

House Substitute for SENATE BILL No. 245

By Committee on Transportation

3-18

1 AN ACT concerning memorial signs; relating to a DUI memorial signage
2 program; enacting the Kyle Thornburg and Kylie Jobe believe act;
3 duties of the secretary of transportation.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) This section shall be known and may be cited as the
7 Kyle Thornburg and Kylie Jobe believe act.

8 (b) The secretary of transportation shall establish and implement a
9 DUI memorial signage program for highways under the secretary's
10 jurisdiction, not including highways designated as city-connecting links.
11 As part of such program, the secretary or the secretary's designee shall:

12 (1) Design a memorial sign that indicates the names and ages of
13 victims killed in an accident where the driver of the other vehicle was
14 under the influence of drugs or alcohol, the date of the accident and any
15 other information as determined by the secretary; and

16 (2) design a logo, to be copyrighted, for use by organizations for
17 public service announcements or other programs to increase awareness of
18 the dangers of driving under the influence of drugs or alcohol.

19 (c) Upon the filing of an application for a DUI memorial sign, the
20 secretary may cause such application to be examined for conformity with
21 this section. Such application shall include the date of the accident, the
22 names and ages of the victims which are to be placed upon the memorial
23 sign and all other information required by the secretary. Upon
24 confirmation by examination of the official accident report that the
25 fatalities were the result of an accident with a driver who was under the
26 influence of drugs or alcohol, in violation of the laws of Kansas, that the
27 accident occurred on a highway that is under the jurisdiction of the
28 secretary, not including city-connecting links, and that the driver of the
29 vehicle the victim was in was not in violation of any Kansas law that was a
30 cause of the accident, the secretary shall place a memorial sign along the
31 highway right-of-way reasonably near the location of the accident, subject
32 to the discretion of the secretary. Such signs shall not be placed until the
33 secretary has received sufficient moneys from gifts and donations to
34 reimburse the secretary for the cost of placing such signs and an additional
35 50% of the initial cost to defray future maintenance or replacement costs.

36 (d) An application for a memorial sign as provided by this section

1 may be filed by an immediate family member of a victim killed in the
2 accident. If a request is received from an immediate family member to
3 deny the application or remove the sign, then the application shall be
4 denied or the sign removed.

5 As used in this section, "immediate family member" means father,
6 mother, child, sibling, grandparent, grandchild or spouse.

7 (e) In addition to any fees required under subsection (c), the secretary
8 may require a maintenance and renewal fee for such sign every 10 years
9 after the year in which such sign was first placed. The secretary may
10 remove any sign for which a maintenance and renewal fee has been
11 charged but remains unpaid after 90 days.

12 (f) The secretary of transportation may adopt rules and regulations for
13 the purpose of implementing the provisions of this section.

14 Sec. 2. This act shall take effect and be in force from and after its
15 publication in the statute book.