COMPENSATION FROM THE OFFICE OF RAIL SAFETY  
15 CREATED IN SECTION 40-20-311. MEMBERS OF THE RAIL INDUSTRY SAFETY  
16 ADVISORY COMMITTEE MAY BE REIMBURSED FOR EXPENSES INCURRED  
17 WHILE PERFORMING THEIR DUTIES."

18 Renumber succeeding sections accordingly.

19 Page 14, after line 17 insert:

20 "SECTION 11. In Colorado Revised Statutes, 43-1-220, **add** (3)  
21 as follows:

22 **43-1-220. Sources of funds - assumption of obligations.**  
23 (3) ALL MONEY CREDITED OR TRANSFERRED TO THE STATE HIGHWAY  
24 FUND PURSUANT TO SECTIONS 40-20-308 (3) AND 40-20-309 (4) MUST BE  
25 EXPENDED BY THE TRANSIT AND RAIL DIVISION IN THE DEPARTMENT OF  
26 TRANSPORTATION FOR PURPOSES DESCRIBED IN SECTION 40-20-309.5 (1)."

27 Renumber succeeding section accordingly.

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