

FIRST REGULAR SESSION

[TRULY AGREED TO AND FINALLY PASSED]

SENATE COMMITTEE SUBSTITUTE FOR

**HOUSE BILL NO. 798,
HOUSE BILL NO. 141,
HOUSE BILL NO. 153,**

HOUSE COMMITTEE SUBSTITUTE FOR

**HOUSE BILL NO. 363,
HOUSE BILL NO. 415
AND
HOUSE BILL NO. 813**

96TH GENERAL ASSEMBLY

1963S.03T

2011

AN ACT

To repeal section 227.297, RSMo, and to enact in lieu thereof eight new sections relating to the designation of the highway infrastructure system.

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

Section A. Section 227.297, RSMo, is repealed and eight new sections enacted in lieu
2 thereof, to be known as sections 227.297, 227.418, 227.420, 227.422, 227.424, 227.426,
3 227.427, and 227.429, to read as follows:

227.297. 1. This section establishes an [interstate] interchange designation program, to
2 be known as the "Heroes Way [Interstate] Interchange Designation Program", to honor the fallen
3 Missouri heroes who have been killed in action while performing active military duty with the

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

4 armed forces in Afghanistan or Iraq on or after September 11, 2001. The signs shall be placed
5 upon [the] interstate **or state numbered highway** interchanges in accordance with this section,
6 and any applicable federal **and state** limitations or conditions on highway signage, including
7 location and spacing.

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

13 3. Any person described under subsection 2 of this section who desires to have an
14 interstate **or state numbered highway** interchange designated after his or her family member
15 shall petition the department of transportation by submitting the following:

16 (1) An application in a form prescribed by the director, describing the interstate **or state**
17 **numbered highway** interchange for which the designation is sought and the proposed name of
18 the [interstate] interchange. The application shall include the name of at least one current
19 member of the general assembly who will sponsor the [interstate] interchange designation. The
20 application may contain written testimony for support of the [interstate] interchange designation;

21 (2) Proof that the family member killed in action was a member of the United States
22 armed forces and proof that such family member was in fact killed in action while performing
23 active military duty with the United States armed forces in Afghanistan or Iraq on or after
24 September 11, 2001. Acceptable proof shall be a statement from the Missouri veterans
25 commission or the United States Department of Veterans Affairs so certifying such facts;

26 (3) By signing a form provided by the Missouri transportation department, the applicant
27 shall certify that the applicant is related by marriage, adoption, or consanguinity within the
28 second degree to the member of the United States armed forces who was killed in action; and

29 (4) A fee to be determined by the commission to cover the costs of constructing and
30 maintaining the proposed [interstate] interchange signs. The fee shall not exceed the cost of
31 constructing and maintaining each sign.

32 4. All moneys received by the department of transportation for the construction and
33 maintenance of [an interstate] interchange signs shall be deposited in the state treasury to the
34 credit of the state road fund.

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

37 6. The department of transportation shall submit for approval or disapproval all
38 applications for [interstate] interchange designations to the joint committee on transportation
39 oversight. The joint committee on transportation oversight may review such applications at any
40 scheduled meeting convened pursuant to section 21.795. If satisfied with the application and all

41 its contents, the committee shall approve the application. The committee shall notify the
42 department of transportation upon the approval or denial of an application for an [interstate]
43 interchange designation.

44 7. The department of transportation shall give notice of any proposed [interstate]
45 interchange designation under this section in a manner reasonably calculated to advise the public
46 of such proposal. Reasonable notice shall include posting the proposal for the designation on
47 the department's official public website and making available copies of the sign designation
48 application to any representative of the news media or public upon request and posting the
49 application on a bulletin board or other prominent public place which is easily accessible to the
50 public and clearly designated for that purpose at the principal office.

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

54 9. Two signs shall be erected for each [interstate] interchange designation processed
55 under this section.

56 10. No [interstate] interchange may be named or designated after more than one member
57 of the United States armed forces killed in action. Such person shall only be eligible for one
58 [interstate] interchange designation under the provisions of this section.

59 11. Any highway signs erected for any [interstate] interchange designation under the
60 provisions of this section shall be erected and maintained for a twenty-year period. After such
61 period, the signs shall be subject to removal by the department of transportation and the
62 [interstate] interchange may be designated to honor persons other than the current designee. An
63 existing [interstate] interchange designation processed under the provisions of this section may
64 be retained for additional twenty-year increments if, at least one year before the designation's
65 expiration, an application to the department of transportation is made to retain the designation
66 along with the required documents and all applicable fees required under this section.

**227.418. The portion of Highway 8 in St. Francois County from the intersection of
2 State Route M east to the intersection of Main Street in the city of Leadwood shall be
3 designated the "Ferlin Huskey Highway". The department of transportation shall erect
4 and maintain appropriate signs designating such highway, with the costs for such
5 designation to be paid for by private donation.**

**227.420. The portion of Interstate 44 in the city of St. Louis from the intersection
2 of Vandeventer Avenue east to the intersection of Mississippi Avenue shall be designated
3 the "Officer David Haynes Memorial Highway". The department of transportation shall
4 erect and maintain appropriate signs designating such highway, with the costs to be paid
5 for by private donations.**

227.422. The portion of U.S. Highway 67 from County Road 422 to the Highway
2 60 East/67 South Bypass in Butler County shall be designated as the "Missouri State
3 Highway Patrol Sergeant David May Memorial Highway". The department of
4 transportation shall erect and maintain appropriate signs designating such highway, with
5 the costs to be paid for by private donations.

227.424. The portion of Interstate 40/64 in St. Louis County from the Boone's
2 Crossing overpass at mile marker 17.0 west to the Spirit of St. Louis Airport overpass at
3 mile marker 13.8 shall be designated as the "Missouri State Highway Patrol Sergeant
4 Joseph G. Schuengel Memorial Highway". The department of transportation shall erect
5 and maintain appropriate signs designating such highway, with the costs to be paid for by
6 private donations.

227.426. The bridge carrying Theiss Road over Interstate 270 in St. Louis County
2 shall be designated the "Glennon T. Moran Memorial Bridge". The department of
3 transportation shall erect and maintain appropriate signs designating such bridge, with
4 the costs for such designation to be paid for by private donation.

227.427. The bridge carrying State Highway E over State Route 60 in Wright
2 County shall be designated the "Pvt Ova A. Kelley Medal of Honor Memorial Bridge".
3 The department of transportation shall erect and maintain appropriate signs designating
4 such bridge, with the costs for such designation to be paid for by private donation.

227.429. The portion of Highway 25 from US Route 412 to Route U/Route Z in
2 Dunklin and Stoddard counties shall be designated the "Representative Otto Bean
3 Memorial Highway". The department of transportation shall erect and maintain
4 appropriate signs designating such highway, with the cost to be paid for by private
5 donations.

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