

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]

SENATE BILL NO. 474

98TH GENERAL ASSEMBLY
2015

2171S.01T

AN ACT

To repeal section 227.297, RSMo, and to enact in lieu thereof one new section relating to the heroes way designation program.

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

Section A. Section 227.297, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 227.297, to read as follows:

227.297. 1. This section establishes [an interchange] a designation
2 program, to be known as the "Heroes Way [Interchange] Designation Program",
3 to honor the fallen Missouri heroes who have been killed in action while
4 performing active military duty with the Armed Forces [in Afghanistan or Iraq
5 on or after September 11, 2001]. The signs shall be placed upon interstate or
6 state-numbered highway interchanges **or upon bridges or segments of**
7 **highway on the state highway system** in accordance with this section, and
8 any applicable federal and state limitations or conditions on highway signage,
9 including location and spacing.

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

16 3. Any person described under subsection 2 of this section who desires to
17 have an interstate or state numbered highway interchange **or bridge or**
18 **segment of highway on the state highway system** designated after his or
19 her family member shall petition the department of transportation by submitting
20 the following:

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

21 (1) An application in a form prescribed by the director, describing the
22 interstate or state numbered highway interchange **or bridge or segment of**
23 **highway on the state highway system** for which the designation is sought
24 and the proposed name of the interchange, **bridge or relevant segment of**
25 **highway**. The application shall include the name of at least one current member
26 of the general assembly who will sponsor the [interchange] designation. The
27 application may contain written testimony for support of the [interchange]
28 designation;

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

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

39 (4) A fee to be determined by the commission to cover the costs of
40 constructing and maintaining the proposed interchange, **bridge, or highway**
41 signs. The fee shall not exceed the cost of constructing and maintaining each
42 sign.

43 4. All moneys received by the department of transportation for the
44 construction and maintenance of interchange, **bridge, or highway** signs shall
45 be deposited in the state treasury to the credit of the state road fund.

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

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

56 7. The department of transportation shall give notice of any proposed

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

64 8. If the memorial [interchange] designation request is not approved by
65 the joint committee on transportation oversight, ninety-seven percent of the
66 application fee shall be refunded to the applicant.

67 9. Two signs shall be erected for each interchange, **bridge, or highway**
68 designation processed under this section.

69 10. No interchange, **bridge, or highway** may be named or designated
70 after more than one member of the United States Armed Forces killed in
71 action. Such person shall only be eligible for one interchange, **bridge, or**
72 **highway** designation under the provisions of this section.

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

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President of the Senate

Speaker of the House of Representatives

Governor