



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4344

by Rep. Mark Batinick

SYNOPSIS AS INTRODUCED:

New Act

Creates the Heroes Way Designation Program Act. Allows a person who is related to a member of the United States Armed Forces who was killed in action while performing active military duty to apply for a designation allowing the placement of an honorary sign along designated Illinois roads. Provides that honorary signs may be placed upon interstate or state-numbered highway interchanges or upon bridges or segments of highway on the State highway system. Provides requirements for petition and approval of applications by the General Assembly to designate a specified road. Provides that no interchange, bridge, or highway may be named or designated after more than one member of the United States Armed Forces killed in action, nor may a designated member of the United States Armed Forces be eligible for more than one interchange, bridge, or highway designation. Provides that any highway signs erected for any designation shall be erected and maintained for a 20-year period, after which the signs shall be subject to removal, and the interchange, bridge, or highway may be subject to a new designation, absent an application to retain designation. Defines "Department", "Secretary", and "United States Armed Forces".

LRB099 15337 RJF 39579 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Heroes
5 Way Designation Program Act.

6 Section 5. Purpose. This Act establishes a designation
7 program, to be known as the "Heroes Way Designation Program",
8 to honor the fallen Illinois heroes who have been killed in
9 action while performing active military duty with the United
10 States Armed Forces.

11 Section 10. Definitions. As used in this Act:

12 "Department" means the Illinois Department of
13 Transportation.

14 "Secretary" means the Secretary of the Illinois Department
15 of Transportation.

16 "United States Armed Forces" means any branch of the United
17 States Military, including National Guard and military reserve
18 components.

19 Section 15. Heroes Way Designation Program.

20 (a) Any person who is related by marriage, adoption, or
21 consanguinity within the second degree to a member of the

1 United States Armed Forces who was killed in action while
2 performing active military duty with the Armed Forces, and who
3 was a resident of this State at the time he or she was killed in
4 action, may apply for a designation allowing the placement of
5 an honorary sign alongside roads designated under the
6 provisions of this Act.

7 (b) The honorary signs may be placed upon interstate or
8 state-numbered highway interchanges or upon bridges or
9 segments of highway on the State highway system under the
10 provisions of this Section, and any applicable federal and
11 State limitations or conditions on highway signage, including
12 location and spacing.

13 (c) Any person described under subsection (a) of this
14 Section who desires to have an interstate or state-numbered
15 highway interchange or bridge or segment of highway on the
16 State highway system designated after his or her family member
17 shall petition the Department of Transportation by submitting
18 the following:

19 (1) an application in a form prescribed by the
20 Secretary, describing the interstate or state-numbered
21 highway interchange or bridge or segment of highway on the
22 State highway system for which the designation is sought
23 and the proposed name of the interchange, bridge, or
24 relevant segment of highway. The application shall include
25 the name of at least one current member of the General
26 Assembly who will sponsor the designation. The application

1 may contain written testimony for support of the
2 designation;

3 (2) proof that the family member killed in action was a
4 member of the United States Armed Forces and proof that the
5 family member was in fact killed in action while performing
6 active military duty with the United States Armed Forces. A
7 United States Department of Defense Form 1300 (DD Form
8 1300), or an equivalent form used by the United States
9 Armed Forces, indicating that the family member was "Killed
10 in Action" shall constitute sufficient proof that the
11 family member meets the eligibility requirements for an
12 honorary designation under this Act. Acceptable proof
13 shall also include a statement from either the Illinois
14 Department of Veterans' Affairs or the United States
15 Department of Veterans' Affairs certifying the requisite
16 facts;

17 (3) a signed form, prescribed by the Secretary,
18 certifying that the applicant is related by marriage,
19 adoption, or consanguinity within the second degree to the
20 member of the United States Armed Forces who was killed in
21 action; and

22 (4) a fee to be determined by the Secretary to cover
23 the costs of constructing and maintaining the proposed
24 signs on the interchange, bridge, or highway. The fee shall
25 not exceed the cost of constructing and maintaining each
26 sign.

1 (d) After determining that the petitioner meets all of the
2 application requirements of subsection (c), the Department
3 shall submit a recommendation containing the proposed
4 designations to the sponsor in the General Assembly named in
5 the application. The Department shall be notified upon the
6 passage or denial of a proposed designation. If the honorary
7 designation recommendation is not approved by the General
8 Assembly and signed into law, 97 percent of the application fee
9 shall be refunded to the applicant.

10 (e) The Department shall give notice of any proposed
11 designation under this Section in a manner reasonably
12 calculated to advise the public of the proposal. Reasonable
13 notice shall include posting the proposal for the designation
14 on the Department's official public website and making
15 available copies of the sign designation application to any
16 representative of the news media or public upon request and
17 posting the application on a bulletin board or other prominent
18 public place which is easily accessible to the public and
19 clearly designated for that purpose.

20 (f) Two signs shall be erected for each interchange,
21 bridge, or highway designation processed under this Section.

22 (g) No interchange, bridge, or highway may be named or
23 designated after more than one member of the United States
24 Armed Forces killed in action, nor may a designated member of
25 the United States Armed Forces be eligible for more than one
26 interchange, bridge, or highway designation under the

1 provisions of this Section.

2 (h) Any highway signs erected for any designation under the
3 provisions of this Section shall be erected and maintained for
4 a 20-year period. After that period, the signs shall be subject
5 to removal by the Department and the interchange, bridge, or
6 highway may be designated to honor persons other than the prior
7 designee. An existing designation processed under the
8 provisions of this Section may be retained for additional
9 20-year increments if, at least one year before the
10 designation's expiration, an application to the Department is
11 made to retain the designation along with the required
12 documents and all applicable fees required under this Section.

13 (i) All moneys received by the Department for the
14 construction and maintenance of interchange, bridge, or
15 highway signs shall be deposited in the "Road Fund" of the
16 State Treasury.

17 (j) The documents and fees required under this Section
18 shall be submitted to the Department.