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**IDAPA 39
TITLE 03
Chapter 63**

39.03.63 - RULES GOVERNING TRAFFIC ACCIDENT MEMORIALS

000. LEGAL AUTHORITY.

This rule is adopted under the authority of Sections 49-1316 and 55-2201 through 2210, Idaho Code. (9-14-92)

001. TITLE AND SCOPE.

This rule specifies the procedures to be followed when erecting golden stars in memory of people killed in traffic accidents on Idaho state highways. (9-14-92)

002. -- 099. (RESERVED).

100. GENERAL.

In accordance with Section 49-1316, Idaho Code, relatives or friends of a person killed in a traffic accident upon a non-interstate highway of the state highway system may erect a golden star in memory of the decedent. The decedent's next of kin must approve the star before friends can place it at the accident site. The golden star must be erected adjacent to the portion of the highway where the accident occurred. Only one (1) star may be placed for each fatal accident. Stars are not permitted on interstate highways, or within boundaries of incorporated cities. (9-14-92)

101. -- 199. (RESERVED).

200. PHYSICAL REQUIREMENTS.

The maximum tip-to-tip dimension of the star shall be twelve (12) inches. The star shall be made of high-grade plywood, plastic, aluminum, or steel material as commonly used for highway signs. (9-14-92)

01. Shape and Color. Stars shall be gold color and the standard five (5) point design. The top point of the star shall point in a vertical direction. Stars shall be attached via two (2) bolts to an upright post. No other signs or items shall be attached to the post. The star shall not be reflectorized. (9-14-92)

02. Installation. Each post shall be of a U-shaped steel section similar to a highway delineator post weighing approximately one point twelve (1.12) pounds per linear foot. The person installing the post must comply with the call-before-you-dig requirements of Sections 55-2201 through 2210, Idaho Code, before installing the post. (9-14-92)

03. Additional Requirements. No items shall be hung from the star, and no inscription shall be placed on the star. (9-14-92)

201. -- 299. (RESERVED).

300. APPROVAL.

The highway maintenance supervisor assigned to the area where a star is to be erected shall approve the star location so as to minimize any adverse effect on maintenance operations such as mowing, snowplowing, etc. (9-14-92)

301. -- 399. (RESERVED).

400. SAFETY PRECAUTIONS.

01. Placement Location. Stars shall be placed as far as practical from the highway traffic but must be placed a minimum of twenty (20) feet from the highway shoulder where highway right-of-way width permits. Stars shall be mounted at an elevation approximately four (4) feet above the ground. (9-14-92)

02. Installation or Maintenance. Installation or Maintenance Family members and friends participating in the installation or maintenance of the star must park their vehicle as far as practical from the traffic lanes and in an area where sight distance on the highway is good in both directions. (9-14-92)

03. Degree of Safety. A high degree of safety for the motoring public and the participants must be maintained. (9-14-92)

401. -- 499. (RESERVED).

500. MAINTENANCE REQUIREMENTS.

01. Responsibility. The Idaho Transportation Department will not be responsible for maintenance, vandalism, or theft of the star or post. (9-14-92)

02. Maintenance Responsibility. Stars must be maintained in good condition or they will be removed by the highway maintenance supervisor. (9-14-92)

03. Additional Conditions. No planting or landscaping work shall be done at the star location. (9-14-92)

501. -- 999. (RESERVED).