

TRANSPORTATION DEPARTMENT[761]

Adopted and Filed

Rulemaking related to tourist-oriented directional signing

The Transportation Department hereby rescinds Chapter 119, “Tourist-Oriented Directional Signing,” Iowa Administrative Code, and adopts a new chapter with the same title.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code section 307.12(1)“j” and section 321.252 as amended by 2024 Iowa Acts, Senate File 2385, section 317.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 321.252 as amended by 2024 Iowa Acts, Senate File 2385, section 317.

Purpose and Summary

This rulemaking repromulgates Chapter 119 in compliance with Executive Order 10 and 2024 Iowa Acts, Senate File 2385, section 17. Chapter 119 contains provisions and limitations for the erection of blue directional signs for businesses that are located within ten miles of a primary highway intersection in the nonurban areas of the state. The signs are installed by the Department within the right-of-way in advance of the intersection.

This chapter was significantly revised in early 2023, relaxing many of the entry qualifications for business owners interested in the program. The relaxed entry qualifications remain unchanged in the proposed repromulgated chapter, but an additional change is the elimination of the Tourist Signing Committee. This Committee has provided a benefit for the program over the years by the Committee’s diverse representation and input during rulemaking and review of applications. However, with the more relaxed entry qualifications from the 2023 rulemaking in place, and because 2024 Iowa Acts, Senate File 2385, section 317, amends Iowa Code section 321.252(3) to eliminate the Tourist Signing Committee, this additional layer of review and associated processing time is eliminated.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on October 16, 2024, as **ARC 8252C**. A public hearing was held on the following date(s):

- November 6, 2024
- November 8, 2024

No one attended the public hearings. No public comments were received. No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the Department on December 10, 2024.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rulemaking will become effective on February 12, 2025.

The following rulemaking action is adopted:

ITEM 1. Rescind 761—Chapter 119 and adopt the following **new** chapter in lieu thereof:

CHAPTER 119
TOURIST-ORIENTED DIRECTIONAL SIGNING

761—119.1(321) Definitions.

“*At-grade intersection*,” for the purpose of this chapter, means an intersection of a primary highway and a secondary roadway, municipal street, or other primary highway, in which traffic may pass through the intersection at the same grade level as the intersecting roadway, or turn directly onto the intersecting roadway without the use of a ramp.

“*Destination*,” for the purpose of this chapter, means a business, service, activity, or site that meets the program requirements established in rule 761—119.3(321).

“*Primary highway*,” for the purpose of this chapter, means those roads and streets both inside and outside the boundaries of municipalities that are under department jurisdiction but does not include an interstate highway or a freeway primary highway as defined in Iowa Code section 306C.10.

“*Tourist-oriented directional signing*” means a system of guide signs with one or more sign panels that display the identification of and directional information for an eligible destination.

761—119.2(321) General.

119.2(1) Conformance to MUTCD. The department administers the tourist-oriented directional signing program in conformance with the “Manual on Uniform Traffic Control Devices” (MUTCD), as adopted in rule 761—130.1(321).

119.2(2) Spacing and location.

a. Tourist-oriented directional signing may be installed only when sufficient space is available. The determination of whether sufficient space is available is the responsibility of the department in accordance with the MUTCD and department policies.

b. Tourist-oriented directional signing may be installed only in advance of at-grade intersections where the motorist leaves the primary highway system to travel to the destination. Tourist-oriented directional signs may also be placed on a higher-classified highway to direct motorists onto a lower-classified highway, or on a greater-traveled highway to direct motorists onto a lesser-traveled highway, provided the signs are placed in advance of an at-grade intersection.

c. Tourist-oriented directional signing is limited to the rural areas and towns that are located outside of any urban areas established by the U.S. Census Bureau for incorporated municipalities with a population that meets or exceeds 5,000.

119.2(3) Message. The message on a tourist-oriented directional sign is limited to a descriptive name, a directional arrow, the travel distance to the destination, and in some cases for motorist services, an additional short word or acronym indicating an essential fuel type such as diesel, E-85, or EV (electric vehicle-charging station).

761—119.3(321) Eligibility for participation. Participation in this signing program is limited to destinations that meet the following criteria:

119.3(1) The destination is open to the general public for a minimum of four days per week and 20 hours per week. These hours are exclusive of any hours of operation that are by appointment, reservation or membership. The hours are conspicuously posted on the premises except for destinations that are open 24 hours per day.

119.3(2) Entrance to the destination is not granted based on age.

119.3(3) The destination derives a major portion of income or visitors from road users not residing in the area of the destination.

119.3(4) The destination is properly licensed by governing authorities relative to the nature of the activity engaged in by the destination.

119.3(5) The destination is located within ten miles of the intersection on the primary highway where the tourist-oriented directional signs will be placed.

119.3(6) The destination is located outside the boundaries of any urban area established by the U.S. Census Bureau for an incorporated municipality with a population that meets or exceeds 5,000.

119.3(7) The destination is not visible from the primary highway in a way that allows motorists time to safely react and make the turn. This program is not intended for businesses that enjoy adequate highway frontage for the placement of on-site signing.

119.3(8) The destination consists of buildings, facilities, and grounds that are safe, suitable, and appropriately designed and maintained for the intended purpose. If residential quarters co-exist in the same building, a convenient, well-marked, and separate entrance is available for patrons to access the activity identified on the sign.

119.3(9) The destination complies with all applicable laws concerning public accommodations without regard to age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability.

119.3(10) The destination complies with Iowa Code chapters 306B, 306C and 306D.

119.3(11) The destination, if seasonally operated, is open for a minimum of four consecutive weeks.

761—119.4(321) Application and approval procedure.

119.4(1) Applications for tourist-oriented directional signing may be submitted to: Advertising Management Section, Traffic and Safety Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010. Information regarding the program may be accessed at www.iowadot.gov/iowaroadsigns or 515.239.1746.

119.4(2) The department may conduct measurements, take photographs, and collect information about destinations as necessary for evaluation purposes.

119.4(3) Applications that meet the requirements of this chapter will be approved.

119.4(4) Applications that do not meet the requirements of this chapter will be denied. The applicant will be informed of the reason for the denial.

761—119.5(321) Installation, maintenance, replacement and removal.

119.5(1) Installation and maintenance of tourist-oriented directional signs. Except as provided in subrule 119.5(4), the department will fabricate and perform the installation, maintenance, removal and replacement of tourist-oriented directional signs that are located within the right-of-way.

a. Upon approval of an application, the department will design the tourist-oriented directional sign and provide a scaled drawing of the tourist-oriented directional sign to the applicant, allowing the applicant to reconfirm interest before proceeding with fabrication.

b. Upon payment of the initial fee specified in subrule 119.5(3), the department will fabricate and install the tourist-oriented directional sign.

119.5(2) *Installation and maintenance of trailblazing signs.* Trailblazing signs are necessary when the destination is not located adjacent to the intersecting roadway.

a. The department may fabricate trailblazing signs and provide them to cities and counties for installation on secondary roads and city streets, if such placement does not violate any local ordinance, policy, or traffic manual.

b. The department will consult with the local authority to confirm that placement of a trailblazing sign is possible to guide the motorist to the destination.

c. Tourist-oriented directional signs may be installed only when all trailblazing signs may also be installed.

119.5(3) *Initial and renewal fees.* The initial fee, payable once an application is approved, is \$350 for each 72" × 18" sign placed along the primary highway and \$26 for each trailblazing sign placed along a nonprimary highway. These fees include the cost of sign fabrication and installation but do not include any additional requested fees by local jurisdictions for the placement of trailblazing signs along local road systems. The annual renewal fee, payable on or before June 30 of each year, is \$50 per sign, excluding trailblazing signs. This fee covers the administrative costs and normal maintenance.

119.5(4) *Seasonal destination.*

a. Seasonal destinations may be approved for the program if “closed” panels are installed over the directional information when the destinations are not open for the season or when the hours of operation are not meeting the minimum listed in subrule 119.3(1).

b. Destinations such as golf courses and Christmas tree farms where the expected seasonal period is generally known by motorists may forego the use of “closed” panels.

c. Destinations using “closed” panels may arrange to remove or reinstall the panels on their own through an agreement with the department or pay a fee to the department to perform the service. The fee is \$40 per trip and includes all signs associated with the destination that are located along the primary highway system.

119.5(5) *Replacement.* Tourist-oriented directional signs are constructed with high-quality materials designed to last many years. The department may, however, determine that a tourist-oriented directional sign needs to be replaced due to damage from vehicles, deterioration from age, or loss due to theft. In these cases, the cost for replacing the sign is the responsibility of the destination.

119.5(6) *Not-for-profit organizations.* A not-for-profit destination is exempted from all fees and costs associated with the installation and maintenance of a single set of signs at a location determined by the department to be the most reasonable approach to the destination. Additional locations may be requested by the not-for-profit organization, and, if approved, such locations are subject to the associated fees and costs described in this chapter.

119.5(7) *Removal.* The department may remove a tourist-oriented directional sign if the destination no longer qualifies for tourist-oriented directional signing. As official signs, all removed tourist-oriented directional signs are retained as property of the department unless released to the destination for purposes other than display along any public roadway.

These rules are intended to implement Iowa Code section 321.252 as amended by 2024 Iowa Acts, Senate File 2385, section 317.

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 1/8/25.