

Guidance Document

Pursuant to Neb. Rev. Stat. §84-901.03

This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.

For questions, please contact Ryan Balluck, Ryan.Balluck@nebraska.gov

NEBRASKA DEPARTMENT OF TRANSPORTATION

Criteria and Guidelines for Roadside Memorials

NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION

Last Updated on July 11, 2023

NEBRASKA DEPARTMENT OF TRANSPORTATION
Criteria and Guidelines for Roadside Memorials

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
001 DEFINITIONS.....	1
002 ELIGIBILITY.....	1
003 APPLICATION.....	1
004 SIGN SPECIFICATIONS.....	2
005 PLACEMENT.....	2
006 DURATION AND REMOVAL.....	3
007 MISCELLANEOUS.....	3
APPENDIX A - SAMPLE SIGN.....	4

NEBRASKA DEPARTMENT OF TRANSPORTATION

Criteria and Guidelines for Roadside Memorials

001 DEFINITIONS

001.01 Department - Department will mean the Nebraska Department of Transportation

001.02 Immediate Family Member - Will be defined as the deceased person's:

001.02A Grandparents

001.02B Parents

001.02C Spouse

001.02D Son(s)

001.02E Daughter(s)

001.02F Sister(s)

001.02G Brother(s)

001.03 Memorial Sign - Will mean a sign erected by the Nebraska Department of Transportation to honor a person who lost their life due to a vehicle crash on the state highway system.

001.04 Private Memorial - Any decoration(s) placed on a State or Federal Highway intended to honor or memorialize a Person who lost their life due to a vehicle crash on the State Highway System. Private memorials include, but are not limited to markers, flowers, balloons, religious or other symbols, wreaths, or non-approved signage. Official signs placed by the Department under this document are not Private Memorials

001.05 State Highway System - As defined in §39-1302(37) Neb. Rev. Stat.

002 ELIGIBILITY

002.01 Any person who is killed as the result of a motor vehicle crash on the State Highway System will be eligible to have a Memorial Sign erected in their honor, except in cases where:

002.01A Such person was the operator of a motor vehicle and was found to have a blood alcohol content equal to or above the legal limit set forth in §60-6,196 Neb. Rev. Stat.

002.01B Such person was the operator of a motor vehicle and was found to have been impaired by any recreational or other illicit substance which is illegal in the state of Nebraska.

002.02 The Department will not consider an application for a memorial sign until all applicable test results have been submitted to the Department.

003 APPLICATION

003.01 Following are the requirements to apply for a Memorial Sign:

003.01A There will be a limit of one name per application. If multiple names are to be displayed, each name will be submitted on separate applications.

003.01B An application will only be accepted by the Department when signed and filed by an immediate family member of the deceased;

003.01B1 If any member of the deceased's immediate family requests that a sign application not be granted, the application will be denied without prejudice.

003.01C The application must be filed with the Department no more than ten years from the date of the crash.

003.01D The application form may be completed electronically on the Department's website at <https://ne.accessgov.com/ndot/Forms/Page/ndot/roadside-memorial-sign/> or printed and filed with the Nebraska Department of Transportation, Communication and Public Policy Division, Government Affairs Section, PO Box 94759, Lincoln, NE, 68509-4759

003.01E There will be a \$50 fee per application. If an application is denied, the fee will be refunded.

004 SIGN SPECIFICATIONS

004.01 The Memorial Sign assembly will have a blue background with white lettering (See Appendix A).

004.02 Each Memorial Sign assembly will consist of one Safety Message Sign and one or more supplemental Memorial Message Plaque. No other words, depictions or symbols will be allowed on the Memorial Sign.

004.02A Safety Message Sign

004.02A1 Each Safety Message Sign will measure 24"x 24" and include one of the following safety messages which will be chosen by the applicant:

- 1) Please Drive Safely
- 2) Seat Belts Save Lives
- 3) Don't Drink and Drive
- 4) Don't Text and Drive
- 5) Don't Drive Impaired
- 6) Watch for Motorcycles

004.02B Memorial Message Plaque

004.02B1 Each Memorial Message Plaque will measure 24" x 12" for one name or 24"x18" for two names, be placed directly below the Safety Message Sign and include the following text:

In Memory of

[Recipient's Name Here] (Maximum 20 Characters)

Or

In Memory of

[Recipient's Name Here] (Maximum 20 Characters)

[Recipient's Name Here] (Maximum 20 Characters)

005 PLACEMENT

005.01 Placement location of the Memorial Sign will be at the sole discretion of the Department.

005.01a The Applicant may request a specific direction the sign faces for viewing by traffic. The sign will be placed at a ninety-degree angle to the road.

005.01b Memorial signs shall be placed near the roadway at a location similar to general traffic signs and as close to the requested location as possible.

005.02 Memorial Signs will not be placed within municipal boundaries.

005.03 Memorial Signs will not be placed on the National System of Interstate Defense Highways or Freeways.

006 DURATION AND REMOVAL

006.01 Each Memorial Sign will be left in place for five years from the date the sign is erected.

006.02 At the end of the five-year period, the sign will be removed and stored at the nearest Department maintenance yard for thirty days. The applicant will be contacted by the Department and may retrieve the Memorial Message sign during that time. After thirty days, the sign will be recycled.

006.03 After a victim has been memorialized for a full five-year duration, no further applications will be accepted to memorialize said victim.

007 MISCELLANEOUS

007.01 Private memorials will not be allowed on any state highway. All private memorials, whether placed alone or in addition to the official Memorial Sign will be removed without notice.

007.02 Multiple applications for separate fatalities seeking placement at the same location will be erected using one Safety Message panel. One Memorial Message panel for each of the applications will be placed below the Safety Message panel in a stacked arrangement. The victim's names will be organized in alphabetical order from the top down.

APPENDIX A - SAMPLE SIGN



NEBRASKA DEPARTMENT OF TRANSPORTATION

Application for a Roadside Memorial Sign

CONTACT INFORMATION

NAME OF APPLICANT		RELATIONSHIP TO THE VICTIM
MAILING ADDRESS		PHONE NUMBER

CRASH INFORMATION

DATE OF FATAL CRASH	LOCATION OF CRASH																				
VICTIM'S NAME AS IT APPEARS ON THE CRASH REPORT	SIGN PLACEMENT - The sign will be on the right-hand side of the road when facing: NORTH - SOUTH - EAST - WEST																				
VICTIM'S NAME AS IT SHOULD APPEAR ON THE SIGN - (Maximum 20 Characters)																					
<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>																					

SAFETY MESSAGE (PLEASE CIRCLE ONE):

- 1) PLEASE DRIVE SAFELY 2) SEAT BELTS SAVE LIVES 3) DON'T DRINK AND DRIVE 4) DON'T TEXT AND DRIVE
5) DON'T DRIVE IMPAIRED 6) WATCH FOR MOTORCYCLES

ADDITIONAL INFORMATION

--

SIGNATURE

DATE

Please complete this application and send it along with a check for \$50.00 via US Mail to:

Nebraska Department of Transportation
Attn: Government Affairs
PO BOX 94759
Lincoln, NE 68509-4759