PERMANENT ADMINISTRATIVE ORDER

HWD 9-2019
CHAPTER 734
DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

FILING CAPTION: Implements 2019 SB 528 to include fallen firefighters in the Roadside Memorial Sign Program

EFFECTIVE DATE: 01/01/2020

AGENCY APPROVED DATE: 12/16/2019

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

RULES:
734-026-0010, 734-026-0020, 734-026-0030

AMEND: 734-026-0010

NOTICE FILED DATE: 10/11/2019

RULE SUMMARY: Changing language for implementation of 2019 SB 528 to allow firefighters roadside memorial signs.

CHANGES TO RULE:
734-026-0010
Purpose and Scope ¶

The purpose of the Roadside Memorial Sign program is to provide an opportunity for citizens of the State of Oregon, through individuals or organizations identified as "Applicant" in division 26 rules, to commemorate police officers or firefighters killed in the line of duty or those who were killed in action or who died as a result of wounds received in action while serving in the Armed Forces of the United States with a sign installed along the State Highway System in accordance with Chapter 668, OL 2011, and to request a preferred location for such sign.

Statutory/Other Authority: ORS 184.6169, 184.619, 2013 OL Ch. 381, 391 298
Statutes/Other Implemented: 2011 OL Ch. 668 ORS 366.930, 366.931, 2013 OL Ch. 381, 391 298
**AMEND: 734-026-0020**

NOTICE FILED DATE: 10/11/2019

RULE SUMMARY: Updated definitions to include firefighters.

**CHANGES TO RULE:**

734-026-0020

Definitions

As used in division 26 rules, the following definitions shall apply:

1. "Applicant" means the individual or organization seeking to commemorate a police officer killed in the line of duty or person killed in action or who died as a result of wounds received in action while serving in the Armed Forces of the United States, and named in and signing the application.

2. "Department" means the Oregon Department of Transportation.

3. "Firefighter" means any fire or forestry department employee or authorized fire department volunteer, vested with the duty of preventing or combating fire or preventing the loss of life or property by fire.


5. "Region Traffic Engineer" means a professional engineer employed by the Department who by training and experience has comprehensive knowledge of the Department’s traffic engineering standards, policies, and procedures.

6. "Roadside Memorial Sign" means a sign including the name of the police officer or firefighter killed in the line of duty or person killed in action or who died as a result of wounds received in action while serving in the Armed Forces of the United States and complying with the requirements of the MUTCD.

7. "State Highway System" means the public way for vehicular travel that is under the jurisdiction of the Department. It also includes medians, highway shoulders, improvements appurtenant to the highway, such as support or tunnel structures, bicycle ways or sidewalks, and right of way used for the operation of the roadway.

8. "State Traffic Engineer" means a professional engineer, or designated representative, employed by the Department in charge of the Department’s traffic engineering standards, policies, and procedures.

9. "Armed Forces of the United States" has the meaning given that term in ORS 348.282.

Statutory/Other Authority: ORS 184.6169, 184.619, 2011 OL Ch. 668, 366, 930, 366, 931, 2013 OL Ch. 381, 391, 298

Statutes/Other Implemented: 2011 OL Ch. 668, ORS 366, 930, 366, 931, 2013 OL Ch. 381, 391, 298
(1) The Applicant shall submit a written request to the State Traffic Engineer containing the following information:

(a) Name, address, and telephone number of the Applicant;

(b) A brief description of the concurrent resolution adopted by the Legislative Assembly recognizing the police officer or firefighter killed in the line of duty or the measure adopted by the Legislative Assembly recognizing the person killed in action or who died as a result of wounds received in action while serving in the Armed Forces of the United States;

(c) The preferred location on the State Highway System for a Roadside Memorial Sign to commemorate the police officer or firefighter killed in the line of duty or person killed in action or who died as a result of wounds received in action while serving in the Armed Forces of the United States; and

(d) Payment of the fee specified in OAR 734-026-0045.

(2) If the request meets the requirements of Chapter 668, OL 2011, or Ch. 381 or 391, OL 2013, and Division 26, the Applicant shall be granted placement of a single Roadside Memorial Sign on the State Highway System.

Statutory/Other Authority: ORS 184.616, 184.619, 2011 OL Ch. 668, 366.930, 366.931, 2013 OL Ch. 381, 391
Statutes/Other Implemented: 2011 OL Ch. 668, ORS 366.930, 366.931, 2013 OL Ch. 381, 391