

SUBJECT: Creating a memorial sign program for victims of certain vehicle accidents

COMMITTEE: Transportation — favorable, without amendment

VOTE: 6 ayes — Krusee, Harper-Brown, Harless, Hill, Macias, Murphy

0 nays

3 absent — Phillips, Deshotel, Haggerty

WITNESSES: For — Guy W. Blasingame; Julie Blasingame

Against — None

On — (*Registered, but did not testify*: Carlos Lopez, Texas Department of Transportation)

DIGEST: HB 2859 would require the Texas Department of Transportation (TxDOT) to create rules establishing and administering a memorial sign program to memorialize victims of vehicle accidents that involved alcohol or a controlled substance. An operator under the influence of drugs or alcohol would not be eligible for this memorial.

A sign designed under this program would be required to feature:

- the phrase “Please Don’t Drink and Drive”;
- the phrase “In Memory Of” and the names of those memorialized; and
- the date of death of those memorialized.

A person could request a memorial sign by submitting a form TxDOT would prescribe and paying a fee set by the agency to cover the costs associated with the program. If the application met the requirements set by the agency, a sign would be indefinitely erected.

TxDOT would cover replacement costs of any sign damaged by its own negligence. Any other damaged sign would be removed unless a person submitted a written request to replace the sign and paid a replacement fee.

The bill would not authorize TxDOT to remove an existing privately funded memorial that was erected in accordance with state law and agency rules.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.