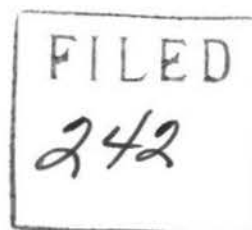


July 6, 1971

OPINION LETTER NO. 242
Answer by letter-Wieler

Mr. Joseph Jaeger, Jr.
Secretary-Treasurer
Mississippi River Parkway Commission
P. O. Box 176
Jefferson City, Missouri 65101



Dear Mr. Jaeger:

This is in response to your request for an opinion as to whether or not the Missouri State Highway Commission is prohibited from furnishing "Great River Road" signs for erection along the Mississippi River Parkway route through Missouri. It is our understanding that "Great River Road" signs are those signs which distinctively designate a highway as part of the Mississippi River Parkway road system.

The duties and powers of the Missouri State Highway Department with respect to the Mississippi River Parkway are contained in Sections 226.280 through 226.430, RSMo 1969. The provisions of Section 226.430 prohibit the State Highway Commission from exercising any power, right or duty for the carrying out of the Mississippi River Parkway project, as contemplated by Sections 226.280 through 226.430, without receiving appropriate and sufficient grants of funds from the United States to cover the expenditures involved. The powers and duties of the Missouri State Highway Commission with respect to the Mississippi River Parkway are contained in Sections 226.310 and 226.420, RSMo 1969. Neither of these sections contain any requirement that the State Highway Commission maintain markers and signs along the route of the "Great River Road." Rather, the duty of erecting and maintaining guideboards or marking signs along state highways is placed upon the Highway Commission by Section 227.220, RSMo 1969. The actual highway or highways which comprise the "Great River Road" in Missouri would be state highways under the provisions of Section 226.010(7), RSMo 1969, which defines "state highway" as follows:

Mr. Joseph Jaeger, Jr.

"'State highway', a highway constructed or maintained at the cost of the state, or constructed with the aid of state funds or the United States government funds, or any highway included by authority of law in the state highway system."

Therefore, the only prohibition on the Missouri State Highway Commission with respect to the furnishing of "Great River Road" signs for erection along the "Great River Road" route in Missouri would be the requirements of Section 227.220 that such signs be marking signs or guideboards.

Yours very truly,

JOHN C. DANFORTH
Attorney General