

REPORT TO  
THE  
CALIFORNIA STATE LEGISLATURE

EVALUATION OF  
“PLEASE DON’T DRINK AND DRIVE”  
VICTIMS MEMORIAL SIGN PROGRAM



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PREPARED BY  
THE CALIFORNIA DEPARTMENT OF TRANSPORTATION  
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## EXECUTIVE SUMMARY

Effective January 1, 2002, Streets and Highways Code Section 101.10 directs the California Department of Transportation (Caltrans) to place and maintain memorial signs along state highways that read "Please Don't Drink and Drive" followed by "In Memory of {victim's name}." Caltrans places signs at the request of victims' relatives when there is a fatality as a result of an alcohol or drug-impaired driver. The signs are to remain in place for a period of seven years. The legislation requires Caltrans to prepare an evaluation and report its findings and any related recommendations to the California State Legislature (Legislature) by January 1, 2006.

To date, Caltrans has installed 29 signs on state highways in 16 counties. Sponsors may apply for a sign at one of the 12 Caltrans district offices covering the area where the accident occurs. The cost for administration, labor, sign panels, equipment, posts and hardware is about \$1,000. Caltrans recovers costs by charging each sponsor a fee of \$1,000.

On state highways, annual injuries did not deviate significantly from an average of 4,685 persons injured per year in the 16 counties in the three years "before" and the three years "after" the legislation became law. The number of alcohol involved fatalities, in the 16 counties, decreased from a total of 789 in the "before" period to a total of 710 in the "after" period. It is difficult to ascertain if the drop in fatalities is related to the memorial signs.

The program provides a benefit to the families of victims, local communities, and the State of California for very little cost and effort. Caltrans recommends that the Legislature consider extending the January 1, 2007, sunset date.

## INTRODUCTION

This report, prepared by Caltrans, responds to Streets and Highways Code Section 101.10, which states, “The department shall prepare an evaluation of the program authorized by this section and shall report its findings and any related recommendations to the Legislature by January 1, 2006.”

## BACKGROUND

Streets and Highways Code Section 101.10 (Assembly Bill 965, Chapter 864, Statutes of 2001, Mountjoy), shown in Appendix A, established the Victims Memorial Sign Program for state highways. The law became effective January 1, 2002, and directs Caltrans to place and maintain memorial signs along state highways that read “Please Don't Drink and Drive” followed by “In Memory of {victim's name}.” The signs are to remain in place for a period of seven years.

Streets and Highways Code Section 101.10 remains in effect until January 1, 2007, and is then repealed, unless a statute is enacted before January 1, 2007, deleting or extending that date.

Pursuant to the legislation, Caltrans instituted procedures and developed guidelines for the Victims Memorial Sign Program. The guidelines explain the process for requesting signs to be installed on state highways. A state highway is any freeway, expressway, or conventional highway operated by the State of California. The guidelines for the Victims Memorial Sign Program were posted on the Internet January 11, 2002 (Appendix B).

Upon request from an immediate family member of a person who is killed by a driver intoxicated with alcohol or drugs, Caltrans places and maintains a sign in memory of the victim near the location of the accident.

Each location where Caltrans installed a sign is shown on a map of the State of California (Appendix C). Sponsors may apply for a sign at the Caltrans district office covering the area where the accident occurs. The guidelines posted on the Internet provide contact names, location and addresses for each district office. Instructions for doing this are posted on the Caltrans Internet site at:

<http://www.dot.ca.gov/hq/traffops/signtech/signdel/victims.htm>

To evaluate the program each district was asked to provide public feedback and any associated administrative problems with the program. Each district was also asked if this program reduced the number of unauthorized memorials placed on state highways. The districts have not observed a reduction in unauthorized memorials since the beginning of the Victims Memorial Sign Program.

It should be noted that Caltrans occasionally receives telephone calls from victims' relatives regarding a fatality, which occurs on a city street or county road. However, the callers are informed that the law only addresses state highways.

**FINDINGS**

To date, Caltrans has installed 29 signs on state highways in 16 counties. Table 1 is a summary of installations in each Caltrans district along with comments received by district staff involved with sign installations from applicants. The date shown is the date Caltrans ordered the sign from the manufacturer.

**TABLE 1 – Sign Locations and Public Comments**

	District	County	Route	Date	Public Comments
1	3	Butte	32	05/07/03	None
2	3	Butte	99	08/30/02	
3	3	El Dorado	50	06/18/02	
4	3	Placer	267	02/26/02	
5	3	Sacramento	160	08/19/04	
6	4	Santa Clara	85	05/29/03	None
7	5	Monterey	101	02/19/02	Participating families reported that they were pleased with the program.
8	5	San Benito	129	04/01/02	
9	5	San Luis Obispo	1	03/27/03	
10	6	Fresno	41	06/02/03	The program was well received by all participants. The mother of one victim stated that the program helped her with the healing process. Caltrans district staff were able to take her to the work site to observe the installation.
11	6	Fresno	99	03/14/02	
12	6	Fresno	99	10/15/03	
13	6	Fresno	145	03/14/02	
14	6	Kern	99	07/25/02	
15	6	Kern	99	08/26/03	
16	6	Kings	41	08/28/03	
17	6	Tulare	190	12/03/02	
18	7	Los Angeles	1	09/23/02	One person complained that it took too long to have the sign installed.
19	7	Los Angeles	1	10/29/03	
20	7	Los Angeles	1	08/31/04	
21	8	San Bernardino	10	08/06/02	None
22	8	San Bernardino	15	03/05/03	
23	8	San Bernardino	38	04/21/05	
24	9	Kern	58	06/13/02	A local newspaper article was in favor of the program.
25	10	San Joaquin	580	09/10/03	None
26	11	San Diego	5	04/02/02	None
27	11	San Diego	5	08/07/02	
28	11	San Diego	76	02/08/05	
29	11	San Diego	805	08/07/02	

## PROGRAM COSTS

Caltrans monitored expenditures for program administration and labor. On the basis of this data, the average cost per sign for administration and labor is \$630. These expenditures ranged from a low of \$546 in Sacramento to a high of \$1,142 in Los Angeles, which often include traffic control costs. Variables affecting cost of administration and labor are staff time to verify eligibility, site investigation, travel to and from the accident site, and traffic control in the work area when a sign is installed.

On the basis of purchase orders, the average cost for the sign panels is \$236. Costs varied according to the number of names on the sign, the size of the sign, handling, shipping and taxes.

When the estimated cost of equipment, posts, and hardware are added to the cost of administration, labor, and sign panels, the average total cost for each installation is about \$1,000. This amount represents \$630 for administration and labor, \$236 for sign panels, and \$134 for equipment, posts and hardware. Caltrans recovers costs by charging each sponsor a fee of \$1,000.

## EVALUATION OF SIGNS

The legislation requires Caltrans to prepare an evaluation and report its findings and any related recommendations. The primary question is, do these victims memorial signs reduce the number of collisions involving a driver under the influence of alcohol or drugs?

Annual injuries did not deviate significantly from an average of 4,685 persons injured per year in the 16 counties in the three years "before" and the three years "after" the legislation became law. The number of alcohol involved fatalities in the 16 counties decreased from a total of 789 in the "before" period to a total of 710 in the "after" period.

No correlation was found between posting of the memorial signs and a change in the number of collisions where a driver was under the influence of alcohol or drugs. With only 29 signs placed on the State Highway System of about 16,000 miles, it is not possible to find a correlation between the signs and collision rates. Even if the Victims Memorial Sign Program is to remain in effect for many years, it is unlikely that a correlation could be found. There are simply too many variables, which influence collision rates. Variables include amount of enforcement activity; media safety campaigns; weather; vehicle condition; driver age and experience; traffic volumes; and others. It is very difficult to estimate the affect of each discrete variable, such as signs,

and attribute an increase or decrease in collisions directly to that variable. In other words, to identify any single variable as the primary causative factor.

In order to evaluate the program, recent before and after collision data was compared and is shown in Table 2 and Table 3. This data shows the number of persons killed or injured on state highways during the six-year period from 1999 to 2004 by vehicle collisions. Collision data shown is for the 16 counties where Caltrans has victims memorial signs installed.

It must be recognized that not all signs have been in place for the entire three year “after” period. Some signs have been posted for only a few months because the installation date relates to the accident date.

**TABLE 2 – Collisions 1999 to 2001**

Persons Killed and Injured in State Highway Collisions by County  
Primary Collision Factor - Influence of Alcohol for Years 1999, 2000 and 2001  
Time Period is **BEFORE** "Please Don't Drink and Drive" Memorial Signs are Installed

Year ----->	1999		2000		2001		COUNTY TOTALS	
	Killed	Injured	Killed	Injured	Killed	Injured	Killed	Injured
1 Butte	3	41	5	60	4	58	12	159
2 El Dorado	2	84	0	83	3	59	5	226
3 Fresno	20	151	7	135	9	196	36	482
4 Kern	16	189	23	227	19	239	58	655
5 Kings	3	42	5	32	13	41	21	115
6 Los Angeles	63	1,525	64	1,511	73	1,675	200	4,711
7 Monterey	3	107	9	106	5	127	17	340
8 Placer	6	83	1	65	5	90	12	238
9 Sacramento	9	166	11	200	13	268	33	634
10 San Benito	0	30	9	28	4	26	13	84
11 San Bernardino	45	584	44	505	37	671	126	1,760
12 San Diego	47	757	33	799	57	878	137	2,434
13 San Joaquin	11	192	9	189	11	240	31	621
14 San Luis Obispo	9	102	5	88	12	110	26	300
15 Santa Clara	8	307	10	339	12	354	30	1,000
16 Tulare	5	100	21	93	6	88	32	281
<b>YEARLY TOTALS</b>	<b>250</b>	<b>4,460</b>	<b>256</b>	<b>4,460</b>	<b>283</b>	<b>5,120</b>	<b>789</b>	<b>14,040</b>

**TABLE 3 – Collisions 2002 to 2004**

Persons Killed and Injured in State Highway Collisions by County  
Primary Collision Factor - Influence of Alcohol for Years 2002, 2003 and 2004  
Time Period is **AFTER** "Please Don't Drink and Drive" Memorial Signs are Installed

Year ----->	2002		2003		2004		COUNTY TOTALS	
	Killed	Injured	Killed	Injured	Killed	Injured	Killed	Injured
1 Butte	2	59	3	46	2	68	7	173
2 El Dorado	3	69	6	80	4	80	13	229
3 Fresno	16	205	11	188	22	134	49	527
4 Kern	18	248	12	222	11	206	41	676
5 Kings	6	23	5	31	2	35	13	89
6 Los Angeles	48	1,467	57	1,511	67	1,586	172	4,564
7 Monterey	6	135	2	103	16	139	24	377
8 Placer	2	66	7	73	3	65	12	204
9 Sacramento	11	174	11	182	15	242	37	598
10 San Benito	4	34	0	9	1	14	5	57
11 San Bernardino	30	626	29	641	54	698	113	1,965
12 San Diego	29	813	27	825	23	852	79	2,490
13 San Joaquin	22	227	22	234	23	246	67	707
14 San Luis Obispo	5	73	10	82	8	117	23	272
15 Santa Clara	12	308	8	242	14	256	34	806
16 Tulare	8	132	6	117	7	85	21	334
<b>YEARLY TOTALS</b>	<b>222</b>	<b>4,659</b>	<b>216</b>	<b>4,586</b>	<b>272</b>	<b>4,823</b>	<b>710</b>	<b>14,068</b>

## CONCLUSIONS

The “Please Don’t Drink and Drive” Victims Memorial Sign Program fosters personal and community support, gives families a way to vocalize their loss and provides public awareness of the consequences of impaired driving. This program has a benefit to the families, communities, and the State of California for very little cost and effort. Costs can be quantified, however, benefits are difficult to identify and measure.

Caltrans is not able to determine if the installation of signs has an effect on the number of persons killed or injured for the following reasons.

- (1) The small number of signs installed (29) -- Only ten counties have one sign and many counties have no signs.
- (2) Trying to correlate signs with a reduction in drunk driving accidents has not been possible.

## RECOMMENDATIONS

The Legislature may want to consider extending the sunset date of January 1, 2007, as the program in general has received public support. While the impact of the sign message may be difficult to measure, repeated messages may influence the incidence of drunk driving. Caltrans recommends continuation of the program, as these messages tend to educate the public on the ill effects of impaired driving. No further evaluation of this program is warranted.

**CALIFORNIA STREETS AND HIGHWAYS CODE**

101.10. (a) (1) The department shall design, construct, place, and maintain, or cause to be designed, constructed, placed, and maintained, along state highways, signs that read as follows: "Please Don't Drink and Drive," followed by: "In Memory of (victim's name)." These signs shall be placed upon the state highways in accordance with this section, placement guidelines adopted by the department, and any applicable federal limitations or conditions on highway signage, including location and spacing. Signs may memorialize more than one victim. "Victim" for purposes of this section means a person who was killed in a vehicular accident, but does not include a party described in paragraph (2) of subdivision(c).

(2) The department shall adopt program guidelines for the application for and placement of signs authorized by this section, including, but not limited to, the sign application and qualification process, the procedure for the dedication of signs, and procedures for the replacement or restoration of any signs that are damaged or stolen.

(b) If the placement at the location of a vehicular accident is safe and practical and the conditions of subdivisions (c) and (d) are met, the department shall place a sign described in subdivision (a) in close proximity to the location where the vehicular accident occurred.

(c) (1) A party to that accident was convicted of any of the following:

(A) Murder of the second degree under Section 187, and the violation was a direct result of driving a vehicle while in violation of Section 23152 or 23153 of the Vehicle Code.

(B) Gross vehicular manslaughter while intoxicated under subdivision (a) of Section 191.5 of the Penal Code.

(C) Vehicular manslaughter under paragraph (3) of subdivision (c) of Section 192.

(2) A party to that accident operated a vehicle involved in the vehicular accident in violation of Section 23152 or 23153 of the Vehicle Code, but died in the accident or was not prosecuted because he or she is found mentally incompetent pursuant to Section 1367 of the Penal Code.

(d) (1) Upon the request of an immediate family member of the deceased victim involved in an accident occurring on and after January 1, 1991, and described in subdivision (b), the department shall place a sign in accordance with this section. A person who is not a member of the immediate family may also submit a request to have a sign placed under this section if that person also submits the written consent of an immediate family member. The department shall charge the requesting party a fee to cover the department's cost in designing, constructing, placing, and maintaining that sign, and the department's costs in administering this section. The sign shall be posted for seven years from the date of initial placement, or until the date the department determines that the condition of the sign has deteriorated to the point that it is no longer serviceable, whichever date is first.

(2) "Immediate family" means spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, or stepfather.

(3) If there is any opposition to the placement of the memorial sign by a member of the immediate family, no sign shall be placed pursuant to this section.

(e) The department shall prepare an evaluation of the program authorized by this section and shall report its findings and any related recommendations to the Legislature by January 1, 2006.

(f) This section shall remain in effect only until January 1, 2007, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2007, deletes or extends that date.

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION  
VICTIMS MEMORIAL SIGN PROGRAM

**GUIDELINES**

*This document was posted on the Internet (on 1/11/02) at the following web address:  
<http://www.dot.ca.gov/hq/traffops/signtech/signdel/index.htm>*

The California Department of Transportation (Caltrans), upon request from an immediate family member of a person who was killed by a driver intoxicated with drugs or alcohol, will place and maintain a sign in memory of the victim.

BACKGROUND

Effective January 1, 2002, Streets and Highways Code Section 101.10 (Assembly Bill 965, Chapter 864, Statutes of 2001, Mountjoy) directs Caltrans to place and maintain memorial signs along state highways that read "Please Don't Drink and Drive" followed by "In Memory of (victim's name)." A state highway is any freeway, expressway, or conventional highway operated by the State of California.

GUIDELINES

Caltrans developed the following guidelines for placing victim memorial signs on state highways in accordance with the provisions of Streets and Highways Code Section 101.10.

I. Qualifications for a Memorial Sign

The following conditions must be satisfied to qualify for a memorial sign on a state highway:

- A) At least one of the deceased victim's immediate family members requests a memorial sign. An immediate family member is a spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father or stepfather.
- B) The accident occurred on or after January 1, 1991.
- C) Either (1) or (2) is true:
  - (1) The intoxicated driver was convicted of second degree murder, or gross vehicular manslaughter, or vehicular manslaughter.
  - (2) The intoxicated driver died or could not be prosecuted because of mental incompetence. Note: An intoxicated driver who died does NOT qualify as a victim.

## II. Installation of Memorial Signs on State Highways

The following are requirements for placing memorial signs on state highways:

- A) Signs will be installed in accordance with applicable Caltrans policies and standards for signs. This includes posts, hardware, materials, vertical, longitudinal, and lateral positioning.
- B) Caltrans will NOT install or maintain a memorial sign if there is written opposition from any immediate family member.
- C) Only one sign will be installed in one direction of travel on the right side of the state highway in close proximity to where the accident occurred at a location where it is safe and practical to do so.
- D) Caltrans will maintain the sign for seven years or until the condition of the sign has deteriorated to a point where it is no longer serviceable, whichever occurs first.
- E) Only one sign will be installed per accident. Multiple victim names may appear on the sign.
- F) A sign will NOT be installed in the median of any state highway, on sound walls, structures, paved shoulders, sidewalks, other signs, vegetation, landscaping, or natural features.

## III. How to Apply

To request a memorial sign please submit items noted in A through D below to the local district office of Caltrans responsible for the area where the accident occurred. A state map and mailing addresses for local district offices may be found on the Internet at the following web address:

<http://www.dot.ca.gov/localoffice.htm>

Once approved, the applicant must pay a fee of \$1,000 to the local district office to cover the cost of administration, installation and maintenance of the memorial sign.

- A) An immediate family member of the deceased victim must write to the local Caltrans district office requesting a memorial sign. Any person may also request a sign if that person also submits written consent from an immediate family member.

Example of a written request and consent:

*Date*

*Dear District Director*

*I (Jane Doe) am requesting and give my consent that a sign be placed on the state highway memorializing my brother (John Doe) in accordance with Caltrans' Victims Memorial Sign Program.*

*Signed,*

*Jane Doe*

*Return Address and Contact Telephone Number (and e-mail address if available)*

- B) The applicant must provide a copy of the accident report to the local Caltrans district office (This is needed to verify the date and location of the accident). Other equally reliable sources for this information supplied by the applicant will be considered.
- C) The applicant must provide proof of conviction to the local Caltrans district office from court records, or proof of intoxication from coroner's records if the driver died (This is needed to verify compliance with Streets and Highways Code Section 101.10). Other equally reliable sources for this information supplied by the applicant will be considered.
- D) The applicant must provide the exact spelling of the deceased victim's name as it is to appear on the memorial sign.

## FREQUENTLY ASKED QUESTIONS

## 1) How do I apply for a sign?

By submitting a written request and official documentation to the local Caltrans district office where the accident occurred. Detailed application guidelines are available on the Caltrans web site or by regular mail upon request.

## 2) What is official documentation?

Police accident reports are needed to verify the date and location of the accident. Court records are needed to verify conviction for second degree murder, or gross vehicular manslaughter, or vehicular manslaughter. Coroner's records are needed only if the driver died and was not prosecuted to verify the presence of drugs or alcohol.

## 3) What happens if I cannot obtain accident reports, coroner's or court records?

Caltrans has limited ability to verify accidents and convictions from Department of Motor Vehicles records dating back to 1996. If incomplete documentation is provided with the request and Caltrans is unable to verify the accident or conviction the sign will NOT be installed. However, other equally reliable sources for this information will be considered, but must be provided by the applicant.

## 4) Why is the sign so expensive?

Typically, here is what the fee covers: Verifying the request, receiving and depositing funds, ordering the sign, determining the exact location of the sign in the field, and conducting an underground utility investigation before drilling the posthole. The sign is fabricated from two sheets of aluminum (36" x 30" and 36" x 12"), which are both mounted on a single wooden post. Once the sign, post and hardware are received, specially equipped crews drive to the location and establish a work zone. The work zone involves setting up temporary construction signs and cones to separate workers from traffic. The posthole is drilled and the sign is installed. Maintenance crews maintain the sign for seven years and replace the sign if it gets knocked down, vandalized or stolen.

## 5) Can someone other than an immediate family member apply for a memorial sign?

Any person may request a sign if that person also submits written consent from an immediate family member.

- 6) What happens if another immediate family member objects to the sign?

If the objection is in writing, the sign will NOT be installed or if it has already been installed it will be removed. There is no additional charge for removal. There will be no refund of the original fee once the sign has been installed.

- 7) Can family, friends, or the general public be present during installation?

Normally, only qualified personnel are allowed in work zones.

- 8) Can family, friends, or the general public pull over to view the sign or get out of their vehicles?

Motorists cannot park at locations where highway signs explicitly prohibit parking. In other words, parked vehicles cannot block the normal flow of traffic or be left standing alongside the highway for extended periods. In the interest of public safety, Caltrans does NOT encourage motorists to park alongside state highways or get out of their vehicles. It is Caltrans' practice to remove wreaths, crosses, flowers, etc. within the state's highway right-of-way to prevent these from being motorist distractions.

- 9) Can a sign be installed on a private, city or county road?

The law specifies installation on state highways. If the accident did not occur on a state highway you will have to contact the appropriate agency that has jurisdiction of the road. Caltrans will only install signs on state highways. State highways are easily identifiable on commercially available road maps of California by distinctive route shields: Interstate (red, white, and blue), State Highway (green and white), or U.S. Highway (black and white).

- 10) How long will it take to have a sign installed?

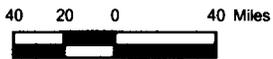
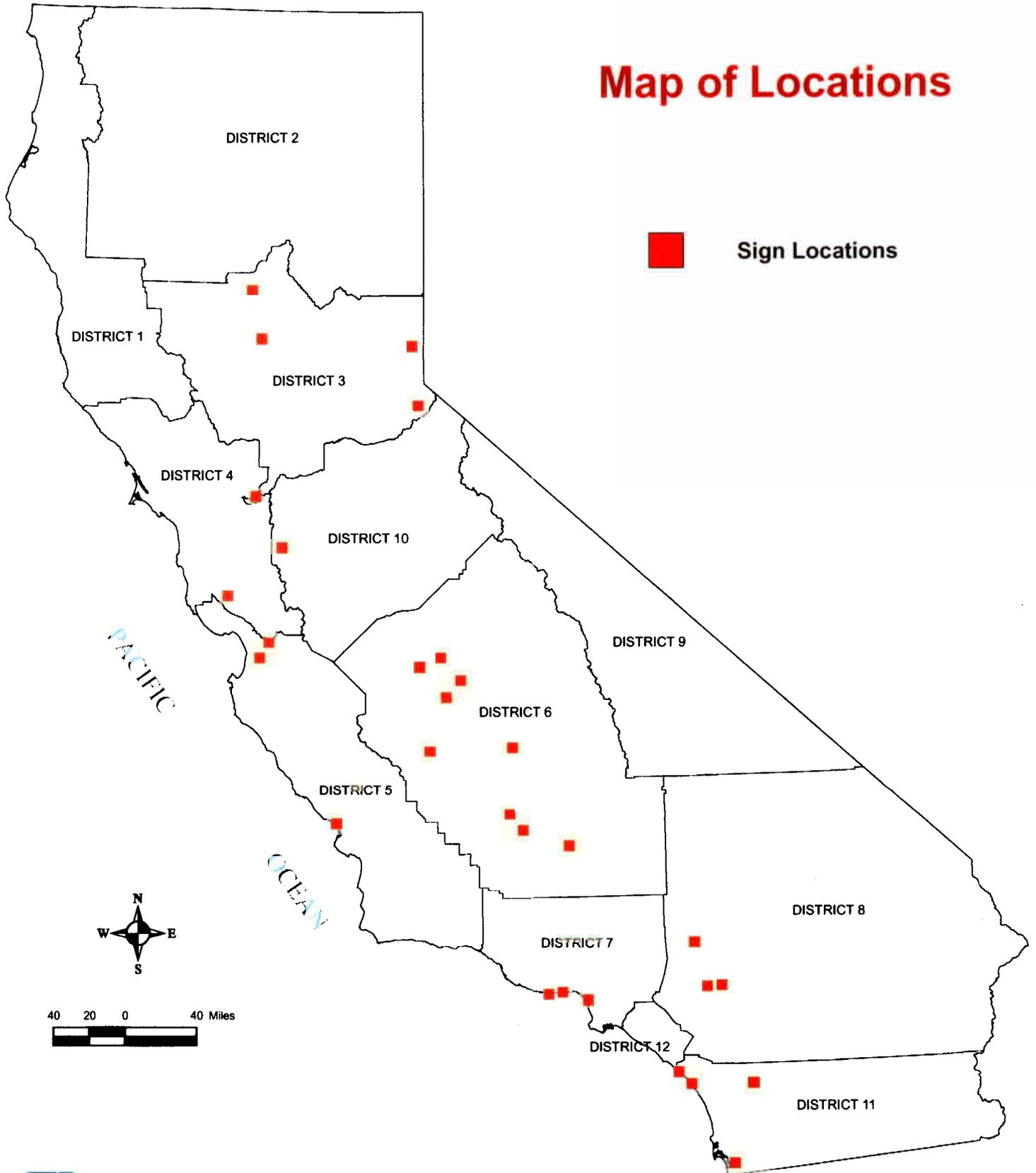
It could take up to 90 days. Once the local district office has received all of the required documentation the approval may take 30 days for verification and field investigation. Once approved and the fee is received, it may take another 60 days for ordering, fabrication, delivery and installation of the sign.

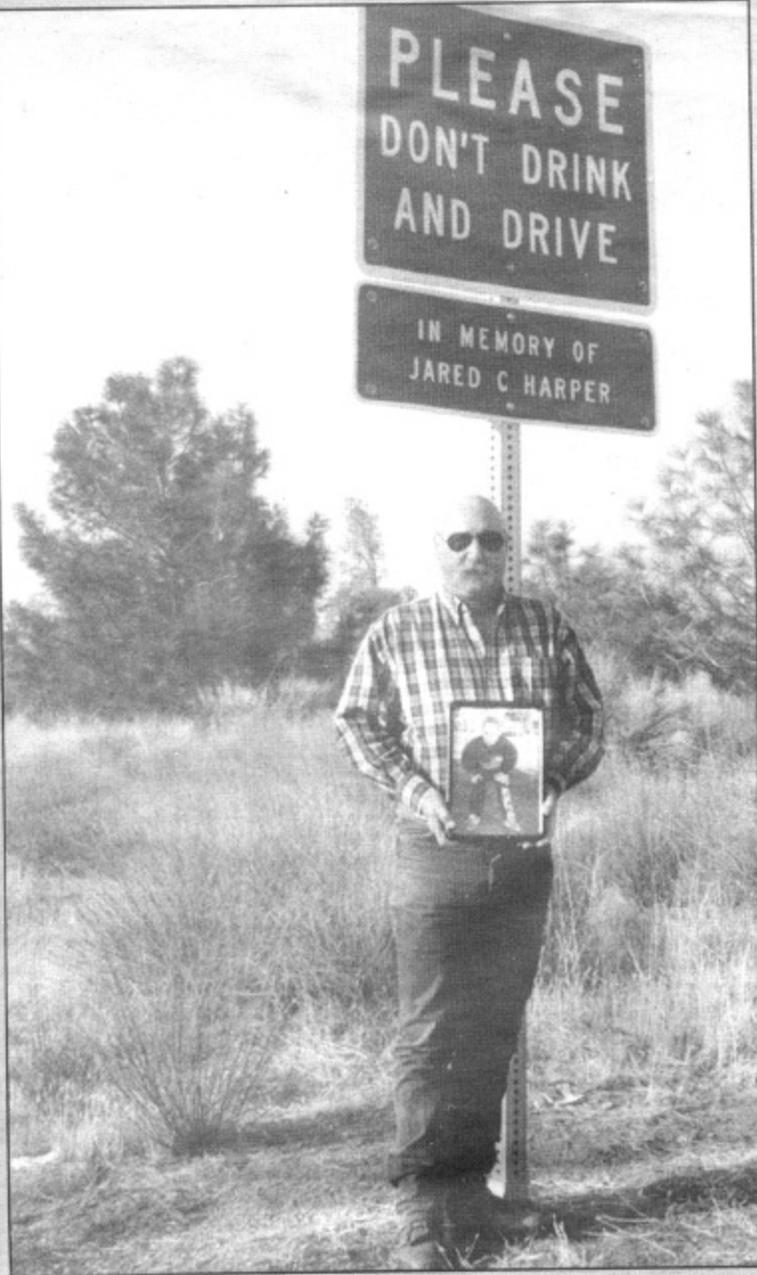
- 11) What happens if the sign gets vandalized, stolen or knocked down?

The initial fee covers the cost of replacing the sign one time.

# Map of Locations

 Sign Locations





## **Memorial Signs in Honor of DUI Victims**

"Please don't drink and drive" in Memory of Jared C. Harper is what a new Caltrans sign said at the side of State Route 58, west of Keen Avenue near Tehachapi, California. Effective January 1, 2003, a new bill (Assembly Bill 965) directs Caltrans to place and maintain memorial signs along state highways in honor of victims of Driving Under the Influence (DUI).

Recently Caltrans District 9, Bishop, installed this sign (see photo) for Harper, near where Harper died. Harper's father Eddie thanked Caltrans and the California Highway Patrol for this program. "If this sign prevents just one person from driving drunk, it is a success," Eddie Harper said.

Upon request from a victim's family members following a DUI, Caltrans will install a memorial sign close to the location where the fatality occurred. For more information about the Victims Memorial DUI sign contact Susan Lent, Caltrans District 9 Public Information Office, 760-872-0603.—CAR