

Memorial Signs for DUI Crash Victims; House Sub. for SB 245

House Sub. for SB 245 requires the Secretary of Transportation (Secretary) to establish and implement a DUI memorial signage program, on highways under the Secretary's jurisdiction that are not city connecting links. The bill requires the Secretary to design a memorial sign indicating the names and ages of victims killed in an accident in which the driver of the other vehicle was under the influence of alcohol or drugs, the date of the accident, and other information as determined by the Secretary. The bill also requires the Secretary to design a logo, to be copyrighted, for use in public service announcements or programs to increase awareness of the dangers of driving under the influence of drugs or alcohol (DUI).

The bill requires the application for such a sign include the date of the accident, the names and ages of the victims, and other information required by the Secretary. An application for a memorial sign can be filed by an immediate family member (defined in the bill to mean father, mother, child, sibling, grandparent, grandchild, or spouse). Also, if an immediate family member requests denial of the application or removal of the sign, the bill requires the application be denied or the sign removed.

Upon confirmation that the driver of the other vehicle was under the influence of drugs or alcohol and that the driver of the vehicle the victim was in was not in violation of any Kansas law that was the cause of the accident, the bill requires the Secretary to place a memorial sign along the highway right-of-way reasonably near to the location of the accident. Such a sign can not be placed until the Secretary has received sufficient moneys from gifts and donations to cover the cost of placing the sign plus an additional 50 percent of the initial cost to defray future maintenance or replacement costs. The bill authorizes the Secretary to require a maintenance and renewal fee for such a sign every 10 years after the sign was first placed and to remove any sign for which the maintenance and renewal fee was charged but remained unpaid past 90 days of the renewal fee request.

The bill authorizes the Secretary to adopt rules and regulations to implement the provisions.

The bill names the section created by the bill the Kyle Thornburg and Kylie Jobe Believe Act.