

CHAPTER 119
TOURIST-ORIENTED DIRECTIONAL SIGNING

761—119.1(321) Definitions.

“*Primary highway*,” for the purpose of this chapter, means those roads and streets both inside and outside the boundaries of municipalities which 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*” is official signing that is located within the right-of-way of a primary highway and that identifies and gives directions to activities or sites of significant interest to the traveling public. However, official signing for campgrounds and ski area facilities is not included in this definition. This signing is provided for elsewhere.

[ARC 4436C, IAB 5/8/19, effective 6/12/19]

761—119.2(321) General.

119.2(1) *Conformance to MUTCD.* Tourist-oriented directional signing shall conform to 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 shall 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. If the number of applications exceeds the capacity to accommodate all of the requests, a lottery drawing shall be held to determine which applications will be accepted. However, activities and sites which are already participating in the tourist-oriented directional signing program shall not be subject to the lottery drawing, provided that each applicant’s participation remains in compliance with this chapter, including the timely payment of fees.

b. Tourist-oriented directional signing shall be installed in advance of the intersection where the motorist leaves the primary highway system to travel to the activity or site. However, tourist-oriented directional signs may 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.

c. Tourist-oriented directional signing shall not be placed at interchanges. If an at-grade intersection on a primary highway is replaced with an interchange, the intersection will no longer qualify for tourist-oriented directional signing. Any tourist-oriented directional signing previously erected shall be removed by the department.

d. 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 to the least objectionable place.

e. Tourist-oriented directional signing shall not be placed within the urban area as established by the U.S. Census Bureau of an incorporated municipality with a population of 5000 or more.

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 activity or site, 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). However, if an agricultural business activity offers tours, the message for the activity shall include the word “tours.”

[ARC 1202C, IAB 12/11/13, effective 1/15/14; ARC 4436C, IAB 5/8/19, effective 6/12/19]

761—119.3(321) General eligibility requirements for an activity or site. This rule describes the general requirements which an individual activity or site must meet to qualify for tourist-oriented directional signing.

119.3(1) *Hours.* The activity or site shall be open to the general public during regular and reasonable hours and not by appointment, reservation or membership only.

a. Seasonal activities shall be in operation a minimum of four consecutive weeks.

b. The current months, days and hours of operation shall be conspicuously posted on the premises.

119.3(2) *Building or area.* The activity shall be conducted in an appropriate area or in a building appropriately designed or well-suited for the purpose.

a. The activity shall not be conducted in a building principally used as a residence unless there is a convenient, separate, and well-marked entrance.

b. The building or area must be maintained in a manner consistent with standards generally accepted for that type of business or activity.

119.3(3) Location of activity or site. The activity or site shall be located:

a. Within ten miles of the intersection on the primary highway where the tourist-oriented directional sign will be placed.

b. Outside the urban area, as established by the U.S. Census Bureau, of an incorporated municipality with a population of 5000 or more.

119.3(4) Signing restrictions. An activity or site does not qualify for a tourist-oriented directional sign if:

a. The activity or site or an on-premises sign advertising the activity or site is readily recognizable from the primary highway far enough ahead of the entrance to allow the motorist time to safely make the turn into the entrance.

b. An advertising device which serves the activity or site is erected or maintained in violation of Iowa Code chapter 306B; Iowa Code chapter 306C, division II; or other statutes or administrative rules regulating outdoor advertising.

119.3(5) Nondiscrimination. The activity or site shall comply with all applicable laws concerning public accommodations without regard to age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability.

[ARC 1202C, IAB 12/11/13, effective 1/15/14]

761—119.4(321) Specific eligibility requirements for the type of activity or site. This rule describes the types of activities or sites that may qualify for tourist-oriented directional signing. Within each type, this rule also describes the specific requirements that an individual activity or site must meet to qualify for tourist-oriented directional signing. These requirements are in addition to those found in rule 761—119.3(321).

119.4(1) Motorist service.

a. A service of significant interest to motorists may qualify. The types of services which may qualify include, but are not limited to: fueling stations, including those that offer alternative fuels; food; lodging; and motor vehicle service or repair.

b. An activity or a site providing a motorist service must:

(1) Be open a minimum of eight hours a day, six days a week, except for vehicle services or repair facilities, which shall be open a minimum of eight hours a day, five days a week.

(2) Be open 12 months a year or during the normal seasonal period.

119.4(2) Tourist attraction.

a. An attraction that is of significant interest to tourists as a historic, cultural, scientific, or religious site, or as a site of natural scenic beauty or naturally suited for outdoor recreation, may qualify.

b. In determining significant interest, the tourist signing committee shall consider information provided by the applicant and a site review of the attraction, and may seek advice from agencies or organizations who have specific information on the attraction.

c. A tourist attraction must:

(1) Be open a minimum of 40 hours a week, five days a week.

(2) Be open a minimum of three consecutive months each year.

119.4(3) Agricultural business activity.

a. An agricultural business activity of significant interest to the traveling public may qualify.

b. “Significant interest” means the agricultural business activity does one of the following:

(1) Provides a regular and reasonable tour along with a brochure. The brochure must fully describe the tour if it is self-guided.

(2) Offers products which are of interest to the traveling public and can be purchased from the site.

(3) Provides a service which is of interest to the traveling public.

c. An agricultural business activity must:

- (1) Be open a minimum of 40 hours a week, five days a week.
- (2) Be open 12 months a year or during the normal seasonal period.

119.4(4) Other commercial activity.

a. A nonagricultural commercial activity, business, service or site of significant interest to the traveling public may qualify. A major portion of the products or services provided must be tourist- or motorist-oriented.

b. A nonagricultural commercial activity must:

- (1) Be open a minimum of 40 hours a week, five days a week.
- (2) Be open 12 months a year or during the normal seasonal period.

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761—119.5(321) Application and approval procedure.

119.5(1) Applications for tourist-oriented directional signing shall be submitted to: Advertising Management Section, Office of Traffic and Safety, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

119.5(2) The department of transportation shall verify compliance with the minimum requirements and develop an agenda for the tourist signing committee's review of applications that meet the minimum requirements. The department shall return to the applicant an application that does not meet the minimum requirements.

119.5(3) The tourist signing committee consists of representatives from the economic development authority, the department of transportation, the department of agriculture and land stewardship, the department of natural resources, the department of cultural affairs, the Travel Federation of Iowa, and the Outdoor Advertising Association of Iowa. The committee's responsibility is to approve or deny applications.

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761—119.6(321) Installation, maintenance, replacement and removal.

119.6(1) *Installation and maintenance of tourist-oriented directional signs.* Except as provided in subrule 119.6(4), the department shall fabricate and perform all required installation, maintenance, removal and replacement of tourist-oriented directional signs that are located within the right-of-way.

a. The department shall design the tourist-oriented directional sign and provide a scaled drawing of it to the applicant prior to sign fabrication.

b. A tourist-oriented directional sign shall not be installed until the applicant has paid the department the initial fee specified in subrule 119.6(3).

119.6(2) *Installation and maintenance of trailblazing signs.* If the activity or site is not located adjacent to the secondary road or city street intersecting the primary route, trailblazing signs are required. Trailblazing signs shall conform to requirements in the MUTCD.

a. The department shall fabricate trailblazing signs and provide them to cities and counties for installation on secondary roads and city streets. Cities and counties are responsible for the installation and maintenance of trailblazing signs on routes under their jurisdiction.

b. Trailblazing signs shall not be installed until the applicant has paid the department a fee for the cost of sign fabrication.

c. Tourist-oriented directional signs shall not be installed until necessary trailblazing signs are in place.

119.6(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 fees which may be required 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.

119.6(4) *Seasonal activity or site.* A tourist-oriented directional sign for a seasonal activity or site must either be masked or have a "closed" panel installed over the sign's directional information when the activity or site is closed or when the hours of operation decrease below the minimum requirements during

the off-season period. Either the department or the activity or site with the department's permission shall perform the work. If the department performs the work, the approved applicant must pay the actual cost to install and remove the "closed" panel or to mask the sign.

119.6(5) Required replacement.

a. The department shall determine when a tourist-oriented directional sign is no longer serviceable and needs to be replaced. If such a determination is made, the activity or site must pay for the cost of a new sign and its installation prior to installation.

b. The department is not responsible for theft of tourist-oriented directional signs or damage to them caused by vandalism, vehicle accidents, or natural causes. If a sign requires repair or replacement due to theft or damage, the activity or site must pay the cost of a new sign and its installation. At the activity's or site's request, this cost may be spread over a 12-month period.

119.6(6) Not-for-profit organizations. A not-for-profit organization operating an activity or site in accordance with the requirements of this chapter 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. If additional locations are requested by the not-for-profit organization, all fees and costs described in this chapter shall apply to the additional locations.

119.6(7) Removal. The department shall remove a tourist-oriented directional sign if the activity or site no longer qualifies for tourist-oriented directional signing. As official signs, all tourist-oriented directional signs are the property of the department and shall not be given to applicants upon the signs' removal.

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