



Rules of
Department of Transportation
Division 10—Missouri Highways and Transportation
Commission
Chapter 27—David’s Law Signing

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**Title 7—DEPARTMENT OF
TRANSPORTATION**
**Division 10—Missouri Highways and
Transportation Commission**
Chapter 27—David's Law Signing

7 CSR 10-27.010 Definitions

PURPOSE: This rule provides definitions of terms applicable to David's Law authorizing drunk driving victim memorial signs.

(1) Applicant—The person requesting the installation of a drunk driving victim memorial sign and who must be an immediate family member of the victim or have written consent from an immediate family member to submit the application on his/her behalf.

(2) Application—The document developed and posted on the department's website for the sole purpose of gathering information from the applicant requesting a drunk driving victim memorial sign to determine if the request qualifies for a drunk driving victim memorial sign.

(3) Commission—The Missouri Highway and Transportation Commission.

(4) Department—The Missouri Department of Transportation.

(5) Immediate family member—A spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, or stepfather.

(6) Intoxicated—The person who was shown to have been operating a motor vehicle at the time of a motor vehicle accident and was either: 1) in violation of section 577.012 or 577.010, RSMo; or 2) was committing an intoxication-related traffic offense, as that term is defined in section 577.023.1(3), RSMo; or 3) less than twenty-one (21) years of age and determined to be operating a motor vehicle with two-hundredths of one-percent or more blood alcohol content; or 4) determined to be operating a commercial motor vehicle and either driving under the influence of alcohol or driving under the influence of a controlled substance, as these terms are defined in section 302.700, RSMo.

(7) MSHP—The Missouri State Highway Patrol.

(8) Sign—The drunk driving victim memorial sign.

(9) State highway—A route that is designated

as an Interstate, US highway, Missouri numbered or Missouri lettered route, or any other roadway that is owned or maintained by the Missouri Highways and Transportation Commission.

AUTHORITY: section 227.295, RSMo Supp. 2009. Original rule filed Sept. 3, 2009, effective April 30, 2010.*

**Original authority: 227.295, RSMo 2009.*

7 CSR 10-27.020 Eligibility

PURPOSE: This rule provides eligibility requirements to obtain a drunk driving victim memorial sign under David's Law.

(1) A sign may only be installed in memory of an individual who died in Missouri as a result of a motor vehicle accident caused by a person who was shown to have been operating a motor vehicle while intoxicated.

(2) Intoxicated individuals killed while operating a motor vehicle are not eligible for this program.

(3) Only one (1) sign may be requested and installed for each drunk driving victim.

AUTHORITY: section 227.295, RSMo 2016. Original rule filed Sept. 3, 2009, effective April 30, 2010. Amended: Filed Oct. 6, 2017, effective May 30, 2018.*

**Original authority: 227.295, RSMo 2009.*

7 CSR 10-27.030 Sign Design and Installation

PURPOSE: This rule provides the design and installation requirements for drunk driving victim memorial signs under David's Law.

(1) A sign shall only be installed on Missouri state highways.

(2) Only the commission has the authority to install drunk driving victim memorial signs on state highways. No other adornment, landscaping, or modification of the sign or ground around the sign shall be permitted.

(3) The sign will be installed as close as possible to the location where the crash occurred, on the right side of the roadway, in the direction of travel on that roadway where the accident occurred.

(4) The placement of the sign shall not inter-

fere with other signs, traffic control devices, or other safety devices.

(5) The sign will be installed with the sign face parallel to the lanes of the roadway in a location that will not increase the difficulty in maintaining the right of way, typically placed at the edge of the mowing boundary.

(6) The sign design will consist of a blue background with white legend. The sign will contain the following legend without variation:

- (A) "DRUNK DRIVING VICTIM";
- (B) First, middle, and last initials of the victim's name;
- (C) Numbers representing the month and year the victim died; and
- (D) "THINK ABOUT IT."

(7) Any given sign will only contain information for one (1) victim; however, multiple signs may be installed on a given sign post at the discretion of the commission.

(8) The overall sign dimensions will be thirty inches wide by eighteen inches tall (30" × 18").

AUTHORITY: section 227.295, RSMo Supp. 2009. Original rule filed Sept. 3, 2009, effective April 30, 2010.*

**Original authority: 227.295, RSMo 2009.*

7 CSR 10-27.040 Administration

PURPOSE: This rule provides the procedure to administer David's Law authorizing drunk driving memorial signs.

(1) The commission will develop an application that will capture the information needed from the applicant to determine eligibility for a sign under 7 CSR 10-27.010–7 CSR 10-27.040. The commission will make the application readily available to the public in an easily accessible location, such as the commission's Internet site.

(2) Applicants must complete and submit an application to the commission. The information necessary for an application to be accepted includes:

- (A) Name and contact information of the applicant;
- (B) The name of the victim;
- (C) Location of the crash—
 - 1. County;
 - 2. Route; and
 - 3. Direction;
- (D) Mile marker or distance from another



state route;

(E) Date of the crash; and

(F) Name of at least one (1) of the vehicle operators involved in the crash.

(3) The commission is responsible for reviewing all applications. The commission will use the information in the application as well as the other documentation specified by this rule to determine if the application can be approved. The commission reserves the right to request additional information from the applicant if the circumstances of the crash are not clear.

(4) The applicant will also be responsible for providing the official accident report for the crash. If there is no accident report, or if the report does not include details on intoxication, additional documentation must also be provided that clearly indicates the intoxication of the driver and verifies that the victim was not intoxicated. Such additional documentation may include, but is not limited to, medical records of the intoxicated driver, autopsy report, a coroner report, or any other document.

(5) The applicant is also responsible for submitting the fee for the sign along with the application, made payable to Department of Revenue—Credit State Road Fund. If the application is not approved, the entire fee will be returned to the applicant.

(6) Each sign will remain in place for a period of ten (10) years during which time the commission will maintain the sign in the event of damage or theft. At the end of the ten- (10-) year period, the sign will be removed unless renewed as provided in this rule.

(7) If applicants wish to keep the sign in place for an additional ten (10) years, the applicant is responsible for notifying the commission one (1) year in advance of the expiration of the ten- (10-) year period and for remitting to the commission a renewal fee for the subsequent ten- (10-) year period.

(8) Once signs are removed, they will remain the property of the commission and the sign blanks will be reused to make new signs.

(9) The fee for the sign represents the commission's cost to administer the program and manufacture, install, and maintain the sign for a period of ten (10) years. This cost, as well as the ten- (10-) year renewal fee, will be based on the commission's operating costs for the year in which the original request or renewal request is received by the commis-

sion.

(10) All commission determinations under this rule, including, but not limited to, approval or disapproval of applications, the amount of the sign fee, and all other determinations are final and not subject to appeal.

*AUTHORITY: section 227.295, RSMo 2016. * Original rule filed Sept. 3, 2009, effective April 30, 2010. Amended: Filed Oct. 6, 2017, effective May 30, 2018.*

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