



MONTANA AMERICAN
LEGION HIGHWAY
FATALITY MARKER
SAFETY PROGRAM

INSTRUCTIONS TO AMERICAN LEGION POSTS

I. General:

The unique idea of marking fatal traffic accidents with white crosses was the brainchild of Floyd Eaheart, a member of Hellgate Post Number 27, American Legion, Missoula, Montana; after six persons were killed in traffic accidents in the Missoula area during the 1952 Labor Day Weekend. The Montana Highway Commission approved the program in January 1953; however, this safety program was not acknowledged in writing until a Letter of Instruction was signed by the then director of the MDOT, David A. Galt, on November 5, 2001. In January 2007 the then director of the MDOT, Jim Lynch, was instrumental in getting the American Legion Highway Fatality Marker Program included on the 2007-2008 Official Montana Highway Map. This provided the American Legion with a lot of visibility and publicity. In November 2007, Mr. Lynch approved the construction and installation of 5' by 13' highway signs on all 25 highway entrances to Montana. These huge Blue and White signs state that the White Marker Program is "Maintained by the American Legion of Montana." It was also in 2007 that the name of the program was changed from the "White Cross" to the "Fatality Marker" Safety Program.

The markers, together with the upright supporting post, are to be furnished by the local American Legion Posts and also installed by them. The posts may make the markers themselves. There should be no decorating or writing of any kind on the markers. Therefore, it is recommended that any decorations attached to the highway fatality markers be removed during regular maintenance. It is okay to place a small American Legion emblem on the back of the marker to let people know who erected it. It shall be the duty of the Legion Post most closely situated to the scene of the accident to furnish the marker and see that it is properly placed, as long as it is in that post's area of responsibility.

II. Construction:

The recommended specifications for the White Markers are: (1) They should be made of 1/8 or 3/16 inch thick band steel. (2) The Markers should be seam welded to prevent rusting, but may be riveted or bolted together. (3) They are to be painted with bright white exterior metal paint. **THEY SHOULD NOT BE CONSTRUCTED OF OR PAINTED WITH REFLECTIVE MATERIAL.** (4) The recommended width of the metal is 4 inches a minimum of 2 1/2 inches is allowed. (5) The crossbar should be 12 inches across and the upright portion of the marker should be 16 inches, however; if less than 4 inch metal is used to construct the marker, the dimensions of the marker may be reduced

accordingly to a minimum of 9 inches by 12 inches. (6) The supporting upright post shall be a steel pipe, “U”, or rod of sufficient length, at least 54 inches, so that the bottom of the marker shall be at least 36 inches above the surface of the road, at its lowest point. NOTE: If the marker is placed very far off the roadway, this upright support may have to be several inches longer to ensure the lowest point of the marker is at least 36 inches but not more than 54 inches above the surface of the road (or ground). The MDOT recommends using six-foot posts, as they will provide a uniform mounting height and a uniform foundation depth of 18 inches. (7) The supporting post should be placed into the ground at least 18 inches. Some Legion Posts set the upright in a large can filled with concrete before erecting them. Other Legion Posts, using a pipe upright, place a pipe coupling three inches above the ground so that it can be removed for repairs or painting. (8) The supporting upright post may be made of galvanized pipe, not to exceed 1 inch in diameter. The highway department recommends using 1.12 pound per foot steel “U” delineator post material, if it can be obtained. Some Legion Posts use metal fence posts. Rebar is not recommended. (9) The posts are to be painted with bright red exterior metal paint.

III. Installation:

(1) The face of the marker should be perpendicular to the road right-of-way. (2) The marker should be placed as close as possible to the location of the accident. This information may be obtained from the local Montana Highway Patrol. (3) The marker should be placed so that it provides the least amount of hindrance to highway maintenance crews. (4) The use of any type of decorations should be strongly discouraged, as they reduce visibility and defeat the purpose of this safety program. (5) Only one post per fatality location is allowed. If more than one fatality occurred at the location, multiple markers may be constructed on the same post. (6) White markers that are currently in place are “Grandfathered” and do not need to be removed or corrected to conform to these new guidelines. (7) Yes, you can put our white markers up on the interstate highways in Montana. The location of these white markers should be within one-foot of the interstate right-of-way fence. There should be no Legion Fatality Markers in the median or close to the interstate roadway.

IV. Maintenance:

White Markers, that are already located on the highways of Montana, are to be maintained by the respective Legion Posts. Some of them now need another coat of red and white enamel paint – others need straightening or repairs. This work should be done in the spring. Three methods of doing this have emerged; you design your own or pick one that works for you. Some posts form a work party and make “a day of it” repairing and painting all the crosses in their area of responsibility. The day usually ends with a picnic and activities, as well as good comradeship. This is usually done in the spring just before Memorial Day. Some posts assign a chairman with a few dedicated individuals. These legionnaires construct, erect, paint, and maintain the crosses in the post’s area of responsibility all year long. These few dedicated individuals are usually recognized at post meetings or banquets. Other posts assign a white cross to a Legionnaire close to

his/her home. It is up to him/her to take care of that white cross. This is a good way to get more members or new members involved in post activities.

With the increased visibility and publicity that our Highway Fatality Marker Safety Program is receiving, it is turning into a double-edged sword. The tourists are looking at us and now we need to maintain all these markers to keep up our image. Just keep up the good work.

V. New or re-construction:

In the event that a section of highway is undergoing construction, all fatality markers should be removed by the local Legion Post and not be replaced. If the highway is only being re-surfaced or having the shoulders improved, all markers should be replaced upon completion of the re-construction. Installing guardrails or moving the tree line back do not require the fatality markers to be removed.

VI. Material:

Much of the material that a post may need to construct the fatality markers can be obtained locally. Many state highway department maintenance shops will donate delineator material for our posts. Some local machine shops will donate either the material or workmanship to construct the marker. Sometimes material may be obtained from local land fills or plumbers. If you must purchase the material U-shaped steel posts are available at both Home Depot and Ace Hardware stores. They may also be available in other hardware, ranch, or fencing establishments near you. All the posts that I found were painted forest green and have hoes drilled in them. Therefore, if the fatality marker is also pre-drilled, the marker can be attached to the post after it is in the ground. The upright portion of the marker will have to be lengthened, say from 16" to 20" to compensate for that portion of the marker that overlaps the post and it is then painted bright red. At the time I found these posts; at Home Depot, the six-foot post cost \$2.98. It is a 13-gauge, heavy duty, fence post. Its stock number is 901156A. Ace Hardware had both six and seven foot posts. The six-foot post cost \$4.99. Its Ace SKU number is 73314. The seven foot post costs \$5.99. Its Ace SKU number is 73315.