



Rules of
Department of Transportation
Division 10—Missouri Highways and Transportation
Commission
Chapter 14—Adopt-A-Highway Program

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Title 7—DEPARTMENT OF TRANSPORTATION

Division 10—Missouri Highways and Transportation Commission

Chapter 14—Adopt-A-Highway Program

7 CSR 10-14.010 Purpose

PURPOSE: This rule provides the purpose for the Adopt-A-Highway Program.

(1) The purpose of the Adopt-A-Highway Program is to provide volunteer community support for litter prevention and highway beautification programs with the potential for a cost savings to the Missouri Department of Transportation for use for other highway purposes.

(2) This program will reduce litter along the highways, enhance the environment and beautify Missouri's roadsides.

(3) The program is not intended as a means of providing a public forum for the participants to use in promoting name recognition or political causes. Missouri highway right-of-way is not a public forum.

AUTHORITY: section 227.030, RSMo 2000.* Original rule filed Feb. 15, 1995, effective July 30, 1995. Amended: Filed July 10, 2000, effective Jan. 30, 2001. Amended: Filed Jan. 12, 2006, effective Aug. 30, 2006.

*Original authority: 227.030, RSMo 1939.

7 CSR 10-14.020 Definitions

PURPOSE: This rule defines terms used in this chapter.

(1) Adopted section means a particular section of state highway right-of-way designated by the commission to be adopted by the volunteer individual or group participating in the Adopt-A-Highway Program.

(2) Adopter means the individual or group approved by the commission to be a participant in the Adopt-A-Highway Program.

(3) Adopter representative means a group member designated to represent the volunteer group and serve as its liaison with the commission. The adopter representative is the person who signs the agreement.

(4) Agreement means the written agreement between the volunteer individual or group adopting a section of highway right-of-way and the commission.

(5) Applicant means the individual or group applying for participation in the Adopt-A-Highway Program.

(6) Chief engineer means the chief engineer of the Missouri Department of Transportation or his/her authorized representative.

(7) Chief financial and administrative officer means the chief financial and administrative officer of the Missouri Department of Transportation or his/her authorized representative.

(8) Commission means the Missouri Highways and Transportation Commission, or its authorized representative.

(9) Department means the Missouri Department of Transportation.

(10) Director means the director of the Missouri Department of Transportation or his/her authorized representative.

(11) Director of system management means the director of system management of the Missouri Department of Transportation or his/her authorized representative.

(12) District engineer means the district engineer of the Missouri Department of Transportation or his/her authorized representative.

(13) Litter means any unsightly matter that may include, but is not limited to, disposable packaging, containers, cans, bottles, paper and cigar or cigarette butts. Litter does not include hazardous, heavy or large items.

(14) Participant means any individual, including individuals within a group, who will be participating in the program activity.

(15) Program means the Adopt-A-Highway Program.

(16) Program activity means litter pickup and/or beautification and/or mowing.

(17) Signs mean the Adopt-A-Highway signs provided by the department.

(18) State maintenance engineer means the state maintenance engineer of the Missouri Department of Transportation or his/her authorized representative.

(19) Violent criminal activity means any offense having as an element the use, attempted use, or threatened use of physical

force against the person or property of another or any offense involving weapons.

AUTHORITY: sections 226.130 and 227.030, RSMo 2000.* Original rule filed Feb. 15, 1995, effective July 30, 1995. Emergency amendment filed Feb. 8, 2000, effective Feb. 18, 2000, expired Aug. 15, 2000. Amended: Filed July 10, 2000, effective Jan. 30, 2001. Amended: Filed Jan. 7, 2002, effective Aug. 30, 2002. Amended: Filed Jan. 12, 2006, effective Aug. 30, 2006.

*Original authority: 226.130, RSMo 1939, amended 1993, 1995 and 227.030, RSMo 1939.

7 CSR 10-14.030 Application for Participation

PURPOSE: This rule provides criteria for eligible adopters and application acceptance.

(1) The adopter or adopter representative of a group who desires to participate in the program shall submit an application to the commission on a form provided by the commission.

(A) An application completed by an individual on behalf of a group or organization must identify the group or organization for which the application is being submitted and failure to identify the group or organization on the application will result in rejecting the application.

(2) Adoption Eligibility. Civic and nonprofit organizations, commercial and private enterprises and individuals may be eligible to adopt. Applicants who do not meet the eligibility requirements will be denied participation in the program, and adopters who no longer meet the applicant eligibility requirements may be removed from the program. The commission reserves the right to limit the number of adoptions for a single group. The following applicants are not eligible to adopt:

(A) Individuals who have been convicted of, or pled guilty or no contest to, a violent criminal activity, unless ten (10) years have passed since completion of the latest incarceration, probation or parole for violent criminal activity; or

(B) Organizations and enterprises with any program participants who have been convicted of, or pled guilty or no contest to, a violent criminal activity, unless ten (10) years have passed since completion of the latest incarceration, probation or parole for violent criminal activity.



(3) Acceptance of Application. The state maintenance engineer and district engineer have the authority to approve applications of individuals or groups applying to participate in the program.

(4) Denial of Application. The director, chief engineer, chief financial and administrative officer, director of system management, and state maintenance engineer are authorized to deny requests for participation in the program.

(A) A request for participation in the program may be denied if the applicant does not meet the eligibility requirements or has submitted false statement(s) of a material fact or has practiced or attempted to practice any fraud or deception in an application. Material facts include statements regarding convictions of violent criminal activity.

AUTHORITY: sections 226.130 and 227.030, RSMo 2000. Original rule filed Feb. 15, 1995, effective July 30, 1995. Emergency amendment filed Feb. 8, 2000, effective Feb. 18, 2000, expired Aug. 15, 2000. Amended: Filed July 10, 2000, effective Jan. 30, 2001. Amended: Filed Jan. 7, 2002, effective Aug. 30, 2002. Amended: Filed Jan. 12, 2006, effective Aug. 30, 2006.*

**Original authority: 226.130, RSMo 1939, amended 1993, 1995 and 227.030, RSMo 1939.*

7 CSR 10-14.040 Agreement; Responsibilities of Adopter and Commission

PURPOSE: This rule provides terms of the written agreement between the adopter and the commission.

(1) If an application is approved by the commission, the adopter or adopter representative shall execute a written agreement with the commission, and upon signing by both parties, the agreement becomes effective and provides for the individual's or group's participation in the program.

(2) Responsibilities of Adopter. The adopter shall—

(A) Abide by all provisions contained in the agreement and any other terms and conditions as required by the department or commission;

(B) Provide to the commission the name and complete mailing address, including street address, of the adopter representative and notify the commission within thirty (30) days of any change of the adopter representative's name or address;

(C) Abide by all safety requirements as listed in the department's safety brochure;

(D) Have the adopter, if the adopter is one individual, or the adopter representative attend a safety briefing conducted by the department and obtain safety meeting materials, including but not limited to a safety video, provided by the department, before participation in the initial program activity;

(E) Have all members of the group participating in the program activity attend a safety meeting conducted by the adopter representative that includes, but is not limited to, viewing the safety video provided by the department, before participation in the initial program activity;

(F) Properly use all safety equipment provided by the department and perform the work in a safe, responsible, and professional manner;

(G) Provide one (1) adult supervisor for every eight (8) participants between thirteen and seventeen (13–17) years of age and one (1) adult supervisor for every four (4) participants between ten and twelve (10–12) years of age. No one under the age of ten (10) will be allowed to participate in the program;

(H) Adopt a section of highway right-of-way for a minimum of three (3) years and submit a new application every three (3) years if the adopter wants to continue participation in the program;

(I) Collect litter along the adopted section four (4) times a year, or as required by the commission;

(J) Adopt for litter pickup a minimum of two (2) miles in rural areas and one-half (1/2) mile in urban areas. Shorter lengths may be permissible in special circumstances;

(K) Restrict program activities to the areas of right-of-way outside the pavement and shoulder areas;

(L) Perform program activity between the hours of one (1) hour after sunrise to one (1) hour before sunset and not during inclement weather;

(M) Prohibit participants from possessing, consuming, or being under the influence of alcohol or drugs while participating in the program activity;

(N) Place litter in trash bags provided by the department and place filled trash bags at a designated location;

(O) Separate tires, batteries and other trash as needed for proper disposal according to local landfill requirements;

(P) Indemnify and hold harmless the commission and department and their officers, employees and agents from any claim, lawsuit or liability which may arise from adopter's participation in the program or as provided by the law;

(Q) Notify the commission for disposal of filled litter bags as soon as possible after litter pickup;

(R) Submit to the commission within five (5) working days of any program activity, the following information: 1) the adopter's name; 2) the date of the program activity; 3) the total hours involved in the program activity; 4) total volunteers involved in activity; and 5) the total number of bags of trash picked up. This information can be provided by calling or e-mailing the commission representative identified on the agreement, or by filling out and mailing the activity report form provided by the department or posting the activity report on the website. This information will enable the department to monitor the program's success;

(S) Not subcontract or assign its responsibilities under this program to any other enterprise, organization, or individual unless assignee is also eligible to adopt; and

(T) Not decorate or alter the signs.

(3) Responsibilities of Commission. The commission will—

(A) Determine the specific section of right-of-way that is to be adopted;

(B) Except as provided for in 7 CSR 10-14.050, install and maintain signs, if desired by the adopter, at both ends of the adopted section;

(C) Provide the adopter with trash bags;

(D) Provide a safety briefing and safety materials to the adopter which includes but is not limited to a safety video and safety brochure;

(E) Provide the adopter with safety equipment; and

(F) Remove and dispose of filled trash bags from the adopted section as soon as practical after the litter pickup is finished.

AUTHORITY: sections 226.130 and 227.030, RSMo 2000. Original rule filed Feb. 15, 1995, effective July 30, 1995. Emergency amendment filed Feb. 8, 2000, effective Feb. 18, 2000, expired Aug. 15, 2000. Amended: Filed July 10, 2000, effective Jan. 30, 2001. Amended: Filed Jan. 7, 2002, effective Aug. 30, 2002. Amended: Filed Jan. 12, 2006, effective Aug. 30, 2006.*

**Original authority: 226.130, RSMo 1939, amended 1993, 1995 and 227.030, RSMo 1939.*

7 CSR 10-14.050 Sign

PURPOSE: This rule provides the specifications of the signs used in the Adopt-A-Highway Program.



(1) The signs shall—

(A) Identify the adopter or, subject to the approval of the commission, may identify an individual in whose memory the adoption is being made;

(B) Be designed by the department as to size, color, and text; and

(C) Have the actual name of the adopter, or individual in whose memory the adoption is being made, with no telephone numbers, logos, slogans, dates or addresses, including Internet addresses, with verbiage kept to a minimum.

(2) The signs shall not contain wording that is obscene, profane, or sexually suggestive or implies an obscenity, profanity or sexual content.

(3) Signs are not intended to be an advertising medium or serve as a means of providing a public forum for the participants.

(4) The signs shall not be altered or decorated by the adopter at any time.

(5) The erection of a sign is not a requirement for participation in the program. If, during the length of the agreement, a sign is damaged, destroyed, stolen, or removed from its foundation by an act of vandalism, the department will erect a single replacement sign at department cost. The repair and reinstallation of a removed sign is counted as a replacement sign erection. If the replacement sign is damaged, destroyed, stolen or removed from its foundation by an act of vandalism, the department will erect a second replacement sign at department cost. If the second replacement sign is damaged, destroyed, stolen, or removed from its foundation by an act of vandalism, the department will remove the sign from the premises if still present, and no further sign will be erected.

(6) Two (2) signs will be erected for each adopter, one at each end of the adopted section, at a location determined by the department.

AUTHORITY: sections 226.130 and 227.030, RSMo 2000. Original rule filed Feb. 15, 1995, effective July 30, 1995. Emergency amendment filed July 10, 2000, effective July 20, 2000, expired Nov. 17, 2000. Amended: Filed July 10, 2000, effective Jan. 30, 2001. Amended: Filed Jan. 7, 2002, effective Aug. 30, 2002. Amended: Filed Jan. 12, 2006, effective Aug. 30, 2006.*

**Original authority: 226.130, RSMo 1939, amended 1993, 1995 and 227.030, RSMo 1939.*

7 CSR 10-14.060 Modification or Termination of the Agreement

PURPOSE: This rule provides for the commission to terminate or modify the program agreement.

(1) The agreement may be modified or terminated at the discretion of the director, chief engineer, chief financial and administrative officer, director of system management, or state maintenance engineer.

(2) The director, chief engineer, chief financial and administrative officer, director of system management, and state maintenance engineer reserve the right to terminate the program agreement and remove the signs when it is found that:

(A) Continuing the agreement would be counterproductive to the program's purpose, or have undesirable results such as increased litter or vandalism or would jeopardize the safety of the participants, traveling public or department employees;

(B) The adopter is not meeting or has not met the terms and conditions of the agreement or any of the requirements set forth in 7 CSR 10-14.030–7 CSR 10-14.050; or

(C) Actions of the adopter may be contrary to any legislative restrictions or any restrictions on the use of appropriated funds for political activities.

(3) After three (3) years of participation in the program, an adopter may terminate the agreement upon notice to the commission.

AUTHORITY: sections 226.130 and 227.030, RSMo 2000. Original rule filed July 10, 2000, effective Jan. 30, 2001. Amended: Filed Jan. 7, 2002, effective Aug. 30, 2002. Amended: Filed Jan. 12, 2006, effective Aug. 30, 2006.*

**Original authority: 226.130, RSMo 1939, amended 1993, 1995 and 227.030, RSMo 1939.*