

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0164.01 Jane Ritter x4342

HOUSE BILL 24-1165

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HOUSE SPONSORSHIP

Ortiz and Bacon,

SENATE SPONSORSHIP

(None),

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House Committees

Transportation, Housing & Local Government

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING ACCESSIBILITY REQUIREMENTS AT DENVER  
102 INTERNATIONAL AIRPORT.

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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 imposes a set of duties on the Denver airport authority (authority) by established times for accessibility-related functions at Denver international airport. The authority is encouraged to monitor the completion and ongoing upkeep of the duties and functions.

The division of aeronautics (division) is authorized to issue fines for noncompliance of the duties and functions to any entity in violation

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

(entity). For a first offense, the entity has 30 days to remedy the noncompliance. If not remedied within 30 days, the division is authorized to fine the entity an amount not to exceed \$3,500. For each subsequent offense, the division shall fine the entity an amount not to exceed \$7,000 per offense.

An individual alleging damages resulting from a violation by an entity may bring a civil suit and may seek a court order requiring compliance and any other remedy the court determines necessary.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) Aviation and air travel have become a critical part of life for  
5 those seeking to obtain economic and educational opportunities, visit  
6 unique places, and spend time with friends and family;

7 (b) Individuals living with a disability, however, have consistently  
8 faced hardship, barriers, and, in some instances, outright discrimination  
9 when attempting to enjoy equitable opportunity through air travel;

10 (c) According to the United States government accountability  
11 office's report "Passengers with Disabilities: Airport Accessibility  
12 Barriers and Practices and the Department of Transportation's Oversight  
13 of Airlines' Disability-Related Training", passengers with disabilities face  
14 infrastructure, information, and customer service barriers at airports  
15 throughout the United States. For example, complex terminal layouts and  
16 long distances between gates can be hard to navigate. Additionally, travel  
17 information isn't always available in a format that is accessible to  
18 everyone.

19 (d) The data is supported by real-world examples that have not  
20 only cost individuals with disabilities the opportunities that come with air  
21 travel, but also cost individuals the use of their mobility devices and

1 more. Because of constant carelessness shown to mobility devices, a  
2 broken chair by one airline directly led to a medical condition that took  
3 the life of one of the nation's great disability rights advocates, Engracia  
4 Figueroa.

5 (e) Changes that occurred in 2023 and are scheduled for 2024 are  
6 critical to finally secure basic access and equity in Colorado for airport  
7 passengers with a disability who travel;

8 (f) According to a press release from Denver international airport,  
9 dated February 28, 2023, Denver international airport received \$22  
10 million in grants for fiscal year 2023 from the federal airport terminal  
11 program as part of the bipartisan infrastructure law funding;

12 (g) Funding from the federal airport terminal program, one of  
13 three aviation programs created by the bipartisan infrastructure law,  
14 provides \$1 billion annually for five years for airport terminal program  
15 grants. In total, the bipartisan infrastructure law provided an historic \$25  
16 billion to modernize our country's airport infrastructure.

17 (h) Individuals living with a disability must work together to  
18 ensure that these infrastructure dollars will be used for providing basic  
19 access and equity in travel opportunities at our country's airports.

20 (2) Therefore, the community of individuals living with a  
21 disability in Colorado has been working collaboratively with Denver  
22 international airport staff to ensure that Denver international airport  
23 becomes a model that airports across the country can follow in meeting  
24 the basic requirements of the federal "Americans with Disabilities Act"  
25 and appropriate aspects of the federal "Air Carriers Act", which seek to  
26 ensure basic access and equity for all travelers.

27 (3) The general assembly therefore declares that the purpose of

1 this act is to place in state law the agreements of work that have been and  
2 will be done, along with a timeline created by Denver international  
3 airport. The act guarantees that securing access and equity at the airport  
4 on an agreed-upon timeline is not dependent on any single legislator,  
5 executive administration, or the changing staff at Denver international  
6 airport.

7 **SECTION 2.** In Colorado Revised Statutes, **add** 43-10-118 as  
8 follows:

9 **43-10-118. Denver international airport accessibility - duties**  
10 **- reporting requirements - penalties - civil action - rules - definitions.**

11 (1) THE DENVER AIRPORT AUTHORITY AND DENVER INTERNATIONAL  
12 AIRPORT HAVE THE FOLLOWING DUTIES RELATED TO ACCESSIBILITY AND  
13 SAFETY:

14 (a) ON OR BEFORE DECEMBER 31, 2026, DEVELOP AND PROVIDE  
15 ONGOING, COMPREHENSIVE TRAINING PROGRAMS FOR AIRPORT STAFF,  
16 ESPECIALLY IN THE HANDLING OF LUGGAGE, POWER CHAIRS, MANUAL  
17 CHAIRS, WALKERS, CANES, MEDICAL EQUIPMENT, AND ADAPTIVE SPORTS  
18 EQUIPMENT;

19 (b) ON OR BEFORE DECEMBER 31, 2026, FACILITATE CONTINUED  
20 IMPROVEMENT OF PROCEDURES RELATED TO THE OPERATIONS OF THE  
21 TRANSPORTATION SECURITY ADMINISTRATION, INCLUDING PRE-CHECK,  
22 WITH A FOCUS ON TICKET AND CHECK-IN PROCESSES AND COORDINATION  
23 WITH GATE CREWS TO CREATE A SEAMLESS EXPERIENCE FOR TRAVELERS  
24 WITH DISABILITIES;

25 (c) ON OR BEFORE MARCH 30, 2024, ESTABLISH AN ADVISORY  
26 COMMITTEE FOR THE CROSS-DISABLED COMMUNITY. THE ADVISORY  
27 COMMITTEE MUST HAVE REPRESENTATION FROM PERSONS WITH VARIOUS

1       DISABILITIES AND PROVIDE INPUT DURING AIRPORT RENOVATIONS TO  
2       ENSURE BASIC ACCESS AND EQUITY IN AIR TRAVEL. THE ADVISORY  
3       COMMITTEE SHALL MAKE REGULAR ASSESSMENTS TO IDENTIFY AREAS FOR  
4       IMPROVEMENT AND ACKNOWLEDGE SUCCESSES.

5               (d) ON OR BEFORE JUNE 30, 2030, AND ONGOING THEREAFTER,  
6       INSTALL AND MAINTAIN RESTROOMS FOR INDIVIDUALS WITH DISABILITIES,  
7       WHICH INCLUDE COMPANION CARE CHANGING TABLES, AND AT LEAST ONE  
8       ACCESSIBLE PUBLIC RESTROOM IN EVERY TERMINAL;

9               (e) ON OR BEFORE JANUARY 1, 2026, CREATE, MAINTAIN, AND  
10       UPDATE AS NECESSARY A TRANSPARENT ELECTRONIC DASHBOARD TO  
11       REPORT AND TRACK BASIC ACCESS SHORTCOMINGS AND VIOLATIONS  
12       THROUGHOUT THE TRAVEL PROCESS. THE DASHBOARD MUST INCLUDE A  
13       "PUBLIC INQUIRY FORM" THAT ALLOWS AN INDIVIDUAL TO DIRECTLY  
14       REPORT AN ACCESSIBILITY EXPERIENCE AT THE AIRPORT.

15              (f) ON OR BEFORE DECEMBER 31, 2030, ENSURE THAT THE  
16       AIRPORT HAS AND MAINTAINS AN ADEQUATE NUMBER AND VARIETY OF  
17       BELT LOADERS TO SAFELY HANDLE MOBILITY DEVICES WITHOUT  
18       ENDANGERING STAFF;

19              (g) ON OR BEFORE DECEMBER 31, 2030, USE ELEVATORS TO  
20       TRANSPORT POWER CHAIRS FROM THE TARMAC TO THE JETWAY SAFELY  
21       AND EFFICIENTLY. POWER CHAIRS AND OTHER MOBILITY DEVICES THAT  
22       REQUIRE THE USE OF AN ELEVATOR FOR TRANSPORTATION TO AND FROM  
23       THE TARMAC MUST BE GIVEN PRIORITY USAGE.

24              (h) ON OR BEFORE MARCH 30, 2024, INCORPORATE WAYFINDING  
25       TECHNOLOGY TO ASSIST INDIVIDUALS WHO ARE BLIND OR VISUALLY  
26       IMPAIRED TO NAVIGATE THE AIRPORT INDEPENDENTLY; AND

27              (i) ON AND AFTER MARCH 30, 2024, CONSULT WITH THE DISABLED

1 COMMUNITY AND CONFER WITH THE COMMUNITY ACCESS STEERING  
2 COMMITTEE DURING THE CONSTRUCTION OF WALKWAYS AND OTHER  
3 FACILITIES AT THE AIRPORT.

4 (2) THE AUTHORITY IS ENCOURAGED TO MONITOR THE DUTIES SET  
5 FORTH IN SUBSECTION (1) OF THIS SECTION.

6 (3) THE DIVISION IS AUTHORIZED TO ISSUE FINES FOR  
7 NONCOMPLIANCE IN ACCORDANCE WITH SUBSECTION (4) OF THIS SECTION.

8 (4) THE DIVISION IS AUTHORIZED TO PENALIZE AN ENTITY FOR  
9 NONCOMPLIANCE WITH THE DUTIES SET FORTH IN SUBSECTION (1) OF THIS  
10 SECTION AS FOLLOWS:

11 (a) FOR A FIRST OFFENSE, AN ENTITY IN VIOLATION OF THIS  
12 SECTION HAS THIRTY DAYS TO REMEDY THE NONCOMPLIANCE. IF NOT  
13 REMEDIED IN THIRTY DAYS, THE DIVISION SHALL FINE THE ENTITY IN  
14 VIOLATION OF THIS SECTION AN AMOUNT NOT TO EXCEED THREE  
15 THOUSAND FIVE HUNDRED DOLLARS.

16 (b) FOR EACH SUBSEQUENT OFFENSE, THE DIVISION SHALL FINE THE  
17 ENTITY IN VIOLATION OF THIS SECTION AN AMOUNT NOT TO EXCEED SEVEN  
18 THOUSAND DOLLARS PER OFFENSE.

19 (5) A PERSON ALLEGING DAMAGES RESULTING FROM A VIOLATION  
20 OF ANY PROVISION OF THIS SECTION MAY BRING A CIVIL SUIT IN A COURT  
21 OF COMPETENT JURISDICTION AGAINST THE ENTITY AND MAY SEEK A  
22 COURT ORDER REQUIRING COMPLIANCE WITH THE PROVISIONS OF THIS  
23 SECTION AND ALL REMEDIES PURSUANT TO SECTION 24-34-802.

24 (6) THE DEPARTMENT OF TRANSPORTATION MAY PROMULGATE  
25 ANY RULES NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION.

26 (7) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
27 REQUIRES:

1 (a) "AIRPORT" MEANS THE DENVER INTERNATIONAL AIRPORT.

2 (b) "AUTHORITY" MEANS THE PUBLIC AIRPORT AUTHORITY  
3 CREATED AND EXISTING PURSUANT TO ARTICLE 3 OF TITLE 41 FOR THE  
4 CITY AND COUNTY OF DENVER.

5 **SECTION 3. Safety clause.** The general assembly finds,  
6 determines, and declares that this act is necessary for the immediate  
7 preservation of the public peace, health, or safety or for appropriations for  
8 the support and maintenance of the departments of the state and state  
9 institutions.