

CHAPTER 119
TOURIST-ORIENTED DIRECTIONAL SIGNING

761—119.1(321) Definitions.

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

“Primary highway,” for the purpose of this chapter, means those roads and streets both inside and outside the boundaries of municipalities 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” means a system of guide signs with one or more sign panels that display the identification of and directional information for an eligible destination.

[ARC 4436C, IAB 5/8/19, effective 6/12/19; ARC 6971C, IAB 4/5/23, effective 5/10/23]

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, destinations that 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 destination. 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 destination, and in some cases for motorist services, an additional short word or acronym indicating an essential fuel type such as diesel, E-85, or EV (electric vehicle charging station).

[ARC 1202C, IAB 12/11/13, effective 1/15/14; ARC 4436C, IAB 5/8/19, effective 6/12/19; ARC 6971C, IAB 4/5/23, effective 5/10/23]

761—119.3(321) Eligibility requirements for a destination. This rule describes the general requirements which a destination must meet to qualify for tourist-oriented directional signing.

119.3(1) Operational requirements.

- a.* The destination shall be open to the general public for a minimum of 20 hours per week.
- b.* The destination shall be open to the general public at least four days per week.
- c.* Hours of operation that are available to the public only by appointment, reservation, or membership shall not count toward meeting the minimum requirements set forth in this subrule.
- d.* Manufacturing plants, trucking terminals, distribution centers, warehouses, production facilities, and other industrial activities for which the general public has access but for which employees

and contractors are the primary users shall not qualify as destinations. However, if the facility has developed public tours and is prepared to receive unscheduled visitors, the tourist signing committee may consider this information during the application review and make an exception to the general rule as set forth above.

e. Unless the destination is open 24 hours per day, the hours of operation shall be conspicuously posted on the destination premises.

f. Entrance to the destination shall not be restricted based on age.

g. The destination shall be properly licensed by all governing authorities relative to the nature of the activity engaged in by the destination.

h. Seasonal destinations shall be in operation for a minimum of four consecutive weeks.

119.3(2) Location requirements.

a. The destination shall be located within ten miles of the intersection on the primary highway where the tourist-oriented directional signs will be placed.

b. The destination shall be located outside the city limits of any incorporated municipality with a population of 5,000 or more (population as established by the U.S. Census Bureau).

c. The destination shall not be visible from the highway in a way that allows for motorists to react safely by slowing and making a turn.

d. The building and site for the destination shall be appropriately designed and suited for the purpose. Buildings used principally as a residence shall not be used, unless there is a convenient, separate, and well-marked entrance to access the activity identified on the sign.

e. Buildings and grounds must be maintained in a manner consistent with standards generally accepted for that type of business or activity.

119.3(3) Customer base. A destination shall derive a major portion of income or visitors from road users not residing in the area of the destination.

119.3(4) Compliance with other laws and regulations.

a. The destination 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.

b. The destination shall comply with Iowa Code chapter 306B; Iowa Code chapter 306C, division II; Iowa Code chapter 318; and all other statutes or administrative rules regulating outdoor advertising. [ARC 1202C, IAB 12/11/13, effective 1/15/14; ARC 6971C, IAB 4/5/23, effective 5/10/23]

761—119.4(321) Specific eligibility requirements for the type of activity or site. Rescinded ARC 6971C, IAB 4/5/23, effective 5/10/23.

761—119.5(321) Application and approval procedure.

119.5(1) Applications for tourist-oriented directional signing shall be submitted to: Advertising Management Section, Traffic and Safety Bureau, 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, Iowa's tourism industry, and the outdoor advertising association for Iowa. The committee's responsibility is to approve or deny applications.

[ARC 1202C, IAB 12/11/13, effective 1/15/14; ARC 4436C, IAB 5/8/19, effective 6/12/19; ARC 6971C, IAB 4/5/23, effective 5/10/23]

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 destination 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 destination.* A tourist-oriented directional sign for a seasonal destination must either be masked or have a "closed" panel installed over the sign's directional information when the destination is closed or when the hours of operation decrease below the minimum requirements during the off-season period. Either the department or the destination 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 destination must pay for the cost of a new sign and its installation prior to installation.

b. The department is not responsible for theft of or damage to any tourist-oriented directional sign. If a sign requires repair or replacement due to theft or damage, the destination must pay the cost of the repair or replacement and installation. At the destination's request, this cost may be spread over a 12-month period.

119.6(6) *Not-for-profit organizations.* A not-for-profit destination is exempted from all fees and costs associated with the installation and maintenance of a single set of signs at a location determined by the department to be the most reasonable approach to the destination. 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 destination 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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