

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10170-MLf-118 (03/03)

Short Title: DOT/Roadside Memorials.

(Public)

Sponsors: Representatives Bradford, Potts, Henson, and White (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT REQUIRING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP A
3 PROGRAM WHEREBY INDIVIDUALS MAY APPLY FOR THE ERECTION OF
4 ROADSIDE MEMORIALS FOR IMMEDIATE FAMILY MEMBERS WHO HAVE
5 DIED IN AN AUTOMOBILE ACCIDENT.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 7 of Chapter 136 of the General Statutes is amended by
8 adding a new section to read:

9 "**§ 136-102.10. Roadside memorials.**

10 (a) Program; Definitions. – The Department of Transportation shall develop and
11 implement a program whereby an individual may apply to the Department for the erection of a
12 memorial on the roadside of a highway honoring an immediate family member of the
13 individual who died as the result of injuries suffered from an automobile accident on the
14 highway near that roadside. For purposes of this section, the following definitions apply:

15 (1) Immediate family member. – The mother, father, brothers, sisters, spouse,
16 domestic partner, cohabitant, children, stepparents, stepbrothers, stepsisters,
17 and stepchildren of an individual.

18 (2) Memorial. – A metal sign inscribed with the victim's name, date of birth, and
19 date of death. The sign shall be on a pole, the height of which shall be
20 determined by the Department.

21 (b) Memorial Placement. – The Department shall not erect or allow the erection of a
22 memorial on a roadside abutting a private residential property without first receiving written
23 consent from the owner of the private residential property.

24 (c) Fee. – The Department shall charge a fee of five hundred dollars (\$500.00) for each
25 memorial to cover costs associated with processing the application, acquiring materials, and
26 installing the memorial. Any fees remaining after covering the costs specified in this section
27 shall be transferred on a quarterly basis to the Humane Society of the United States to be used
28 to cover costs associated with rescuing animals in North Carolina."

29 **SECTION 2.** By September 1, 2017, the Department of Transportation shall
30 provide an interim report to the Joint Legislative Transportation Oversight Committee on the
31 progress made by the Department in developing the program required by Section 1 of this act.
32 By January 1, 2018, the Department shall provide a final report to the Joint Legislative
33 Transportation Oversight Committee on the specific details of the program implemented in
34 accordance with Section 1 of this act.

35 **SECTION 3.** Section 1 of this act becomes effective December 1, 2017. The
36 remainder of this act is effective when it becomes law.

