

**CHAPTER 1183****HIGHWAY SIGNS FOR TOURISTS***S.F. 2277*

**AN ACT** relating to tourist-oriented signs.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 306C.11, subsection 5, unnumbered paragraphs 1 and 2, Code 1989, are amended to read as follows:

Signs, displays, and devices giving specific information of interest to the traveling public, shall be erected by the department and maintained within the right of way in the areas, and at appropriate distances from interchanges on the interstate system and freeway primary highways as shall conform with the rules adopted by the department. The rules shall be consistent with national standards promulgated from time to time or as permitted by the appropriate authority of the federal government pursuant to 23 U.S.C. sec. 131(f) except as provided in this section. The rules shall include but are not limited to the following:

- a. Criteria for eligibility for signing.
- b. Criteria for limiting or excluding businesses that maintain advertising devices that do not conform to the requirements of chapter 306B, chapter 306C, division II, or other statutes or administrative rules regulating outdoor advertising.
- c. Provisions for a fee schedule to cover the direct and indirect costs of sign erection and maintenance and related administrative costs.
- d. Provisions for specifying the maximum distance to eligible businesses.
- e. Provisions specifying the maximum number of signs permitted per panel and per interchange.
- f. Provisions for determining what businesses are signed when there are more applicants than the maximum number of signs permitted.
- g. Provisions for removing signs when businesses cease to meet minimum requirements for participation and related costs.

For purposes of this division, "specific information of interest to the traveling public" means only information about public places for ~~outdoor recreation~~, camping, lodging, eating, and motor fuel and associated services, including trade names which have telephone facilities available when the public place is open for business and businesses engaged in selling motor vehicle fuel which have free air for tire inflation and restroom facilities available when the public place is open for business.

Business signs supplied to the department by commercial vendors shall be on panels, with dimensional and material specifications established by the department. ~~No~~ A business sign included under the provisions of this section shall not be posted unless it is in compliance with these specifications. ~~The commercial vendor shall pay to the department an annual fee of fifty dollars~~ a fee based upon the schedule adopted under this subsection for each business sign supplied for posting. Upon furnishing the business signs to the department and payment of all fees, the department shall post the business signs on eligible specific information panels. Faded signs shall be replaced and the commercial vendor charged for the cost of replacement based upon the fee schedule adopted. There is created in the office of the treasurer of state a fund to be known as the "highway beautification fund" and all funds received for the posting on specific information panels shall be deposited in the "highway beautification fund". Information on motor fuel and associated services may include vehicle service and repair where the same is available.

Sec. 2. Section 306C.11, subsection 5, unnumbered paragraph 3, Code 1989, is amended by striking the paragraph.

Sec. 3. Section 321.1, Code Supplement 1989, is amended by adding the following new subsections:

NEW SUBSECTION. 90. "Tourist-oriented directional sign" means a sign providing identification and directional information for a tourist attraction.

NEW SUBSECTION. 91. "Tourist-attraction" means a business, activity, service, or site where a major portion of the product or service provided is tourist oriented.

Sec. 4. Section 321.252, unnumbered paragraph 4, Code 1989, is amended to read as follows:

The department shall establish, by rule, in cooperation with the department of economic development establish criteria for guiding traffic to eligible tourist attractions along interstate and primary highways. The department a tourist signing committee, the standards for tourist-oriented directional signs and shall annually review the list of attractions for which signing is in place. All tourist attraction signing The rules shall conform to national standards for tourist-oriented directional signs adopted under 23 U.S.C. § 131(q) and to the manual of uniform traffic control devices. Except as otherwise provided, tourist attraction signing shall be purchased, installed and maintained by the department. The tourist signing committee shall be made up of the directors or their designees of the departments of economic development, agriculture and land stewardship, natural resources, cultural affairs, and transportation, the chairperson or the chairperson's designee of the Iowa travel council, and a member of the outdoor advertising association of Iowa. The director or the director's designee of the department of economic development shall be the chairperson of the committee. The department of transportation shall be responsible for calling and setting the date of the meetings of the committee which meetings shall be based upon the amount of activity relating to signs. However, the committee shall meet at least once a month. However, a tourist attraction is not subject to a minimum number of visitors annually to qualify for tourist-oriented directional signing. The rules shall not be applicable to directional signs relating to historic sites on land owned or managed by state agencies, as provided in section 321.253A. The rules shall include but are not limited to the following:

1. Criteria for eligibility for signing.
2. Criteria for limiting or excluding businesses, activities, services, and sites that maintain signs that do not conform to the requirements of chapter 306B, chapter 306C, division II, or other statutes or administrative rules regulating outdoor advertising.
3. Provisions for a fee schedule to cover the direct and indirect costs of sign manufacture, erection, and maintenance, and related administrative costs.
4. Provisions specifying maximum distances to eligible businesses, activities, services, and sites. Tourist-oriented directional signs may be placed on highways within the maximum travel distance that have the greatest traffic count per day, if sufficient space is available. If an adjacent landowner complains to the department about the placement of a tourist oriented directional sign, the department shall attempt to reach an agreement with the landowner for relocating the sign. If possible, the sign shall be relocated from the place of objection. If the sign must be located on an objectionable place, it shall be located on the least objectionable place possible.
5. Provisions for trailblazing to facilities that are not on the crossroad. Appropriate trailblazing shall be installed over the most desirable routes on lesser traveled primary highways, secondary roads, and city streets leading to the tourist attraction.
6. Criteria for determining when to permit advance signing.
7. Provisions specifying conditions under which the time of operation of a business, activity, service, or site is shown.
8. Provisions for masking or removing signs during off seasons for businesses, activities, services, and sites operated on a seasonal basis. Faded signs shall be replaced and the commercial vendor charged for the cost of replacement based upon the fee schedule adopted.
9. Provisions specifying the maximum number of signs permitted per intersection.
10. Provisions for determining what businesses, activities, services, or sites are signed when there are more applicants than the maximum number of signs permitted.
11. Provisions for removing signs when businesses, activities, services, or sites cease to meet minimum requirements for participation and related costs.

Sec. 5. **NEW SECTION. 321.253A DIRECTIONAL SIGNS RELATING TO HISTORIC SITES ON LAND OWNED OR MANAGED BY STATE AGENCIES.**

1. The department shall place and maintain directional signs upon primary highways which provide information about historic sites which are located on land owned or managed by an agency as defined in section 17A.2. The signs shall conform to the manual of uniform traffic devices. However, the directional signs are not subject to requirements applicable to tourist-oriented directional signs.

2. Upon request by a city or county in which a historic site is located on land owned or managed by an agency, the department shall distribute a directional sign as provided in this section to the city or county for erection upon roads or streets within their jurisdictions.

3. The location of the historic site shall be memorialized on transportation maps of the state published under the direction of the department and generally made available to the public. However, if it is not reasonable and feasible to display specific historic sites on the state transportation map, the department shall consult with the agency managing the historic site.

4. The department shall not erect, maintain, or distribute a directional sign or include on a transportation map information about a historic site located on land owned or managed by an agency if the department receives an objection by the agency.

Approved April 24, 1990

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## CHAPTER 1184

### FARM RAILWAY CROSSINGS

*S.F. 2319*

**AN ACT** relating to private farm railway crossings.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 327G.11, Code 1989, is amended to read as follows:

327G.11 PRIVATE FARM CROSSINGS.

When ~~any~~ a person owns ~~land~~ farmland on both sides of ~~any~~ a railway, or when a railway runs parallel with a public highway thereby separating a farm from such highway, the corporation owning or operating ~~such~~ the railway, on request of the owner of ~~such land or farm~~ the farmland, shall construct and maintain a safe and adequate farm crossing or roadway across ~~such~~ the railway and right of way at such reasonable place as the owner of the ~~land~~ farmland may designate. A private farm crossing established or installed pursuant to this section shall be used solely for farming or agricultural purposes.

Approved April 24, 1990