

Hall of the House of Representatives

84th General Assembly - Regular Session, 2003

Amendment Form

Subtitle of House Bill No. 2816

"TO ALLOW THE POSTING OF TOURIST-ORIENTED DIRECTIONAL SIGNS,
RECREATIONAL AND CULTURAL INTEREST AREA SIGNS, AND SPECIFIC SERVICE
SIGNS ON ARKANSAS STREETS AND HIGHWAYS."

Amendment No. 1 to House Bill No. 2816.

Amend House Bill No. 2816 as originally introduced:

Page 1, line 30, delete "The" and substitute "(a) The"

AND

Page 2, delete line 1, and substitute the following
"1, 2003.

(b) This state policy shall include:

(1)(A) A definition of tourist-oriented business, service, and activity facilities, including definitions for both publicly-owned and privately-owned facilities.

(B) Any facilities that would qualify under the Federal Manual on Uniform Traffic Control Devices shall not be excluded from the definition.

(2) Eligibility criteria for signs for facilities;

(3) A provision for incorporating specific service signs into the tourist-oriented directional signs as required;

(4) A provision for covering signs during off seasons for facilities operated on a seasonal basis;

(5) A provision for signs to facilities that are not located on the crossroad when the facility is eligible for signs;

(6) A definition of the immediate area that includes the concept that the major portion of income or visitors to the facility should come from road users not residing in the immediate area of the facility;

(7) The maximum distances to eligible facilities that are no more than five (5) miles;

(8) A provision for information centers or plazas when the number of eligible sign applicants exceeds the maximum permissible number of sign panel installations;

(9) A provision for limiting the number of signs when there are more applicants than the maximum number of signs permitted;



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- (10) Criteria for use at intersections on expressways;
(11) A provision for controlling or excluding businesses that have illegal signs as defined under the federal Highway Beautification Act of 1965, 23 U.S.C. § 131;
(12) A provision for the Arkansas Highway and Transportation Department, as well as counties, and municipalities that choose to participate in constructing and erecting tourist-oriented directional signs, to charge reasonable fees to cover the cost of signs through a permit system where the fee shall not exceed the actual cost of constructing and erecting the sign;
(13) A definition of the conditions under which the time of operation is shown; and
(14) A provision for determining if advance signs are to be permitted and the circumstances under which the advance signs are installed.”

AND

Page 2, delete line 22, and substitute the following:
“directional signs.

SECTION 3. (a) The Arkansas Highway and Transportation Department shall expand the utilization of specific service signs, also known as logo signs, by allowing the placement of signs identifying “gas”, “food”, “lodging”, “camping”, and “attractions”.

(b)(1) The specific service signs identifying attraction services shall include only facilities that have the primary purpose of providing amusement, historical, cultural, or leisure activities to the public.

(2) Both publicly-owned and privately-owned facilities shall be eligible for specific service signs.

(c) However, all specific service signs shall comply with the Federal Manual on Uniform Traffic Control Devices, described in 23 U.S.C. 109(d) and 402(a) and in the Code of Federal Regulations, specifically 23 CFR 655, Subpart F, as were in effect on January 1, 2003.

SECTION 4. If both a tourist-oriented directional sign and specific service sign are needed at the same intersection, the tourist-oriented directional signs shall incorporate the needed information from, and shall be used in place of, the specific service sign.

SECTION 5. (a)(1) The Arkansas Highway and Transportation Department shall develop and implement a state policy allowing the placement of recreational and cultural interest area signs.

(2) The policy shall provide for directional information for recreational and cultural interest facilities that shall include, but not be limited to parks, campgrounds, museums, art galleries, and historical buildings or sites.

(b) Both publicly-owned and privately-owned facilities are eligible for recreational and cultural interest area signs.

(c) However, all recreational and cultural interest area signs shall comply with the Federal Manual on Uniform Traffic Control Devices, described in 23 U.S.C. 109(d) and 402(a) and in the Code of Federal Regulations, specifically 23 CFR 655, Subpart F, as were in effect on January 1, 2003.

SECTION 6. (a) The Arkansas Highway and Transportation Department shall commence the process of developing the state policies required by this act and necessary for compliance with the Federal Manual on Uniform Traffic Control Devices and other laws, regulations, and procedures of the Federal Highway Administration as soon as possible.

(b) However, a final state policy shall be in place no later than September 1, 2003, in order that applications for specific service signs, tourist-oriented directional signs, and recreational and cultural interest area signs may be received from eligible attractions and facilities.

SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the existing signage on Arkansas roads is inadequate to properly identify some tourist activities and some facilities of recreational and cultural interest; that these tourist activities and cultural and recreational facilities must remain competitive in today's global economy; that other states more fully take advantage of the opportunities to utilize road signs to promote tourist activities and cultural and recreational facilities; that these signs are necessary to offer these activities and facilities for a business environment compatible with other states; that without these signs valuable tourism revenue would be lost, depriving state and local government of tax revenue and Arkansans of jobs and the economic benefit that the jobs bring to the state; that unemployment and revenue shortages for state and local government have reached intolerable levels, and that it is essential that the benefits to the citizens of this state provided for in this act be enacted as soon as practicable. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

The Amendment was read _____
By: Representative Bolin
EAN/VJF - 031420031551
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Chief Clerk