

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0810.01 Jason Gelender x4330

HOUSE BILL 16-1325

HOUSE SPONSORSHIP

Garnett, Becker K., Melton, Moreno, Pabon, Rosenthal, Singer, Tyler, Winter

SENATE SPONSORSHIP

(None),

House Committees
Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT THE DEPARTMENT OF
102 TRANSPORTATION POST MESSAGES ABOUT PRECINCT CAUCUS
103 AND STATEWIDE ELECTION DATES ON ITS VARIABLE MESSAGING
104 SIGNS.

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://www.leg.state.co.us/billsummaries>.)

Subject to specified limitations, the bill requires the department of transportation (CDOT) to display messages about the date of upcoming precinct caucuses and general, primary, or statewide odd-year elections

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.

on its variable message signs. CDOT must display the messages for the week up to and including the date of the caucus or election, and the secretary of state must notify CDOT of each upcoming precinct caucus and election date and the message display requirement no later than 21 days before the precinct caucus or election date.

The specified limitations are that:

- ! The requirement to display precinct caucus and election date messages does not alter any procedures or requirements specified in law or in department of public safety or CDOT administrative rules or limit CDOT's discretion concerning the display of emergency alerts on its variable message signs;
- ! CDOT may give priority to such alerts and to other safety related messages, including messages regarding adverse weather or road conditions, over the precinct caucus and election date messages; and
- ! CDOT may not display the precinct caucus and election date messages:
 - ! Unless it obtains federal approval from the U.S. department of transportation (USDOT) or one of its agencies; or
 - ! If USDOT or one of its agencies advise CDOT that displaying the messages will result in the reduction of federal aid highway funds to the state.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 43-1-422 as
3 follows:

4 **43-1-422. Use of department variable message signs to provide**
5 **voting related information.** (1) SUBJECT TO THE LIMITATIONS SPECIFIED
6 IN SUBSECTIONS (2) AND (3) OF THIS SECTION, THE DEPARTMENT SHALL
7 DISPLAY MESSAGES REGARDING THE DATE OF EACH PRECINCT CAUCUS AND
8 GENERAL, PRIMARY, OR STATEWIDE ODD-YEAR ELECTION ON ITS VARIABLE
9 MESSAGE SIGNS. THE DEPARTMENT SHALL DISPLAY THE MESSAGES
10 BEGINNING SEVEN DAYS BEFORE THE PRECINCT CAUCUS OR ELECTION
11 DATE AND ENDING AT 7 P.M. ON THE PRECINCT CAUCUS OR ELECTION DATE.

1 NO LATER THAN TWENTY-ONE DAYS BEFORE THE DATE OF EACH PRECINCT
2 CAUCUS OR GENERAL, PRIMARY, OR STATEWIDE ODD-YEAR ELECTION, THE
3 SECRETARY OF STATE SHALL NOTIFY THE DEPARTMENT OF THE UPCOMING
4 PRECINCT CAUCUS OR ELECTION AND THE REQUIREMENTS OF THIS
5 SUBSECTION (1).

6 (2) NOTHING IN THIS SECTION ALTERS ANY PROCEDURES OR
7 REQUIREMENTS SPECIFIED IN LAW OR IN ADMINISTRATIVE RULES
8 PROMULGATED BY THE DEPARTMENT OF PUBLIC SAFETY OR THE
9 DEPARTMENT OR LIMITS THE DISCRETION OF THE DEPARTMENT
10 CONCERNING THE DISPLAY ON ITS VARIABLE MESSAGE SIGNS OF
11 EMERGENCY ALERTS, INCLUDING AMBER ALERTS ISSUED PURSUANT TO
12 SECTION 24-33.5-415.7, C.R.S., MISSING SENIOR CITIZEN AND PERSON
13 WITH DEVELOPMENTAL DISABILITIES ALERTS ISSUED PURSUANT TO
14 SECTION 24-33.5-415.8, C.R.S., BLUE ALERTS ISSUED PURSUANT TO
15 SECTION 24-33.5-416.5, C.R.S., AND MEDINA ALERTS ISSUED PURSUANT
16 TO SECTION 24-33.5-416.7, C.R.S. THE DEPARTMENT MAY GIVE PRIORITY
17 TO SUCH ALERTS AND TO OTHER SAFETY RELATED MESSAGES, INCLUDING
18 MESSAGES REGARDING ADVERSE WEATHER OR ROAD CONDITIONS, OVER
19 THE PRECINCT CAUCUS AND ELECTION DATE MESSAGES REQUIRED BY
20 SUBSECTION (1) OF THIS SECTION.

21 (3) THE DEPARTMENT SHALL NOT DISPLAY THE PRECINCT CAUCUS
22 AND ELECTION DATE MESSAGES REQUIRED BY SUBSECTION (1) OF THIS
23 SECTION UNLESS THE UNITED STATES DEPARTMENT OF TRANSPORTATION
24 OR ONE OF ITS AGENCIES HAS EXPRESSLY APPROVED THE DISPLAY OF THE
25 MESSAGES. THE DEPARTMENT SHALL PROMPTLY SEEK THE REQUIRED
26 APPROVAL. IF THE UNITED STATES DEPARTMENT OF TRANSPORTATION OR
27 ONE OF ITS AGENCIES ADVISES THE DEPARTMENT THAT THE DISPLAY OF

1 THE MESSAGES WILL RESULT IN THE REDUCTION OF FEDERAL AID HIGHWAY
2 FUNDS TO THE STATE PURSUANT TO 23 U.S.C. SEC. 131, THE DEPARTMENT
3 SHALL NOT DISPLAY THE MESSAGES.

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