

LaSalle County Highway Department Roadside Memorial Program

Established 8/17/2016

Introduction

This policy has been developed in accordance with the Roadside Memorial Act [605 ILCS 125] to regulate the use, by the LaSalle County Highway Department, of DUI memorial markers, fatal crash memorial markers and associated commemorative plaques along streets and highways under the jurisdiction of the LaSalle County Highway Department. This policy establishes standards and financial responsibility for a program of placing markers and plaques at locations under the jurisdiction of the LaSalle County Highway Department.

Definitions

The following words or phrases, when used in this Part, shall have the meanings ascribed to them in this Section:

“Act” – the Roadside Memorial Act [605 ILCS 125]

“Department” – The LaSalle County Highway Department

“DUI Memorial Commemorative Plaque” – A rectangular sign, placed beneath a DUI memorial marker, displaying the name of a victim who died as a proximate result of a crash caused by a driver under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination of these substances, along with the date of the crash.

“DUI Memorial Marker” – a sign on a county highway in LaSalle County, Illinois, commemorating one or more persons who died as a proximate result of a crash caused by a driver under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination of these substances and displaying the words “Please Don’t Drink and Drive”. (See Section 10 of the Act)

“Fatal Accident Memorial Commemorative Plaque” – a rectangular sign, placed beneath a fatal accident memorial marker, displaying the name of a victim who died as a proximate result of a crash caused by a driver who committed an act of reckless homicide in violation of Section 9-3 or 9-3.2 of the Criminal Code of 1961 [720 ILCS 5/9-3 or 9-3.2] or who otherwise caused the death of one or more persons through the operation of a motor vehicle, along with the date of the crash.

“Fatal Accident Memorial Marker” – a sign on a county highway in LaSalle County, Illinois, commemorating one or more persons who died as a proximate result of a crash caused by a driver who committed an act of reckless homicide in violation of Section 9-3 or 9-3.2 of the Criminal Code of 1961 or who otherwise caused the death of one or more persons through the operation of a motor vehicle and displaying the words “Reckless Driving Costs Lives”. (See Section 23(b) of the Act)

“Qualified Relative” – an immediate relative of the deceased, by marriage, blood or adoption, such as his or her spouse, son, daughter, mother, father, sister or brother; a stepmother, stepfather, stepbrother or stepsister of the deceased. (Section 10 of the Act)

Criteria for DUI Memorial Markers, Fatal Accident Memorial Markers, and Commemorative Plaques

1. Only a qualified relative of a deceased victim may request a DUI or fatal accident memorial marker of the Department. (See Section 15(a) of the Act)

2. The Department shall deny the request if any qualified relative of any decedent involved in the crash objects in writing to the placement of the DUI or fatal accident memorial marker. (See Section 15(c) of the Act)
3. The Department shall deny the request or, if a DUI or fatal accident memorial marker has already been installed, may remove the marker, if the qualified relative requesting the memorial marker has provided false or misleading information in the application. (See Section 15(d) of the Act)
4. The qualified relative shall agree not to place or encourage the placement of flowers, pictures or other items at the crash site. (Section 15(d) of the Act)
5. The Department shall not erect a DUI or fatal accident memorial marker for a deceased driver involved in a fatal crash who is shown by toxicology reports to have been in violation of state DUI law, unless the qualified relative of any other victim or victims killed in the crash consents in writing to the erection of the memorial. (See Section 15(f) of the Act)
6. When requested and approved, DUI memorial markers and fatal accident memorial markers may be installed for any crash occurring on or after January 1, 2008. (See Section 15(b) of the Act)
7. DUI or fatal accident memorial markers shall not be installed within the median of any divided highway.

Design of DUI Memorial Markers, Fatal Accident Memorial Markers, and Commemorative Plaques

1. The DUI memorial marker shall be a standard size of 36 inches wide by 24 inches tall with the message “Please Don’t Drink and Drive” in white lettering on a retro reflectorized blue background and shall be in accordance with the Illinois Department of Transportation Sign Standard Number I1-I108a.
2. The fatal accident memorial marker shall be a standard size of 36 inches wide by 24 inches tall with the message “Reckless Driving Costs Lives” in white lettering on a retro reflectorized blue background and shall be in accordance with the Illinois Department of Transportation Sign Standard Number I1-I108b. (See Section 23(d) of the Act)
3. The DUI or fatal accident memorial marker may be supplemented by a commemorative plaque having a standard size of 36 inches wide by 18 inches tall mounted underneath with the message “IN MEMORY OF (Victim’s Name)” and the date of the applicable crash in white lettering on a retro reflectorized blue background and shall be in accordance with the Illinois Department of Transportation Sign Standard Number I1-I108. (See Sections 20(a) and 23(d) of the Act)

Application, Fees and Other Regulations

1. Application
 - a. Application forms for the placement of DUI or fatal accident memorial markers and commemorative plaques are available by writing:

County Engineer
LaSalle County Highway Department
P.O. Box 128
Ottawa, IL 61350
 - b. If a qualifying relative wishes to participate in the program, he/she must complete an application form for each victim he/she wishes to commemorate and submit it to the Department.

- c. When the Department determines from the initial application that the criteria listed in this section are met, the application will be approved and a copy returned to the qualifying relative, along with instructions concerning payment of the fee and other appropriate information.

2. Fees

- a. Except as provided in subparagraph (d) of this section, a one-time fee sufficient to offset the cost of the program will be charged to the qualifying relative for each DUI or fatal accident memorial marker and commemorative plaque installed by the Department. The fees for each DUI or fatal accident memorial marker and for each commemorative plaque are shown on the attached Exhibit A: Fee Computations and Paragraph (g) of the application. A commemorative plaque cannot be installed without a DUI or fatal accident memorial marker.
- b. The Department will periodically adjust the fees to reflect the current cost of installing and maintaining the signing.
- c. Once the fee is paid for a DUI or fatal accident memorial marker and commemorative plaque, and the marker or plaque is installed, the Department will maintain the marker or plaque for a two year period without any additional cost to the qualified relative. At the end of the two year period, the commemorative plaque will be given to the applicant. (See Section 20(c) and 23(f) of the Act)
- d. If moneys are made available by the Illinois Department of Transportation from the Roadside Memorial Fund, as prescribed in Sections 27.5 and 27.6 of the Clerk of Courts Act [705 ILCS 105/27.5 and 27.6], Section 5-9-1.17 of the Unified Code of Corrections [730 ILCS 5/5-9-1.17] and in Section 20(f) of the Roadside Memorial Act [605 ILCS 125/20(f)], the Department will use these funds to pay the fees for DUI memorial markers only. When the fees are paid from the fund, no fees will be charged to the qualifying relative.

3. Placing and Maintaining Memorial Markers and Commemorative Plaques

- a. On county highways within LaSalle County, Illinois, the DUI or fatal accident memorial markers and commemorative plaques shall only be placed by the Department.
- b. A DUI or fatal accident memorial marker and commemorative plaque shall be maintained for two years from the date the last person was memorialized on the plaque. (See Sections 20(c) and 23(f) of the Act)
- c. The Department has the right to install a marker at a location other than the location of the crash or to relocate a marker due to restricted room, property owner complaints, interference with essential traffic control devices, safety concerns, or other restrictions. In such cases, the Department may select an alternate location. (See Section 20(d) and 23(g) of the Act)
- d. A DUI or fatal accident memorial marker and commemorative plaque may memorialize more than one victim who died as a result of the same crash. If one or more additional unrelated DUI or reckless homicide deaths subsequently occur in close proximity to an existing DUI or fatal accident memorial marker, the Department may use the same marker to memorialize the subsequent death or deaths by adding the names of the additional persons. (See Sections 20(b) and 23(e) of the Act)

LASALLE COUNTY HIGHWAY DEPARTMENT

DUI/Fatal Accident Memorial Marker Application

1. APPLICANT INFORMATION

Applicant Name: Relationship to victim:

Address:

City: State: Zip Code:

Daytime Phone: E-Mail:

2. Crash Information

Location of Crash: Date of Crash:

Investigating Law Enforcement Agency:

Name of driver determined to be DUI:

Attach copy of crash report and/or other official documentation showing proof of DUI. Note: See (d) on attached sheet.

3. Victim Information (Only list the victims that are related to the applicant)

Clearly write name(s) of the victim(s) the way they are to appear on the Commemorative Plaque(s). Note: See section (e) on the attached sheet

Victim's Name: Victim's Name:

Victim's Name: Victim's Name:

Initial here if you wish to have only the DUI Sign installed without a plaque:

4. Certification

I have read and understand the information given on the attached sheet and certify that the answers I have provided are correct to the best of my knowledge. I also certify that I have contacted the other immediate family members of the deceased victim(s) and to the best of my knowledge, no relative of the deceased victim(s) will object to the placement of the memorial. I understand that, if approved, I will be billed for the Memorial Sign and for each Commemorative Plaque containing the name of the victim(s) listed in Section 3 above. Note: See (g) on attached sheet for fees.

PLEASE DO NOT SUBMIT YOUR PAYMENT WITH THE APPLICATION
PAYMENT WILL BE DUE UPON APPLICATION APPROVAL

Applicant's signature: Date:

Mail application to:
LaSalle County Highway Department
P.O. Box 128
Ottawa, IL 61350

ROADSIDE MEMORIAL SIGN PROGRAM

- a. This application is to be used only for fatal crashes which occurred on highways under the jurisdiction of the LaSalle County Highway Department for crashes occurring on or after January 1, 2008.
- b. The applicant must be an immediate relative of the victim(s) listed in Section 3 on the application, including spouse, child, stepchild, parent, stepparent, or sibling.
- c. The request will be denied if any immediate relative of any decedent involved in the crash objects in writing to the placement of the Roadside Memorial Marker or Commemorative Plaque.
- d. Documentation showing proof that the driver was DUI at the time of the crash may include, but is not limited to: police/crash reports, official eyewitness reports, newspaper articles, documents and/or letters from the State's Attorney's Office, court system, or Department of Corrections.
- e. A Roadside Memorial Marker or Commemorative Plaque will not be installed for a deceased driver involved in a fatal crash who is shown by toxicology reports to have been in violation of State DUI law unless the immediate relatives or any other victim(s) killed in the crash consent in writing to the erection of the memorial. If this is the case, please attach signed approval letters.
- f. A Roadside Memorial Marker consists of a Roadside Memorial Sign and any Commemorative Plaque(s). The Roadside Memorial Sign is 36-inches wide by 24-inches tall with the words "Please Don't Drink and Drive" or Distracted Driving Cost Lives" in white lettering on a blue background. It may be supplemented by one or more 36-inch wide by 18-inch tall Commemorative Plaques mounted underneath with the legend "IN MEMORY OF (Name)" and the date of the crash. A separate Commemorative Plaque will be used for each victim. The lettering on both the sign and the plaque(s) is white on a blue background. If the applicant wishes to have a Roadside Memorial Marker installed without a Commemorative Plaque, this should be noted under Section 3 on the application.
- g. A one-time fee of \$300 for each Roadside Memorial Sign installed and \$50 for each Commemorative Plaque installed will be charged to offset the cost of this program. The fees will be billed at the time the application is approved by the LaSalle County Highway Department and are not to be submitted until specifically requested. Once the fee is paid for a Roadside Memorial Sign or Commemorative Plaque and they are installed, they will be maintained for a two year period without any additional cost, at which time they will be removed and the plaque(s) given to the applicant.
- h. The LaSalle County Highway Department has the right to install a Roadside Memorial Marker at a location other than the location of the crash or to relocate a marker due to restricted room, property owner complaints, interference with essential traffic control devices, safety concerns, or other restrictions. In such cases, the LaSalle County Highway Department will discuss an alternate location with the applicant(s).
- i. A Roadside Memorial Marker may memorialize more than one victim who died as a result of the same crash. If one or more additional, unrelated DUI or Fatal Accident deaths subsequently occur in close proximity to an existing Roadside Memorial Marker, the LaSalle County Highway Department reserves the right to use the same marker to memorialize the subsequent death or deaths, by adding the names of the additional persons on additional Commemorative Plaques.
- j. The applicant agrees not to place or encourage the placement of flowers, pictures, or other items at the crash site or modify the Roadside Memorial Marker or Commemorative Plaque(s) in any way.