



**WEST VIRGINIA
DEPARTMENT OF TRANSPORTATION**
1900 Kanawha Boulevard East • Building Five • Room 109
Charleston, West Virginia 25305-0440 • (304) 558-0444

Byrd E. White, III
Cabinet Secretary

February 1, 2021

MEMORANDUM

TO: Joint Standing Committee on Government Organization
Senate Committee on Transportation and Infrastructure
House Committee on Technology and Infrastructure

FROM: Byrd E. White, III *Byrd E. White*
Secretary of Transportation

SUBJECT: Roadside Memorial Sign Program -2020 Summary

The Roadside Memorial Sign program that was adopted during the 2009 Legislative Session requires to the Commissioner to prepare and submit a report describing the activities of the program.

As a result of the Conference Committee negotiation on the Division of Highways Right-of-Way Legislative Rules, transmitted herewith is our report .

Should you have any questions regarding this report, please contact my office.

BEW:Ch

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
2020 ROADSIDE MEMORIAL SIGN PROGRAM ANNUAL REPORT

During the 2009 Legislative Session, changes to §17-20 of the West Virginia State Code, along with the corresponding Legislative Rule §157-6-9 were adopted. These changes created the Roadside Memorial Sign Program to allow family members to memorialize individuals who died as a result of a motor vehicle accident. The program is administered within the Division of Highways. The regulations state that the Commissioner of Highways shall prepare and submit a report detailing the activities of the Roadside Memorial Sign Program. The following is being provided to meet this requirement for calendar year 2020.

THE PROGRAM PROCESS

An information page regarding the Program is located on WVDOT's website, <https://transportation.wv.gov/highways/traffic/roadsidememorials/Pages/default.aspx>. A copy of the information page has been included in Appendix A of this report. It includes basic information regarding the requirements and fees to participate in the Program and a copy of the application for a sign. A copy of the application is included in Appendix B of this report.

The Roadside Memorial Sign Committee meets on an as needed basis, depending upon the receipt of applications. Submitted applications are reviewed by the committee for eligibility for the program. Eligibility is determined primarily from the date of the crash and whether or not the crash was caused or contributed to by wrongful conduct of the fatal crash victim. Serious traffic offenses as defined in §17C-5-1 of the West Virginia State Code, as well as vehicles being used in the commission of a felony or fleeing from the police are examples of wrongful conduct, which will result in the denial of an application. Applicants are informed in writing whether their application was approved or denied. Approved applications are invoiced for the sign. The manufacture and installation of signs for approved applicants are held until the invoice is paid in full, and applicants are informed of an approximate installation date.

Each memorial sign consists of white lettering on a blue background. Applicants are permitted to select one of 3 messages for the sign. The possible messages are "*Please Drive Safely*", "*Please Buckle Up*", and "*Don't Drink and Drive*". Diagrams of the signs are included in Appendix C of this report. Signs also include the name of the individual(s) being memorialized. Once manufactured, the signs are installed as close as possible to the site of where the fatal motor vehicle accident occurred.

Prior to the end of the 3-year installation period for the signs, applicants will be notified of their one-time opportunity to renew the application which would result in the sign remaining in place for an additional 3 years. Applicants electing not to renew the application for the second 3-

year period and those reaching the end of their second 3-year period will be provided an opportunity to keep the sign upon its removal from the roadside.

THE ROADSIDE MEMORIAL SIGN PROGRAM IN 2020

In 2020, the Division received three applications for Roadside Memorial Signs. Two were approved and one was denied. The Division has received the paid invoice for one approved sign totaling \$200. In 2020, the Division permanently removed three Roadside Memorial Signs. Two signs were removed because they had reached the end of the renewal period and one sign was removed at the request of the applicant.

The Division estimates that approximately \$458 per sign has been spent to evaluate and process the application and to fabricate and install the sign. The Division has only incurred minimal costs related to the maintenance of Roadside Memorial Signs, but the regulations allow for 1 total replacement of the sign in a 3-year period if stolen or destroyed. This is estimated to cost approximately \$310 per sign.

APPENDIX A
ROADSIDE MEMORIAL SIGN PROGRAM
INFORMATION SHEET
FROM

[HTTPS://TRANSPORTATION.WV.GOV/HIGHWAYS/TRAFFIC/
ROADSIDEMEMORIALS/PAGES/DEFAULT.ASPX](https://TRANSPORTATION.WV.GOV/HIGHWAYS/TRAFFIC/ROADSIDEMEMORIALS/PAGES/DEFAULT.ASPX)

Roadside Memorials

Approximately 400 people die annually as a result of crashes on West Virginia's highways. To address the problem, the West Virginia Division of Highways has partnered with the State's highway safety partners to develop a Strategic Highway Safety Plan to reduce highway related fatalities and injuries. Through coordinated disciplines of engineering, enforcement, education, and emergency medical services West Virginia has established a goal of "Zero Fatalities...Saving One Life at a Time". Additional information on West Virginia's efforts to

reduce fatalities on state highways can be found by viewing the [West Virginia Strategic Highway Safety Plan](#).

To help memorialize loved ones killed in vehicular crashes, and remind motorists to drive safely, the Division of Highways has established guidelines to erect and maintain Roadside Memorial Signs. The Roadside Memorial Sign is an official sign that is provided and placed by the Division of Highways, and is installed as close as possible to the site where a fatal motor vehicle crash occurred. The memorial consists of white lettering on a blue background, and contains 1 of 3 messages chosen by the applicant followed by the name of the deceased:

"Please Drive Safely" – available for all victims of highway fatalities

"Please Buckle Up" – available for highway fatalities where victim was not wearing a seat belt.

"Don't Drink and Drive" – available for victims of a vehicular crash involving alcohol or drugs.

 [View](#) an example of a Roadside Memorial Sign.

Roadside Memorial Signs may be requested within 3 years following the date of a fatal motor vehicle crash by a member of the immediate family of the victim. Only one sign will be permitted per victim and the sign may memorialize more than one victim. If application is approved, the applicant will be informed in writing of the decision along with an invoice for \$200 that compensates the Division for its review of the application, the installation of the roadside memorial sign and its maintenance for a period of 3 years from the date of installation. Upon receipt of the non-refundable payment, the Division shall manufacture and install the sign, and shall notify the applicant in writing when the sign has been installed. The applicant may make a second, optional payment of \$200 to extend the display and maintenance of the sign for an additional 3 years. At the end of the initial or renewal period, whichever comes later, the sign will be removed and offered to the applicant.

Please note that Roadside Memorial Signs are not permitted for persons whose wrongful conduct was the proximate cause of the crash. If the Division's review discloses clear and convincing evidence that the crash resulted from the commission of a serious traffic offense as defined in the West Virginia Code, Section 17C-5-1 et seq., or from the use of a vehicle in the commission of a

felony, or from flight from police, the Division will deny the application and inform applicant in writing.

Applications for memorial signs are available by contacting the Traffic Engineering Division at (304) 558-3063, the address below, or by downloading the [application form](#) from this site. Please return completed applications to:

Roadside Memorial Sign Program
WVDOH, Traffic Division
Building 5, Room A-550
1900 Kanawha Blvd, E
Charleston, West Virginia 25305-0430

For more information on the Legislative Rules governing Roadside Memorials, please click on the following link: [Excerpts from West Virginia Code](#)

APPENDIX B
ROADSIDE MEMORIAL SIGN PROGRAM
APPLICATION



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

ROADSIDE MEMORIAL SIGN APPLICATION

Please print or type all information

IN MEMORY OF

Name: (Please print clearly in block letters the name as you would like it to appear on memorial)

Please select which message to be displayed on memorial sign by checking one box on the left.

Message	Type of Crash
<input type="checkbox"/> PLEASE DRIVE SAFELY	Standard safety message used for any fatality
<input type="checkbox"/> PLEASE BUCKLE UP	Alternative message for fatalities where victim was not wearing seat belt
<input type="checkbox"/> DON'T DRINK & DRIVE	Alternative message for fatalities involving alcohol and/or drugs

CRASH INFORMATION

Date of Crash _____ County _____

Route, Road or Street Name _____

Involved Driver's Name (if known) _____

APPLICANT INFORMATION

Name: _____ Relationship: _____

Mailing Address _____

City and State: _____ Day Phone: () _____

APPENDIX C
ROADSIDE MEMORIAL SIGN PROGRAM
SIGN DIAGRAMS

**PLEASE
DRIVE
SAFELY**

**IN MEMORY OF
JOHN DOE**

**PLEASE
BUCKLE
UP**

**IN MEMORY OF
JOHN DOE**

**DON'T
DRINK
AND DRIVE**

**IN MEMORY OF
JOHN DOE**

APPENDIX D
ROADSIDE MEMORIAL SIGN PROGRAM
SUMMARY

County	Please Drive Safely	Don't Drink and Drive	Please Buckle Up	TOTAL
Barbour			1	1
Berkeley				0
Boone	2	2		4
Braxton	1			1
Brooke		1		1
Cabell	2	2		4
Calhoun				0
Clay				0
Doddridge				0
Fayette				0
Gilmer				0
Grant	1			1
Greenbrier				0
Hampshire			1	1
Hancock		1		1
Hardy	1			1
Harrison	3	1		4
Jackson	1			1
Jefferson	1			1
Kanawha	7	1		8
Lewis				0
Lincoln				0
Logan	1			1
McDowell				0
Marion				0
Marshall				0
Mason	5			5
Mercer	3		1	4
Mineral	1			1
Mingo	1			1
Monongalia	4			4
Monroe	1			1
Morgan				0
Nicholas				0
Ohio		1		1
Pendleton	1			1
Pleasants				0
Pocahontas				0
Preston	1	1		2
Putnam	1	1		2

County	Please Drive Safely	Don't Drink and Drive	Please Buckle Up	TOTAL
Raleigh	5		1	6
Randolph	3			3
Ritchie	1			1
Roane	1			1
Summers				0
Taylor	1			1
Tucker				0
Tyler	2			2
Upshur		1		1
Wayne	1			1
Webster				0
Wetzel				0
Wirt				0
Wood		1		1
Wyoming				0
TOTAL	52	13	4	69