SENATE BILL NO. 2058

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

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

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

(2) Requests for placement of memorial markers within the rights-of-way of state highways and requests for the extension of the period of time for which the markers remain in place shall be made in writing to the Department of Transportation on forms prescribed by the department. Requests may be made only by immediate family members of the accident victim.
ST: Department of Transportation; require placement of markers on rights-of-way memorializing vehicle accidental death.

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

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

SECTION 2. This act shall take effect and be in force from and after July 1, 2005.