

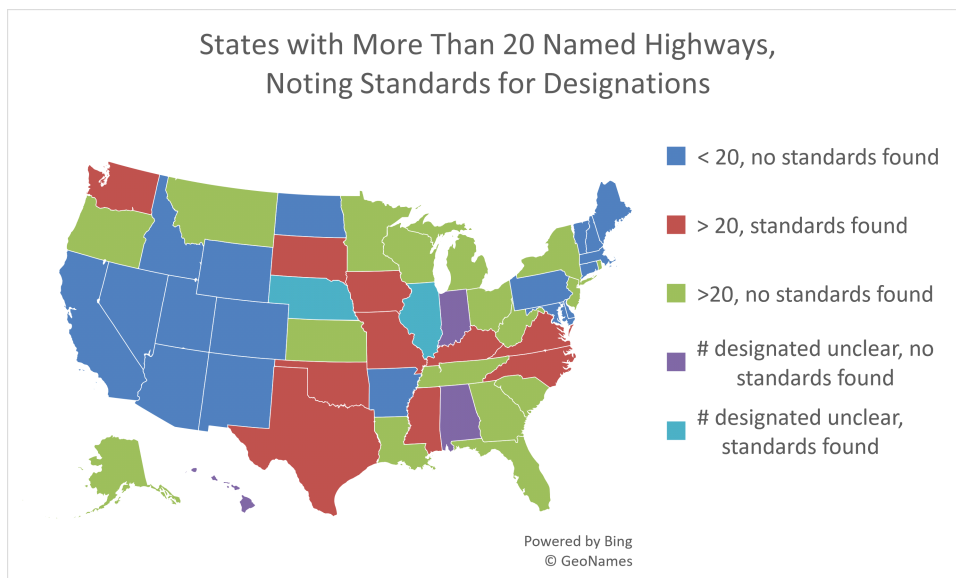


September 8, 2020

## STATE STANDARDS FOR DESIGNATING HIGHWAYS IN HONOR OF INDIVIDUALS

Kansas statutes provide names for certain highways or other transportation facilities such as bridges and intersections in the state. Such designations began with the Blue Star Memorial Highway in 1951, part of a nationwide designation to honor those who perform military service. The first Kansas highways designated in honor of individuals are the Eisenhower Memorial Highway, K-15, in 1967 and the Dr. Martin Luther King Jr. Memorial Highway, I-470 in Topeka, in 1982. To date, 65 designations for individuals and another 51 designations appear in the statutes. Most of the other designations honor veterans of specific wars or other military operations as groups, but the statutes also include designations for the song “Home on the Range” and the Ancient Indian Traders Trail.

This memorandum provides information on criteria used by states that designate transportation assets in honor of individuals, and the majority of states do designate transportation assets such as highways and bridges for this reason. No attempt was made to determine exact numbers of designated transportation assets, but states including Michigan, Ohio, and Oklahoma have multiples of the number in Kansas. For 18 states and the District of Columbia, no or only a few such designations were found. For five states, it was unclear how many such designations are in place; no listing was found.



References to statutes, regulations, and other sources herein summarized are provided at the end of the memorandum. This memorandum uses the term “agency” to refer to any executive branch agency or official and “legislature” to refer to any state legislative body. “Policy

document” refers to any documentation that is not in statute or regulation, such as an agency policy manual or a procedure available from a state website. “Joint resolution” describes a resolution that has been passed by both chambers of the legislature.

## **Standards Contain Some Common Elements**

Standards for reviewing applications for designations and designating transportation facilities for individuals were found for 12 states.<sup>1</sup> The standards are found in statutes, policy documents, regulations, both statutes and policy documents, and both statutes and regulations.

- Statutes – Illinois, Kentucky, Mississippi, Missouri, Oklahoma, Texas, Virginia, and Washington;
- Policy documents – Nebraska, North Carolina, South Dakota, Virginia, and Washington; and
- Regulations – Iowa and Texas.

Standards for Kentucky and Texas appear to apply only if the agency approves the request and not when the legislature directly approves a designation.

In most of the states with standards for designating highways, the legislature makes the final decision on the designations and places those decisions into joint resolutions or, if the bill becomes law, into statutes. In Kentucky and Texas, the final decision on certain designations is made by the legislature or the agency, depending on the circumstances.

- States where the legislature makes the final decision – Illinois (joint resolution), Kentucky (joint resolution), Mississippi (statutes), Missouri (statutes; approval of Joint Committee on Transportation Oversight required), Oklahoma (statutes), Texas (statutes), and Virginia (joint resolution); and
- States where the agency makes the final decision – Iowa, Kentucky, North Carolina, South Dakota, Texas (if a local government requests a designation), and Washington.

In Nebraska, the governor makes the decision, based on agency recommendation. The agency is limited to one recommendation each year.

## ***Choosing the Individuals to Honor***

In most of the states for which standards were found, the person to be honored in this way must have made significant contributions to the state or locality. These states phrased this condition in various ways:

---

<sup>1</sup> In Rhode Island, a statute creates a permanent joint committee on “naming all new buildings, bridges, edifices, and other state constructions” (General Laws 1956, § 22-7.4-1.), but no current or recent appointments to or activities of that committee were found.

- Illinois – The honorees of the Heroes Way Designation Program are to be members of the U.S. armed forces killed in action. The honor must be requested by an immediate relative, and a legislator must sponsor the resolution. The legislature may choose additional honorees.
- Iowa – Documentation must support the significance of the person or group for which the highway or bridge is named. Any person being honored “must have provided extraordinary public service or some exemplary contribution to the public good or outstanding service to the nation, this state, or the person’s community.” Also, the honoree must have a connection to the location proposed.
- Nebraska - “The honored person, organization, or other entity must be widely recognized across the entire state and must have contributed to the betterment of Nebraska. Primary consideration will be given to contributions in fields such as public affairs, the arts, the sciences, the professions; secondary consideration will be given to contributions in entertainment, athletics, and kindred fields where interest, publicity, and general recognition may for a time be intense but where a contribution to society is secondary. Activities that have added to the welfare of society and to the reputation of the state shall be weighed more heavily than activities primarily benefiting the individual or organization.”
- Oklahoma – Such designations will be made to honor “individuals deserving of commendation for their active involvement in the [highway system] project or for outstanding service to the nation, this state, or their community.”
- South Dakota – The honoree should have “historical significance” to the state or nation and have a direct association with South Dakota.
- Texas – The application must “describe the designee’s significance in the state’s history or in the lives of the people of this state.”
- Washington – The agency will “evaluate such things as [w]hether the person or group made a significant contribution to transportation in such areas as safety, mobility of people and goods, economic vitality and protection of the environment; [w]hether the person or group committed a significant amount of their time working on or addressing transportation or other significant issues in the state; [and] [w]hether the person or group’s efforts [have] had a positive long-term effect on the lives of the people that they represented.”

### *Restrictions on Timing*

Several states include restrictions on the timing of this type of honor:

- Iowa – The honoree must have been deceased for one year.
- Mississippi – If the person to be honored had been elected to any public office in the state, not for ten years after the person no longer served in any such office.

- Missouri – The person must have been deceased for more than two years.
- Nebraska – The person must have been deceased for five years.
- Oklahoma – The person must have been deceased not less than three years.
- South Dakota – The person or persons should be deceased for at least five years.
- Texas – The person must be deceased.
- Washington – If the honoree has died, the agency will not act on the request until the person has been deceased for at least one year. The agency states it will “exercise extra caution in naming or renaming a facility in honor of a living person, giving extra consideration to the appropriateness of the timing of the naming in the context of the individual’s life and current standing in the community.”

### *Exceptions*

Exceptions are offered to the requirements listed above in two states:<sup>2</sup>

- Kentucky – State troopers killed in the line of duty, as requested by the state police agency; and
- Missouri – “[F]allen law enforcement officers, members of the Armed Forces killed in the line of duty, emergency personnel killed while performing duties relating to their employment, or state employees killed while serving the state.”

### ***Support for the Designation***

Most of the states for which standards were found require evidence of community support for the designation.

In Iowa, Mississippi, Nebraska, North Carolina, South Dakota, and Virginia, the governing bodies of localities through or in which the designated portion of transportation infrastructure is located must pass resolutions in support of the designation; in North Carolina, any such resolution must pass unanimously.

Some states require community support to be shown in other or additional ways:

- Kentucky – The agency head must be petitioned by a unit of local government, a civic organization, or another interested party before designating a road or bridge on the state primary road system.

---

<sup>2</sup> Although not a highway designation, memorial signs for firefighters, emergency medical services personnel, and law enforcement officers along the road near the place such person was killed are available in Delaware. 17 Del.C. § 532.

- Missouri – An application to the agency must contain a list of at least 100 signatures of individuals who support the naming of the bridge or highway.
- Nebraska – An application must be made by a sponsoring organization or agency.
- South Dakota – The application suggests letters of support or resolutions by supporting governmental entities be attached to the submission.
- Washington – For the agency to consider a request for a designation, the requesting entity or person must submit evidence of community support and acceptance of the proposal, such as letters of support from state and federal legislators, resolutions from local governing bodies, and supportive actions or letters from local organizations, such as a chamber of commerce or service club; the agency determines whether the evidence is sufficient.

### ***Additional Provisions***

**Public notice.** Three states provide public notice requirements specific to highway designations:

- Illinois – The agency must give notice of any proposed designation on the agency's official public website.
- Missouri – The agency must give notice of a proposed designation “in a manner reasonably calculated to advise the public of such proposal.” The statute states “reasonable notice” would include posting on the agency's official public website, making copies available to representatives of the news media or public upon request, and posting a notice on a public bulletin board clearly designated for that purpose at the principal office.
- Washington – If the legislature passes a joint resolution requesting the agency designate a facility, the agency holds a public hearing prior to taking action.

**Offensive words.** Two states restrict wording on the name given to any transportation infrastructure:

- Iowa – “A named route or memorial bridge shall not be given a name which could be considered discriminatory, biased or inappropriate.”
- Virginia – “No name shall be eligible for the naming rights under this section if it in any way reasonably connotes anything that (i) is profane, obscene, or vulgar; (ii) is sexually explicit or graphic; (iii) is excretory related; (iv) is descriptive of intimate body parts or genitals; (v) is descriptive of illegal activities or substances; (vi) condones or encourages violence; or (vii) is socially, racially, or ethnically offensive or disparaging.”

## Sources

State	Statute, regulation, or other source
Illinois	605 ILCS 127/15. Heroes Way Designation Program. <a href="http://idot.illinois.gov/doing-business/special-sign-programs/index">http://idot.illinois.gov/doing-business/special-sign-programs/index</a>
Iowa	Iowa Admin. Code 761-131.10(321). Signing for named routes and memorial bridges.
Kentucky	KRS § 177.074. Naming of state road or bridge.
Mississippi	Miss. Code Ann. § 65-3-38.1. Naming conditions and procedures.
Missouri	V.A.M.S. 227.299. Memorial bridge or highway designations, procedure – notice requirements – signs to be erected – multiple designations prohibited – time period of designation.
Nebraska	Nebraska Department of Transportation Operating Instruction 60-01 <a href="https://dot.nebraska.gov/projects/get-involved/name-hwy/">https://dot.nebraska.gov/projects/get-involved/name-hwy/</a>
North Carolina	N.C.G.S.A. § 136-18. Powers of department of transportation. <a href="https://connect.ncdot.gov/municipalities/ProceduresPolicies/Forms/AllItems.aspx">https://connect.ncdot.gov/municipalities/ProceduresPolicies/Forms/AllItems.aspx</a>
Oklahoma	69 Okl.St. Ann. § 1600.1. Dedication in honor of those actively involved in project <a href="https://www.ok.gov/odot/Programs_and_Projects/Memorial_Highways_and_Bridges_Naming_Program.html">https://www.ok.gov/odot/Programs_and_Projects/Memorial_Highways_and_Bridges_Naming_Program.html</a>
South Dakota	<a href="#">Policy No. DOT-OS-OT-3.2, Memorial Highways and Auto Tour Routes</a>
Texas	V.T.C.A., Transportation Code §§ 225.001 (Restrictions on naming highway), 225.002 (Memorial designation of highway by local government). 43 TAC § 25.9. Memorial designated highways and historical routes.
Virginia	VA Code Ann. § 33.2-213. Naming highways, bridges, interchanges, and other transportation facilities. <a href="https://www.virginiadot.org/info/faq-highway-named.asp">https://www.virginiadot.org/info/faq-highway-named.asp</a>
Washington	RCWA 47.01.420. Naming and renaming state transportation facilities. <a href="https://wstc.wa.gov/programs/ferry-highway-naming/">https://wstc.wa.gov/programs/ferry-highway-naming/</a>

*Note:* All websites cited above were accessed in July and August 2020.