

HB 1406 -- DRUNK DRIVING MEMORIAL SIGN PROGRAM (Deeken)

COMMITTEE OF ORIGIN: Committee on Transportation

This bill establishes David's Law which requires the Department of Transportation to establish and administer a drunk driving memorial sign program. The department must adopt, by rules and regulations, program guidelines for the application and placement of signs including, but not limited to, the sign application and qualification process, a procedure for the dedication of signs, and a procedure for the replacement or restoration of any signs that are damaged or stolen.

Any person may apply to the department to sponsor a drunk driving victim memorial sign in memory of an immediate family member who died as a result of a motor vehicle accident caused by a person who was shown to have been operating a motor vehicle in violation of an alcohol-related traffic law at the time of the accident. A person who is not a member of the victim's immediate family may also make a request if he or she submits the written consent of a member of the victim's immediate family. The department will charge the sponsoring party a fee to cover the department's cost in designing, constructing, erecting, and maintaining the sign. Signs will remain in place for 10 years and may be renewed for another 10 years after payment of the appropriate maintenance fees.

The signs developed by the department will feature the words "Drunk Driving Victim!", the initials of the deceased victim, the month and year in which the victim was killed, and the phrase "Who's Next?".

All private roadside memorials or markers commemorating the death of a drunk driving victim are prohibited. No person, other than a department employee or designee, may erect a drunk driving victim memorial sign.

FISCAL NOTE: No impact on state funds in FY 2009, FY 2010, and FY 2011.