

OFFICE OF POLICY AND LEGAL ANALYSIS

Date: 4-22-21
To: Transportation Committee
From: Sam Prawer, Legislative Analyst

LD 537 – An Act To Dedicate Sections of Maine's Interstate Highway System to Fallen State Troopers

SUMMARY:

This bill establishes the Fallen State Trooper Dedication Program, which requires the Department of Transportation and the Maine Turnpike Authority to designate and place appropriate signs on one mile of the Interstate 95 highway system for each state police officer who died in the performance of that officer's duty.

TESTIMONY:

Proponents: *Sen. Diamond, Sen. Davis, Maine State Police, Maine Retired Troopers Organization, David C Burns, Maine State Troopers Association, Mary Black Andrews, Rev. Dr. Kate Braestrup, Shelley Parola, Brian D. Smith*

- 100th year of the Maine State Police, which was established in 1921. During that time twelve Maine Troopers have given their lives in the line of duty. We owe them our gratitude and we're obliged to remember them in a way that distinguishes their service.
- Many states have established ways to honor their Fallen Troopers and we in Maine should do the same.
- We have monuments, bridges, and other forms of markers honoring the lives of individuals from different areas of service. However, we do not have something specifically designating and honoring state troopers.
- Costs are small compared to the brave and honorable actions of Troopers who gave their last full measure serving others.

Neither for Nor Against: *Maine Turnpike Authority*

- As currently drafted, there are complications regarding the locations of signage the departments are legally allowed to display on the interstate.

TECHNICAL ISSUES:

None identified.

LEGAL ISSUES:

- **Federal Law.** The [Manual on Uniform Traffic Control Devices](#) defines the standards used by road managers nationwide to install and maintain traffic control devices on all public streets, highways, bikeways, and private roads open to public travel. The MUTCD is published by the Federal Highway Administration (FHWA) under [23 Code of Federal Regulations \(CFR\), Part 655, Subpart F](#).

MUTCD - [Section 2M.10 Memorial or Dedication Signing \[pages 339-341\]](#)

Support:

Legislative bodies will occasionally adopt an act or resolution memorializing or dedicating a highway, bridge, or other component of the highway.

Guidance:

Such memorial or dedication names should not appear on or along a highway, or be placed on bridges or other highway components. If a route, bridge, or highway component is officially designated as a

memorial or dedication, and if notification of the memorial or dedication is to be made on the highway right-of-way, such notification should consist of installing a memorial or dedication marker in a rest area, scenic overlook, recreational area, or other appropriate location where parking is provided with the signing inconspicuously located relative to vehicle operations along the highway.

Option:

If the installation of a memorial or dedication marker off the main roadway is not practical, memorial or dedication signs may be installed on the mainline.

Guidance:

Memorial or dedication signs should have a white legend and border on a brown background.

Standard:

Where such memorial or dedication signs are installed on the mainline, (1) memorial or dedication names shall not appear on directional guide signs, (2) memorial or dedication signs shall not interfere with the placement of any other necessary signing, and (3) memorial or dedication signs shall not compromise the safety or efficiency of traffic flow. The memorial or dedication signing shall be limited to one sign at an appropriate location in each route direction, each as an independent sign installation.

Memorial or dedication signs shall be rectangular in shape. The legend displayed on memorial or dedication signs shall be limited to the name of the person or entity being recognized and a simple message preceding or following the name, such as “Dedicated to” or “Memorial Parkway.” Additional legend, such as biographical information, shall not be displayed on memorial or dedication signs. Decorative or graphical elements, pictographs, logos, or symbols shall not be displayed on memorial or dedication signs. All letters and numerals displayed on memorial or dedication signs shall be as provided in the “Standard Highway Signs and Markings” book (see Section 1A.11). The route number or officially mapped name of the highway shall not be displayed on the memorial or dedication sign.

Memorial or dedication names shall not appear on supplemental signs or on any other information sign on or along the highway or its intersecting routes.

Option:

The lettering for the name of the person or entity being recognized may be composed of a combination of lower-case letters with initial upper-case letters.

Guidance:

Freeways and expressways should not be signed as memorial or dedicated highways.

Support:

Named highways are officially designated and shown on official maps and serve the purpose of providing route guidance, primarily on unnumbered highways. A highway designated as a memorial or dedication is not considered to be a named highway. Section 2D.53 contains provisions for the signing of named highways.

[CHAPTER 1A. GENERAL - Definitions: \[Page 14\]](#)

71. Expressway— is a divided highway with partial control of access

77. Freeway— is a divided highway with full control of access.

FISCAL IMPACT:

Fiscal impact information not available at time of writing.