

Alaska Statutes, Title 19, Article 2 Sec. 19.25.260. Roadside memorials permitted. (a) Notwithstanding AS 19.25.090, 19.25.105, and 19.25.200, a person may, for a period of not more than two years, place in the right-of-way but outside of the traveled way of a state highway a temporary memorial for a decedent who died as a result of a traffic accident, or other incident in the right-of-way, at or reasonably near the site where the memorial is located. (b) A memorial must not interfere with the use of the highway, with other uses of the right-of-way, with the visibility of directional and other official signs and notices, or with highway safety, construction, or maintenance. (c) The person who places a memorial in the right-of-way of a state highway shall (1) post the person's contact information on the memorial; (2) inform the department of the location within seven days of placement of the memorial; and (3) provide the person's contact information to the department. (d) A person may not place a political or commercial message on a memorial. (e) A person may not place reflective material or another item on a memorial if that material or item would be distracting to drivers and other users of the right-of-way. (f) The state is not liable for damage to, or damage or injury resulting from the presence of, a memorial in the right-of-way of a state highway. (g) In this section, "memorial" means decorations, flags, flowers, and other lightweight objects or ornamentation commonly used at funerals or at gravesides as a tribute to a decedent.


Sec. 19.25.270. Relocation or removal of memorial. (a) If, incidental to the construction or maintenance of a state highway, the department determines that a memorial authorized by AS 19.25.260 must be changed, relocated, or removed, the person who placed the memorial within the right-of-way shall change, relocate, or remove the memorial at no expense to the state within a reasonable time set by the department. If the owner does not change, relocate, or remove a memorial within the time set by the department, the memorial is an unauthorized encroachment and subject to the provisions of AS 19.25.230 - 19.25.250. (b) If a memorial in the right-of-way of a state highway does not comply with the requirements of AS 19.25.260, the memorial is an unauthorized encroachment. The department may require removal of the encroachment in the manner provided in 25 AS 19.25.230 - 19.25.250.



*“We Respect Your
Feelings”*

*A Primer for
Roadside
Memorials*

Local DOT Maintenance Office Telephone:



State of Alaska
Department of Transportation & Public Facilities
More information:
Anchorage Area 1-800-770-5263
Fairbanks Area 1-800-475-2464
SE Alaska Area 1-800-575-4540

In general ...

Every year, more than 70 people lose their lives on Alaska roads and highways. Frequently, loved ones and friends choose to honor the memory of these individuals by placing a memorial object or display near the location where they died.

The Alaska Legislature took notice of this custom and passed House Bill 127 in May 2003. This bill authorizes the placement of memorial markers within the state's rights-of-way for a period of two years.

The Department of Transportation and Public Facilities (DOT&PF) respects this custom and offers the following information on how to place these roadside memorials, and how to promote the safe use of the highway while the roadside memorials are being placed. Please contact your local DOT&PF Maintenance Office to register the roadside memorial and for assistance with placement.

Identify your roadside memorial ...

DOT&PF will not ordinarily contact you regarding your roadside memorial. However, in case this becomes necessary, please place a small durable tab or label with your name, address, and daytime telephone number on the roadside memorial.

If you need to contact us ...

If it becomes necessary to remove the memorial, our employees will attempt to preserve the items removed and will hold them at the local maintenance office for you to claim.

Types of roadside memorials ...

A roadside memorial means decorations, flags, flowers, and other lightweight objects or ornamentation commonly used at funerals or gravesites. Roadside memorials may not be made of reflective material, or have a political or commercial message.

Please help us ...

Highway employees perform a variety of activities on the roadway and within the right-of-way to properly maintain our road system. Our highways also serve as corridors for utilities and are bordered by private property. Please be aware of our needs and of the rights, requirements, and feelings of our neighbors when placing any roadside memorial.

For instance ...

- Don't place any items on, in front of, or alongside private property or residences without express permission.
- Don't attach anything to trees, signal or utility poles, the guardrails, traffic signs, or street light poles.
- If a guardrail is present, please place your tribute behind it.
- Stay well away from ditches, culvert pipes, bridges, and other highway features where highway employees need access.

PLEASE KEEP YOURSELF AND OTHERS SAFE! Our foremost concern is that you, our employees, and the traveling public remain safe while your memorial is being placed, is present, or is being maintained.

You should park safely and completely clear of the travel lanes, even if it means walking some distance. It may be necessary to relocate your memorial to a nearby site to avoid endangering yourself or creating a hazard.

Memorials may not be placed:

- In the median of any divided highway
- On any bridge
- Where they would block sight distance from any intersecting road or driveway or obscure any traffic control device
- On any traffic signs, traffic control devices, utility poles, or highway fences

Registration for a Roadside Memorial

Today's Date: _____

Contact Name: _____

Contact Address: _____

City: _____ State: _____

Zip Code: _____

Telephone (Day): _____

This is to advise the Department of Transportation and Public Facilities of our plan to place a roadside memorial in honor of:

The location is in the borough or city of:

Milepost: _____

Road: _____

Describe the memorial and where it will be placed:
