

SB

181

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 3/6/96

DATE TURNED INTO OFFICE: 3/20/96

The Finance Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 181
 Relating to prohibited highway advertising.

CS (FIN)
 coming

and recommends:

- be replaced with _____ CS SS SB 181 (FIN)
- adopt previous _____ CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill: same title
 new title
 House Bill: same title
 technical change
 new: SCR# _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Wendell</i>	<input checked="" type="checkbox"/>	<i>Steve</i>	<input checked="" type="checkbox"/>		
<i>Bob</i>	<input checked="" type="checkbox"/>	<i>Steve</i>	<input checked="" type="checkbox"/>		
		<i>Paul</i>	<input checked="" type="checkbox"/>		
Co-Chair: <i>Bob</i>	<input checked="" type="checkbox"/>	Co-Chair:			
Co-Chair: <i>Richard</i>	<input checked="" type="checkbox"/>	Co-Chair:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
#1 <i>DOT/DF</i>	<i>7/20/96</i>		<i>40.0</i>

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

Bill No. 1

(SF) Bill Version: CS 55 SB 181 (STA)

(S) Publish Date: 3-6-96

Revision Date: N/A Department Affected: DOT&PF
 Title: Promotion of Alaska Business through Signs, Displays and Devices BRU: E&O
 Sponsor: Green, Pearce, Halford, Frank, Miller, Sharp Component: E&O
 Requestor: Sam Kito, Jr. Component Serial Number: 547

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES	15.0	2.0	2.0	2.0	2.0	2.0
TRAVEL	5.0	0	0	0	0	0
CONTRACTUAL	20.0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING:	40.0	2.0	2.0	2.0	2.0	2.0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE FUND SOURCE	0	0	0	0	0	0
---------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

1002 FEDERAL RECEIPTS	0	0	0	0	0	0
1003 GF MATCH	0	0	0	0	0	0
1004 GF	40.0	2.0	2.0	2.0	2.0	2.0
1005 GF/PROGRAM RECEIPTS	0	0	0	0	0	0
1006 GF/MHTA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	40.0	2.0	2.0	2.0	2.0	2.0

POSITIONS (NONE REQ'D)

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY'96) impact: \$ 0 (assuming any department activity begins after July 1, 1996)

ANALYSIS: (Attach a separate page if necessary)

Current year's impact would be for writing new regulations, designing standards, and having the Department of Law review the revised statute.

See attached addendum to Fiscal Note.

Prepared by: Loren Rasmussen
 Division: Engineering & Operations Division

Phone: 465-6948
 Date: February 27, 1996

Approved by Commissioner: Joseph L. Perkins
 Joseph L. Perkins

Phone: 465-1901

Agency: Department of Transportation and Public Facilities

Date:

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Addendum to Fiscal Note SSSB 181

Section 1. of Sponsor Substitute for Senate Bill No. 181

Background: Alaska currently does not allow Outdoor Advertising. Any signs located outside of state-owned right-of-way would be considered "Outdoor Advertising" under federal statutes, and would have to meet all Outdoor Advertising control requirements.

Impact on the Department: This section would allow placement of signs outside of the right-of-way. It would also require modification of manuals, establishment of an Outdoor Advertising Control program which meets state and federal standards, and legal review.

Section 2-6 of Sponsor Substitute for Senate Bill No. 181

These sections appear to have no fiscal impact on DOT P/F.

Other Notes to Sponsor Substitute for Senate Bill No. 181

It is the general opinion of the 8 "TODS" participating states contacted that TODS, LOGO and other official directional signs must remain on state property to avoid difficulties with maintaining, erecting, and controlling Outdoor Advertising on private property.

Assumptions: the fiscal note assumes that qualifying businesses or groups would undertake all administrative and organizational details; purchase the materials and provide labor; obtain permits, easements or rental agreements for placing Outdoor Advertising on private property; and properly maintain the signs and sites.

We assume that it would take \$15,000 in personal services, \$5,000 in travel; and \$20,000 to fund the law review in the first year. Administrative costs of approximately \$2,000 per year would be expected to maintain the program after it is in place.

FISCAL NOTE

Revision Date: N/A Department Affected: DOT&PF
Title: Promotion of Alaska Business through BRU: E&O
Signs, Displays and Devices
Sponsor: Green, Pearce, Halford, Frank, Miller, Sharp Component: E&O
Requestor: Sam Kito, Jr. Component Serial Number: 547

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TRAVEL	5.0	0	0	0	0	0
CONTRACTUAL	20.0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING:	40.0	2.0	2.0	2.0	2.0	2.0

CAPITAL	0	0	0	0	0	0
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FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
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See attached addendum to Fiscal Note.

Prepared by: Loren Rasmussen *Loren Rasmussen* Phone: 465-6948
Division: Engineering & Operations Division Date: February 27, 1996
Approved by Commissioner: *Joseph L. Perkins* Phone: 465-3901
Agency: Department of Transportation and Public Facilities Date: 2/27/96

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We assume that it would take \$15,000 in personal services, \$5,000 in travel; and \$20,000 to fund the law review in the first year. Administrative costs of approximately \$2,000 per year would be expected to maintain the program after it is in place.

9-LS1164U

Utermohle

3/22/96

*SFC
3/24/96
moved
Adopted*

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 181()

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATORS GREEN, Pearce, Halford, Frank, Miller, Sharp

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to tourist oriented directional signs that are 90 inches in
2 width and 18 inches in height and to penalties for violations related to outdoor
3 advertising."

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

5 • Section 1. LEGISLATIVE FINDINGS; INTENT. (a) The Alaska State Legislature finds
6 that

7 (1) the scenic beauty of Alaska is unquestionably unique and is revered by
8 residents of the state as well as visitors to Alaska;

9 (2) it is imperative that the State of Alaska maintain its scenic highway system
10 throughout the state for the benefit of residents of Alaska and visitors to Alaska;

11 (3) it is also imperative that residents of Alaska and visitors to Alaska travel in
12 a safe manner on the state highway system and that the safety of the residents of Alaska and
13 visitors to Alaska be assured by a system of directional signing for traveler oriented attractions
14 and services.

1 (b) It is the intent of the Alaska State Legislature to provide better information to
2 motorists by authorizing a well planned and regulated system of directional signing for traveler
3 oriented attractions and services in a manner similar to the current tourist oriented directional
4 sign program that has been established under policies of the Department of Transportation and
5 Public Facilities and in a manner consistent with standards established by the Federal Highway
6 Administration and the Manual of Uniform Traffic Control Devices.

7 • Sec. 2. AS 19.25.105(a) is amended to read:

8 (a) Outdoor advertising may not be erected or maintained within 660 feet of
9 the nearest edge of the right-of-way and visible from the main-traveled way of the
10 interstate, primary, or secondary highways in this state except the following:

11 (1) directional and other official signs and notices which include, but
12 are not limited to, signs and notices pertaining to natural wonders, scenic and historic
13 attractions, which are required or authorized by law, and which shall conform to
14 federal standards for interstate and primary systems;

15 (2) signs, displays, and devices advertising the sale or lease of property
16 upon which they are located or advertising activities conducted on the property;

17 (3) signs determined by the state, subject to concurrence of the United
18 States Department of Transportation, to be landmark signs, including signs on farm
19 structures, or natural surfaces, of historic or artistic significance, the preservation of
20 which would be consistent with the provisions of this chapter;

21 (4) directional signs and notices pertaining to schools;

22 (5) advertising on bus benches or bus shelters, and adjacent trash
23 receptacles, if the state determines that the advertising conforms to local, state, and
24 federal standards for interstate and primary highways;

25 (6) tourist oriented directional signs erected under (e) of this
26 section.

27 • Sec. 3. AS 19.25.105(d) is amended to read:

28 (d) Outdoor advertising may not be erected or maintained within the right-of-
29 way of an interstate, primary, or secondary highway except that outdoor advertising
30 is allowed on

31 (1) bus benches and bus shelters, and adjacent trash receptacles, located
32 within the right-of-way under the authority of a permit issued under AS 19.25.200, if

1 the bus benches or bus shelters are located within a borough or unified municipality
2 and the buses that stop at that location operate during the entire year; and

3 (2) tourist oriented directional signs erected under (e) of this
4 section.

- 5 • Sec. 4. AS 19.25.105 is amended by adding a new subsection to read:

6 (e) The department shall establish a tourist oriented directional sign program.
7 The department shall erect, or permit the erection of, directional signs for traveler
8 oriented attractions and services within and outside of the rights-of-way of interstate,
9 primary, and secondary highways in areas zoned industrial or commercial or in
10 unzoned areas determined to be commercial or industrial areas. The signs may be
11 erected on private land adjacent to the rights-of-way of interstate, primary, and
12 secondary highways in this state if permission for the erection of the sign is granted
13 by the owner of the private land. The sign, excluding posts, must be 90 inches in
14 width and 18 inches in height and may contain only the name of the attraction or the
15 business providing the attraction or service, an icon representing the attraction or
16 service, the distance to the attraction or service, and a directional arrow. The location
17 of directional signs within a right-of-way and the design and content of directional
18 signs must be consistent with standards approved by the Federal Highway
19 Administration. The department shall retain control over the location of directional
20 signs. In scenic areas, the department shall control the location of directional signs in
21 a manner that maintains the quality of scenic areas.

- 22 • Sec. 5. AS 19.25.130 is amended to read:

23 Sec. 19.25.130. PENALTY FOR VIOLATION. A person who violates
24 AS 19.25.080 - 19.25.180, or a regulation adopted under AS 19.25.080 - 19.25.180
25 (THEM), is guilty of a violation [MISDEMEANOR] and upon conviction is
26 punishable by a fine of not less than \$50 nor more than \$1,000.

- 27 • Sec. 6. AS 19.45.002 is amended to read:

28 Sec. 19.45.002. PENALTIES. A person who violates a [ANY] provision of
29 AS 19.05 - AS 19.25, other than a provision of AS 19.25.080 - 19.25.180, is guilty
30 of a misdemeanor and upon conviction is punishable by a fine of not less than \$10 nor
31 more than \$500, or by imprisonment in jail for a period not to exceed one year, or by

both.

2

- Sec. 7. 17 AAC 20.010 is annulled.

Post-It™ brand fax transmittal memo 7671 # of pages 1

To	From
Liisa	Brett
Co.	Co.
Dept.	Phone #
Fax #	Fax #



US Department
of Transportation

Federal Highway
Administration

Alaska Division

P O Box 21648
Juneau, Alaska 99802

March 25, 1996

HRW-AK
ROW-04

Senator Lyda Green
Alaska State Senate
Room 423, State Capital
Juneau, Alaska 99801-1182

Dear Senator Green:

Outdoor Advertising Control

Brutt Huber, of your staff, recently asked if 18" X 90" traveler information signs, located outside of the highway right-of-way, in zoned or unzoned commercial or industrial areas would conform to federal requirements. Signs of the type described would be considered outdoor advertising devices subject to the provisions of 23 CFR 750 Subpart C - Outdoor Advertising Control. Signs erected and maintained in compliance with the provisions of this Subpart and approved State implementing regulations would be in conformance with Federal requirements.

Such signs could be erected within 660 feet of the right-of-way in commercial or industrial zones and in unzoned commercial or industrial areas, as defined in the agreement between the U.S. Secretary of Transportation (Secretary) and the State. Signs erected would have to comply with the size, lighting and spacing criteria contained in the agreement between the Secretary and the State.

The Alaska Agreement was signed March 29, 1968. It provides the following criteria which would apply to the situation in question.

Size: A maximum area of 650 square feet with a maximum height of 20 feet and a maximum length of 50 feet.

Spacing: Not located where they would obscure official traffic control devices or obstruct the drivers view of traffic. Not less than 100 feet apart in villages and cities. Not less than 500 feet apart adjacent to controlled access facilities or within 2000 feet their interchanges or intersections.

FAX TRANSMITTAL

of pages 2

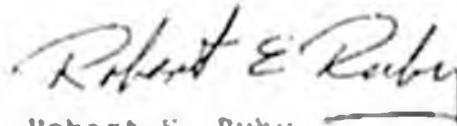
TO: BRETT Huber
Senator Off
465-3805

FROM: Jim Bryson
586-7418
586-7420

Lighting: No flashing intermittent or moving lights. No lighting that would interfere with driver's operation of a motor vehicle.

We are available to meet with you or your staff to further discuss or clarify our position regarding this subject or other concerns with outdoor advertising or motorist information systems.

Sincerely yours.



Robert E. Ruby
Division Administrator

cc: Rick Halford, Co-Chair Senate Finance Committee (Room 508)



3-21-96
JFC

ROBERT E. RUBY
Division Administrator

OUTDOOR ADVERTISING

OVERVIEW

Box 21648
Juneau, AK 99802-1648

(907) 586-7100

- At Statehood, outdoor advertising on all state highways was prohibited in Alaska
- In 1965, the Federal Highway Beautification Act prohibited billboards on Interstate, Primary and Secondary systems. Under the 1991 Transportation Act (ISTEA), the billboard regulations only apply to the National Highway System.
- In 1988, the Alaska DOT and FHWA developed a TODS program to allow Alaska tourist oriented businesses to advertise on highway rights of way.
- In 1991, ISTEA provided funds for removal of illegal and nonconforming signs. Over 500 illegal signs were identified within the highway right-of-way in the Central Region of the Alaska DOT.
- In 1992, The Alaska DOT and FHWA developed a right-of-way leasing program for on-premise signs to assist rural businesses which did not qualify for the TODS program.

OUTDOOR ADVERTISING

FEDERAL REQUIREMENTS GOVERNING CONTROL OF OUTDOOR ADVERTISING (23 CFR 750 Subparts B&F)

Applies to Interstate and Primary highways - The National Highway System in Alaska

Prohibit the erection of outdoor advertising devices except in zoned commercial or industrial areas, or in unzoned commercial or industrial zones.

Urban areas - within 660' of the right-of-way
Rural areas - visible from the main traveled way

Signs erected in commercial or industrial areas must comply with size, lighting and spacing criteria established by agreement with the Secretary of Transportation

- Size - establishes maximum sign size and dimensions
- Lighting - establishes illumination methods and variable message restrictions
- Spacing - establishes minimum spacing between signs

State must have enforcement procedures sufficient to identify and cause the removal of illegal signs.

Exceptions

The following types of signs are excepted from the control provisions:

- In Premise Signs, as described under 23 CFR 750.709
- Directional and Official Signs, as described under 23 CFR 750 Subpart B
- Landmark Signs - Signs with historic or artistic significance that existed prior to October 1965, as described in 23 CFR 750.710

ON PROPERTY (ON PREMISE) SIGNS

SIGNS WHICH:

- Advertise the sale or lease of the property, or
- Consist of the name of the establishment, or
- Advertise activities or services conducted on the property

FEDERAL REQUIREMENTS

On premise signs must meet 2 tests

- Property Test - Sign must be located within the used area of the property or activity advertised.
- Purpose Test - Sign can only contain the above listed advertising.

III ALASKA

Because of wide rights-of-way and visibility concerns we have expanded the property test.

- Adjacent businesses may lease an area within the right-of-way to erect an on premise sign. (Must be outside the highway safety clear zone)
- Sign must meet the purpose test.

TOURIST ORIENTED DIRECTIONAL SIGNS (TODS)

Governed by the provisions of FHWA's Manual on Uniform Traffic Control Devices (MUTCD). The MUTCD provides standards for all State highway traffic signing.

Provisions of the MUTCD

- Intended for use only on rural roads
- Shall not be used at interchanges on expressways or freeways
- No more than 4 signs on a sign panel
- No more than 3 sign panels at an intersection (one for left, one for right, one for ahead)
- Located at least 200' from the intersection
- Spaced at least 200' apart and at least 200' from other traffic control devices
- Advance signing approximately 1/2 mile from the intersection with 500' between panels

MUTCD requires a State Policy that should include:

- Definition of qualifying "business"
- Eligibility criteria (i.e. hours of operation, services provided)
- Provision for covering signs during off season
- Provision for trailblazer signing
- Maximum distances to facilities
- Provision for information plazas when maximum number of sign installations exceeded
- Provision for limiting the number of signs where applications exceed maximum number of signs allowed
- Criteria for use on expressway intersections
- Provision for excluding businesses that have illegal signs
- Provision for charging fees to cover costs
- Provision for determining if advance signing will be permitted

COMMENTS ON SENATE BILL 181

- In Sections 2, 3, & 4, references are made to the Interstate, Primary and Secondary systems. In Alaska, ISTEA has replaced these systems with the National Highway System.
- In section 4, the term 'traveler' is used rather than 'tourist'.
- Also in Section 4, the signs may be erected on private property. TODS signs may only be installed on the highway right-of-way.
- Also in Section 4, a width of 90 inches is required. The Federal requirements are 'not greater than 72 inches'.
- In many States, the demand for TODS signs at some locations, exceed the space available. In these cases, information kiosks have been built to provide adequate advertising space for all qualified businesses.

3-21-96
JFC

A mendment

By Rieger

Page 3, line 8, after "state." insert:

"The program must allow the department to maintain control over the location of signs. The department must control the location of signs in a manner which maintains the quality of scenic areas."

Amendment

By Rieger

Page 1 Lines 1 and 2 : delete all material

Page 1, Lines 1 and 2 : insert

"An Act permitting tourist oriented
directional signs which do not exceed
90 inches in width and 18 inches in height."

ALASKA STATE LEGISLATURE

Interim
600 East Railroad Avenue
Wasilla, Alaska 99654
(907) 376-3370



Session
Juneau, Alaska 99801-2152
(907) 465-4000
Fax 463-3803

SENATOR LYDA GREEN
SENATE DISTRICT N

MEMORANDUM

TO: Senator Rick Halford, Chairman
Senator Steve Frank, Chairman
Senate Finance Committee

FROM: Senator Lyda Green *Lyda Green*

DATE: March 5, 1996

SUBJECT: Hearing request / Senate Bill 181

=====

I respectfully request that you schedule a Senate Finance Committee hearing for Senate Bill 181, relating to directional signs.

SB 181 was passed out of Senate State Affairs on February 29 with the accompanying fiscal note. I have attached a sponsor statement, sectional analysis and other back-up information. Please let me now if you need further information or have any questions.

Thank you for your consideration of this request.

ALASKA STATE LEGISLATURE

Interim
600 East Railroad Avenue
Wasilla, Alaska 99651
(907) 376-3370



Session
Juneau, Alaska 99801-1182
(907) 463-6600
Fax 463-5605

SENATOR LYDA GREEN
SENATE DISTRICT N

CSSB 181

Sponsor Statement

CS for Senate Bill 181 will provide for the Department of Transportation's Tourist Oriented Directional Sign (TODS) program in statute and allow the placement of TODS signs on private property outside of the right-of-way. Codifying this program will provide for a well planned and regulated system of directional signing that will preserve the scenic beauty of Alaska's roadways and benefit Alaska's visitors and the businesses that serve them.

Currently the Department of Transportation administers TODS as an experimental program. Although this program is consistent with standards established by the Federal Highway Administration and the Manual of Uniform Traffic Control Devices, absence of statute authorizing the program has left the public out of the process of promulgating regulation.

By placing TODS in statute we provide the firm legal footing for the program to continue. In the opinion of legislative counsel it is doubtful that the current experimental program would stand judicial challenge.

Passage of Senate Bill 181 would provide long sought assistance to Alaska businesses that are dependent on trade with the traveling public. This bill would likewise enhance the state's ability to be user-friendly to its tourists and promote a responsive visitor industry. SB 181 authorizes a means for providing needed directional information while preserving the unique beauty of Alaska's roadways. I respectfully request your support.

TONY KNOWLES, GOVERNOR

DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES
OFFICE OF THE COMMISSIONER

3132 CHANNEL DRIVE
JUNEAU, ALASKA 99801-7898
PHONE: (907) 465-3900
TEXT TELEPHONE: (907) 465-3652
FAX: (907) 586-8265

March 21, 1996

Senator Rick Halford
State Capitol
Room 508
Juneau, AK 99801-1182

Dear Senator Halford:

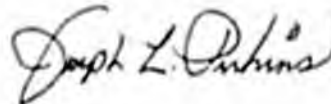
This letter responds to a request made by Senator Duncan during the Senate State Affairs Committee hearing on SB 181, Prohibited Highway Advertising. Senator Duncan requested the department's position regarding this bill. The department opposes the legislation for the reasons noted below.

First, the department does not support establishing a category of signing for which the state may not have jurisdictional control - that being signs erected on private property outside of state highway rights-of-way. These types of signs, even if they were modeled after the existing Tourist-Oriented Directional Signs program, would not be considered as traffic-control signs. Enforcement of sign restrictions beyond state highway rights-of-way would be extremely difficult and could be potentially costly to the department for sign removal actions and legal fees.

Secondly, the department does not support changing the penalty from a misdemeanor, which currently allows fines up to \$1,000 and imprisonment, to a simple violation, which allows only fines. We believe the proposed penalty revision is not a sufficient deterrent to discourage illegal advertising sign installations.

I am available for additional discussion on this issue if you desire.

Sincerely,



Joseph Perkins, P.E.
Commissioner.

cc: Senator Green
Senate State Affairs Committee

RECEIVED

MAR 22 1996

Ans'd.....

**FAX**

Date: March 22, 1996

From: Robert E. Ruby
Federal Highway Administration
Alaska Division Office
709 West 9th Street
P.O. Box 21648
Juneau, Alaska 99802-1648
907-586-7418 / 907-586-7420 FAX

To: Senator Lyda Green
attn: Brett Huber
465-6600
465-3805 fax

Memo: Brett:

Thursday afternoon you asked if the following situation would conform to Federal Requirements: 18" by 90" traveler information signs located outside of the highway right-of-way on private property in zoned commercial or industrial area, or in unzoned commercial or industrial zones.

Because of their location outside of the RAW, these signs would be evaluated as outdoor advertising rather than official or directional signs.

This situation would conform to the regulations controlling outdoor advertising (23 CFR 750 Subparts B & F) under the following conditions.

23 CFR 750.704(b) requires that the signs comply with size, lighting and spacing requirements as determined by agreement between the State and the USDOT Secretary.

The Alaska Agreement was signed March 29, 1968. It provides the following criteria which would apply to the situation you proposed.

Size: max height of 20 ft, max width of 50 ft. Max area of 650 sq ft.

Spacing: Not less than 100 ft apart in villages and cities. Not less than 300 ft apart outside of villages and cities. Not less than 500 ft apart adjacent to controlled access facilities or within 2000 ft of their interchanges and intersections. In any of these three situations, on premise signs are not included in the spacing requirement.

Location: Will not obscure drivers view of highway, intersections or official signs.

As I told you yesterday, I will confirm this information by letter on Monday. If you need anything else, please call.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 22, 1996

SUBJECT: Sectional Summary of CSSSSB 181(); An Act relating to a tourist oriented directional sign program and to penalties for violations related to outdoor advertising.

TO: Senator Lyda Green

FROM: George Utermohl *GU*
Legislative Counsel

You have requested a sectional summary of CSSSSB 181(), version O; An Act relating to a tourist oriented directional sign program and to penalties for violations related to outdoor advertising.

As a preliminary matter, note that a sectional summary of a bill is not an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

Section 1 of the bill sets out the legislative findings and intent in regard to directional signs for traveler oriented attractions and services.

Section 2 of the bill amends AS 19.25.105(a) by allowing tourist oriented directional signs to be erected and maintained adjacent to the right-of-way of an interstate, primary, or secondary highway.

Section 3 of the bill amends AS 19.25.105(d) to allow erection and maintenance of tourist oriented directional signs, within the right-of-way of an interstate, primary, or secondary highway.

Section 4 of the bill adds a new subsection to AS 19.25.105 establishing a tourist oriented directional sign program in the Department of Transportation and Public Facilities.

Section 5 of the bill amends AS 19.25.130 by providing that a person who violates AS 19.25.080 - 19.25.180 and regulations adopted under AS 19.25.080 - 19.25.180 is guilty of a violation and not a misdemeanor. The amount of the fine that may be set for the violation has not been changed. A violation is a noncriminal offense punishable only by a fine.

Senator Lyda Green
February 22, 1996
Page 2

Section 6 of the bill amends AS 19.45.002 to make a technical change required to conform with sec. 5 of the bill.

Section 7 of the bill annuls 17 AAC 20.010 which is a regulation adopted by the Department of Transportation and Public Facilities relating to outdoor advertising within the highway right-of-way.

GU:glc
96-109.glc

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

RECEIVED

JAN 06 1995

Ans'd.....

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

MEMORANDUM

December 29, 1995

SUBJECT: Experimental Tourist Oriented Directional Sign Program
(Work Order No. 9-LS1412)

TO: Senator Lyda Green
Attn: Brett Huber

FROM: George Utermohle *GU*
Legislative Counsel

This memorandum is in response to your inquiry as to legal status of the experimental tourist oriented directional sign (TODS) program of the Department of Transportation and Public Facilities (DOTPF).

DOTPF has established a limited TODS program on an experimental basis. The experimental TODS program allows organized groups and businesses to have signs installed in the right-of-way of certain roads in the state. The signs inform the traveling public of the name of a business or organization, the services that it provides, and the direction and distance to its location. One of the purposes of the experimental program is to provide DOTPF with information necessary to develop regulations for a full scale TODS program. The TODS program is an element of the federal aid highway programs. The Congress has directed the Secretary of the federal Department of Transportation to encourage states to provide for tourist oriented directional signs along interstate and federal aid primary roads. P.L. 102-240, Title I, Part A, §1059; 105 Stat. 2003.

DOTPF has implicit authority to implement a TODS program under AS 19.05.010, 19.05.030(1), 19.05.040, and AS 44.42.020(a) and explicit authority under AS 19.10.040.

Alaska Statutes 19.05.010 states:

The department is responsible for the planning, construction, maintenance, protection, and control of the state highway system.

Alaska Statutes 19.05.030(1) states:

The department has the following duties:

- (1) direct approved highway planning and construction and maintenance, protection and
- (continued...)

The procedures and standards for issuance of a permit to install a tourist oriented directional sign are set out in a document entitled "Policy for Experimental Tourist Oriented Directional Signing" (dated April 1991). DOTPF has not adopted regulations to implement the procedures and policies outlined in the Policy statement.

Under AS 19.05.020, AS 44.42.030, and AS 44.62 (Administrative Procedure Act), DOTPF must adopt regulations in accordance with the procedures set out in AS 44.62. A regulation is a "rule, regulation, order, or standard of general application" including " 'manuals,' 'policies,' 'instructions,' 'guides to enforcement,' 'interpretive bulletins,' 'interpretations,' and the like that have the effect of rules, orders, regulations or standards of general application". AS 44.62.640(a)(3); emphasis added. The Alaska Supreme Court has identified two indicia of a regulation. First, a regulation implements, interprets, or makes specific the law enforced

⁴(...continued)

control of highways;

Alaska Statutes 19.05.040 states:

Sec. 19.05.040. POWERS OF DEPARTMENT. The department may

- (4) acquire rights-of-way for present or future use;
- (5) control access to highways;
- (6) regulate roadside development;
- (7) preserve and maintain the scenic beauty along state highways;
- . . . ; and
- (12) exercise any other power necessary to carry out the purpose of AS 19.05 - AS 19.25.

Alaska Statutes 44.42.020(a) states:

- (a) The department shall
 - (1) plan, design, construct and maintain all state modes of transportation and transportation facilities and all docks, floats, breakwaters, buildings and similar facilities;
 - (6) cooperate and coordinate with and enter into agreements with federal, state and local government agencies and private organizations and persons in exercising its powers and duties;
 - (7) manage, operate, and maintain state transportation facilities and all docks, floats, breakwaters and buildings, including all state highways, vessels, railroads, pipelines, airports, and aviation facilities;

² Alaska Statutes 19.10.040 states:

Sec. 19.10.040. UNIFORM SYSTEM OF MARKING AND POSTING. The department shall classify, designate, and mark highways under its jurisdiction and shall provide a uniform system of marking and posting these highways. The system of marking and posting must correlate with and, as far as possible, conform to the recommendations of the Manual on Traffic Control Devices as adopted by the American Association of State Highway Officials.

Senator Lyda Green

December 29, 1995

Page 3

or administered by the agency. Kenai Peninsula Fisherman's Cooperative Association, Inc. v. State, 628 P.2d 897, 905 (Alaska 1981). The standards utilized by DOTPF for the issuance of a permit under the experimental TODS program do implement and make specific the law enforced by the department under AS 19 and AS 44.42. Second, a regulation affects the public or is used by the agency in dealing with the public. *Id.* The standards for the experimental TODS program clearly affect the public and are used by DOTPF in its dealings with the public regarding tourist oriented directional signs. The DOTPF policy for the experimental TODS program has the effect of a regulation and is a standard of general application. Thus, the policy is a regulation and must be adopted as a regulation in accordance with AS 44.62.²

"The failure of an agency to substantially comply with [AS 44.62] in adopting regulatory changes renders the action invalid." Turpin v. North Slope Borough, 879 P.2d 1009, 1014 (Alaska 1994). A policy that has not been adopted as regulations is invalid and unenforceable. Kenai Peninsula, 628 P.2d at 906; Gilbert v. State Department of Fish and Game, 803 P.2d 391, 397 (Alaska 1990). DOTPF cannot rely upon the policy as a basis for operating the experimental TODS program until the department has complied with the regulation adoption procedures of AS 44.62. Kenai Peninsula, 628 P.2d at 906. If a person challenges the TODS policy, such as a person who is denied participation in the program or who objects to a competitor being allowed to install a sign, the courts can be expected to invalidate the experimental TODS program and require DOTPF to adopt the necessary regulations.

CONCLUSION

The procedures and standards set out in the policy for the experimental TODS program are consistent with DOTPF's authority to regulate use of highway rights-of-way under AS 19 and AS 44. The department has the necessary statutory authority to adopt the experimental TODS program policy as regulations. However, unless DOTPF adopts the TODS policy as a regulation by complying with AS 44.62, DOTPF runs the risk that a court will invalidate policy and suspend operation of the program until the department complies with the rule making procedures of AS 44.62.

If I may be of further assistance, please advise.

GU:lmb
95-297.lmb

² Policies governing the internal matters and operation of an agency are outside of the scope of the Administrative Procedure Act and are not required to be adopted as regulations. Messeri v. Department of Natural Resources, 768 P.2d 1112 (Alaska 1987). However, the TODS policy of DOTPF does not qualify for the internal management exception to the Administrative Procedure Act, because the TODS policy directly affects the department's relationship with the public and expands upon the statutory law governing signs along highways.

TODS
SIGNS IN
PLACE NOW

FROM: John Miller at FAIBAR-00011
Date: 1/22/96 3:23 PM
Priority: Normal
TO: John Jansen at AICAVL
CC: Ralph Swarthout at FAIPM1
CC: Rod Platzke at FAIPM2
Subject: Sen. Green's Request

----- Message Contents -----

Following is the information as we interpreted the request. It is for the Parks Highway from the regional boundary north to the Fairbanks urban area, and for this region's portion of the Glenn Highway.

TODS

Permits Issued/Pending 1994/1995:

- PARKS HIGHWAY Intersecting with: PERMITTED.
- Geist/Chena Pump Road
Milepost 157
University of Alaska Museum
Attn: Dr. Aldona Jonaitis, Director
P.O. Box 74960
Fairbanks, Alaska 99775-6960
- Stampede Road
Milepost 249.5
Touch of Wilderness B & B
Attn: Barbara Claspill
P.O. Box 197
Valdez, Alaska 99743
- Otto Lake Road
Milepost 249.5
Otto Lake RV Park
Attn: Ms. McPherson and Ms. Loeache
P.O. Box 195
Healy, Alaska 99743
- Healy Spur Road
Milepost: 249.5
Denali Wings
Attn: Michael C. Lauver
647 Camino de Los Naves, Suite 104
San Clemente, CA 92673
- Mile 279.5 of Parks Highway
Denali Air
Attn: R. D. Rosec
P.O. Box 82
Denali National Park, Alaska 99755
- Geist/Chena Ridge Road
Milepost 157
North Woods Lodge
Attn: Thomas W. Widner
P.O. Box 83619
Fairbanks, Alaska 99700
- Mile 193 of Parks Highway
Sourdough Paul's B & B
Attn: Paul Meiba
P.O. Box 213
Cantwell, Alaska 99729
- Mile 211.2 Parks Highway
Denali Grizzly Bear Cabins & Campground
Attn: John Reieland
P.O. Box 7
Denali Park, Alaska 99755
- Seibell Spur Road
Alaskan Chateau B & B

TONY KNOWLES, GOVERNOR

DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

OFFICE OF THE COMMISSIONER

3132 CHANNEL DRIVE
JUNEAU, ALASKA 99801-7898
PHONE: (907) 465-3900
TEXT TELEPHONE: (907) 465-3652
FAX: (907) 586-8365

February 29, 1996

The Honorable Lyda Green
Alaska State Legislature
State Capitol, Room 423
Juneau, AK 99801-1182

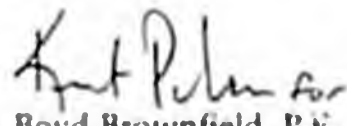
Dear Senator Green:

You requested information on Alaska's Tourist-Oriented Directional Sign program.

I have attached a handy reference to give you an idea of the information contained in the department's regulations. The reference contains a brief description of the program, application requirements, and a list of our regional offices.

Please don't hesitate to contact us if you have other questions.

Sincerely,



Boyd Brownfield, P.E.

Deputy Commissioner

attachment

TOURIST-ORIENTED DIRECTIONAL SIGNING (TODS).

Alaska Law does not allow Outdoor Advertising, therefore DOT&PF developed a system of directional signing called TODS. These signs provide directions to traveller-oriented businesses, services, and attractions, and activities or sites of significant interest to the travelling public. TODS are official signs located within the highway right-of-way.

TODS Community Service Signs are available for intersections leading to communities with multiple attractions and services if the demand for signs exceeds available space.

HOW TO APPLY FOR A TODS SIGN:

Applications must be accompanied by a \$100 non-refundable application fee, followed by a \$200 permit fee payable upon approval. Applications should be submitted to the regional DOT&PF office nearest the activity.

Applicants provide the signs, posts and labor for installation and maintenance. These signs may be installed on a sign panel, and two panels may be installed per intersection. For safety reasons we ask that signs be installed by an authorized contractor.

The Region is expected to advise applicant's within 15 working days of the approval or disapproval of the application. If an application is disapproved, the applicant may appeal the decision to Headquarters.

If the business or activity changes owners, the new owner must request a new permit within 30 days after the completion of the sale. There is no charge for this permit.

The permittee is responsible for the removal or masking of a sign when their business or activity is closed.

Regional Right-of-Way Agent Dept. of Transportation and Public Facilities Box 196900 Anchorage, AK 99519-6900 Phone 266-1631	Regional Right-of-Way Agent Dept. of Transportation and Public Facilities 2301 Peger Road Fairbanks, AK 99709-5316 Phone 474-2401	Regional Right-of-Way Agent Dept. of Transportation and Public Facilities Box 240369 Douglas, AK 99824-0369 Phone 465-4519
--	---	--

General Requirements:

- At least 25% of the business' gross receipts are from tourists or motorists who live more than 20 miles from the activity
- The activity or site must be rural
- Neither the activity nor any sign is visible from the highway
- It must be open to the general public during regular and reasonable hours

The following are typical activities or sites that may qualify for TODS:

- (1) Gas within three miles of the requested TODS location
- (2) Food within three miles of the requested TODS location
- (3) Lodging within 25 miles of the requested TODS location
- (4) Campgrounds within 25 miles of the requested TODS location.
- (5) Tourist Attractions of significant interest to tourists
- (6) Other Commercial Activity of significant interest to the travelling public.

POLICY FOR
EXPERIMENTAL TOURIST ORIENTED DIRECTIONAL SIGNING
ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES

APRIL 1991

INTRODUCTION

Many businesses which may be of interest or service to tourists are not visible from the main through routes, and federal/state laws severely restrict off-premise outdoor advertising. To better inform motorists, the Federal Highway Administration (FHWA) has added a section to the Manual of Uniform Traffic Control Devices (MUTCD) to permit states to develop a well planned and regulated system of directional signing for traveller oriented attractions and services. This section, called Tourist Oriented Directional Signs, is referred to as TODS.

The development of an acceptable statewide program is taking time, personnel and financial resources to plan, develop and implement. This experimental program is assisting in the establishment of the final standards and regulations. It is being somewhat modified at this time to cover items previously not addressed and to promote a more uniform version of what the final program will entail.

To maintain equity in this approach, the department is willing to offer the opportunity to participate in this TODS experiment to all eligible groups or businesses. *The program, however, is limited to organized groups or businesses who are willing to undertake all administrative and organizational details and provide the funds to purchase the experimental signs, posts and labor for installation at approved locations.*

Upon establishment of a uniform state program for TODS, the experimental signs will be removed or converted to the statewide standards at the earliest feasible opportunity, but not less than 90 days following approval of a statewide TODS standard.

It must be noted, however, that businesses participating in this experimental program shall have no special prerogatives or "grandfather" rights by virtue of the participation in the experimental program.

DEFINITIONS

Activity or site of significant interest to the traveling public means a motorist service, a tourist attraction, or a commercial activity specifically catering to motorists not residing in the area.

Expressway is a divided arterial highway for through traffic with full or partial control of access and with at-grade intersections.

Freeway is a divided arterial with full access control and no at-grade intersections.

Handicap accessible means wheelchairs are accommodated for all services.

Primary or secondary highway is a conventional through road or major feeder road maintained by the Department of Transportation and Public Facilities.

Rural environment is a sparsely populated area where the majority of land is not subdivided and

- is located outside corporate city limits or
- located inside the corporate limits of a city with a population of 5,000 or less.

Tourist oriented directional signing (TODS) is official signing that is located within the right of way of a primary or secondary highway and gives specific directional information to activities or sites of significant interest to the traveling public.

GENERAL ELIGIBILITY FOR PARTICIPATION

An individual activity or site must meet the following general requirements to qualify for tourist oriented directional signing. A sign shall not be erected until the activity and site have been approved in accordance with this Policy.

Significant interest to the traveling public. An activity or site must be of significant interest to the traveling public. A substantial portion of the activity's or site's products or services must be tourist- or motorist-oriented. A business must provide documentation that at least 25% of their gross business receipts are from motorists residing more than twenty miles from the activity.

Location of activity or site. The activity or site shall be located in a rural environment as defined above.

Neither the activity or site nor any on-premise sign advertising the activity or site shall be adjacent to or visible from the highway on which the TODS sign is to be located except for special cases where:

- signing may be permitted because through traffic is not the normal pattern.
- signing may be permitted because terrain, curvature or vegetation obscure visibility of the business establishment completely or until a motorist is within 800 feet or less of the driveway or entrance road. Such obscured visibility may not be under the control of the business establishment.

Hours. The activity or site shall be open to the general public during regular and reasonable hours and not by appointment or reservation only.

Building or area. The activity shall be conducted in an appropriate building or area. The activity shall not be conducted in a building principally used as a residence unless there is a convenient, separate and well-marked entrance. *Bed and breakfast lodgings are excepted from the separate entrance requirement.* The building or area must be maintained in a manner consistent with standards generally accepted for that type of business or activity. A photograph of the business establishment must accompany the application.

Compliance with Applicable Laws. Businesses shall comply with federal, state and local laws, including Title III of the Americans with Disabilities Act when applicable.

Restriction on Signing Locations. TODS will not be allowed:

- on freeways, expressways or off-ramps of freeways or expressways.
- at intersections where two major highways cross.
- where sufficient space is not available or where demand would exceed the limit of six signs per intersection. A community services announcement sign - (see Page 10) has precedence over signing for individual businesses at intersections likely to have more demand than space allows.

Illegal Signs. A permit shall not be issued for any business or activity using illegal signs to promote their business (see Alaska Statutes 19.25.105).

Nondiscrimination. The activity or site shall comply with all applicable laws concerning public accommodations without regard to race, religion, color, age, sex, handicap or national origin.

Highway Junctions Excluded from Participation. Tourist oriented directional signing will not be allowed at the following junctions:

Sterling Highway	with	Kenai Spur
Sterling Highway	with	Seward Highway
Parks Highway	with	Glenn Highway
Parks Highway	with	Palmer-Wasilla Highway
Glenn Highway	with	Palmer-Wasilla Highway
Glenn Highway	with	Richardson Highway
Richardson Highway	with	Tok Cutoff Highway
Richardson Highway	with	Alaska Highway
Alaska Highway	with	Tok Cutoff Highway

SPECIFIC ELIGIBILITY REQUIREMENTS

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 should meet to qualify for TODS. These requirements are in addition to the general eligibility requirements on page 2.

Gas:

- Vehicles services, which shall include regular and unleaded fuel, oil, free air and water;
- Clean rest rooms, one for men and one for women;
- Drinking water;
- Continuous operation at least 16 hours per day, 7 days a week, and 12 months a year;
- Telephone; and,
- Be located within three miles of the primary or secondary highway.

Food:

- All licenses and approvals as required by the State of Alaska and local governmental bodies;
- Continuous operation to serve three meals a day, 7 days a week, and 12 months a year;
- Opening not later than 6:00 AM for breakfast and closing no earlier than 10:00 PM;
- Telephone;
- Indoor seating for at least 20 persons;
- Clean rest rooms, one for men and one for women; and
- Be located within three miles of the primary or secondary highway.

Lodging

- All appropriate State and local licenses or approvals;
- Off street parking;
- Telephone;
- Private bathroom;
- Continuous operation of ten hours per day, seven days per week, four months per year; and,
- Be located within twenty-five miles of the primary or secondary highway.

Campgrounds

- All appropriate State/local licenses or approvals, including health permits;
- A minimum of 10 individual campsites;
- Parking spaces for each campsite;
- Each campsite shall have a minimum of 300 square feet;
- A sanitary disposal system for travel trailers and campers;
- Separate shower facilities for men and women with hot and cold running water and two or more rest rooms, one for men and one for women;
- A full-time attendant on duty or on call 24 hours a day to maintain and manage campground services;
- Continuous operation for a minimum of four months per year;
- Telephone; and,
- Be located within twenty-five miles of the primary or secondary highway.

Tourist Attraction. - An attraction that is of significant interest to tourists as a historic, cultural, scientific, educational or religious site, or as a site of natural scenic beauty or naturally suited for outdoor recreation, may qualify. A tourist attraction must:

- Provide documentation that at least 25% of their gross business receipts are from motorists residing more than twenty miles from the activity.
- Be open a minimum of eight hours a day, six days a week, four months a year.
- Be located within twenty-five miles of the primary or secondary highway. Major tourist oriented motorist destinations may request consideration for a waiver of this requirement.

Other Commercial Activity. A commercial activity of significant interest to the traveling public may qualify. The commercial activity must:

- Provide documentation that at least 25% of their gross business receipts are from motorists residing more than twenty miles from the activity.
- Be open a minimum of eight hours a day, six days a week, four months a year.
- Be located within twenty-five miles of the primary or secondary highway.

APPLICATION REQUIREMENTS

Application shall be made on the form attached. The application must be completed, signed and submitted to the Engineering & Operations Standards Division, Box Z, Juneau, AK 99811.

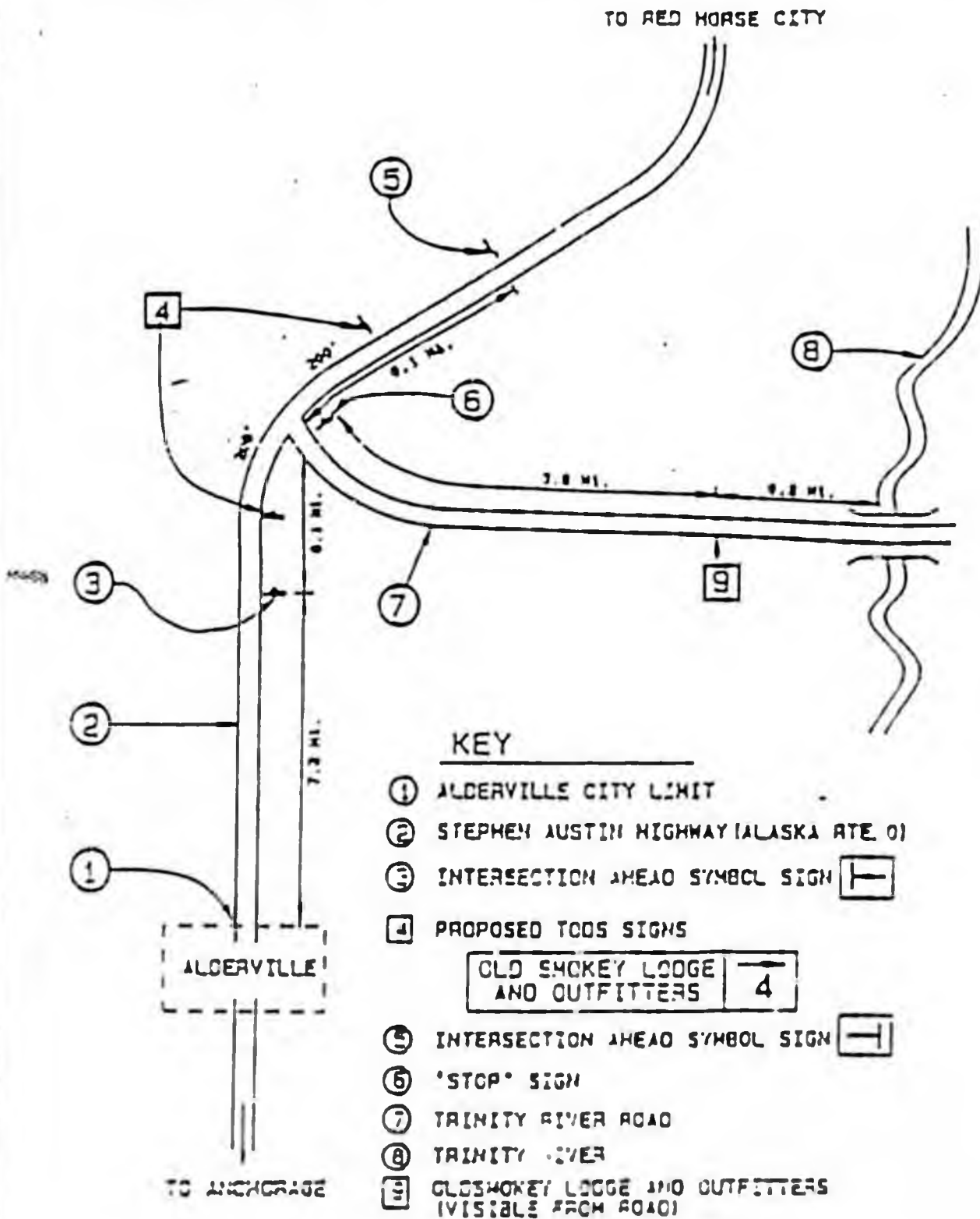
Permit Fee. There is a \$100 permit fee that is payable upon approval of your application. You will be notified when your application is approved, and the fee will be requested at that time.

Sign Legend. Each sign will have no more than two lines of legend and will have a directional arrow with the distance to the facility shown below the arrow. It is preferred that the content of the legend be: the name of the business as listed on the current business license; the directional information; and appropriate icon. If the name of the business does not portray the service being offered, the applicant may choose wording which portrays the service or activity; but it must be appropriate and approved by the Department. Legends shall not include promotional advertising; reference to alcoholic beverages or bars; or sexual reference. Reference to "information" or "visitor's center" may only be made by groups whose main objective is providing free tourist information.

Photographs. Photographs to accompany the applications are:

- View of the main highway turnout from a distance of 500 feet (each direction);
- A photograph depicting the structure containing the business and clearly showing the main entrance into the business.

Scale Drawing. The application must include a scale drawing showing the relationship of the signs to the directed attraction, roads and highways and existing traffic control devices. An example of an application drawing is included below for your assistance.



APPLICATION REVIEW PROCESS

The E&OS Director will coordinate the application review with the Design & Construction Director and the Maintenance & Operations Director for conformance with appropriate traffic and safety design standards. Upon the submittal of a complete, fully executed application, the department should advise the applicant within fifteen working days of the approval or disapproval of the application.

Approved Applications. The department will notify the applicant of the name, address and phone number of the right of way agent responsible for issuing a "Permit to Install Tourist Oriented Directional Signing." The applicant must sign the Permit and return it to the right of way agent. The right of way agent will obtain the necessary departmental signatures on the Permit and return the fully-executed permit to the Permittee. The applicant may then contract for sign manufacturing and installation. Signs must be installed only as indicated in the Permit. The signs must be installed by a contractor authorized to perform installation inside the highway right of way. (See Page 7)

If the business or activity changes owners, the new owner must request a new permit be issued. There will be no charge for this permit if all circumstances of the previous permit remain unchanged.

Disapproved Applications. If an application is disapproved for a specific reason which is considered correctable with modification to the application, the department shall advise the applicant of the necessary modifications.

Appeal. Because of the experimental nature of this program, all decisions by the department are not subject to formal appeal or protest. An applicant may, however, provide additional support or documentation for consideration. The applicant should present the additional support in writing to the Director of Engineering and Operations Standards, Box Z, Juneau, AK 99811. The applicant will be notified in writing of the Director's decision which will be final.

INSTALLATION, MAINTENANCE, REPLACEMENT, REMOVAL

Installation and maintenance of tourist-oriented signs. The applicant shall secure services for sign installation and maintenance. Such installation and maintenance of the signs shall be performed by a firm or group with experience in working in public rights of way with active traffic and knowledge of the traffic control requirements necessary for safe operations on an active highway. The installation contractor shall obtain a permit for work in the right of way from the appropriate regional DOT&PF office prior to installation of signs. An acceptable traffic control plan will be necessary, and the department may impose other conditions as required to fulfill traffic flow and safety considerations.

Signs may not be installed on existing State signposts. Nonconforming signs must be immediately removed or modified at the owners expense.

Sharing Sign Posts. Not more than three signs shall be installed on any sign panel and not more than two sign panels shall be installed on an approach to an intersection. Sign installation for the second, third, fifth and sixth permits issued at an intersection must be located on existing posts installed by the first and fourth permittees. Permittees using existing sign posts should reimburse the original permittee a fair share of the post and post installation costs.

Installation and maintenance of trailblazing signs. If needed, adequate trailblazing signs shall be provided on local roads and streets to guide motorists from the primary route to the activity or site. Trailblazing shall conform to requirements in the "Manual on Uniform Traffic Control Devices for Streets and Highways,".

The Permittee shall secure trailblazing signs and have installed those to be located on roads maintained by the State. The applicant must obtain the proper authority to install trailblazing signs on roads not maintained by the State. Tourist-oriented directional signs shall not be installed until necessary trailblazing signs are in place.

Seasonal activity or site. The applicant shall be responsible for the removal or masking of a tourist-oriented directional sign for a seasonal activity or site when the activity or site is closed permanently or during the off-season period.

Removal. The applicant shall have a tourist-oriented directional sign removed if the activity or site no longer qualifies for tourist-oriented directional signing. The sign(s) shall also be removed if the conditions of the Permit are violated.

SIGN SPECIFICATIONS

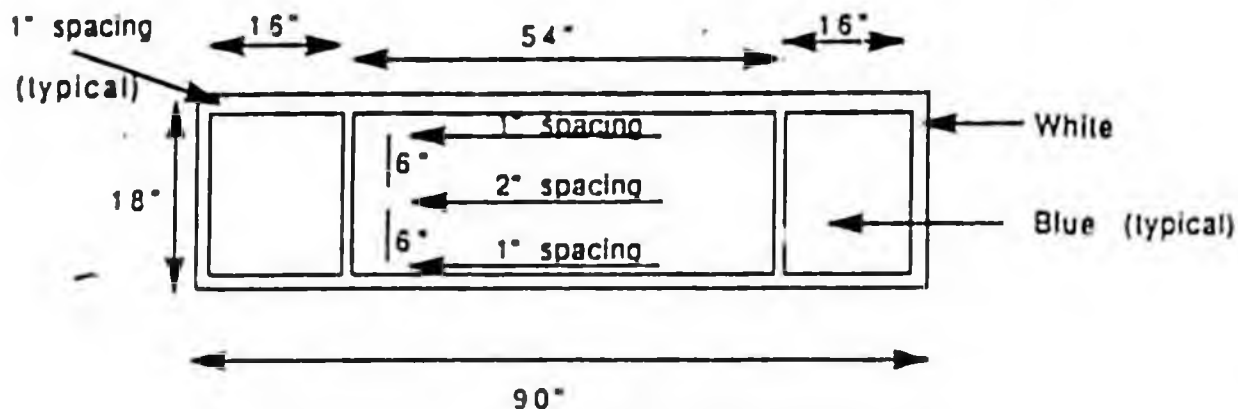
Design. Tourist Oriented Directional Signs shall be rectangular in shape and shall have a white legend and border on a blue background. Each sign shall incorporate the appropriate icon to indicate a general class of business, service, or activity. Available icons are depicted on the last page of this policy. Applicants will be furnished with the 6" by 6" enlargement. In the case that no icon available is appropriate for the business, the business may submit a design for consideration.

Each sign should have not more than two lines of legend, one icon, a separate directional arrow, and the distance to the facility shown beneath the arrow. The content of the legend shall be limited to the official name of the business or activity as shown on the business license or other official document.

Legends, arrows, borders, and icons shall be retroreflective. Arrows should be as provided in Section 2D-8 of the Manual on Uniform Traffic Control Devices. Arrows pointing to the right should be at the extreme right of the sign; arrows

pointing to the left or up should be at the extreme left of the sign. The icon shall be on the opposite end from the directional arrow and distance.

Size of Sign. The overall sign shall measure 90 inches wide and 18 inches tall. The directional arrow with mileage underneath shall be 16" x 16". The icon shall be 16" x 16". There shall be a one inch white border surrounding the sign and separating the directional arrow, legend and icon. There is one inch spacing between the border and legend and two inch spacing between lines of legend.



Style and Size of Lettering. The standard lettering for tourist oriented directional signs shall be in lower case lettering with initial capitals, specifically, Standard Upper Case Alphabet for Highway Signs Series E(M) with Lower Case. Capital letters shall be six inches in height. Spacing between characters should conform to the tables in the Metric Edition of *Standard Alphabets for Highway Signs and Pavement Markings*.

Arrangement of Signs. Signs for right turns and left turns should be arranged vertically on separate sign panels, when appropriate, located so that the right turn signs are closer to the intersection. When not more than three signs are to be installed on an approach to an intersection, the signs may be combined on the same panel with the left turn signs above the right turn signs. Not more than three signs should be installed on any sign panel and not more than two sign panels should be installed on an approach to an intersection.

Signs may be erected for facilities in the ahead direction using the ahead directional arrow. Signing for businesses, services or activities in the ahead direction should be permitted only when there is signing for a similar facility in either the right or left direction or when permitted under "Location of activity or site" on page 2.

Advance Signing. Advance signing may be installed in special circumstances. It shall be limited to those situations where sight distance, intersection vehicle

maneuvers or other vehicle operating characteristics require advance notification of the service to reduce vehicle conflicts and improve highway safety.

The arrangement of the tourist oriented directional signs on the advance sign panel should be identical to the arrangement on the intersection sign panel; however, the directional arrows and distances should be omitted. The appropriate legend NEXT RIGHT, NEXT LEFT, or AHEAD in letters of the same height as the sign legends should be placed on the panels above the signs. The legend RIGHT 1/4 MILE or LEFT 1/4 MILE may be used when there are intervening minor roads.

Sign Locations. The intersection approach sign panels should be located at least 200 feet from the intersection except that the ahead sign, if used should be located to the far right corner of the intersection and shall not obstruct the driver's critical viewing of other traffic control devices. The sign panels may be located laterally outside the normal longitudinal alignment of other traffic control signs, but within the right of way. The location of other traffic control devices shall at all times take precedence over the location of tourist oriented directional signs. Sign panels should be spaced at least 200 feet apart and at least 200 feet from other traffic control devices.

When used, Advanced Sign panels should be located approximately 1/2 mile from the intersection with 800 feet between the panels. In the direction of traffic, the order of advance signing should be for facilities to the left, the right and ahead.

Position, height, and lateral clearance of panels should be governed by Sections 2A and 2D of the Manual of Uniform Traffic Control Devices (MUTCD) except as permitted above.

COMMUNITY SERVICES ANNOUNCEMENT SIGNING

Generic service assemblies are permitted for intersections leading to communities or areas with multiple attractions/services where the demand for signs will likely exceed available space. The community services announcement may include up to six icons identifying the categories of travelers services available. When appropriate, the phrase "All Motorist Services" can be placed on these signs thereby allowing the icons to serve the more unique attractions.

Location. Community Services Announcement Signing may be installed where there is sufficient space available in the following locations:

- where the demand for signs will likely exceed available space;
- at intersections where two major highways cross including highway junctions listed on Page 3;
- at controlled access intersections in urban areas;
- for advance signs at communities on the main highway.

Selection of Icons. Icons to be displayed shall be selected from the Department's approved list by the local authority governing the community and approved by resolution. The Department of Transportation and Public Facilities, however, reserves the right to modify the selection if in the best interest of the State.

Application Process. Application for community services announcement signing shall proceed in the same manner as tourist oriented directional signing with the exception that only the local authority governing the community may make application.

ICONS AVAILABLE FOR SELECTION

Limit one per sign



Food/
Coffee Shop



Gifts



Groceries



Hotel/
Motel/Lodge



Information



Food/
Restaurant



Disabled
Information



RV Park/
Camping



Boat Launch



Helicopter/
Helipad



Air Service-
Fix Wing



Boat Tours



Cruise Ship



Ferry Terminal



Marina



Rafting



Railroad/Depot



Troopers/Police



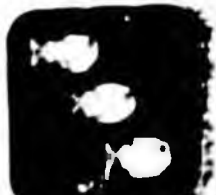
Winter
Recreation



Beach Access



Dog Walking



Fish Hatchery



Fish Viewing



Fishing



Interpretive



Recreational
Gold Panning/Mining



Green House



Historic Church



Historic Site



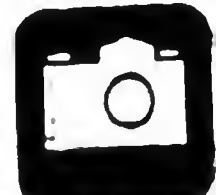
Museum



Park/State, National



Produce Stand



Scenic View Point



Golf

Alaska Department of Transportation and Public Facilities
Division of Engineering and Operations Standards

APPLICATION
for Participation In
EXPERIMENTAL TOURIST ORIENTED DIRECTIONAL SIGNING

Note: Please read the policy carefully to determine eligibility and the obligations and responsibilities associated with the program.

Name of Business: _____ Business Phone: _____

Name of Applicant: _____ Title: _____

Business Address: _____ City: _____ Zip _____

Physical Address: _____ Milepost _____

MAIN SERVICE OFFERED: Please check ONLY one:

GAS FOOD LODGING CAMPING ATTRACTION COMMERCIAL

Requested sign Legend (Business Name): _____ Icon requested: _____ or None Sullied

(Note: If more than 18 letters are required per line, use abbreviations.)

BUSINESS LOCATION DATA:

TODS Requested at
Intersection of: _____ Highway and _____ Highway/Road

Mileage from Highway to Business: _____ Is Business Within City Limits? Yes No

Is the advertised activity or the on-premise signing visible from the main traveled way? Yes No

No. of Motorists Served Last Year _____ Number of Parking Spaces: _____

Use the space below to attach photograph of building or activity main entrance.

Services: (Check the Services You Offer in Category Selected as your Main Service)

<p>GAS (Regular and</p> <input type="checkbox"/> Fuel (Unleaded) <input type="checkbox"/> Oil <input type="checkbox"/> Free Air & Water <input type="checkbox"/> Public Restrooms <input type="checkbox"/> Drinking Water <input type="checkbox"/> Public Telephone <input type="checkbox"/> Continuous operation 16 Hours/Day, 7 Days/Week <input type="checkbox"/> Open Year Around <input type="checkbox"/> Located within 3 mi.	<p>FOOD</p> <input type="checkbox"/> State License <input type="checkbox"/> Breakfast Daily <input type="checkbox"/> Lunch Daily <input type="checkbox"/> Dinner Daily <input type="checkbox"/> Seat 20 or More <input type="checkbox"/> Public Restrooms <input type="checkbox"/> Continuous operation 16 Hours/Day, 7 Days/Week <input type="checkbox"/> Open Year Around <input type="checkbox"/> Located within 3 mi.	<p>LODGING</p> <input type="checkbox"/> State License <input type="checkbox"/> Off-street parking <input type="checkbox"/> Public Telephone <input type="checkbox"/> 10 Units or More <input type="checkbox"/> Private Bath <input type="checkbox"/> Lodging is only service <input type="checkbox"/> Continuous operation 10 Hours/Day, 7 Days/Week <input type="checkbox"/> Open Year Around <input type="checkbox"/> Located within 3 mi.	<p>CAMPING</p> <input type="checkbox"/> State License <input type="checkbox"/> 10 Units or More <input type="checkbox"/> Campsite Parking <input type="checkbox"/> Showers/Toilets <input type="checkbox"/> RV Dump Station <input type="checkbox"/> Public Telephone <input type="checkbox"/> Continuous operation 24 Hours/Day, 7 Days/Week <input type="checkbox"/> Open 4 Months/Year <input type="checkbox"/> Located within 25 mi.
--	--	---	---

TOURIST ATTRACTION - Describe

Major portion of income from non-local motorists

Continuous operation
 8 Hours/Day and 6 Days/Week

Open at least 4 Months/Year

Located within 25 miles of Highway

OTHER COMMERCIAL ACTIVITY - Describe

Major portion of income from non-local motorists

Continuous operation
 8 Hours/Day and 6 Days/Week

Open at least 4 Months/Year

Located within 25 miles of Highway

Please comment below on boxes within your category which you have NOT checked.

IMPORTANT: Please provide a detailed site layout drawing in the manner demonstrated on Page 6.

Depict: all official traffic signs and devices within 800 feet of intersection

Depict: proposed TODS location(s) measured in feet from intersection -200' minimum from intersection

Depict: business location and access into business

Depict: all roads by name and other pertinent landmarks

Applicant's Certification:

I certify that the above and foregoing statements are true and correct and that I will inform the Alaska Department of Transportation and Public Facilities of any changes to the above indicated information that may affect the availability of the service provided. I further certify that I will not discriminate or deny such services of public accommodations based upon race, religion, color, age, sex, national origin or disability which is prohibited by law and that I have read and understood the Tourist Oriented Directional Signing (TODS) policy and application.

I understand that the use of illegal signs to promote the business is cause for denial of this application. I certify that there are no illegal signs advertising this business.

Date

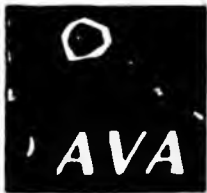
Applicant's Signature

Please mail your application to:

Alaska Department of Transportation & Public Facilities
Director, Engineering & Operations Standards Division
Box Z
Juneau, AK 99811

Phone: 465-2951

Please provide photographs showing the view of the main highway turn-off from distance of 500 feet in each direction. Mark an arrow on the pavement depicting your turn-off.



ALASKA VISITORS ASSOCIATION

3201 C Street, Suite 403 • Anchorage, Alaska 99503

Tel: (907) 561-5733 • Fax: (907) 561-5727

1995-96

Committee Officers

President:

Jean Bruner

President Emerit

North: Washington

1st Vice President:

Bob Engelbrecht

North: Illinois/Idaho

Alaska: Alaska

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Western: Alaska

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Dennis Brandon

Western: Idaho

Ann Campbell

North: Illinois/Idaho

Steve Coxwell

Journal: Eastern: Alaska

Bill Clunder

Western: CA

Louise Herman

Western: WA

Larry Howe

North: Eastern: Alaska

Jerry Jernigan

North: Pennsylvania

Current: Association

Terry Latham

North: Iowa

South: The World: Florida

Linda McLaughlin

North: Arizona

Gary Odle

North: Highway: Canada

Arne Olsson

North: Washington

Bill Pedlar

Western: Arizona: Louisiana

Western: WA

Brad Phillips

Western: Canada & Iowa

Justin Ryley

Western: North: Pennsylvania

Mich Udell

Western: California

Tina Lindgren

Western: Oklahoma

Tina Lindgren

Western: Oklahoma

February 23, 1996

Senator Lyda Green
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

SUPPORT
INFORMATION

RECEIVED
FEB 26 1996
Asst.....

Dear Senator Green:

On behalf of the Alaska Visitors Association, I would like to thank you and Senate co-sponsors Drue Pearce, Rick Halford, Steve Frank, Mike Miller and Bert Sharp for your continued work on legislation to address existing problems with directional sign prohibitions. As the statewide trade association representing the visitor industry in Alaska, we agree that Alaska's highways need to be more user friendly to the visitor, while maintaining the scenic quality of the highway experience.

We have reviewed the most recent draft of Senate Bill 181, and approve of the its approach to limit the scope of changes to Alaska's sign statutes for directional sign purposes only. We also applaud the addition of language that restricts signage size to 90 inches by 18 inches, therefore eliminating the potential for being labeled as billboard-type advertising.

AVA has long supported legislation that would allow directional signs on private property that is zoned or designated as commercial or industrial by use patterns as allowed by federal law. We further appreciate SB 181's intent to bring state signage restrictions in line with more flexible federal law. At the same time, AVA also agrees with the stipulation that sign location, design, and content be consistent with standards approved by the Federal Highway Administration.

Thank you again for your time and attention to this important issue affecting hundreds of tourism businesses along Alaska's highways.

Sincerely,

Tina Lindgren
Executive Director

cc: SB181 co-sponsors: Drue Pearce, Rick Halford, Steve Frank, Mike Miller, Bert Sharp
DOT/PE Commissioner Joe Perkins



ALASKA CAMPGROUND OWNERS' ASSOCIATION

P.O. Box 84884 Fairbanks, Alaska 99708 (907) 474-8088

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 Anchorage

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 Palmer

Copper River Region
 Linda Jernigan
 Tot RV Village
 Tot

Southeast Region
 Arvid Olson
 Fort Chiswell
 Haines

Central Peninsula Region
 Paul Vassar
 Ingo Lashon RV Park
 Kenai

Senator Lyda Green
 State Capitol
 Juneau, Ak. 99801


February 22, 1996

Dear Senator Green:

I am writing on behalf of the Alaska Campground Owners Association in support of the 2/19/96 draft of SB 181, relating to tourist oriented directional signs. This legislation has a long history, as you know, and we believe that the current language will meet the needs of our members and the traveling public without interfering with the natural beauty of this state.

The ACOA identified several years ago a need for better information on the highways for the traveling public. This is particularly true for those campgrounds and other small businesses that are located off the highway. Legislation in prior years would have allowed larger signs and more locations to place them. The ACOA is willing, however, to support this bill, since it does place the TODS program into statute and creates some additional sites for placing the standard TODS-type signs.

I appreciate the opportunity to address this important piece of legislation, and I also appreciate your continuing support of the small business community.

Sincerely,

 Rick Barrier, President

cc: Senate State Affairs Committee
 Senators Pearce, Halford, Frank, Miller, Sharp

Mckenley KOA

Support for Increasing Highway Directional Signs in Alaska



We, the undersigned visitors to Alaska, have traveled the Alaska Highway and/or the highway system throughout the State of Alaska. We are appalled by the lack of directional signs for the convenience of the traveling public. While we are pleased with the absence of "billboard signs" along Alaska's highway system, those of us who are unfamiliar with Alaska are seriously hindered by the lack of directional signs to aid in our effort to locate private campgrounds, tour facilities, and tour attractions. We urge the Alaska State Legislature and the Governor of Alaska to modify the state's highway directional sign laws in the interest of Alaska's traveling public.

DATE	NAME	ADDRESS	CITY	STATE	ZIP
8/2/95	Ann Chmel	Box 340	Healy	AK	99743
3/17/95	Yoneta Stralen	Box 24	Healy	AK	99743
8-7-95	Kathy Cuywood	Box 970353	Wasilla	AK	99657
8-8-95	MIRIAM KENARD	Box 177	Healy	AK	99743
5/8/95	DAVID KANDLE	802 18th St. N.W.	Fuytump	WA	98371
4/9/95	Sub. Anna V. [unclear]	Bridgeton, NC	NC	NC	28579
8/11/95	Bill & Jerry Lewis	20 Mt. Olympus Place	Clastron	GA	94517
8/14/95	Shirley [unclear]	Box 511	Healy	AK	99743
5/15/95	Kyle [unclear]	Box 511	Niemi	AK	99760
8/17/95	George S. Paul	1296 NE Mulwilliams Rd.	Bremerton	WA	98311
8/18/95	Harold Carol &				
8/25/95	Shannon Combe	211 Bellair Dr.	New Orleans	LA	70124
2/15/95	ANDREW CERRIC	FAIRVIEW AVE. ALBANY	AUCKLAND	NEW ZEALAND	
8/25/95	Kentucky Boor	P.O. Box 357 Sapporo	Sapporo	NEW YORK	11967
7/25/95	ADRIAN [unclear]	P.O. Box 148 Healy, AK 99743	Healy	AK	99743
7/28/95	Kathie Kelly	223 E. Houshina	Coral Gables	FL	33133
8/31/95	Bethie Morin	16 Dandy Ave CT	Winstable	NY	40391
4/12/95	Alan [unclear]	Box 529	Healy	AK	99743
7/2/95	Sharon Mardian	7040 Foster Harbor Rd NE	Olympia	WA	98506
4/5/95	Di Bissinardi	50333 EOLOGNE.	KOLN	GERMANY	

Best View

Support for Increasing Highway Directional Signs in Alaska



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DATE	NAME	ADDRESS	CITY	STATE	ZIP
8-15-95	Virginia M. Wood	9505 N.E. 13th Ave.	Vancouver	WA	98683
8-6-95	Washington Education	150 7th Ave. South	Cookeville	TN	37822
8-6-95	BD Group	4901 S. Greenbush	Keller	TX	76248
8-16-95	PA Group	4440 N. 116th St	Keller	TX	
8-16-95	Simon Brown	4223 Brockmeier Ave	Anchorage	AK	99504
8-17-95	Keith M. Clancy	2012 North Haven	Madison	WI	48124
8-17-95	William S. Clancy	2012 N. Haven Dr	Clarkston	MI	48624
8-17-95	William L. Thorne	1644 Los Hatos Way	Yakima	WA	93906
8/17/95	Michael W. Brown	11543 Terrace Ln	Cape River	AK	99577
8/17/95	Robert A. Heintz	8222 Cemetery Rd.	Birmingham	AL	42103
8/17/95	Henry S. Mitchell	201 W. W. W. W.	Bridge	WI	53701
8/17/95	William Taylor	3061 B. S. S. S. B. O.	Long Beach	CA	90805
8/17/95	William Taylor	1. 1. 1.	1. 1. 1.	CA	11
8-18-95	John J. S. S.	9977 Union Ave	Elmwood	IL	83017
8-18-95	Charles J. Chase	6195 Rockwood Dr	New Britain	CT	92120
8-18-95	Robert J. Miller	Wood House Farm	Warwick	England	WR902
8-18-95	Paul J. S. S.	1271 Hwy 303	Shelby	WA	65182
8-18-95	Tommy Paulson	6924 N. L. L. L. Co.	Jeff City	MO	65109
8/18/95	E. E. S. S.	1431 W. D. D. D. St	Urbana	IL	60506
8/18/95	WARREN JIM WEBSTER	930 N. BRIDGE NE 10-102	OLYMPIA	WA	98506
8/18/95	Margaret Van Cleve	911 Senate Loop	Fairbanks	AK	99712
8/18/95	Richard L. Bennett	200. Box 770704	Englewood	AK	99577
8/18/95	Clyde A. Mosley Jr.	PO Box 141	Bellevue	NC	27010
8/20	LOUIS KADLER	39 9th Ridge Rd	Berkley	CA	94705
8/21/95	Joseph J. S. S.	735 E. Box 2727	Idaho Falls	FL	34451
8/21/95	J. S. S.	P.O. Box 539	Portsmouth	MT	99449



Support for Increasing Highway Directional Signs in Alaska

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DATE	NAME	ADDRESS	CITY	STATE	ZIP
Aug 5/95	Tim Bell	#170 413 B 195T	LYNDEN	WA	98264
Aug 7/95	Natalie Ott	5901 Old Valdez Trail	Salcha	Alaska	99714
8/8/95	Allen Dawson	3605 Arctic Summit Dr	Anchorage	AK	99503
8/8/95	William Nickerson	62730 Silver Fox Ln, Anchorage	Anchorage	AK	99515
8/8/95	Randy Witterich	PO BOX 884	Congress	AZ	85332
8/9/95	Deirdre Under	125 St. Nicholas Pl.	Wash. D.C.	AK	94705
8/9/95	B. D. Stroup	48 STAGECOACH RD	KELLER	TEX	76248
8/9/95	Liz Stroup	2006 SPERRING RD	SONOMA	CALIF	95476
8/9/95	Stanley Brown	13223 E De Smit	Spokane	Wash	99216
8/7/95	Ethel Brincourt	2028 S.E. Ladd ave	Portland	Oregon	97214
8/7/95	Opal Schalewitz	15405-E 24 Verdale	Washington	Washington	99037
8/8/95	Vicki Anacker	POB 84110	98ks	AK	99708
8/8/95	Tom Walsh	35532 41st. Av. S.	Auburn	WA.	98001-9006
8/8/95	Uluk Hayward	P.O. BOX 156	Nakavay	WA.	98349
8/8/95	Wendy Long	105 Zorro	30xptilly	CA	86001
8/5/95	Sydney Kathryn Place	30 Rd. 3009	AZTEC	N. MEX	87410
8-8-95	Wendy Dashi	2359 Badger Rd.	N.P.	AK	99705
8-9-95	Ed Lake	187 PARAGON PKWY #16	Greely	N.C.	28721
8-9-95	DARIA BENNETT	PO BOX 84556	N.P.	AK	99705
8-9-95	Richard Fredrickson	13860 D. WILLOW GLEN RD	BROWNS VALLEY	CA	95918
8-10-95	Gene Lock	Rt 6 Box 4505	Reeds Spring	Mo.	65737
8-10-95	S.A. Schussman	P.O. Box 1805	Jacksonville	OR	97530
8-12-95	Carleen Brown	4261 NELSONBARK AVE	LAKWOOD	CA	90712
8-12-95	Michael Brown	4261 Nelsonbark Ave	Lakewood	CA	90712
8-13-95	Deborah Beth	601 Buchanan - Old Sp 226	Tahlequah City, AZ	AZ	86304
8-13-95	Wendy Kaller	8401 Chalkwater Ln	Greely	AK	99714



Support for Increasing Highway Directional Signs in Alaska

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Wasn't smart enough to make a copy first - if you want, send me another one.

T&RV Village

DATE	NAME	ADD	STATE	ZIP
8/6/95	James Van Howard	12	AK	85021
8/6/95	Audrey Rowland	65	PA	97206
8/6/95	Eugene Pasinski	20	FL	32901
8/6/95	Robert Markham	Ni	WI	53125
8/8/95	JEFF MATTHEWS	TI	AUSTRALIA	
8/8/95	Sam Catbrook	On	MA	01364
8/9/95	Mike Brown	85	PA	91246
8/9/95	G J REDELMAN	1:	IL	60068
8/9/95	D. K. Roach	1:	CA	92372
8-11-95	Kathie Nelson		NH	03224
8-11-95	Billie Yurion		AK	95573
8-12-95	James Andrew	Rm 2255	AK	99835
8-13-95	Madeline Wiley	102 Silverado Cir	CA	95678
8-14-95	SANDRA L ADAMS	2810 JOHN ST	AK	99801
8-14-95	DEBRA K SICKES	RR1 SITES 624	BC	V0K3K0
8-14-95	PAUL J SCHWARTZ	2408-W9TH ST	CA	50702
8-15-95	Janet Karel	McAllen, Texas		
8-15-95	George Defonso	Manila - CT	CT	06468
8-15-95	Flourence Johnson	Tulsa	OK	
8/15/95	Walter Sando	876 Woodlawn	IL	60016
8/16/95	Janette R Watson	2270 Spruce St	AK	99507
8/16/95	John B. Nomic	2630 TRAVELERS PALM DR.	FL	32141
8-17-95	Steve Brown	1000 Tulson Rd	CO	81142
8-17-95	Carol Townsend	Stouffer, Ontario, Can	Canada	
8-17-95	Arthur Brown	807 NW 180th	WA	98177
8-17-95	Arthur Brown	807 NW 180th	WA	98177

Mt. View



Support for Increasing Highway Directional Signs in Alaska

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DATE	NAME	ADDRESS	CITY	STATE	ZIP
8-5-95	RICHARD D. CLARK	9000 ROCKY MOUNTAIN	BOSTON N.Y.		14025
8-5-95	Ken DeVan	ELK RIVER MA			5535
8/1/95	T.C. WABLE	3454 RACKLEY RD BARKSVILLE	BARKSVILLE	FL	34109
8/7/95	V.J. Kuntz	415 N.E. Sovereign Av	Grants Pass	OR	97526
8/7/95	Floyd H. Baker	6995 N 900th	Skinner	IA	46565
8/10/95	Therese Kottler	Box 25 RR#2	Thetford	VT	72089
8/11/95	Boast Dealey	Box 595	Salida	CA	77963
8/11/95	John West	9514-188 ST.	Edmonton	AB	T5T2W9
8/11/95	Sally Anderson	6881 Timber Ridge Circle	East Waukegan	IL	54110
8-11-95	Wanda L. Lowell	P.O. Box 6	WILMINGTON	VT	05363
8-12-95	Debbie L. Sweet	RT 11 Box 251	INDEPENDENCE	KS	67301
8-12-95	Pierantoni Cam	11741 HUNTER AVE	YUMA AZ	AZ	85367
8-12-95	William G. Hill	322 MANNING RD	Collegesville	PA	19425
8-13-95	Gene Kuntz	7809 SKYWATCH RD	E. OTTO	N.Y.	14729
8-13-95	Y. Fehly, I. Hall	Karlruhe, GERMANY			
8-13-95	J. Gray V. Zancuca	2410 BOCC STEWART	WILMINGTON	MS	01887
8/13/95	Harry Hurlbaugh	3319 G.R. 86 Findlay Ohio			45840
8/14/95	Barbara Barrett	4267 KELLY GAP RD	GREENVILLE	TN	37743
8-15-95	Steve Houston	106 Davis Dr. Columbia	TN		38401
8-15-95	Marilyn Davis	3946 Lakeside Dr	Town of Emporia	FL	32168
8-15-95	John & Susan J. Kottler	696 HILBERT RD SE	GA	GA	28422
8/21/95	John DeWitt	15281 LaSolas Dr.	WHITTIER	CA	90603
9/10/95	L. R. K.	13290 E. Center	Aurora	CO	80012
9/17/95	B. H. Hays	6401 PLATEAU Drive	UNION	CO	80111

Bestman



Support for Increasing Highway Directional Signs in Alaska

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DATE	NAME	ADDRESS	CITY	STATE	ZIP
8/21/95	Helvin I. Hirtler	1087 Lexington	FT. LAUD	FL	33326
8/22/95	Bill Musberger	32-2600 FARGUSON RD	SARASOTA	FL	34231
8/22/95	Mary Merrill	4837 N. Michigan Rd.	Waterford	MI	48385
8/27/95	Lylin Heinrich	Box 745	Rattle Mountain	ND	58820
8/27/95	Alita Montanoy	6736 Lehigh	Olive Branch	MS	38654
8/27/95	Raymond Kautz	10736 Lehigh	OLIVE BRANCH	MS	38654
8/27/95	Lisa & Allen	1476 Lehigh	Olive Branch	MS	38654
8/27/95	Patricia Weiss	Switzerland	Zurich		
8/23/95	Angela Withman	2911 57th St. E	Bradenton	FL	34208
8/21/95	Bessie Madison	1927 Beech St.	Portage	MI	49002
8/27/95	Don C. Paul	1325 S. Dividend	Harlingen	TX	78552
8/25/95	Don & Eleanor Roguet	1103rd Ave	Keyport	LA	52249
8/25/95	Bill Musberger	32-2600 FARGUSON RD	SARASOTA	FL	34231
8/25/95	STAN HUNDELF	PO BOX 7315	ILWACO	OR	97135
8/27/95	John MacMillan	6511 136th St SW	Edmonds	WA	98026
8/27/95	DAVID H. DAKLEY	3741 VINEGAR RD	G.R.	MI	48525
8/28/95	Vacchi Nickerson	5 CACTUS AVE	UPLAND	CA	91705
8/29/95	MARK M. SMITH	1634 NOME, AK	NOME	AK	99762
8/27/95	James Horgan	400 E. Pearl Rd	Columbus	OH	44533
8/21/95	JAMES M. JOHNSON	2 WINDWOOD DR FAIRFIELD OHI	FAIRFIELD	OH	45014
8/31/95	Johnny Withompson	2703 Hwy. 70 E. NEW PLYMOUTH	NEW PLYMOUTH	MI	48150
9/2/95	Keith Jennings	5759 S. Orleans St.	Flordia	CO	80015
"	Paul STEV	41 RIDGE DR	El Paso	NM	88502
"	Joseph Jennings	16116 NE 4th St	Bellevue	WA	98008
"	Hugh Jennings	"	"	"	"

SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 1/8/96

FURTHER:

Date of 5-Day Notice: 2/22/96
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3/1/96

The State Affairs Committee considered SPONSOR SUBSTITUTE FOR SB 181

"An Act relating to prohibited highway advertising."

Foot

and recommends:

- be replaced with _____ CS SS 513 181 (STH)
- adopt previous _____ CS _____
- attached amendment(s)
- adopt Letter of Interj by _____ Committee
- further referral to the Finance Committee

- Senate Bill:
- same title
 - new title
- House Bill:
- same title
 - technical title
 - new: SCR _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>			<i>[Signature]</i>
CHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>				

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
<i>DOT/PF</i>	<i>2/27</i>		<i>40.0</i>

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

Senate Finance Committee

To: Larry Stevens

From: Kathy

Date: 3/1/96

Subject: Bill Number: SSSB 181 Version: _____

Fiscal Note WITHOUT a Senate Finance Committee Referral

Title: Highway Advertising

Referrals: 5 (STA)

Sponsor(s): Green et al

Department: DOTPF

BRU: E+O

Component: _____

Comments: _____

Attachments:

- Fiscal Note(s)
- Bill History from BASIS

SSSB 181

BILL: SB 181 SHORT TITLE: PROHIBITED HIGHWAY ADVERTISING
BILL VERSION: SSSB 181
SPONSOR(S): SENATOR(S) GREEN, PEARCE, HALFORD, FRANK, MILLER, SHARP

CURRENT STATUS: (S) STA STATUS DATE: 01/08/96

TITLE: "AN ACT RELATING TO THE PROMOTION OF ALASKA BUSINESSES THROUGH SIGNS, DISPLAYS, AND DEVICES WITHIN OR ADJACENT TO HIGHWAY RIGHTS-OF-WAY, TO MUNICIPAL REGULATION OF DIRECTIONAL SIGNS, DISPLAYS, AND DEVICES, AND TO PENALTIES FOR VIOLATIONS RELATED TO OUTDOOR ADVERTISING."

05/11/95	1747	(S)	READ THE FIRST TIME - REFERRAL(S)
05/11/95	1747	(S)	STATE AFFAIRS
01/08/96	2055	(S)	SPONSOR SUBSTITUTE INTRODUCED
01/08/96	2055	(S)	READ THE FIRST TIME - REFERRAL(S)
01/08/96	2055	(S)	STATE AFFAIRS

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. CS SS SB #181

Revision Date: 3/28/96 Dept. Affected: DOT&PF
 Title: "An Act relating to tourist oriented directional signs
for violations related to outdoor advertising" BRU: Engineering and Operations
 Component: Engineering and Operations
 Sponsor: Green, Pearce, Halford, Frank, Miller, Sharp
 Requester: Senate Rules COMPONENT SERIAL NO. 1547

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	10.5	10.5	10.5	10.5	10.5	10.5
TRAVEL	1.0	1.0	1.0	1.0	1.0	1.0
CONTRACTUAL	10.0					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	21.5	11.5	11.5	11.5	11.5	11.5

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 OF Match						
1004 OF	21.5	11.5	11.5	11.5	11.5	11.5
1005 OF/Program Receipts						
1006 OF/MHTIA						
Other						
TOTAL	21.5	11.5	11.5	11.5	11.5	11.5

Estimate of any current year (FY96) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

See attached addendum to Fiscal Note.

Prepared by: Loren Rasmussen, P.E., Acting Director Phone: 465-2960
 Division: Engineering and Operations Date: 3/28/96
 Approved by: Joseph L. Perkins Date: 3/28/96
 Agency: Department of Transportation and Public Facilities

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Addendum to SC SS SB #181

Section 1. CS of Sponsor Substitute for Senate Bill No. 181

Background: Alaska currently does not allow Outdoor Advertising. Any signs located outside of state-owned right-of-way would be considered "Outdoor Advertising" under federal statutes, and would have to meet all Outdoor Advertising control requirements.

Impact on the Department: This section would allow placement of signs outside of the right-of-way, and would require a letter of agreement from Federal Highway Administration. It would also require modification of manuals, establishment of an Outdoor Advertising Control program which meets federal standards, and legal review.

Section 2-6 of Sponsor Substitute for Senate Bill No. 181

These sections appear to have no fiscal impact on DOT P/F.

Other Notes to Sponsor Substitute for Senate Bill No. 181

To our knowledge, no other state places official direction signs, TODS or LOGO signs on private property because of the difficulties involved with maintaining, erecting, and controlling an Outdoor Advertising program on private property. Several states have warned against such a practice. Maine now has a proliferation of TODS-type signs (200-300, including insurance, real estate and funeral parlors) around each rural intersection because of a lack of effective state controls.

Assumptions of Fiscal Note: the fiscal note assumes that qualifying businesses or organized groups would undertake all administrative and organizational details, purchase the signs, posts and provide labor for installation, obtain permits and easements or rental agreements and properly maintain the signs and sites. Private property use requires legal authorization from each property owner for construction (placement), maintenance and removal of any structures.

Estimate for a technical engineer to review and administer the program - (approximately one month's time spread over the year; 1 mo. @ \$10,500/mo. plus \$1,000 for travel costs).

Writing new regulations, \$10,000 to the Department of Law (\$5,000 for administration plus \$5,000 for conducting 5 public hearings (estimated at \$1,000 each).