

CHAPTER 111

TRANSPORTATION

HOUSE BILL 16-1060

BY REPRESENTATIVE(S) Tyler, Garnett, Kraft-Tharp, Lawrence, Priola, Wilson, Danielson, Esgar, Fields, Foote, Ginal, Hammer, Lebsack, Lee, Lontine, McCann, Melton, Mitsch Bush, Moreno, Pabon, Primavera, Ryden, Saine, Salazar, Singer, Vigil, Williams, Winter, Young, Hullinghorst;
also SENATOR(S) Baumgardner, Cooke, Crowder, Garcia, Grantham, Heath, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Roberts, Scheffel, Scott, Sonnenberg, Tate, Todd, Woods, Cadman.

AN ACT**CONCERNING ROADSIDE MEMORIALS FOR FALLEN STATE PATROL OFFICERS.**

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

SECTION 1. In Colorado Revised Statutes, 43-2-149, **add** (2.5) as follows:

43-2-149. Roadside memorials authorized - specifications - permit.
(2.5) (a) (I) THE DEPARTMENT SHALL ERECT AND MAINTAIN A PERMANENT STATE MEMORIAL FOR EACH COLORADO STATE TROOPER WHO HAS DIED ON A HIGHWAY WHILE IN THE LINE OF DUTY.

(II) THE STATE MEMORIAL ERECTED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) MUST:

(A) BE PLACED IN THE LOCATION WHERE THE TROOPER'S DEATH OCCURRED, LOCATED WITHIN THE HIGHWAY EASEMENT AS FAR FROM THE ROADWAY AS IS PRACTICABLE OR REASONABLY NECESSARY TO PRESERVE PUBLIC SAFETY AND FACILITATE HIGHWAY MAINTENANCE, GIVEN THE PROPOSED LOCATION; AND

(B) MEASURE FOUR FEET IN HEIGHT BY THREE FEET IN WIDTH.

(b) THE DEPARTMENT SHALL USE GIFTS, GRANTS, AND DONATIONS TO FUND THE STATE MEMORIALS PLACED PURSUANT TO THIS SUBSECTION (2.5).

(c) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, IF THE APPLICATION OF ANY PROVISION OF THIS SUBSECTION (2.5) IN A SPECIFIC

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

LOCATION CONFLICTS WITH FEDERAL LAW, THE DEPARTMENT SHALL NEITHER ERECT NOR MAINTAIN A STATE MEMORIAL AT THAT LOCATION.

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

Approved: April 21, 2016