
HOUSE BILL No. 1108

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-23; IC 36-1-4-6.5.

Synopsis: Roadside memorials. Requires the department of transportation (INDOT) to erect uniform roadside memorials to memorialize the victims of fatal vehicular traffic accidents. Requires a local governmental unit that erects memorials to conform to the standards of INDOT.

Effective: July 1, 2009.

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January 8, 2009, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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HOUSE BILL No. 1108



A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 8-23-1-42.6 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2009]: **Sec. 42.6. "Uniform roadside memorial" means a marker**
- 4 **designed and erected under IC 8-23-5-10.**
- 5 SECTION 2. IC 8-23-5-10 IS ADDED TO THE INDIANA CODE
- 6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 7 1, 2009]: **Sec. 10. (a) The department shall erect uniform roadside**
- 8 **memorials within the right-of-way alongside the state highway**
- 9 **system to:**
- 10 (1) **memorialize the victims of fatal vehicular traffic**
- 11 **accidents; and**
- 12 (2) **serve as a reminder to others of the duty to drive in a safe**
- 13 **and unimpaired manner.**
- 14 (b) **A request to erect a uniform roadside memorial must be**
- 15 **made by a member of the decedent's immediate family.**
- 16 (c) **A uniform roadside memorial higher than ground level may**
- 17 **remain in place not longer than one (1) year.**



1 **(d) The department may adopt rules under IC 4-22-2 for the:**
2 **(1) application process for;**
3 **(2) size of;**
4 **(3) design of;**
5 **(4) construction of; and**
6 **(5) placement, including length of time for display, of;**
7 **uniform roadside memorials, with regard to the safety of vehicle**
8 **operators, pedestrians, and employees and contractors of the**
9 **department.**
10 **(e) The department shall remove roadside memorials that are**
11 **not erected or sanctioned by the department.**
12 **(f) The department may consult and cooperate with the office of**
13 **traffic safety established by IC 9-27-2-2 to carry out this section.**
14 **(g) The department may accept grants or gifts made to carry**
15 **out the purpose of this section.**
16 SECTION 3. IC 36-1-4-6.5 IS ADDED TO THE INDIANA CODE
17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
18 1, 2009]: **Sec. 6.5. (a) A unit may erect uniform roadside memorials**
19 **within the right-of-way alongside highways, streets, or roads**
20 **within the unit's jurisdiction to:**
21 **(1) memorialize the victims of fatal vehicular traffic**
22 **accidents; and**
23 **(2) serve as a reminder to others of the duty to drive in a safe**
24 **and unimpaired manner.**
25 **(b) If a unit erects uniform roadside memorials under**
26 **subsection (a), the uniform roadside memorials must conform to**
27 **the:**
28 **(1) requirements for; and**
29 **(2) specifications of;**
30 **uniform roadside memorials erected by the Indiana department of**
31 **transportation as set forth in IC 8-23-5-10.**

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