

1 Purpose and Initiative: This initiative shall create the Colorado Rail Authority, which would build,  
2 design, and/or operate passenger rail – and freight – within the state of Colorado. This daily passenger  
3 and freight operation shall be titled the “RangerXpress.”  
4

5 **Proposed Initiative:**  
6

7 Be it Enacted by the People of the State of Colorado: Title 43, Colorado Revised Statutes, is amended by  
8 the addition of a new article to read: Article 7, Colorado Rail Authority, aka, the RangerXpress.  
9

10 **Section 1 – Definition of the Colorado Rail Authority**  
11

- 12 (1) (The Colorado Rail Authority will be an instrumentality of the State of Colorado, as defined in
- 13 24-56-102(6), with the authority to condemn land via eminent domain powers.
- 14 (2) The Colorado Rail Authority is an entity that may sue, and be sued.
- 15 (3) The Colorado Rail Authority may enter into what is commonly known as a build, design, and
- 16 operate contract, if the majority of the board – over fifty% of the board members - votes to do so.
- 17 Such a contract allows a private contractor to build and design the facilities – and to operate
- 18 passenger and/or freight services.
- 19 (4) As defined in 43-4-602(15), the Colorado Rail Authority shall be a transportation activity
- 20 enterprise.
- 21

22 **Section 2 – Appointment of the board of the Colorado Rail Authority**  
23

24 A board of shall be established to govern the Colorado Rail Authority.  
25

26 The Colorado Rail Authority Board shall be appointed, with members appointed for a four-year term, by  
27 the following methods:

- 28 One member appointed by each of the members of the Congressional Delegation;
- 29 One member appointed by each of the Metropolitan Planning
- 30 Organizations within Colorado;
- 31 One member appointed by the President of the Colorado Senate;
- 32 One member appointed Colorado Speaker of the House;
- 33 Two Members appointed by the Governor. If the total number of board members is even, then the
- 34 governor shall appoint an additional, one, board member.
- 35 One member each by the Union Pacific and Burlington-Northern Santa Fe Railroads, and/or their
- 36 successors, to be appointed by their board of directors and;
- 37 One member appointed by the Executive Director of the Colorado Department of Transportation;
- 38 One member appointed by the General Manager of Regional Transit District;
- 39 One member appointed by the District Board of Directors;
- 40 One member appointed by Colorado Counties Incorporated;
- 41 One member appointed by Colorado Municipal League ;
- 42 One member appointed from the Colorado Association Of Transit Agencies
- 43

RECEIVED  
MAY 09 2008  
ELECTIONS  
SECRETARY OF STATE  
*CL*  
*3:00 PM*  
*KM*

44 Appointees by any of the above may be from the minority party, if any of the appointees so wishes.  
45

46 **Section 3 – Day-to-day operations**

47 The Board shall hire an Executive Director to run the day-to-day operations of the Colorado Rail  
48 Authority, with a majority vote – over fifty percent of the board voting to confirm the Executive  
49 Director.  
50

51 **Section 4 – Multimodal connectivity**

52 The Colorado Rail Authority shall be allowed to operate rental agencies for bicycles and/or automobiles  
53 and/or other vehicles, provided that 40% of all motorized vehicles rented were electric and/or hybrid  
54 electric vehicles. The Denver Union Station plan is an example of a multimodal facility, which will have  
55 rental facilities.  
56

57 **Section 5 – Energy efficiency**

58 The Colorado Rail Authority shall build all new facilities, and restore old facilities, to the LEED  
59 standards of the US Green Building Council (which is currently located at 1800 Massachusetts Avenue  
60 Northwest, Washington, DC 20036), save where the Board of the Colorado Rail Authority votes  
61 otherwise.

62  
63 **Section 6 – Interstate connections**

64 The Colorado Rail Authority shall have the authority to cooperate, and enter into agreements, with  
65 adjacent states to create passenger rail, and freight service, connecting Colorado to adjacent states.

66  
67 **Section 7 – One time authorization to tax**

68 To fund the creation of the Colorado Rail Authority a 4/10 of one-cent (.4%) sales tax, for 20 years,  
69 shall be established in the state of Colorado. All of said tax collected shall be allocated solely for the  
70 construction of the facilities required for the daily operation of the Colorado Rail Authority, aka the  
71 RangerXpress. This tax shall commence on January 1, 2009, and shall be applied in all of the state of  
72 Colorado.

73  
74 **Section 8 – Compliance with TABOR**

75 The State of Colorado shall be the legal entity that owns the rights of way, tracks, stations, rolling stock,  
76 and all maintenance facilities of the Colorado Rail Authority. The Colorado Rail Authority is the  
77 enterprise which then operates these facilities.

78  
79 The authority, acting as an enterprise, shall lease these facilities from the State of Colorado, for one  
80 dollar per year. As an enterprise, the Colorado Rail Authority shall be solely responsible for all of its  
81 operational costs. “Fees” – passenger tickets and monies collected for moving freight – shall solely be  
82 the responsibility of the Colorado Rail Authority.

83  
84 **Section 9 – Reductions in Greenhouse Gases**

85 The state of Colorado rents the above named facilities to the Colorado Rail Authority for one dollar a  
86 year, as the Colorado Rail Authority will allow Colorado to cut its emissions of CO2, and thereby  
87 provide a tangible benefit to the state and people of Colorado.

88  
89 Graham Hill  
90 1464 Periwinkle  
91 Boulder, CO 80304  
92 ghill@21wheels.com

93  
94 Mark Richert  
95 3817 Silver Plume Circle  
96 Boulder CO, 80305  
97 mark@markrichert.com  
98 303-596-6473