

By: Senator(s) Dearing

To: Highways and
Transportation;
Appropriations

SENATE BILL NO. 2046

1 AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION, UPON
2 RECEIPT OF A PROPER REQUEST, TO PLACE MEMORIAL MARKERS WITHIN THE
3 RIGHTS-OF-WAY OF STATE HIGHWAYS TO MEMORIALIZE PERSONS WHO HAVE
4 DIED AS A RESULT OF A VEHICLE-RELATED ACCIDENT; TO PROVIDE THAT
5 THE MEMORIAL MARKER SHALL BE PLACED AS CLOSE AS PRACTICAL TO THE
6 LOCATION AT WHICH THE FATALITY OCCURRED; TO PROVIDE THAT REQUESTS
7 FOR PLACEMENT OF MEMORIAL MARKERS SHALL BE MADE IN WRITING TO THE
8 DEPARTMENT OF TRANSPORTATION BY THE IMMEDIATE FAMILY OF THE
9 VICTIM; TO PRESCRIBE THE FORM OF THE MEMORIAL MARKERS; TO PROVIDE
10 THAT THE COST OF SUCH MARKERS SHALL BE BORNE BY THE DEPARTMENT OF
11 TRANSPORTATION; AND FOR RELATED PURPOSES.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

13 **SECTION 1.** (1) In order to increase public awareness of
14 highway safety, the Department of Transportation shall, upon
15 receipt of a request made as provided for in this section, place
16 memorial markers within the rights-of-way of state highways to
17 memorialize persons who have died as a result of a vehicle-related
18 accident. The memorial marker shall be placed as close as
19 practical to the location at which the fatality occurred. In
20 placing the markers the department shall take into consideration
21 restricted space, property owner complaints and other relevant
22 considerations. The memorial markers shall remain in place for
23 one (1) year and the time period may be extended upon a request
24 made as provided in this section.

25 (2) Requests for placement of memorial markers within the
26 rights-of-way of state highways and requests for the extension of
27 the period of time for which the markers remain in place shall be
28 made in writing to the Department of Transportation on forms
29 prescribed by the department. Requests may be made only by
30 immediate family members of the accident victim.

31 (3) The memorial marker shall consist of a fifteen-inch
32 diameter aluminum sign panel with a white background of
33 engineering grade sign sheeting. The sign shall contain in black
34 the words "Drive Safely in Memory of" and the name of the accident
35 victim. The post upon which the memorial marker shall be placed
36 shall be a standard five-foot metal delineator post. No
37 additional decoration or ornamentation shall be allowed at the
38 site.

39 (4) The cost of memorial markers and the installation and
40 maintenance of memorial markers shall be borne by the Department
41 of Transportation.

42 **SECTION 2.** This act shall take effect and be in force from
43 and after July 1, 2004.