



MEMORIALS ON STATE HIGHWAYS

South Dakota Department of Transportation Guidelines for Roadside Memorials

Loss of life from a motor vehicle crash leaves a lasting and devastating impact on families and friends of the victim. The South Dakota Department of Public Safety (SDDPS) recognizes this, and in partnership with the South Dakota Department of Transportation (SDDOT), established the "THINK" sign program in 1979. This program is to provide a memorial to the victim and to also remind motorists of dangerous behaviors such as driving under the influence, not wearing seat belts, speeding, and distracted driving.

One sign is erected on the state highway for each person killed in the crash, with each sign mounted on a separate post near the edge of the right-of-way.

Upon official notification of a fatal crash on a county, city, or township road, the SDDPS - Accident Records will notify the SDDOT to furnish a sign to all participating local governments (Some local governments have requested not to participate in the "THINK" sign program) to be placed on the county, city and township road.

These signs remain in place until:

- An immediate family member of the crash victim objects to the sign, at which time the sign will be expeditiously removed;
- The sign is no longer in a satisfactory condition because of damage or deterioration; and
- The section of roadway is reconstructed to new standards, at which time all "THINK" signs on that segment of roadway are removed.

Once removed, these signs are not replaced unless a request is made by an immediate family member of the crash victim to do so. This also applies to signs that may have been removed by others.

SDDOT recognizes that some people grieve by placing a roadside memorial within the highway right-of-way near the crash site. While the SDDOT acknowledges this, the placement of

memorials within the highway right-of-way is not allowed as these roadside memorials may themselves be a safety hazard. The SDDOT will immediately remove a roadside memorial if:

- It poses a safety concern, for example:
 - o If it interferes with roadway safety features or obstructs the view of motorists;
 - o If it impacts the flow of traffic;
 - o If it would be a hazard if hit by a vehicle; and
 - o If it is a distraction to motorists.
- It interferes with routine highway maintenance;
- It falls into disrepair; and
- SDDOT receives a complaint.

Individuals should understand that any roadside memorial placed on the highway right-of-way is temporary and should not expect that it remains in place indefinitely. The SDDOT typically does not know who placed the memorial, and individuals should also understand that the SDDOT is not responsible for any items placed at the memorial. When a memorial is removed by the SDDOT, the items from the memorial are kept for a period of two weeks to allow time for the owners to retrieve them by contacting the SDDOT Area Office. If items are not claimed within two weeks, they are disposed of.

No one wants to see a tragedy such as a subsequent crash at the site of a roadside memorial. This is the reason that regulations specify that only items that perform a specific highway function are allowed within the highway right-of-way. Individuals should consider that mourners who stop to maintain a roadside memorial not only place themselves in danger, but they also put other motorists at risk.