

ARIZONA DEPARTMENT OF TRANSPORTATION POLICIES AND PROCEDURES

ENG-3.01 ROADSIDE MEMORIALS

Effective: August 1, 2016
Supersedes: None
Responsible Office: Infrastructure Delivery and Operations
602-712-6880

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1.01 PURPOSE

This policy describes ADOT's procedures for roadside memorials to ensure state highways remain safe and provide consistent statewide procedures.

1.02 SCOPE / APPLICABILITY

This policy applies to all ADOT employees and all roadside memorials located in or proposed to be placed in the ADOT right-of-way.

1.03 AUTHORITY

[A.R.S. §28-6922 Director; powers and duties](#)

[A.R.S. §28-7045 Director; state highway and route use; rules](#)

[A.R.S. §28-7053 Misuse of public highway or airport; violation; classification; injunction; definition](#)

1.04 BACKGROUND

Loss of life from a traffic crash has a devastating impact on families and friends of the victim. The Arizona Department of Transportation (ADOT) understands the distressing shock of such a loss of life and that some people grieve by placing a memorial near the crash site. While ADOT acknowledges the need some people feel to express themselves in this way, the placement of memorials within a highway right-of-way can be a safety hazard.

This policy provides consistent requirements for the size and materials and placement of memorials in ADOT right of way.

1.05 DEFINITIONS

Encroachment

Any use of, intrusion upon, or construction of improvements within a state highway right-of-way, by any person or entity other than ADOT, for any purpose, temporary or permanent, other than public travel authorized by statute.

Right-of-Way	The real property or interest in real property on which state transportation facilities and accesses to the facilities are constructed or maintained.
Roadside Memorial	A tribute to commemorate a person or persons who died, most often at that particular location. For the purpose of this policy, roadside memorials refer to those in the ADOT right-of-way.

1.06 POLICY

ADOT will administer this policy with the highest standards of honesty, integrity and impartiality, and with the utmost respect for the deceased person and grieving family. ADOT employees are prohibited from keeping any of the items removed, nor retrieve any items after they have been discarded. Items of value (cash, jewelry, expensive vases) should be handled according to the provisions of the ITD Lost and Found policy [PER 02-2](#).

1.07 PROCEDURES

- A. Markers are limited to traffic-related fatalities occurring on the state highway system.
- B. A request to place a marker must be submitted to the local ADOT district and should be submitted by the victim's family.
- C. The request may be in the form of a phone call, email, in person visit, or written.
- D. The request may be submitted by someone other than a family member as long as the request includes written permission from the family.
- E. The request shall include intended design and location of the proposed marker.
- F. No more than one marker will be allowed per victim.
- G. Each memorial will be identified by owner and location.

1.08 Placement

- A. The memorial should be located in such a way that it does not distract motorists.
- B. The marker should be located as near the right of way line as possible, preferably near a utility pole or at the edge of a non-mow area.
- C. The marker may not be placed in medians or between the main lanes and frontage road of a controlled access highway or on Interstate and Freeways.

- D. The marker should not be located in front of developed property unless the adjacent property owner has given written permission to the requestor.
- E. Markers should not be affixed to traffic control devices, Department owned features or permanent features or their supports which may include signs, signals, light poles, trees, walls, fence, .etc.
- F. Requestors shall consult with ADOT to determine the exact placement of the marker to ensure proper and safe placement.

1.09 Fabrication and Materials

- G. The markers may incorporate various types of symbols.
- H. The marker shall be no more than 30 inches high and no wider than 18 inches. The embedment/foundation shall be no more than 12 inches deep and concrete or metal footings shall not be allowed.
- I. The marker's components shall be fabricated from wood or plastic/composite material and components shall be no larger than 2" thick x 4" wide.
- J. Small plaques are allowed and shall be no larger than 4 inch wide by 4 inches tall and 1/16 inch thick and shall be firmly affixed to the memorial. The plaque may contain the victim's name, date of birth, and date of death.
- K. Photographs are not allowed. The memorials are not intended for visitation. Vehicles inappropriately parking on the roadside may create a safety hazard. The marker is primarily intended to remind passing motorists of the dangers of unsafe driving.

1.10 Hazardous or Non-Conforming Memorials

- A. If a roadside memorial poses an immediate safety hazard, ADOT staff will document the location, photograph the memorial, remove it immediately and leave behind a notice posted to a stake that it has been removed and provide contact information for pick-up of the memorial. If the memorial owner contact information is on file, that owner will be notified.
- B. If a roadside memorial in the state highway right-of-way has not been requested and approved by ADOT, it shall be conspicuously marked with a 60-day notice to remove the memorial. If the memorial is not removed after 60 days, ADOT staff will document the location, photograph then remove the memorial and leave behind a notice posted to a stake that the roadside memorial has been removed and provide contact information for pick-up of their memorial.
- C. Removed memorials will be stored for a period of at least 60-days at the ADOT District in the nearest Maintenance yard in the area were the memorial was removed.

- D. If the owner is unknown and/or the memorial is not claimed by the owner, the memorial will be discarded after 60-days of storage.

1.11 Existing Memorials

In cases where memorials were established prior to the effective date of the policy, the Director may allow certain memorials to remain in place that do not present a hazard to the motoring public.