

## **ALTERNATIVES TO PRIVATE MEMORIAL ON HIGHWAYS**

Loss of life from a vehicle crash has a devastating impact on families and friends of the victim. A loved one is suddenly no longer with us.

It has become a practice for people who have lost loved ones due to a fatal crash to express their grief by placing a memorial within the highway right of way near the crash site. While both The American Legion and Montana Department of Transportation (MDT) acknowledge the need some people feel to express themselves in this way, the placement of private memorials within a roadway's right-of-way is not allowed under state statutes.

There are a few allowable uses of roadways and rights-of-way. Some uses require prior approval through permits; others are allowed by statute or by agreement with MDT.

Two acceptable alternatives to a private memorial are the Adopting-A-Highway Program and the American Legion Highway Fatality Program.

Under the Adopt-A-Highway Program, MDT allows friends and family to adopt a two-mile-long highway segment under the Adopt-a-Highway program with signage that notes the highway has been adopted in memory of a loved one. The sign is installed by the state in compliance with federal and state standards. Those who adopt a highway are required to clean their adopted roadway at least two times a year. MDT will loan you safety vests and bags for your cleanup efforts.

Another acceptable alternative is the American Legion Highway Fatality Program, often referred to as the "White Cross" program. Under this approved highway safety program a marker is placed at the site of a fatal crash, again in compliance with state and federal standards. An agreement between MDT and The American Legion allows these undecorated markers and identifies the rules for their installation and annual maintenance.

No one wants to see a subsequent tragedy result from a previous incident. For safety's sake, statutes require only items which perform a specific highway function are allowed within a highway right-of-way.

The American Legion strongly encourages grieving parties, who wish to place a marker near the site of the fatal crash, to work with your local American Legion Post to have a Fatality Marker placed. Such markers must remain undecorated. In the Bozeman area contact your American Legion Post at 225 E Main. Your request will be forwarded to the appropriate individual.