

# House Bill 2389

Sponsored by Representative OLSON, Senator OLSEN; Representatives DOHERTY, HUFFMAN, KRIEGER, Senators BOQUIST, COURTNEY, MONNES ANDERSON (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Changes process by which person may receive Fallen Hero roadside memorial sign.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to Fallen Hero roadside memorial signs; creating new provisions; amending ORS 366.931;  
3 and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 366.931 is amended to read:

6 366.931. (1) As used in this section, "Armed Forces of the United States" has the meaning given  
7 that term in ORS 348.282.

8 (2) [*Subject to subsection (3) of this section,*] To recognize and honor those who were killed in  
9 action or who died as a result of wounds received in action while serving in the Armed Forces of  
10 the United States, the Department of Transportation shall erect and maintain a Fallen Hero  
11 roadside memorial sign [*for:*] **if:**

12 (a) **The Legislative Assembly adopts a concurrent resolution that recognizes the individ-**  
13 **ual killed in the line of duty; and**

14 (b) **The department receives the payment of a fee determined by the department under**  
15 **subsection (3) of this section.**

16 [*(a) Eric McKinley, on Oregon Route 34 near milepost 50.*]

17 [*(b) Tyler Troyer, on Oregon Route 34 near milepost 4.*]

18 [*(c) Kevin Dewayne Davis, on Oregon Route 34 near milepost 15.*]

19 [*(d) Adam Buyes, on Oregon Route 22 near milepost 20.*]

20 [(3) *The department may not erect a Fallen Hero roadside memorial sign until the department re-*  
21 *ceives the payment of a fee. The department shall determine the amount of the fee by rule, except that*  
22 *the fee may not exceed the direct and indirect expenses associated with erecting, maintaining and re-*  
23 *moving a roadside memorial sign.*]

24 (3) **The department shall determine the amount of the fee required under subsection**  
25 **(2)(b) of this section by rule. The fee may not exceed the direct and indirect expenses asso-**  
26 **ciated with erecting, maintaining and removing a roadside memorial sign.**

27 (4) The department shall deposit the fees that the department collects under this section into  
28 the Roadside Memorial Fund established under ORS 366.932.

29 (5) A public body, as defined in ORS 174.109, may not expend moneys for the purpose of paying  
30 the fee required under [*subsection (3) of*] this section.

31 (6) The department, by rule, shall establish the size, design and location of a roadside memorial

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 sign erected under this section. The sign must include the name of the individual the sign is recog-  
2 nizing.

3 **SECTION 2. The amendments to ORS 366.931 by section 1 of this 2015 Act do not apply**  
4 **to the erection and maintenance of Fallen Hero roadside memorial signs for the individuals**  
5 **named in ORS 366.931 as in effect on January 1, 2015.**

6 **SECTION 3. This 2015 Act being necessary for the immediate preservation of the public**  
7 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**  
8 **on its passage.**

9

---