

Reprinted

SENATE FILE 2277
BY COMMITTEE ON SMALL BUSINESS
AND ECONOMIC DEVELOPMENT
Approved (p. 1225)
(SUCCESSOR TO SSB 2229)

FILED FEB 8 1990

Passed Senate, Date 2/21/90 (p. 145) Passed House, Date 3/19/90 (p. 1225)
Vote: Ayes 47 Nays 0 Vote: Ayes 79 Nays 11
Approved April 24, 1990

A BILL FOR

1 An Act relating to tourist-oriented signs.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2277

1 Section 1. Section 306C.11, subsection 4, Code 1989, is
2 amended to read as follows:

3463 4. Official and directional signs and notices which shall
4 include, but not be limited to, signs and notices pertaining
5 to natural wonders, scenic and historic attractions,
6 recreational attractions and municipal recognition signs,
7 which shall conform with rules ~~promulgated~~ adopted by the
8 department under section 321.252, subsection 4, provided that
9 such rules shall be consistent with national standards
10 ~~promulgated~~ adopted pursuant to Title 23, section 131,
11 subsection "c" of the United States Code.

12 Sec. 2. Section 321.1, Code Supplement 1989, is amended by
13 adding the following new subsections:

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

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

20 Sec. 3. Section 321.252, unnumbered paragraph 4, Code
21 1989, is amended to read as follows:

22 The department shall establish, by rule, in cooperation
23 ~~with the department of economic development establish criteria~~
24 ~~for guiding traffic to eligible tourist attractions along~~
25 ~~interstate and primary highways.~~ The department a tourist-
26 oriented signing committee which, shall include the outdoor
27 advertising association of Iowa and other interest groups, the
28 standards for tourist-oriented directional signs and shall
29 annually review the list of attractions for which signing is
30 in place. ~~All tourist attraction signing~~ The rules shall
31 conform to national standards for tourist-oriented directional
32 signs adopted under 23 U.S.C. § 131(q) and to the manual of
33 uniform traffic control devices. ~~Except as otherwise~~
34 provided, ~~tourist attraction signing shall be purchased,~~
35 installed and maintained by the department. However, a

1 tourist attraction is not subject to a minimum number of
2 visitors annually to qualify for tourist-oriented directional
3 signing. The rules shall include but are not limited to the
4 following:

5 1. Criteria for eligibility for signing.

6 2. Criteria for limiting or excluding businesses,
7 activities, services, and sites that maintain signs that do
8 not conform to the requirements of chapter 306B, chapter 306C,
9 division II, or other statutes or administrative rules
10 regulating outdoor advertising.

11 3. Provisions for a fee schedule to cover the direct and
12 indirect costs of sign manufacture, erection, and maintenance,
13 and related administrative costs.

14 4. Provisions specifying maximum distances to eligible
15 businesses, activities, services, and sites.

16 5. Provisions for trailblazing to facilities that are not
17 on the crossroad.

18 6. Criteria for determining when to permit advance
19 signing.

20 7. Provisions specifying conditions under which the time
21 of operation of a business, activity, service, or site is
22 shown.

23 8. Provisions for masking or removing signs during off
24 seasons for businesses, activities, services, and sites
25 operated on a seasonal basis.

26 9. Provisions specifying the maximum number of signs
27 permitted per intersection.

28 10. Provisions for determining what businesses,
29 activities, services, or sites are signed when there are more
30 applicants than the maximum number of signs permitted.

31 11. Provisions for removing signs when businesses,
32 activities, services, or sites cease to meet minimum
33 requirements for participation and related costs.

34 EXPLANATION

35 This bill relates to tourist-oriented directional signs and

1 authorizes the department of transportation to adopt rules for
2 the signs to conform with national standards and the manual on
3 uniform traffic control devices.

4 The bill also sets out certain criteria to be included in
5 the rules for tourist-oriented directional signs.

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SENATE FILE 2277

S-5160

1 Amend Senate File 2277 as follows:

2 1. Page 1, line 8, by striking the word
3 "subsection" and inserting the following: "unnumbered
4 paragraph".

5 2. Page 1, line 11, by inserting after the word
6 "Code." the following: "Faded signs shall be replaced
7 and the commercial vendor charged for the cost of
8 replacement based upon the fee schedule adopted. If
9 an adjacent landowner complains to the department
10 about the placement of a sign, the department shall
11 remove the sign and attempt to work out an agreement
12 for its replacement with the adjacent landowner."

13 3. Page 1, by inserting after line 11 the
14 following:

15 "Sec. ____ . Section 306C.11, subsection 5,
16 unnumbered paragraphs 1 and 2, Code 1989, are amended
17 to read as follows:

18 Signs, displays, and devices giving specific
19 information of interest to the traveling public, shall
20 be erected by the department and maintained within the
21 right of way in the areas, and at appropriate
22 distances from interchanges on the interstate system
23 and freeway primary highways as shall conform with the
24 rules adopted by the department under section 321.252,
25 unnumbered paragraph 4. The rules shall be consistent
26 with national standards promulgated from time to time
27 or as permitted by the appropriate authority of the
28 federal government pursuant to 23 U.S.C. sec. 131(f)
29 except as provided in this section. For purposes of
30 this division, "specific information of interest to
31 the traveling public" means only information about
32 public places for outdoor recreation, camping,
33 lodging, eating, and motor fuel and associated
34 services, including trade names which have telephone
35 facilities available when the public place is open for
36 business and businesses engaged in selling motor
37 vehicle fuel which have free air for tire inflation
38 and restroom facilities available when the public
39 place is open for business.

40 Business signs supplied to the department by
41 commercial vendors shall be on panels, with
42 dimensional and material specifications established by
43 the department. No A business sign included under the
44 provisions of this section shall not be posted unless
45 it is in compliance with these specifications. The
46 commercial vendor shall pay to the department an
47 ~~annual-fee-of-fifty-dollars~~ a fee based upon the
48 schedule adopted under section 321.252, unnumbered
49 paragraph 4, for each business sign supplied for
50 posting. Upon furnishing the business signs to the

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1 department and payment of all fees, the department
2 shall post the business signs on eligible specific
3 information panels. Faded signs shall be replaced and
4 the commercial vendor charged for the cost of
5 replacement based upon the fee schedule adopted.
6 There is created in the office of the treasurer of
7 state a fund to be known as the "highway
8 beautification fund" and all funds received for the
9 posting on specific information panels shall be
10 deposited in the "highway beautification fund".
11 Information on motor fuel and associated services may
12 include vehicle service and repair where the same is
13 available."

14 4. Page 1, line 25, by striking the word
15 "tourist-" and inserting the following: "tourist
16 signing committee, the".

17 5. Page 1, by striking lines 26 and 27.

18 6. Page 1, line 35, by inserting after the word
19 "department:" the following: "The tourist signing
20 committee shall be made up of the directors or their
21 designees of the departments of economic development,
22 agriculture and land stewardship, and transportation,
23 the chairperson or the chairperson's designee of the
24 Iowa travel council, and a member of an outdoor
25 advertising agency. The director or the director's
26 designee of the department of economic development
27 shall be the chairperson of the committee. The
28 department of transportation shall be responsible for
29 calling and setting the date of the meetings of the
30 committee which meetings shall be based upon the
31 amount of activity relating to signs. However, the
32 committee shall meet at least once a month."

By JIM LIND

KENNETH D. SCOTT

S-5160 FILED FEBRUARY 21, 1990

ADOPTED (p. 6-5)

SENATE FILE **2277**
BY COMMITTEE ON SMALL BUSINESS
AND ECONOMIC DEVELOPMENT

(SUCCESSOR TO SSB 2229)

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 21, 1990)

- New Language by the Senate
- * - Language Stricken by the Senate

Re Passed Senate, Date ^{2/21/90} 4/6/90 (p. 1608) Passed House, Date 3/19/90 (p. 1233)
 Vote: Ayes 48 Nays 0 Vote: Ayes 79 Nays 11
 Approved April 24, 1990
Repassed House per 6159 4/6/90 (p. 213E)
 87-3

A BILL FOR

- 1 An Act relating to tourist-oriented signs.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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S.F. 2277

1 Section 1. Section 306C.11, subsection 4, Code 1989, is
2 amended to read as follows:

5533 4. Official and directional signs and notices which shall
4 include, but not be limited to, signs and notices pertaining
5 to natural wonders, scenic and historic attractions,
6 recreational attractions and municipal recognition signs,
7 which shall conform with rules promulgated adopted by the
8 department under section 321.252, unnumbered paragraph 4,
9 provided that such rules shall be consistent with national
10 standards promulgated adopted pursuant to Title 23, section
11 131, subsection "c" of the United States Code. Faded signs
12 shall be replaced and the commercial vendor charged for the
13 cost of replacement based upon the fee schedule adopted. If
14 an adjacent landowner complains to the department about the
15 placement of a sign, the department shall remove the sign and
16 attempt to work out an agreement for its replacement with the
17 adjacent landowner.

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

20 Signs, displays, and devices giving specific information of
21 interest to the traveling public, shall be erected by the
22 department and maintained within the right of way in the
23 areas, and at appropriate distances from interchanges on the
24 interstate system and freeway primary highways as shall
25 conform with the rules adopted by the department under section
26 321.252, unnumbered paragraph 4. The rules shall be
27 consistent with national standards promulgated from time to
28 time or as permitted by the appropriate authority of the
29 federal government pursuant to 23 U.S.C. sec. 131(f) except as
30 provided in this section. For purposes of this division,
31 "specific information of interest to the traveling public"
32 means only information about public places for outdoor
33 recreation, camping, lodging, eating, and motor fuel and
34 associated services, including trade names which have
35 telephone facilities available when the public place is open

1 for business and businesses engaged in selling motor vehicle
2 fuel which have free air for tire inflation and restroom
3 facilities available when the public place is open for
4 business.

5 Business signs supplied to the department by commercial
6 vendors shall be on panels, with dimensional and material
7 specifications established by the department. No A business
8 sign included under the provisions of this section shall not
9 be posted unless it is in compliance with these
10 specifications. The commercial vendor shall pay to the
11 department ~~an annual fee of fifty dollars~~ a fee based upon the
12 schedule adopted under section 321.252, unnumbered paragraph
13 4, for each business sign supplied for posting. Upon
14 furnishing the business signs to the department and payment of
15 all fees, the department shall post the business signs on
16 eligible specific information panels. Faded signs shall be
17 replaced and the commercial vendor charged for the cost of
18 replacement based upon the fee schedule adopted. There is
19 created in the office of the treasurer of state a fund to be
20 known as the "highway beautification fund" and all funds
21 received for the posting on specific information panels shall
22 be deposited in the "highway beautification fund".
23 Information on motor fuel and associated services may include
24 vehicle service and repair where the same is available.

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

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

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

33 Sec. 4. Section 321.252, unnumbered paragraph 4, Code
34 1989, is amended to read as follows:

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35 The department shall establish, by rule, in cooperation

1 with the department of economic development establish criteria
2 for guiding traffic to eligible tourist attractions along
3 interstate and primary highways. The department a tourist
4 signing committee, the standards for tourist-oriented
5 directional signs and shall annually review the list of
6 attractions for which signing is in place. All tourist
7 attraction signing The rules shall conform to national
8 standards for tourist-oriented directional signs adopted under
9 23 U.S.C. § 131(g) and to the manual of uniform traffic
10 control devices. Except as otherwise provided, tourist
11 attraction signing shall be purchased, installed and
12 maintained by the department. The tourist signing committee
13 shall be made up of the directors or their designees of the
14 departments of economic development, agriculture and land
15 stewardship, and transportation, the chairperson or the
16 chairperson's designee of the Iowa travel council, and a
17 member of an outdoor advertising agency. The director or the
18 director's designee of the department of economic development
19 shall be the chairperson of the committee. The department of
20 transportation shall be responsible for calling and setting
21 the date of the meetings of the committee which meetings shall
22 be based upon the amount of activity relating to signs.
23 However, the committee shall meet at least once a month.
24 However, a tourist attraction is not subject to a minimum
25 number of visitors annually to qualify for tourist-oriented
26 directional signing. The rules shall include but are not
27 limited to the following:
28 1. Criteria for eligibility for signing.
29 2. Criteria for limiting or excluding businesses,
30 activities, services, and sites that maintain signs that do
31 not conform to the requirements of chapter 306B, chapter 306C,
32 division II, or other statutes or administrative rules
33 regulating outdoor advertising.
34 3. Provisions for a fee schedule to cover the direct and
35 indirect costs of sign manufacture, erection, and maintenance,

- 1 and related administrative costs.
2 4. Provisions specifying maximum distances to eligible
3 businesses, activities, services, and sites.
4 5. Provisions for trailblazing to facilities that are not
5 on the crossroad.
6 6. Criteria for determining when to permit advance
7 signing.
8 7. Provisions specifying conditions under which the time
9 of operation of a business, activity, service, or site is
10 shown.
11 8. Provisions for masking or removing signs during off
12 seasons for businesses, activities, services, and sites
13 operated on a seasonal basis.
14 9. Provisions specifying the maximum number of signs
15 permitted per intersection.
16 10. Provisions for determining what businesses,
17 activities, services, or sites are signed when there are more
18 applicants than the maximum number of signs permitted.
19 11. Provisions for removing signs when businesses,
20 activities, services, or sites cease to meet minimum
21 requirements for participation and related costs.
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SENATE FILE 2277

H-5533

1 Amend Senate File 2277, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 15 through 17, and
4 inserting the following: "placement of a sign, the
5 department shall attempt to reach an agreement with
6 the landowner for relocating the sign. If possible,
7 the sign shall be relocated from the place of
8 objection. If the sign must be located on an
9 objectionable place, it shall be located on the least
10 objectionable place possible."

11 2. Page 2, by inserting after line 24, the
12 following:

13 "Sec. ____ . Section 306C.11, subsection 5,
14 unnumbered paragraph 3, Code 1989, is amended by
15 striking the paragraph."

16 3. Page 3, line 15, by inserting after the word
17 "stewardship," the following: "natural resources,
18 cultural affairs,".

19 4. Page 3, line 17, by striking the word "agency"
20 and inserting the following: "association".

21 5. Page 3, line 26, by inserting after the word
22 "signing." the following: "The rules shall not be
23 applicable to directional signs relating to historic
24 sites on land owned or managed by state agencies, as
25 provided in section 321.253A."

26 6. Page 4, by inserting after line 21, the
27 following:

28 "Sec. ____ . NEW SECTION. 321.253A DIRECTIONAL
29 SIGNS RELATING TO HISTORIC SITES ON LAND OWNED OR
30 MANAGED BY STATE AGENCIES.

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

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

45 3. The location of the historic site shall be
46 memorialized on transportation maps of the state
47 published under the direction of the department and
48 generally made available to the public.

49 4. The department shall not erect, maintain, or
50 distribute a directional sign or include on a

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- 1 transportation map information about a historic site
- 2 located on land owned or managed by an agency if the
- 3 department receives an objection by the agency."

By COMMITTEE ON ECONOMIC DEVELOPMENT
SWARTZ of Marshall, Chairperson

H-5533 FILED MARCH 5, 1990

Adopted 3/14 (p 1133)

SENATE FILE 2277

H-5579

- 1 Amend Senate File 2277, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, line 5, by inserting after the word
- 4 "crossroad." the following:
- 5 "The tourist oriented directional signs shall be
- 6 placed on those highways within the maximum distance
- 7 that have the greatest traffic count per day. In
- 8 cases where the most desirable route to the attraction
- 9 from the sign is placed on the most heavily traveled
- 10 highway, the trailblazing route may include lesser
- 11 traveled state and county highways."

By JESSE of Jasper
LAGESCHULTE of Bremer

H-5579 FILED MARCH 8, 1990

3/10 3/14 (p 1222)

SENATE FILE 2277

H-5731

- 1 Amend Senate File 2277, as amended, passed, and re
- 2 printed by the Senate, as follows:
- 3 1. Page 4, line 3, by inserting after the word
- 4 "signs" the following: "Tourist oriented directional
- 5 signs may be placed on highways within the maximum
- 6 travel distance that have the greatest traffic count
- 7 per day, if sufficient space is available."
- 8 2. Page 4, line 5, by inserting after the word
- 9 "crossroad." the following: "Appropriate trailblazing
- 10 shall be installed over the most desirable routes on
- 11 lesser traveled primary highways, secondary roads, and
- 12 city streets leading to the tourist attraction."

By JESSE of Jasper

H-5731 FILED MARCH 15, 1990

Adopted 3/19 (p 1223)

HOUSE AMENDMENT TO
SENATE FILE 2277

S-5611

1 Amend Senate File 2277, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 15 through 17, and
4 inserting the following: "placement of a sign, the
5 department shall attempt to reach an agreement with
6 the landowner for relocating the sign. If possible,
7 the sign shall be relocated from the place of
8 objection. If the sign must be located on an
9 objectionable place, it shall be located on the least
10 objectionable place possible."

11 2. Page 2, by inserting after line 24, the
12 following:

13 "Sec. ____ . Section 306C.11, subsection 5,
14 unnumbered paragraph 3, Code 1989, is amended by
15 striking the paragraph."

16 3. Page 3, line 15, by inserting after the word
17 "stewardship," the following: "natural resources,
18 cultural affairs,".

19 4. Page 3, line 17, by striking the word "agency"
20 and inserting the following: "association".

21 5. Page 3, line 26, by inserting after the word
22 "signing," the following: "The rules shall not be
23 applicable to directional signs relating to historic
24 sites on land owned or managed by state agencies, as
25 provided in section 321.253A."

26 6. Page 4, line 3, by inserting after the word
27 "sites," the following: "Tourist-oriented directional
28 signs may be placed on highways within the maximum
29 travel distance that have the greatest traffic count
30 per day, if sufficient space is available."

31 7. Page 4, line 5, by inserting after the word
32 "crossroad," the following: "Appropriate trailblazing
33 shall be installed over the most desirable routes on
34 lesser traveled primary highways, secondary roads, and
35 city streets leading to the tourist attraction."

36 8. Page 4, by inserting after line 21, the
37 following:

38 "Sec. ____ . NEW SECTION. 321.253A DIRECTIONAL
39 SIGNS RELATING TO HISTORIC SITES ON LAND OWNED OR
40 MANAGED BY STATE AGENCIES.

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

49 2. Upon request by a city or county in which a
50 historic site is located on land owned or managed by

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Page 2

1 an agency, the department shall distribute a
2 directional sign as provided in this section to the
3 city or county for erection upon roads or streets
4 within their jurisdictions.

5 3. The location of the historic site shall be
6 memorialized on transportation maps of the state
7 published under the direction of the department and
8 generally made available to the public.

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

14 9. By renumbering, relettering, or redesignating
15 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-5611 FILED MARCH 21, 1990

Senate amended (5446) - concurred 4/6 (J 1008)

SENATE FILE 2277

S-5930

1 Amend House amendment, S-5611, to Senate File 2277,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 3 through 10, and
5 inserting the following:

6 "____. Page 1, by striking lines 1 through 17.

7 _____. Page 1, lines 25 and 26, by striking the
8 words and figures "under section 321.252, unnumbered
9 paragraph 4".

10 _____. Page 1, line 30, by striking the words "For
11 purposes of this division," and inserting the
12 following: "The rules shall include but are not
13 limited to the following:

14 a. Criteria for eligibility for signing.

15 b. Criteria for limiting or excluding businesses
16 that maintain advertising devices that do not conform
17 to the requirements of chapter 306B, chapter 306C,
18 division II, or other statutes or administrative rules
19 regulating outdoor advertising.

20 c. Provisions for a fee schedule to cover the
21 direct and indirect costs of sign erection and
22 maintenance and related administrative costs.

23 d. Provisions for specifying the maximum distance
24 to eligible businesses.

25 e. Provisions specifying the maximum number of
26 signs permitted per panel and per interchange.

27 f. Provisions for determining what businesses are
28 signed when there are more applicants than the maximum
29 number of signs permitted.

30 g. Provisions for removing signs when businesses
31 cease to meet minimum requirements for participation
32 and related costs.

33 For purposes of this division,".

34 _____. Page 1, lines 32 and 33, by striking the
35 words "outdoor recreation," and inserting the
36 following: "outdoor-recreation,".

37 _____. Page 2, lines 12 and 13, by striking the
38 words and figures "section 321.252, unnumbered
39 paragraph 4," and inserting the following: "this
40 subsection"."

41 2. Page 1, by striking lines 19 and 20 and
42 inserting the following:

43 "____. Page 3, line 17, by striking the words "an
44 outdoor advertising agency" and inserting the
45 following: "the outdoor advertising association of
46 Iowa"."

47 3. Page 1, line 30, by inserting after the word
48 "available." the following: "If an adjacent landowner
49 complains to the department about the placement of a
50 tourist oriented directional sign, the department

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Page 2

1 shall attempt to reach an agreement with the landowner
2 for relocating the sign. If possible, the sign shall
3 be relocated from the place of objection. If the sign
4 must be located on an objectionable place, it shall be
5 located on the least objectionable place possible."

6 4. Page 1, by inserting after line 35 the
7 following:

8 "____. Page 4, line 13, by inserting after the
9 word "basis." the following: "Faded signs shall be
10 replaced and the commercial vendor charged for the
11 cost of replacement based upon the fee schedule
12 adopted."

13 _____. Page 4, by inserting after line 21 the
14 following:

15 "The department shall not authorize or erect signs
16 which do not comply with the manual of uniform traffic
17 control devices."

18 5. Page 2, line 8, by inserting after the word
19 "public." the following: "However, if it is not
20 reasonable and feasible to display specific historic
21 sites on the state transportation map, the department
22 shall consult with the agency managing the historic
23 site."

By JIM LIND

S-5930 FILED APRIL 5, 1990

Adopted as amended by 5946 4/6 (p. 1608)

SENATE FILE 2277

S-5946

1 Amend the amendment, S-5930, to the House
2 amendment, S-5611, to Senate File 2277, as amended,
3 passed, and reprinted by the Senate as follows:
4 1. Page 2, by striking lines 13 through 17.

By BERL E. PRIEBE

S-5946 FILED APRIL 6, 1990

ADOPTED (p. 1608)

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 2277
H-6159

1 Amend House amendment, S-5611, to Senate File 2277,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 3 through 10, and
5 inserting the following:

6 "___ . Page 1, by striking lines 1 through 17.

7 ___ . Page 1, lines 25 and 26, by striking the
8 words and figures "under section 321.252, unnumbered
9 paragraph 4".

10 ___ . Page 1, line 30, by striking the words "For
11 purposes of this division," and inserting the
12 following: "The rules shall include but are not
13 limited to the following:

14 a. Criteria for eligibility for signing.

15 b. Criteria for limiting or excluding businesses
16 that maintain advertising devices that do not conform
17 to the requirements of chapter 306B, chapter 306C,
18 division II, or other statutes or administrative rules
19 regulating outdoor advertising.

20 c. Provisions for a fee schedule to cover the
21 direct and indirect costs of sign erection and
22 maintenance and related administrative costs.

23 d. Provisions for specifying the maximum distance
24 to eligible businesses.

25 e. Provisions specifying the maximum number of
26 signs permitted per panel and per interchange.

27 f. Provisions for determining what businesses are
28 signed when there are more applicants than the maximum
29 number of signs permitted.

30 g. Provisions for removing signs when businesses
31 cease to meet minimum requirements for participation
32 and related costs.

33 For purposes of this division,".

34 ___ . Page 1, lines 32 and 33, by striking the
35 words "outdoor recreation," and inserting the
36 following: "outdoor-recreation".

37 ___ . Page 2, lines 12 and 13, by striking the
38 words and figures "section 321.252, unnumbered
39 paragraph 4," and inserting the following: "this
40 subsection".

41 2. Page 1, by striking lines 19 and 20 and
42 inserting the following:

43 "___ . Page 3, line 17, by striking the words "an
44 outdoor advertising agency" and inserting the
45 following: "the outdoor advertising association of
46 Iowa"."

47 3. Page 1, line 30, by inserting after the word
48 "available." the following: "If an adjacent landowner
49 complains to the department about the placement of a
50 tourist oriented directional sign, the department

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Page 2

1 shall attempt to reach an agreement with the landowner
2 for relocating the sign. If possible, the sign shall
3 be relocated from the place of objection. If the sign
4 must be located on an objectionable place, it shall be
5 located on the least objectionable place possible."

6 4. Page 1, by inserting after line 35 the
7 following:

8 " . Page 4, line 13, by inserting after the
9 word "basis." the following: "Faded signs shall be
10 replaced and the commercial vendor charged for the
11 cost of replacement based upon the fee schedule
12 adopted."

13 5. Page 2, line 8, by inserting after the word
14 "public." the following: "However, if it is not
15 reasonable and feasible to display specific historic
16 sites on the state transportation map, the department
17 shall consult with the agency managing the historic
18 site."

RECEIVED FROM THE SENATE

H-6159 FILED APRIL 6, 1990

CONCURRED (p 2158)

LIND, et.
RIFE
SCOTT

SSB 2229
SMALL BUSINESS/ECONOMIC
DEVELOPMENT

SENATE FILE 2277

BY (PROPOSED COMMITTEE ON
SMALL BUSINESS AND ECONOMIC
DEVELOPMENT BILL BY CHAIR-
PERSON BOSWELL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to tourist-oriented signs.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 306C.11, subsection 4, Code 1989, is
2 amended to read as follows:

3 4. Official and directional signs and notices which shall
4 include, but not be limited to, signs and notices pertaining
5 to natural wonders, scenic and historic attractions,
6 recreational attractions and municipal recognition signs,
7 which shall conform with rules ~~promulgated~~ adopted by the
8 department under section 321.252, subsection 4, provided that
9 such rules shall be consistent with national standards
10 ~~promulgated~~ adopted pursuant to Title 23, section 131,
11 subsection "c" of the United States Code.

12 Sec. 2. Section 321.1, Code Supplement 1989, is amended by
13 adding the following new subsections:

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

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

20 Sec. 3. Section 321.252, unnumbered paragraph 4, Code
21 1989, is amended to read as follows:

22 The department shall establish, by rule, in cooperation
23 ~~with the department of economic development establish criteria~~
24 ~~for guiding traffic to eligible tourist attractions along~~
25 ~~interstate and primary highways:--The department a~~ tourist-
26 oriented signing committee which, shall include the outdoor
27 advertising association of Iowa and other interest groups, the
28 standards for tourist-oriented directional signs and shall
29 annually review the list of attractions for which signing is
30 in place. All tourist attraction signing The rules shall
31 conform to national standards for tourist-oriented directional
32 signs adopted under 23 U.S.C. § 131(q) and to the manual of
33 uniform traffic control devices. Except as otherwise
34 provided, tourist attraction signing shall be purchased,
35 installed and maintained by the department. However, a

1 tourist attraction is not subject to a minimum number of
2 visitors annually to qualify for tourist-oriented directional
3 signing. The rules shall include but are not limited to the
4 following:

5 1. Criteria for eligibility for signing.

6 2. Criteria for limiting or excluding businesses,
7 activities, services, and sites that maintain signs that do
8 not conform to the requirements of chapter 306B, chapter 306C,
9 division II, or other statutes or administrative rules
10 regulating outdoor advertising.

11 3. Provisions for a fee schedule to cover the direct and
12 indirect costs of sign manufacture, erection, and maintenance,
13 and related administrative costs.

14 4. Provisions specifying maximum distances to eligible
15 businesses, activities, services, and sites.

16 5. Provisions for trailblazing to facilities that are not
17 on the crossroad.

18 6. Criteria for determining when to permit advance
19 signing.

20 7. Provisions specifying conditions under which the time
21 of operation of a business, activity, service, or site is
22 shown.

23 8. Provisions for masking or removing signs during off
24 seasons for businesses, activities, services, and sites
25 operated on a seasonal basis.

26 9. Provisions specifying the maximum number of signs
27 permitted per intersection.

28 10. Provisions for determining what businesses,
29 activities, services, or sites are signed when there are more
30 applicants than the maximum number of signs permitted.

31 11. Provisions for removing signs when businesses,
32 activities, services, or sites cease to meet minimum
33 requirements for participation and related costs.

34 EXPLANATION

35 This bill relates to tourist-oriented directional signs and

1 authorizes the department of transportation to adopt rules for
2 the signs to conform with national standards and the manual on
3 uniform traffic control devices.

4 The bill also sets out certain criteria to be included in
5 the rules for tourist-oriented directional signs.

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SENATE FILE 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(g) 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.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2277, Seventy-third General Assembly.

JOHN P. DWYER
Secretary of the Senate

Approved April 24, 1990

TERRY E. BRANSTAD
Governor