

FIRST REGULAR SESSION

SENATE BILL NO. 110

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CROWELL.

Pre-filed December 4, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

0391S.02I

AN ACT

To amend chapter 227, RSMo, by adding thereto one new section relating to establishing a process to designate interstate interchanges after members of the United States armed forces who have been killed in action.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 227, RSMo, is amended by adding thereto one new section, to be known as section 227.297, to read as follows:

227.297. 1. This section establishes an interstate interchange designation program, to be known as the "Heroes Way Interstate Interchange Designation Program", to honor the fallen Missouri heroes who have been killed in action while performing active military duty with the armed forces in Afghanistan or Iraq on or after September 11, 2001. The signs shall be placed upon the interstate interchanges in accordance with this section, and any applicable federal limitations or conditions on highway signage, including location and spacing.

2. Any person who is related by marriage, adoption, or consanguinity within the second degree to a member of the United States armed forces who was killed in action while performing active military duty with the armed forces in Afghanistan or Iraq on or after September 11, 2001, and who was a resident of this state at the time he or she was killed in action, may apply for an interstate interchange designation under the provisions of this section.

3. Any person described under subsection 2 of this section who desires to have an interstate interchange designated after his or her family member shall petition the department of transportation by submitting the following:

(1) An application in a form prescribed by the director,

21 describing the interstate interchange for which the designation is
22 sought and the proposed name of the interstate interchange. The
23 application shall include the name of at least one current member of
24 the general assembly who will sponsor the interstate interchange
25 designation. The application may contain written testimony for
26 support of the interstate interchange designation;

27 (2) Proof that the family member killed in action was a member
28 of the United States armed forces and proof that such family member
29 was in fact killed in action while performing active military duty with
30 the United States armed forces in Afghanistan or Iraq on or after
31 September 11, 2001. Acceptable proof shall be a statement from the
32 Missouri veterans commission or the United States Department of
33 Veterans Affairs so certifying such facts;

34 (3) By signing a form provided by the Missouri transportation
35 department, the applicant shall certify that the applicant is related by
36 marriage, adoption, or consanguinity within the second degree to the
37 member of the United States armed forces who was killed in action; and

38 (4) A fee to be determined by the commission to cover the costs
39 of constructing and maintaining the proposed interstate interchange
40 signs. The fee shall not exceed the cost of constructing and
41 maintaining each sign.

42 4. All moneys received by the department of transportation for
43 the construction and maintenance of an interstate interchange signs
44 shall be deposited in the state treasury to the credit of the state road
45 fund.

46 5. The documents and fees required under this section shall be
47 submitted to the department of transportation.

48 6. The department of transportation shall submit for approval or
49 disapproval all applications for interstate interchange designations to
50 the joint committee on transportation oversight. The joint committee
51 on transportation oversight may review such applications at any
52 scheduled meeting convened pursuant to section 21.795, RSMo. If
53 satisfied with the application and all its contents, the committee shall
54 approve the application. The committee shall notify the department of
55 transportation upon the approval or denial of an application for an
56 interstate interchange designation.

57 7. The department of transportation shall give notice of any

58 proposed interstate interchange designation under this section in a
59 manner reasonably calculated to advise the public of such
60 proposal. Reasonable notice shall include posting the proposal for the
61 designation on the department's official public website and making
62 available copies of the sign designation application to any
63 representative of the news media or public upon request and posting
64 the application on a bulletin board or other prominent public place
65 which is easily accessible to the public and clearly designated for that
66 purpose at the principal office.

67 8. If the memorial interstate interchange designation request is
68 not approved by the joint committee on transportation oversight,
69 ninety-seven percent of the application fee shall be refunded to the
70 applicant.

71 9. Two signs shall be erected for each interstate interchange
72 designation processed under this section.

73 10. No interstate interchange may be named or designated after
74 more than one member of the United States armed forces killed in
75 action. Such person shall only be eligible for one interstate
76 interchange designation under the provisions of this section.

77 11. Any highway signs erected for any interstate interchange
78 designation under the provisions of this section shall be erected and
79 maintained for a twenty-year period. After such period, the signs shall
80 be subject to removal by the department of transportation and the
81 interstate interchange may be designated to honor persons other than
82 the current designee. An existing interstate interchange designation
83 processed under the provisions of this section may be retained for
84 additional twenty-year increments if, at least one year before the
85 designation's expiration, an application to the department of
86 transportation is made to retain the designation along with the
87 required documents and all applicable fees required under this section.

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