

# NOTICES OF FINAL RULEMAKING

The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those which have appeared in the *Register* first as proposed rules and have been through the formal rulemaking process including approval by the Governor's Regulatory Review Council or the Attorney General. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the *Register* after the final rules have been submitted for filing and publication.

## NOTICE OF FINAL RULEMAKING

### TITLE 2. ADMINISTRATION

#### CHAPTER 15. DEPARTMENT OF ADMINISTRATION MANAGEMENT SERVICES DIVISION

*Editor's Note: The following Notice of Final Rulemaking was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1289.) The Governor's Office authorized the notice to proceed through the rulemaking process on September 19, 2011.*

[R12-86]

#### PREAMBLE

- 1. Article, Part, or Section Affected (as applicable) Rulemaking Action**  
R2-15-202 Amend
- 2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**  
Authorizing statute: A.R.S. § 41-803(B)  
Implementing statute: A.R.S. § 41-803(B)
- 3. The effective date of the rule:**  
July 6, 2012
  - a. If the agency selected a date earlier than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):**  
Not applicable
  - b. If the agency selected a date later than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the later effective date as provided in A.R.S. § 41-1032(B):**  
Not applicable
- 4. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:**  
Notice of Rulemaking Docket Opening: 17 A.A.R. 2343, November 18, 2011  
Notice of Proposed Rulemaking: 17 A.A.R. 2418, December 2, 2011
- 5. The agency's contact person who can answer questions about the rulemaking:**  
Name: Dave Fruehwirth, Fleet Administrator  
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**6. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**

The purpose of this rulemaking is to revise the rule specifically relating to the use of domicile to duty vehicles. R2-15-202 provides specific guidance regarding domicile to duty vehicle usage. A review of the procedures and policies associated with this usage led the Department to conclude additional oversight and authorization would be prudent. Amending of this rule will provide the Department with another tool for effectively managing ADOA vehicles.

**7. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

The agency did not review or rely on any study relevant to the rule.

**8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**

The rulemaking will not diminish a previous grant of authority of a political subdivision of this state.

**9. The preliminary summary of the economic, small business, and consumer impact:**

**A. Identification of Rule**

R2-15-202, Vehicles, Operators and Uses, which is contained in 2 A.A.C. 15, Article 2.

**B. Background and Summary**

The Department conducted a survey this past summer for domicile to duty vehicle usage and concluded a need for additional oversight and authorization for this activity. Under the current rule, authorization by the using agency director is sufficient to allow domicile to duty usage. The proposed change to the rule would add the ADOA Director as the final authorizer for this activity. The addition of the ADOA Director will enable external insight into the usage and allow the Department to provide guidance to agencies when this activity is considered.

The Department believes a rulemaking would be the most effective mechanism to properly implement the additional oversight and provide another tool for effectively managing ADOA vehicles.

**C. Entities Directly Impacted**

All state agencies that utilize ADOA Fleet Management services and utilize the domicile to duty provision will be impacted by these changes. The effect of the rule is limited as most agencies don't utilize domicile to duty vehicles and in addition, the rule will not impact those agencies exempted by A.R.S. § 41-803(E). There will be minimal impact as this requirement can be incorporated within an agency's monthly reporting and billing processes to Fleet Management that are currently in place. Small business and consumers are not impacted by the rule.

**D. Potential Costs and Benefits**

There will be no change in cost to the agencies for this change.

**10. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:**

There are no changes to the rule between the proposed and final rulemaking.

**11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:**

The agency received no written comments regarding the rulemaking.

**12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**

**a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

The rule does not require a permit.

**b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**

No

**c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**

No

**13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**

None

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14. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

Not applicable

15. The full text of the rule follows:

TITLE 2. ADMINISTRATION

CHAPTER 15. DEPARTMENT OF ADMINISTRATION
MANAGEMENT SERVICES DIVISION
GENERAL SERVICES DIVISION

ARTICLE 2. FLEET MANAGEMENT

Section

R2-15-202. Vehicles, Operators, and Uses

ARTICLE 2. FLEET MANAGEMENT

R2-15-202. Vehicles, Operators, and Uses

- A. Any state employee holding a valid Arizona driver's license may be an operator if authorized by the employee's agency.
B. An operator shall use a Fleet Management vehicle only for state government activities as prescribed under A.R.S. § 38-538.02. Prohibited uses include the following:
1. Domicile-to-duty transportation of a state employee, unless specifically authorized by the employee's agency director and approved by the ADOA Director;
2. Personal convenience; or
3. Transportation of family members or friends, or any person not essential to accomplishing the purpose for which the vehicle is dispatched.
C. Fleet Management shall ensure that a Fleet Management vehicle:
1. Bears a current state license plate in accordance with A.R.S. §§ 28-2351 and 28-2416;
2. Bears designations in accordance with A.R.S. § 38-538;
3. Is registered with the Arizona Department of Transportation Motor Vehicle Division; and
4. Complies with state emissions laws.

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TITLE 17. TRANSPORTATION

CHAPTER 3. DEPARTMENT OF TRANSPORTATION
HIGHWAYS

Editor's Note: The following Notice of Final Rulemaking was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1289. The Governor's Office authorized the notice to proceed through the rulemaking process on September 23, 2011.

[R12-85]

PREAMBLE

Table with 2 columns: Article, Part, or Section Affected (as applicable) and Rulemaking Action. Rows include R17-3-901 through R17-3-905 and Illustration A, B, and C.

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**2. Citations to the agency's statutory rulemaking authority to include both the authorizing statute (general) and the implementing statute (specific):**

Authorizing statute: A.R.S. § 28-366

Implementing statute: A.R.S. § 28-7311

**3. The effective date of the rules:**

July 6, 2012

**a. If the agency selected a date earlier than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):**

Not applicable

**b. If the agency selected a date later than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the later effective date as provided in A.R.S. § 41-1032(B):**

Not applicable

**4. Citations to all related notices published in the Register to include the Register as specified in R1-1-409(A) that pertain to the record of the final rulemaking package:**

Notice of Rulemaking Docket Opening: 17 A.A.R. 2422, December 2, 2011

Notice of Proposed Rulemaking: 18 A.A.R. 81, January 13, 2012

**5. The agency's contact person who can answer questions about the rulemaking:**

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or

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Web site: [http://www.azdot.gov/Government\\_Relations/adotrules/](http://www.azdot.gov/Government_Relations/adotrules/)

Please visit the ADOT web site to track progress of these rules and any other agency rulemaking matters.

**6. An agency's justification and reason why rules should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:**

The Arizona Department of Transportation (ADOT) has authority in A.R.S. § 28-7311 to establish a logo sign program in the state. A contractor currently administers the logo sign program. Effective July 1, 2012, the Arizona Department of Transportation (ADOT) will administer the logo sign program, which includes 2,200 logo signs along rural stretches of Arizona interstate and state highways. The Department recognized a need to make changes to the current rules, which provide for a contractor to administer the logo sign programs. The statute requires ADOT to have administrative rules to implement and operate a logo sign program in the state. The Department will transition management of this program with minimal impact on the logo sign clients and the traveling public, the beneficiaries of the information provided by the logo signs, along rural, interstate, and urban highway exits. These rules allow either a contractor or ADOT to administer the logo sign program.

Approximately 1,100 businesses participate in the program. On an annual basis, about \$2.3 million in gross revenue is generated through the logo sign program, which is currently retained exclusively by the contractor. The contractor also bears all program costs for materials, installation, maintenance, sales, and administration. After July 1, 2012,

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when ADOT begins to administer the program, the proceeds of the program, minus the program administrative costs will be transferred to the State Highway Fund for authorized use by ADOT for various transportation mission-related tasks and activities.

Logo signs provide important information to motorists on availability and location of restaurants, lodging, fuel, camping, 24-hour pharmacies, and attractions along state highways in rural areas and along interstate highways. This information may enhance the experience of motorists traveling through the state by providing information about these businesses. At the present time, about 800 logos representing various businesses are displayed on highway signs and about 1,400 logos are displayed on interstate highway signs in the state.

These rules are updated with pertinent logo sign changes in the Manual on Uniform Traffic Control Devices (MUTCD), 2009 edition, which is adopted as a standard for traffic control devices on the streets and highways of the state of Arizona. The U.S. Department of Transportation, Federal Highway Administration, requires adoption of this manual as the standard for traffic control devices. The Department adopted the Manual on Uniform Traffic Control Devices (MUTCD), 2009 edition, on January 13, 2012. These rules expand the types of businesses that are eligible for specific service information signs from gas, food, lodging, camping, and attractions to include 24-hour pharmacies. These rules allow for display of a maximum of six business logos on one logo sign panel at a rural highway intersection or interchange.

This rulemaking accomplishes the following:

Updates and clarifies definitions relating to college and university signing and logo signs.

Removes the community logo plan for the rural logo sign program.

Allows a community official designated by a municipality or town organized under Arizona law to sign a written agreement with the Department or its contractor to prohibit installation of logo sign panels on rural state highways within the community's boundaries.

Provides that the Department or a contractor may administer the logo sign program in the state. If the Department contracts the logo sign program to a private contractor, the Department shall use the state procurement process.

Conforms rule provisions regarding business and business eligibility and number of logo sign panels allowed with pertinent logo sign changes in the MUTCD, 2009 edition.

Allows the Department to propose its own form of a written lease with a responsible operator.

Provides that a contractor or the Department will determine the location and position of new logos on logo sign panels when logo sign panel vacancies occur.

Consolidates and clarifies urban logo sign provisions in R17-3-903.

Limits a specific service information sign panel to three types of services and a maximum of six logo sign panels.

Limits combination signs to no more than three types of specific service information sign panels.

Provides that the spacing between specific service information signs on a rural state highway shall be at least 200 feet based on engineering judgment.

**7. A reference to any study relevant to the rules that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rules, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

The Department did not review or rely on any study.

**8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

**9. A summary of the economic, small business, and consumer impact:**

These rules will allow the logo sign program to be a contractor-operated or a self-administered program. ADOT plans to begin administering the program on July 1, 2012. A contractor currently administers the logo sign program, is responsible for all program revenue, and retains the program revenue, so the program does not currently generate any revenue or impose any costs on the Department. If a contractor continues to operate the program, the contractor will receive all program revenue generated in the future and the Department will not receive the revenue proceeds of the logo sign program. Under ADOT administration, the proceeds of the program minus the program administrative costs, will be transferred to the State Highway Fund, which will be available for various transportation mission-related tasks and activities.

These rules do not mandate that businesses participate in the logo sign program. Some travel or service-related businesses operating along rural or interstate highways in the state may opt to participate in the program and pay logo sign lease costs to gain more visibility and generate more revenue. ADOT does not expect the rules to reduce the revenue or payroll expenditures of businesses subject to the rulemaking because the agency plans to keep logo sign lease costs at the current level when ADOT begins to operate the program along rural or interstate highways. Business participation in logo sign advertising is expected to increase revenue for those businesses. ADOT expects that jobs in

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those businesses will be preserved and employees will be added as the state's economy improves and business expands. Businesses may begin expanding their current business locations.

Businesses benefit from the logo sign program because this advertising alternative is available at a substantially lower cost than other types of advertising, such as radio, television, and internet banner advertising. The current program contractor will lose the revenue generated from the contract with the Department at the end of the contract term, however, some of the revenue generated by the Department's operation of the program will be spent to buy goods and services from the private sector, thus benefiting the state's economy.

Businesses that meet established criteria are eligible to participate in the logo sign program and may sign a lease agreement with the Department. Businesses pay costs to participate in the program, including logo sign costs and logo sign lease costs. Program participant lease payments offset the program costs for logo sign structures, maintenance of the logo sign panels, sales, and program management. Logo signs generally cost several hundred dollars to produce, which the program participant pays. Monthly lease costs are higher for signage along the interstate highways than rural highways, but are the same for all types of businesses at the same interchange. The annual lease rate for a mainline logo sign for a gas station accessible from an interstate highway is \$1,440 versus \$528 in a rural location. A non-profit attraction with signage on an interstate highway would pay annual lease costs of \$840. It should be noted that businesses may pass along these advertising and lease costs to consumers.

ADOT has received approval from the Arizona Department of Administration to hire two new full-time employees to assist with the production and accounting activities necessary to implement and administer the logo sign program. The annual cost of the salary, employee-related expenses, and miscellaneous costs associated with the two full-time positions is expected to be \$143,000. The positions are necessary because the Arizona Department of Transportation will assume the administration of the logo sign programs from a contractor on July 1, 2012. In addition, the Department estimates that annual maintenance for the logo sign panels, signs, and structures will be about \$300,000.

ADOT routinely chooses the rulemaking option that is the least costly and burdensome to the business sector. ADOT is required to comply with the MUTCD and other federal transportation requirements in order to continue to receive federal highway funds. The only other options are to discontinue the logo sign program or to continue to contract out the logo sign program. With both of these alternatives, the program would not generate any funding for state transportation programs and projects.

The Department believes the public and business community benefit from the logo sign program and that the benefits of the rules exceed the costs. The logo sign program generates substantial revenue. With the transition to state administration of the program, revenue of about \$2.3 million minus the maintenance, employee, and program administrative costs will be transferred to the State Highway Fund each year for the duration of the program. The state may also receive additional revenue and taxes due to an increase in economic activity in rural areas and along the interstate highways as a result of visitation to these areas. Businesses benefit from the availability of lower cost advertising on logo signs. Motorists benefit from logo sign advertising that provides information about travel-related services along the highways.

**10. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:**

R17-3-901

In subsections (B) and (C), struck "that qualifies under," inserted "referenced in";

In subsection (F), inserted "College or university" and "referenced in A.R.S. § 28-642(D)."

R17-3-902

In subsection (A), modified the definition of "Educational";

In subsection (A), in definition of "lease agreement" struck "panel";

In subsection (A), referenced definition of "MUTCD" in R17-3-901;

In subsection (A), in the definition of "secondary business" modified the distance for a camping service business to within "five to 15 miles" of an intersection, so the definition of a camping service business that is a primary business does not overlap with the definition of a camping service business that is a secondary business.

In subsection (A), in the definition of "rural state highway," added citations to A.R.S. § 28-7311(B) and "(E)(2)";

In subsection (A), in the definition of "urbanized area," after 28-7311, inserted (E)(2);

In subsection (A) in the definition of "urban logo sign program," changed "interstate highway" to "interstate system";

In subsection (C) replaced "modern sanitary facilities" with "sanitary restroom facilities";

In subsection (C)(2)(d), (C)(3)(e), (C)(4)(e), (C)(5)(e), and (C)(6)(f), and (C)(7)(c), clarified that gas service businesses, food service businesses, lodging service businesses, camping service businesses, attraction service businesses, and 24-hour pharmacies shall meet the requirements for either a primary or secondary business in subsection (A) of this Section;

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In subsection (C)(5)(a) struck “Have adequate parking accommodations”; and inserted “Be able to accommodate all common types of travel trailers and recreational vehicles”;

In subsection (C)(5)(d), struck “general area” and inserted “community”;

In subsection (C)(6)(b), struck “, if applicable”;

In subsection (C)(6)(d), deleted “have natural beauty,” inserted “natural scenic phenomenon” and deleted “or be suitable for outdoor activity,” and in subsection (C)(6) provided that businesses shall meet the requirements if applicable;

In subsection (F)(5), referred to “official traffic control device” as defined in A.R.S. § 28-601(12);

In subsection (F)(6), after “operator,” inserted “as defined in subsection (A)”;

In subsection (F)(7), struck “erected,” inserted “installed”;

In subsection (F)(11), struck “responsible business” and inserted “responsible operator” and struck “logo signs” and inserted “logo sign panels.”

R17-3-903

In subsection (A), inserted “Elimination of exit ramp or interchange” and rewrote language;

In subsection (B)(1)(d) and (B)(1)(g), U.S. 60 was changed to US 60 to conform to federal highway numbering.

R17-3-904

In subsection (A)(1) and (E)(1), modified language by deleting references to illustrations and substituting MUTCD references;

Deleted subsection (A)(5)(b) and limited (A)(5)(a) to no more than 12 logos on no more than two specific service information sign panels;

In subsection (B), provided that installation of successive specific service information signs is “as specified in the MUTCD”;

In subsection (D), struck “determines” and inserted “decides”;

In subsection (G)(1), allowed a responsible operator without a trademark or logo to use the name in the partnership agreement or incorporation documents and in subsection (G)(2), clarified that these words refer to alternative fuel availability and struck “gasoline.”

R17-3-905

In subsection (A), referenced “R17-3-902 through R17-3-904” and “R17-3-906”;

In subsection (A)(3), modified spacing between specific service information signs on a rural state highway to at least 200 feet “based on engineering judgment” to comply with the MUTCD;

In subsection (B), heading was changed to “Specific service information sign.”;

In subsection (B)(1), modified language to “three or fewer” and specified that the display must be in accordance with “Chapter 2J of the current version of the MUTCD”;

In subsection (B)(1)(b), struck “not more than 12” and inserted “not more than six” as allowed in the current version of the MUTCD;

In subsection (C), struck “village” and inserted “town.”

Changes were made throughout the rules to ensure conformity with the rulemaking format and style requirements of the Administrative Procedure Act, the Office of the Secretary of State, and the Governor’s Regulatory Review Council.

**11. An agency’s summary of the public stakeholder comments made about the rulemaking and the agency response to the comments:**

The Department did not receive any public stakeholder comments on these rules during the comment periods.

**12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rules or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to questions (a) through (c):**

There are no other matters prescribed by statute applicable to ADOT or to this rulemaking.

**a. Whether the rules require a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

The rule changes made in this rulemaking authorize ADOT to build, erect, and maintain logo signs in rural areas and interstate highways rather than contract out to perform these functions. R17-3-902(F)(8) requires a contractor to obtain an encroachment permit before erecting a specific service information sign. Because ADOT itself, and not a contractor, will be responsible for all of its sign-related activities to erect and maintain logo signs, an

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encroachment permit will not be necessary. In addition, a general permit is inapplicable. The Department believes an encroachment permit is not a general permit and that issuance of a general permit is technically unfeasible as provided in A.R.S. § 41-1037(A)(3). Unless a contractor becomes responsible for sign-related activity in ADOT's right-of-way in the future, an encroachment permit will not be necessary. Under this circumstance, a contractor is currently required in these rules to get an encroachment permit from ADOT before erecting or modifying a logo sign.

The rules in A.A.C. R17-3-501 define encroachment and encroachment permit as follows:

"Encroachment" means any use of, intrusion upon, or construction of improvement within a state highway right-of-way by any person or entity other than the Department for any purpose.

"Encroachment permit" means a written approval granted by the Department for construction of a fixed or temporary improvement within a state highway right-of-way, or for any activity requiring the temporary use of or intrusion upon a state highway right-of-way.

**b. Whether a federal law is applicable to the subject of the rules, whether the rules are more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**

A federal law, 23 U.S.C. 109(d), is applicable to the subject of the rules. This statute provides that on any highway project constructed in which federal funds are involved since December 20, 1944, the location, form, and character of informational and regulatory signs installed or placed by any public authority or other agency are subject to the state transportation department with the concurrence of the Secretary of Transportation, who may concur only in installations that promote the safe and efficient use of the highways. The only approval required is pursuant to this statute and these rules are no more stringent than federal law.

**c. Whether a person submitted an analysis to the agency that compares the rules' impact of the competitiveness of business in this state to the impact on business in other states:**

The Department did not receive any analyses that compared the rules' impact on competitiveness of business in this state with the impact on business in other states.

**13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**

None

**14. Whether the rules were previously made, amended or repealed as emergency rules. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:**

Not applicable

**15. The full text of the rules follows:**

TITLE 17. TRANSPORTATION

CHAPTER 3. DEPARTMENT OF TRANSPORTATION  
HIGHWAYS

ARTICLE 9. HIGHWAY TRAFFIC CONTROL DEVICES

Section

- R17-3-901. Signing for Colleges and Universities
- R17-3-902. Logo Sign ~~Program~~ Programs
- R17-3-903. ~~Special Exception Waiver for Urban Logo Sign Program and Requirements~~
- R17-3-904. ~~Rural Logo Sign Requirements Program~~
- R17-3-905. Rural Logo ~~Program~~ Sign Requirements
- Illustration A. ~~Repealed~~
- Illustration B. ~~Repealed~~
- Illustration C. ~~Repealed~~

ARTICLE 9. HIGHWAY TRAFFIC CONTROL DEVICES

**R17-3-901. Signing for Colleges and Universities**

**A. Definitions.**

"Community College" ~~means a two-year college as described in~~ has the meaning as prescribed in A.R.S. § 15-1401.

"Department" means the Arizona Department of Transportation.

"FHWA" means the Federal Highway Administration of the U.S. Department of Transportation.

"Major metro area" means an urban area with a population of at least 50,000.

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~~“Manual on Uniform Traffic Control Devices (MUTCD)” means a national standard for the design and application of traffic control devices published by the U.S. Department of Transportation, Federal Highway Administration and used as the standard for traffic control devices for use upon the streets and highways of the state of Arizona as required by A.R.S. § 28-641.~~

“Municipality” means an incorporated city or town.

“MUTCD” means the Manual on Uniform Traffic Control Devices, a national standard for the design and application of traffic control devices published by the U.S. Department of Transportation (U.S. DOT), Federal Highway Administration (FHWA) and is used as the standard for traffic control devices for use on the streets and highways of the state of Arizona as required by A.R.S. § 28-641.

“Nonconforming sign” means an erected sign that does not comply with this Section or A.R.S. § 28-642(D) due to changes in the statutes, rules, or changed conditions. Examples of changed conditions include the reconstruction of a highway; or physical deterioration of a sign.

“Regionally accredited college or university” means a college or university accredited by a regional institutional accrediting association recognized by the Arizona State Board for Private Postsecondary Education.

“Rural area” means all areas other than a major metro area, or an urban area.

“Signing” means standard highway supplemental guide signs as specified in the MUTCD.

“State highway” has the same meaning as prescribed in A.R.S. § 28-101.

“State University” means a university established and maintained by the Arizona Board of Regents under A.R.S. § 15-1601.

“Trailblazing sign” means a sign installed by a local governmental agency, off the state highway, to guide traffic to a college or university.

“Trip” means a one-way commute to or from a college or university, calculated by the Department based on the number of students or dorm beds, using the following equivalents:

One student = 1 1/2 trips

One dorm bed = three trips.

~~“State University” means a university established and maintained by the Arizona Board of Regents under A.R.S. § 15-1601.~~

“Urban area” means a municipality having a population of at least ~~45,000~~ 10,000 but less than 50,000.

“U.S. DOT” means the United States Department of Transportation.

- B.** Application for signing. A college or university ~~that qualifies under~~ referenced in A.R.S. § 28-642(D) may request signing by submitting a letter on its letterhead to the Department’s State Traffic Engineer. The letter shall contain the following information:
1. Name of college or university;
  2. Complete street address;
  3. Names of agencies granting accreditation;
  4. Number of students;
  5. Number of dormitory beds, if applicable; and
  6. Signature of ~~an individual~~ a person authorized to sign for the college or university.
- C.** Requirements. To be considered for signing, a college or university ~~that qualifies under~~ referenced in A.R.S. § 28-642(D) shall satisfy the following:
1. Is on a road that intersects a state highway. If a college or university is on a road that does not intersect a state highway, it still may qualify if:
    - a. The governing political subdivision submits to the Department, within 30 days from the Department’s receipt of the request for signing, written confirmation stating that the governing political subdivision will install and maintain trailblazing signs; and;
    - b. The governing political subdivision installs trailblazing signs before the Department places signing on the state highway.
  2. Meets all the requirements under subsection (C)(2)(a), ~~(C)(2)(b)~~ (b), or ~~(C)(2)(e)~~ (c) of this Section.
    - a. If in a major metro area:
      - i. Generates at least 4000 trips per weekday.
      - ii. Is three miles or less from a state highway, except the distance may be increased 1/4 mile for each ~~10 percent~~ 10% increase in the required number of trips per weekday to a maximum of five miles.
    - b. If in an urban area:
      - i. Generates at least 2000 trips per weekday.
      - ii. Is four miles or less from a state highway, except the distance may be increased 1/4 mile for each ~~10 percent~~

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- 10% increase in the required number of trips per weekday to a maximum of five miles.
- c. If in a rural area:
- i. Generates at least 1000 trips per weekday.
  - ii. Is five miles or less from the state highway, except the distance may be increased 1/4 mile for each ~~10 percent~~ 10% increase in the required number of trips per weekday to a maximum of 15 miles.
- D. Exceptions to standards. The Department may place supplemental guide signs on state highways to direct traffic to colleges and universities. The Department shall determine whether to place supplemental guide signs for a college or university based on the specific criteria and the guidelines in the MUTCD.
- E. Nonconforming signs. The Department may remove a nonconforming sign if:
1. Other signs have greater priority under the criteria in the MUTCD,
  2. Physical spacing of signs is limited for an upcoming interchange or intersection, or
  3. A greater number of trips are generated by the subject of other guide signs.
- F. College or university. Only the initial, main campus of a qualifying college or university referenced in A.R.S. § 28-642(D) may qualify for signing, unless otherwise permitted by statute.

**R17-3-902. Logo Sign ~~Program~~ Programs**

A. Definitions.

“Attraction” means any of the following:

“Arena” means a facility that has a capacity of at least ~~5,000~~ 5000 seats, and is a:

Stadium or auditorium;

Track for automobile, boat, or animal racing; or

Fairground that has a tract of land where fairs or exhibitions are held, and permanent buildings that include bandstands, exhibition halls, and livestock exhibition pens.

“Cultural” means an organized and permanent facility that is open to all ages of the public, and is a:

Facility for the performing arts, exhibits, or concerts; or

Museum with professional staff, and an artistic, historical, or educational purpose, that owns or uses tangible objects, cares for them, and exhibits them to the public.

“Domestic farm winery” means a site licensed by the Arizona Department of Liquor Licenses and Control under A.R.S. § 4-205.04 that produces at least 200 gallons and not more than 40,000 gallons of wine annually that is commercially packaged for off-premises sale, and is open to the public for tours to provide an educational format for informing visitors about wine.

“Domestic microbrewery” means a site licensed by the Arizona Department of Liquor Licenses and Control under A.R.S. § 4-205.08 that produces not less than 5000 gallons of beer in each calendar year following the first year of operation and not more than 1.24 million gallons of beer in a calendar year, and is open to the public for tours to provide an educational format for informing visitors about beer.

“Dude ranch” means a facility offering overnight lodging, meals, horseback riding, and activities related to cattle ranching;

“Educational” means a facility that is a:

Community college, regionally accredited college or university, or state university, as defined in ~~R17-3-901(A)~~ R17-3-901. Educational excludes a business or research park affiliated with a college or university;

Scientific institution, designated research area, or site of specialized research techniques and apparatus that is accredited by a nationally recognized ~~accreditation~~ educational accreditation agency, and that conducts regular tours; or

Zoological or botanical park that houses and exhibits living animals, insects, or plants to the public.

“Farm-related” means an established area or facility where consumers can purchase directly from Arizona producers locally-grown consumer-picked or pre-picked produce, or local products produced from locally-grown produce.

“Golf course” means a facility offering at least 18 holes of play. Golf course excludes a miniature golf course, driving range, chip-and-putt course, and indoor golf.

“Historic” means a structure, district, or site that is listed on the National or Arizona Register of Historic Places as being of historical significance, and includes an informational device to educate the public ~~as to~~ about the facility’s historic features.

“Mall” means a shopping area with at least ~~1,000,000~~ 1 million square feet of retail shopping space.

“Recreational” means a facility for physical exercise or enjoyment of nature that includes at least one of the following activities: walking, hiking, skiing, boating, swimming, picnicking, camping, fishing, playing tennis,

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horseback riding, skating, hang-gliding, and climbing;

“Scenic tours” means a business that offers guided tours of scenic areas in Arizona through various means, including air, motorized vehicle, animal, walking, or biking;

“Winery” or brewery” means a site licensed by the Arizona Department of Liquor Licenses and Control that produces a minimum of 500 gallons annually of wine or beer that is commercially packaged for off-premises sale, and is open to the public for tours to provide an educational format for informing visitors about wine and beer processing.

“Business” means an entity that provides a specific service open for the general public, is located on a roadway within the required distance of an interstate or rural state highway, and is a primary or secondary business.

“Community logo plan” means a project aspect of the rural logo sign program, agreed to by the Department, the contractor, and a municipality outside an urbanized area to place specific service information signs on a rural state highway for the municipality.

“Contract” means a written agreement between the Department and a contractor to operate a logo sign program or any aspect of a logo sign program that describes the obligations and rights of both parties.

“Contractor” means a person or entity that enters into an agreement with the Department to operate a logo sign program or any aspect of a logo sign program, and that is responsible for marketing, furnishing, installing, maintaining, and replacing specific service information signs: those aspects of a logo sign program as provided in the contract.

“Department” means the Arizona Department of Transportation.

“Director” means the Director of the Arizona Department of Transportation or the Director’s designee.

“Exit ramp” means a roadway by which traffic may leave a controlled access highway to another highway.

“FHWA” means the Federal Highway Administration of the U. S. Department of Transportation.

“Food court” means a collective food facility that exists in one contiguous area and contains a minimum of three separate food service businesses.

“Highway” has the same meaning as prescribed in A.R.S. § ~~28-101(49)~~ 28-101.

“Interchange” means the point at which traffic on a system of interconnecting roadways that have one or more grade separations, moves from one roadway to another at a different level.

“Intersection” has the same meaning as prescribed in A.R.S. § ~~28-601(7)~~ 28-601.

“Interstate highway” system” has the same meaning as prescribed in A.R.S. § ~~28-7901(4)~~ 28-7901.

“Interstate logo sign program” means a system to install and maintain specific service information signs on certain portions of an interstate highway system as provided in A.R.S. § ~~28-7311(A)~~ 28-7311.

“Lease agreement” means a written contract between a contractor and a responsible operator or between the Department and a responsible operator to lease space for a responsible operator’s logo sign on a contractor’s or the Department’s specific service information sign.

“Logo” means an identification brand, symbol, trademark, name, or a combination of these, for a responsible operator.

“Logo sign” means part of a specific service information sign consisting of a lettered board attached to a separate rectangular panel, and that displays an identification brand, symbol, trademark, name, or a combination of these, for a responsible operator.

“Logo sign panel” means a separate rectangular panel on which a logo is placed.

“Major decision point” means a location at or before the point at which a rural state highway intersects with another rural state highway or a local roadway, that is within a municipality (except an urbanized area), and that the Department determines to be the point at which a driver must shall make a decision whether to stay on the highway or turn off onto the other highway or local roadway.

“Municipality” means an incorporated city or town.

“MUTCD” has the same meaning as prescribed in R17-3-901.

“Primary business” means:

A gas service business that is within three miles of an intersection or exit ramp; and is in continuous operation to provide services at least ~~12~~ 16 hours per day, seven days per week; for the interstate system; and 12 hours per day, seven days per week, for other highways;

A food service business that is within three miles of an intersection or exit ramp terminal; and is open for operation no later than 7:00 a.m., provides seating for at least 20, and is in continuous operation to provide service at least three meals per day (breakfast, lunch, and dinner) at least six days per week; in continuous operation to

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serve at least two meals per day at least six days per week;

A lodging service business that is within three miles of an intersection or exit ramp terminal;

A camping service business that is within five miles of an intersection or exit ramp terminal; ~~or~~

An attraction service business, or staging area of that business, that is within three miles of an intersection or exit ramp terminal; or

A 24-hour pharmacy that is within three miles of an interchange or exit ramp terminal.

“Ramp terminal” means the area where an exit ramp intersects with a roadway.

“Responsible operator” means a person or entity that:

Owens or operates a business,

Has authority to enter into a lease, and

Enters into a lease for a logo sign through the interstate, ~~or rural, or urban~~ logo sign program.

“Rural logo sign program” means a system to install and maintain specific service information signs on a rural state highway outside of an urbanized area, as provided in A.R.S. § ~~28-7311(B)~~ 28-7311.

“Rural state highway” means any class of state highway, other than an interstate highway, located outside of an urbanized area as provided in A.R.S. § ~~28-7311(B)~~ 28-7311(B) and (E)(2).

“Secondary business” means a business as follows:

A gas service business that is within ~~15 miles~~ three to 15 miles of an intersection or exit ramp terminal, and is in continuous operation to provide services at least eight hours per day, five consecutive days per week;

A food service business that is within ~~15 miles~~ three to 15 miles of an intersection or exit ramp terminal, and is in continuous operation to serve at least two meals per day (either breakfast and lunch, or lunch and dinner) for a minimum of five consecutive days per week;

A lodging service business that is within ~~15 miles~~ three to 15 miles of an intersection or exit ramp terminal;

A camping service business that is within ~~15 miles~~ five to 15 miles of an intersection or exit ramp terminal; or

An attraction service business, or staging area of that business, that is within ~~15 miles~~ three to 15 miles of an intersection or exit ramp terminal.

A 24-hour pharmacy that is between three to 15 miles of an interchange or exit ramp terminal.

“Specific service” means gas, food, lodging, camping, ~~or attraction services.~~ attractions, or 24-hour pharmacies.

“Specific service information sign” means a rectangular sign panel that contains directional information, one or more logos, and the following words:

~~The words “GAS,” “FOOD,” “LODGING,” “CAMPING,” or “ATTRACTION,”~~ OR “24-HOUR PHARMACY.”

~~Directional information, and~~

~~One or more logo signs.~~

“Staging area” means a regular, designated site where a scenic tour begins.

“State highway” has the same meaning as prescribed in A.R.S. § 28-101.

“Straight-ahead sign” means a specific service information sign that provides additional directional guidance to a location, route, or building located straight ahead on a roadway, and that is located before a junction that is a major decision point.

“Trailblazing sign” means a specific service information sign that provides additional directional guidance to a location, route, or building from another highway or roadway.

“Urbanized area” has the same meaning as prescribed in A.R.S. § ~~28-7311(D)~~ 28-7311(E)(2).

“Urban logo sign program” means a system to install and maintain specific service information signs on an interstate system within an urbanized area, as provided in A.R.S. § 28-7311.

“U.S. DOT” means the United States Department of Transportation.

**B. ~~Logo sign program administration.~~ Administration.**

- ~~The Department shall solicit offers, as provided in A.R.S. §§ 41-2501 through 41-2673, to select a contractor to operate a logo sign program.~~ The Department may operate an urban, an interstate, and a rural logo sign program, or may select a contractor to administer an urban, an interstate, and a rural logo sign program. If the Department utilizes a contractor to administer an urban, an interstate, and a rural logo sign program, the Department shall solicit offers, as provided in A.R.S. §§ 41-2501 through 41-2673, to select a contractor.
- The Department may contract separately for ~~each program.~~ an urban, an interstate, and a rural logo sign program.
- ~~The~~ A contract shall specify the standards that a contractor shall use, ~~including the following:~~ which are contained in

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the MUTCD, U.S. DOT/FHWA, current edition as adopted by the Department under A.R.S. § 28-641 and any other requirements and standards prescribed by the Department.

a. Manual on Uniform Traffic Control Devices, USDOT/FHWA, current edition as adopted by the Department;

b. Arizona Department of Transportation Traffic Control Supplement, 1996 edition; and

e. Arizona Department of Transportation Standard Specifications, 2000 edition.

4. ~~The Department shall approve the form of any lease agreement between the contractor and~~ may propose its own form of a written lease agreement with a responsible operator. ~~The Department shall pre-approve the form of any written lease agreement between a contractor and a responsible operator. The lease agreement shall~~ A contractor's lease agreement with a responsible operator shall include, by reference, the terms and conditions of the Department's contract with the a contractor under A.R.S. §§ 41-2501 through 41-2673.

C. Eligibility criteria for primary and secondary businesses.

1. Any business is ineligible ~~for to place~~ a logo on a logo sign panel if it already has a highway guide sign installed by the Department.
2. Gas service business. To be eligible to place a logo ~~sign, on a logo sign panel,~~ a gas service business shall:
  - a. Provide ~~fuel, gasoline, diesel fuel,~~ oil, and water for public purchase or use;
  - b. Provide sanitary restroom facilities and drinking water; ~~and~~
  - c. Provide a telephone ~~available for emergencies to the public during hours of operation.~~ available for public use; ~~and~~
  - d. Meet the additional requirements for a primary or secondary gas service business in the definition of a primary or secondary business in subsection (A) of this Section.
3. Food service business. To be eligible to place a logo ~~sign, on a logo sign panel,~~ a food service business shall:
  - a. Provide sanitary restroom facilities for customers;
  - b. Provide a telephone ~~available for emergencies to the public during hours of operation;~~ and available for public use;
  - c. If a food service business is part of a food court located within a shopping mall, the shopping mall may qualify as the responsible operator if the food court:
    - i. Complies with ~~subsection (C)(3);~~ this Section, and
    - ii. Has clearly identifiable on-premise signing consistent with the logo sign that is sufficient to guide motorists directly to the entrance to the food court.
  - d. Have a license where required; and
  - e. Meet the additional requirements for a primary or secondary food service business in the definition of a primary or secondary business in subsection (A).
4. Lodging service business. To be eligible to place a logo ~~sign, on a logo sign panel,~~ a lodging service business shall:
  - a. Provide five or more units of sleeping accommodations; ~~and;~~
  - b. Provide a telephone available for ~~emergencies to the public during hours~~ the lobby is open for registration. ~~public use;~~
  - c. Have a license, where required;
  - d. Provide sanitary restroom facilities for customers; and
  - e. Meet the additional requirements for a primary or secondary lodging service business in the definition of a primary or secondary business in subsection (A).
5. Camping service business. To be eligible to place a ~~logo sign,~~ logo on a logo sign panel, a camping service business providing camping facilities shall:
  - a. Be able to accommodate all common types of travel trailers and recreational vehicles;
  - b. ~~Be equipped to handle a minimum of 15 travel trailers or recreational vehicles;~~ Have a license, where required;
  - c. Provide ~~drinking water and a sewer hook up or dump station;~~ and sanitary restroom facilities and drinking water;
  - d. Be available on a year-round basis unless camping in the ~~general area~~ community is of a seasonal nature in which case the facilities in question shall be open to the public 24 hours per day, seven days per week during the entire season; ~~and~~
  - e. Meet the additional requirements for a primary or secondary camping service business in the definition of a primary or secondary business in subsection (A).
6. Attraction service business. To be eligible to place a ~~logo sign,~~ logo on a logo sign panel, an attraction service business shall: meet the following requirements, if applicable:
  - a. Derive less than 50% of its sales from:
    - i. The sale of alcohol consumed on the premises, or
    - ii. Gambling; ~~;~~
  - b. Derive more than 50% of its sales or visitors during the normal business season from motorists not-residing within a 25-mile radius of the business; ~~;~~
  - c. Provide at least 10 parking spaces; ~~;~~
  - d. ~~Provide restroom facilities and drinking water; and~~ Be significant as a historic, cultural, scientific, educational,

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- or recreational site, natural scenic phenomenon, or unique commercial activity.
- e. Be in continuous operation at least six hours per day, six days per week, except:
  - i. An arena attraction shall hold events at least 28 days annually;
  - ii. A cultural attraction shall be open at least 180 days annually;
  - iii. An educational attraction shall operate at least six hours per day, five days per week;
  - iv. A domestic farm winery or brewery domestic microbrewery shall be open for tours at least 40 days annually;
  - v. A farm-related attraction shall be open at least 120 days annually; or
  - vi. A dude ranch shall be open at least 150 days annually.
- f. Meet the additional requirements for a primary or secondary attraction service business in the definition of a primary or secondary business in subsection (A) of this Section.

- 7. Twenty-four hour pharmacy business. To be eligible to place a logo on a logo sign panel, a 24-hour pharmacy business shall:
  - a. Operate continuously 24 hours per day, seven days per week;
  - b. Have a state-licensed pharmacist present and on duty at all times; and
  - c. Meet the additional requirements for a primary or secondary 24-hour pharmacy business in the definition of a primary or secondary business in subsection (A).

D. Ranking.

- 1. If more than six eligible businesses providing the same specific service request lease space ~~for~~ and placement of a logo sign on one specific service information sign, ~~the~~ a contractor or the Department shall use the following ranking criteria to determine which businesses are awarded a lease:
  - a. The business closest to an intersection or exit ramp terminal shall receive first priority,
  - b. A gas service business or a food service business that provides the most days and hours of service shall receive second priority,
  - ~~e. A food service business that provides the most indoor seating capacity shall receive third priority, and~~
  - ~~d. c.~~ A business that does not have an off-premise advertising sign to direct motorists to its business within five miles of where from the location of the specific service information sign is to be located shall receive fourth third priority, and
  - d. All other businesses shall be ranked on a first-come first-served basis by the date and time of the initial request.
- 2. If two or more businesses have the same ranking, ~~in qualifications, the~~ a contractor or the Department shall award a lease to the first business that requests placement of a logo sign on a logo sign panel. ~~The~~ A contractor or the Department shall establish a waiting list for other businesses in sequence of each request.
- 3. ~~The~~ A contractor or the Department ~~shall not renew~~ may elect not to renew the lease of a responsible operator if another eligible business with higher priority requests lease space for ~~a logo sign.~~ placement of a logo on a logo sign panel.

E. Secondary businesses.

- 1. Lease limitations. For a secondary business, ~~the~~ a contractor or the Department may enter into a lease for up to five years or renew a lease for up to five years, with the following terms:
  - a. ~~The~~ A responsible operator is guaranteed a term of two years, providing the responsible operator complies with all other terms of the lease;
  - b. After the two-year period, ~~the~~ a contractor or the Department shall terminate the lease and remove the ~~logo sign~~ appropriate logo from the logo sign panel if another eligible business with higher priority requests lease space for a ~~logo sign; and, on a logo sign panel; and~~
  - c. ~~The~~ A contractor or the Department shall notify ~~the~~ a responsible operator at least six months before terminating the lease and removing ~~the~~ a logo from the logo sign- panel.
- 2. ~~The~~ A contractor or the Department shall display the following additional information on a specific service information sign for a secondary business, as space allows, based on the following ranking order:
  - a. Distance,
  - b. Days and hours of operation, and
  - c. Seasonal operation.

F. Contractor or Department responsibility.

- 1. ~~The~~ A contractor shall follow all Department design standards and specifications for all sign panels, supports, and materials, as provided in the contract- and the MUTCD.
- 2. ~~The~~ A contractor or the Department shall ensure that a business complies with all criteria established in this Section. ~~The~~ A contractor or the Department shall not enter into a lease agreement or renew a lease agreement if the criteria are not met. If a responsible operator becomes ineligible ~~for to place a logo on a logo sign panel, a logo sign,~~ the ~~a~~ contractor or the Department shall remove ~~the~~ a logo sign from a logo sign panel ~~within 20 days~~ after notifying ~~the~~ a responsible operator as provided in the lease.
- 3. ~~The~~ A contractor or the Department shall require that a responsible operator certify in writing ~~to the contractor as directed that~~ the ~~a~~ responsible operator will comply with all applicable federal, state, and local laws, ordinances,

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- rules, and regulations.
4. ~~The A contractor or the Department shall not place a specific service information sign so as to obstruct or detract from a traffic control device. that obstructs or detracts from a traffic control device.~~
  5. ~~The A contractor shall not remove or relocate an existing official traffic control device, as defined in A.R.S. § 28-601(12), to accommodate a specific service information sign without prior written approval by the Department, or a local authority under A.R.S. § 28-643.~~
  6. ~~The A contractor or the Department shall provide a copy of the signed lease agreement to the a responsible operator, as defined in subsection (A). The A responsible operator shall deliver the a logo sign for the logo sign panel to the a contractor or the Department for installation, or contract with the a contractor to fabricate the logo sign a logo for a logo sign panel to the a responsible operator's and the Department's specifications.~~
  7. ~~The A contractor or the Department shall return any pre-paid lease payments to the a responsible operator if the a responsible operator's logo sign is not erected installed on a logo sign panel for reasons caused by the Department or the a contractor.~~
  8. ~~The A contractor shall obtain an encroachment permit under R17-3-501 through R17-3-509 before erecting or modifying a specific service information sign along a state highway.~~
  9. ~~If the a contractor requests an encroachment permit under R17-3-501 through R17-3-509, the Department's staff shall decide the best placement of a specific service information sign and shall cooperate with the a contractor to provide information to the motoring public as prescribed in subsection (E)(2).~~
  10. ~~If a logo sign program an urban, interstate, or rural logo sign program is terminated, the a contractor or the Department shall:~~
    - a. ~~Notify a responsible operator by certified mail of the termination and the location where the a responsible operator may claim its logo sign;~~
    - b. ~~Remove all sign panels and supports, and~~
    - c. ~~Refund any lease payments on a prorated basis to each responsible operator.~~
  11. ~~A contractor or the Department shall determine the position and location of new or additional logos on logo sign panels or specific service information signs when logo sign vacancies occur on a logo sign panel or a specific service information sign panel, and a new responsible operator wishes to lease space on that panel, or a waiting list exists.~~

**R17-3-903. Special Exception Waiver for Urban Logo Sign Program and Requirements**

For purposes of the logo sign program, the Department shall allow the contractor to install and maintain a specific service information sign on an interstate highway within an urbanized area, as follows:

1. ~~The Department eliminates an exit ramp or interchange from the state highway system, within an urbanized area, as prescribed in R17-3-904(A).~~
  2. ~~The Department shall allow the contractor to install and maintain a specific service information sign at an exit ramp or interchange directly preceding the exit ramp or interchange that will be eliminated.~~
  3. ~~The spacing provisions for a specific service information sign shall be maintained regardless of the space available or the number of businesses.~~
  4. ~~A business may request a logo sign by contacting in writing the District Engineer for the Department's District office where the eliminated exit ramp or interchange is located.~~
  5. ~~A business shall meet all eligibility criteria as prescribed in R17-3-902(C), except for any distance requirement. A business shall:~~
    - a. ~~Be located directly off of the interstate highway, and~~
    - b. ~~Have been routinely accessed from the eliminated exit ramp or interchange by having direct access from:~~
      - i. ~~The crossroad at the eliminated exit ramp or interchange;~~
      - ii. ~~The frontage road of the interstate at the eliminated exit ramp or interchange, within 1,000 feet of the crossroad; or~~
      - iii. ~~The frontage road of the interstate at the eliminated exit ramp or interchange, within 1,000 feet of the crossroad, as the frontage road existed before the exit ramp or interchange was eliminated.~~
  6. ~~The business is responsible for fulfilling all other statutory, regulatory, and contractual requirements of the logo sign program.~~
  7. ~~The contractor shall not place a specific service information sign in an urban area for more than three years.~~
- A. Elimination of exit ramp or interchange.** For purposes of the urban logo sign program, when the Department eliminates an exit ramp or interchange from the state highway system in an urbanized area, a contractor or the Department shall install and maintain a specific service information sign panel on an interstate highway within an urbanized area, at an exit ramp or interchange directly preceding the exit ramp or interchange that the Department eliminates, as prescribed in this Section.
1. A business may request placement of a logo on a logo sign panel in writing by contacting the Department.
  2. A business shall meet the following eligibility criteria as prescribed in R17-3-902(C), except for any distance requirement:
    - a. Be located directly off the interstate highway, and

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- b. Have previous routine access from the eliminated exit ramp or interchange with direct access from:
  - i. The crossroad at the eliminated exit ramp or interchange;
  - ii. The frontage road of the interstate at the eliminated exit ramp or interchange, within 1000 feet of the crossroad; or
  - iii. The frontage road of the interstate at the eliminated exit ramp or interchange, within 1000 feet of the crossroad, as the frontage road existed before the exit ramp or interchange was eliminated.
- 3. A business is responsible for fulfilling all other statutory, regulatory, and contractual requirements of the urban logo sign program.
- 4. A contractor or the Department shall not place a specific service information sign in an urban area for more than three years.
- B.** Urban area. Except as prescribed in this Section, a contractor shall not place a specific service information or directional sign on any highway in an urbanized area, which includes the following:
  - 1. Phoenix:
    - a. Interstate 10, Agua Fria River bridge to Gila River Indian Reservation boundary (milepost 161.68);
    - b. Interstate 17, Skunk Creek bridge to junction Interstate 10;
    - c. State Route 51;
    - d. US 60, Beardsley Canal to Ellsworth Road (milepost 191.40);
    - e. State Route 85, 17th Avenue to 15th Avenue;
    - f. State Route 87, Chandler south city limit (milepost 162.82) to Salt River bridge;
    - g. State Route 88, US 60 to 200 feet north of Tomahawk Road (milepost 197.50);
    - h. State Route 101 loop;
    - i. State Route 143;
    - j. State Route 153;
    - k. State Route 202 loop; or
    - l. State Route 303 loop.
  - 2. Tucson:
    - a. Interstate 10, from railroad overpass (milepost 243.33) to milepost 272.00 (between Kolb and Rita traffic interchanges);
    - b. State Business 19, milepost 59.00 (between Hughes Plant Road and Los Reales Road) to junction Interstate 10;
    - c. Interstate 19, San Xavier Indian Reservation boundary (milepost 57.96) to junction Interstate 10;
    - d. State Route 86, milepost 167.83 (between Century Road and Old Ajo Way) to State Business 19;
    - e. State Route 77, junction Interstate 10 to Oro Valley north city limit (milepost 84.16); or
    - f. State Route 210; or
  - 3. Any other urbanized area with a population of 100,000 or more.
- C.** Boundary changes. If the boundaries of an urbanized area, as identified in a subsequent decennial census, are relocated so that an intersection, interchange, or exit ramp is no longer eligible for the urban logo sign program, the Department shall allow the logo signs within the revised urbanized boundaries to remain until the minimum lease obligations between a contractor and a responsible operator, or between the Department and a responsible operator have been fulfilled, or until lease termination, whichever occurs first.

**R17-3-904. Rural Logo Sign Requirements Program**

- A.** Urban area. Except as prescribed in subsection (A)(4) or R17-3-903, the contractor shall not place a specific service information or directional sign on any highway in an urbanized area, which includes the following:
  - 1. Phoenix:
    - Interstate 10, Agua Fria River bridge to Gila River Indian Reservation boundary (milepost 161.68);
    - Interstate 17, Skunk Creek bridge to junction Interstate 10;
    - State Route 51;
    - US 60, Beardsley Canal to Ellsworth Road (milepost 191.40);
    - State Route 85, 17th Avenue to 15th Avenue;
    - State Route 87, Chandler south city limit (milepost 162.82) to Salt River bridge;
    - State Route 88, US 60 to 200 feet north of Tomahawk Road (milepost 197.50);
    - State Route 101 loop;
    - State Route 143;
    - State Route 153;
    - State Route 202 loop; or
    - State Route 303 loop.
  - 2. Tucson:
    - Interstate 10, from railroad overpass (milepost 243.33) to milepost 272.00 (between Kolb and Rita traffic interchanges);
    - State Business 19, milepost 59.00 (between Hughes Plant Road and Los Reales Road) to junction Interstate 10;

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Interstate 19, San Xavier Indian Reservation boundary (milepost 57.96) to junction Interstate 10; State Route 86, milepost 167.83 (between Century Road and Old Ajo Way) to State Business 19; State Route 77, junction Interstate 10 to Oro Valley north city limit (milepost 84.16); or, State Route 210; or

3. Any other urbanized area with a population of 100,000 or more.
4. Boundary changes. If the boundaries of an urbanized area, as identified in a subsequent decennial census, are relocated so that an intersection, interchange, or exit ramp is no longer eligible for the logo sign program, the Department shall allow the logo signs within the revised urbanized boundaries to remain until the minimum lease obligations between the contractor and a responsible operator have been fulfilled.

**B.A.** Number of signs sign panels and services allowed. Only four specific service information signs sign panels are allowed on an interstate or rural state highway ~~to~~ at the approach to an intersection, interchange, or exit ramp; ~~as shown in Illustrations A and B.~~

1. Each specific service information sign panel may shall contain a maximum of six ~~logo signs.~~ logos as provided in Chapter 2J of the current version of the MUTCD.
2. Only one specific service information sign panel for each category type of specific service is allowed on an interstate or rural state highway ~~to~~ at the approach to an intersection, interchange, or exit ramp. ~~The A contractor or the Department may combine categories types~~ of specific services as prescribed in subsection ~~(F)~~ (E).
3. No more than three types of services shall be represented on any specific service information sign panel. If three types of services are displayed on one specific service information sign panel, the panel shall have two logo sign panels for each service, or a total of six logo sign panels. If two types of services are displayed on one sign, the logo sign panels shall be limited to either three for each type, for a total of six logo sign panels, or four for one type and two for the other type, for a total of six logo sign panels.
4. One service type shall appear on no more than two specific service information sign panels.
5. When logos for more than six businesses of a specific service type are displayed at the same interchange or intersection approach, no more than 12 logos of a specific service type shall be displayed on no more than two specific service information sign panels.

**C.B.** Sign sequence, and spacing:

1. ~~The contractor shall install successive specific service information signs in the direction of travel as shown in Illustrations A and B.~~ A contractor or the Department shall install successive specific service information signs in the direction of travel for the following as specified in the MUTCD:
  - a.1. ~~Camping or Attraction.~~ Twenty-four hour pharmacies.
  - b.2. ~~Lodging.~~ Attractions.
  - e.3. ~~Food, and Camping.~~
  - d.4. ~~Gas.~~ Lodging.
  5. Food, and
  6. Gas services.
2. ~~If the approach to an intersection, interchange, or exit ramp on an interstate or rural state highway has insufficient space in a single direction for four specific service information signs, priority shall be in the following order, as shown in Illustration A:~~
  - a. ~~Gas,~~
  - b. ~~Food,~~
  - e. ~~Lodging, and~~
  - d. ~~Camping or Attraction.~~

**D.C.** If a responsible operator operates on a seasonal basis, ~~the a contractor or the Department~~ shall:

1. Remove or cover ~~the a logo sign on a logo sign panel~~ during the off-season; or
2. Display the dates of operation, if additional information is not required under R17-3-902(E)(2).

**E.D.** If the Department ~~requires that decides to move~~ a specific service information sign ~~be moved due to~~ because of construction or reconstruction of transportation facilities, or the placement of other signs or traffic control devices, the standards of the Manual on Uniform Traffic Control Devices MUTCD apply ~~as to~~ regarding the new placement.

**F.E.** Combination signs.

1. ~~The contractor may A contractor or the Department shall combine two three or fewer categories types~~ of specific services on a specific service information sign, ~~as shown in Illustration C, if: panel, or two or fewer logos for each service, for a total of six logos, as provided in Chapter 2J of the current version of the MUTCD, if:~~
  - a. ~~The A contractor or the Department does not reasonably expect that more than reasonably expects that three or fewer~~ businesses for each service type will request a logo sign within five years from the time of installing the combination sign;
  - b. The approach to an intersection, interchange, or exit ramp on an interstate or rural state highway has insufficient space in a single direction for four specific service information signs; or
  - c. Businesses for each of the ~~five six~~ six ~~categories types~~ of specific services request ~~a logo sign.~~ placement of a logo

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on a logo sign panel.

2. The A contractor or the Department shall ensure that a combination sign contains at least one logo sign for each category of specific service displayed: attempt to achieve representation of as many different service types as possible.
3. The A contractor or the Department shall not display a logo sign on a combination sign panel if the specific service category type advertised by the logo sign already exists on a specific service information sign panel on the approach to the intersection, interchange, or exit ramp.

**G.F.** Trailblazing signs.

1. The A contractor or the Department shall install a trailblazing sign for a responsible operator along a highway if the a responsible operator's business is not located on, and is not visible from an intersection with the a highway as directed from the specific service information sign.
2. The A contractor or the Department may locate a trailblazing sign near all intersections where the direction of the route changes or where a motorist may be uncertain as to which road to follow.
3. A trailblazing sign is limited to ~~six logo signs~~: four or fewer logos.
4. The A contractor or the Department shall obtain written approval from the a local governing authority to install and maintain a trailblazing sign along a highway that is not under the Department's maintenance jurisdiction.
5. The A contractor or the Department shall not install a logo sign on a specific service information sign panel until all necessary trailblazing signs have been installed.
6. A trailblazing sign shall indicate by arrow the direction to the a responsible operator's business.
7. A trailblazing sign may:
  - a. Duplicate the logo sign or specific service information sign, or both;
  - b. Consist of two lines of text; or
  - c. Include the category type of specific service and distance to the a responsible operator's business.

**H.G.** A logo sign shall comply with A.R.S. § 28-648. Descriptive advertising words, phrases, or slogans are prohibited on a logo sign, except:

1. If a responsible operator does not have an official trademark or logo, the a responsible operator may display ~~on~~ as its logo, on a logo sign panel, sign the name indicated in its partnership agreement, incorporation documents, or other documentation.
2. Words to identify alternative fuel availability, including "diesel," "propane," "natural gas," and "alcohol" ~~are allowed~~ may be placed on a logo sign panel for a gas service business.

**R17-3-905. Rural Logo Program Sign Requirements**

**A.** In addition to R17-3-902 through ~~R17-3-906, R17-3-904 and R17-3-906~~, the following ~~criteria in this Section~~ requirements apply ~~for~~ to the rural logo sign program:

1. A business is ineligible ~~for a logo sign to place a logo on a logo sign panel~~ if the business is visible and recognizable from a rural state highway 300 feet from the intersection.
2. The A contractor or the Department shall not install a specific service information sign on a rural state highway less than 300 feet before an intersection from which the services are available.
3. The spacing between specific service information signs on a rural state highway shall be at least 200 feet: based on engineering judgment.

**B.** Community logo sign plan.

1. The contractor shall develop a community logo sign plan for a municipality that:
  - a. Is not in an urbanized area, and
  - b. Agrees to the placement of logo signs.
2. A representative from the municipality's government or its designee, the contractor, and the Department shall meet, review, and agree to the plan before the contractor markets logo signs to any business.
3. Either the representative from the municipality's government or the Department may request that the contractor conduct an engineering study to determine the placement of all future specific services information signs, and in relation to existing specific service information signs.
4. The contractor shall not install a specific service information sign on a rural state highway within the boundaries of a municipality unless the municipality agrees in writing to the community logo plan.
5. A community logo plan may include subsections (C) and (D):

**C.** Additional directional information.

1. A straight-ahead sign for a responsible operator's business is allowed if:
  - a. The community has two or more intersecting rural state highways, or
  - b. A local road intersects with a rural state highway at a major decision point for motorists.
2. A specific service information sign may include the name or route number of the rural state highway, city street, or county road on which a responsible operator's business is located, either beneath a vertical, left, or right directional arrow or at the top of the specific service information sign.

**D.B.** Services signs: Specific service information sign.

1. The A contractor or the Department ~~may~~ shall install a specific service information sign that combines ~~three or more~~

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~~categories~~ three or fewer types of specific services and displays the legend “SERVICES” at an approach to an intersection on a rural state highway, ~~as shown in Illustration C;~~ in accordance with Chapter 2J of the current version of the MUTCD, if:

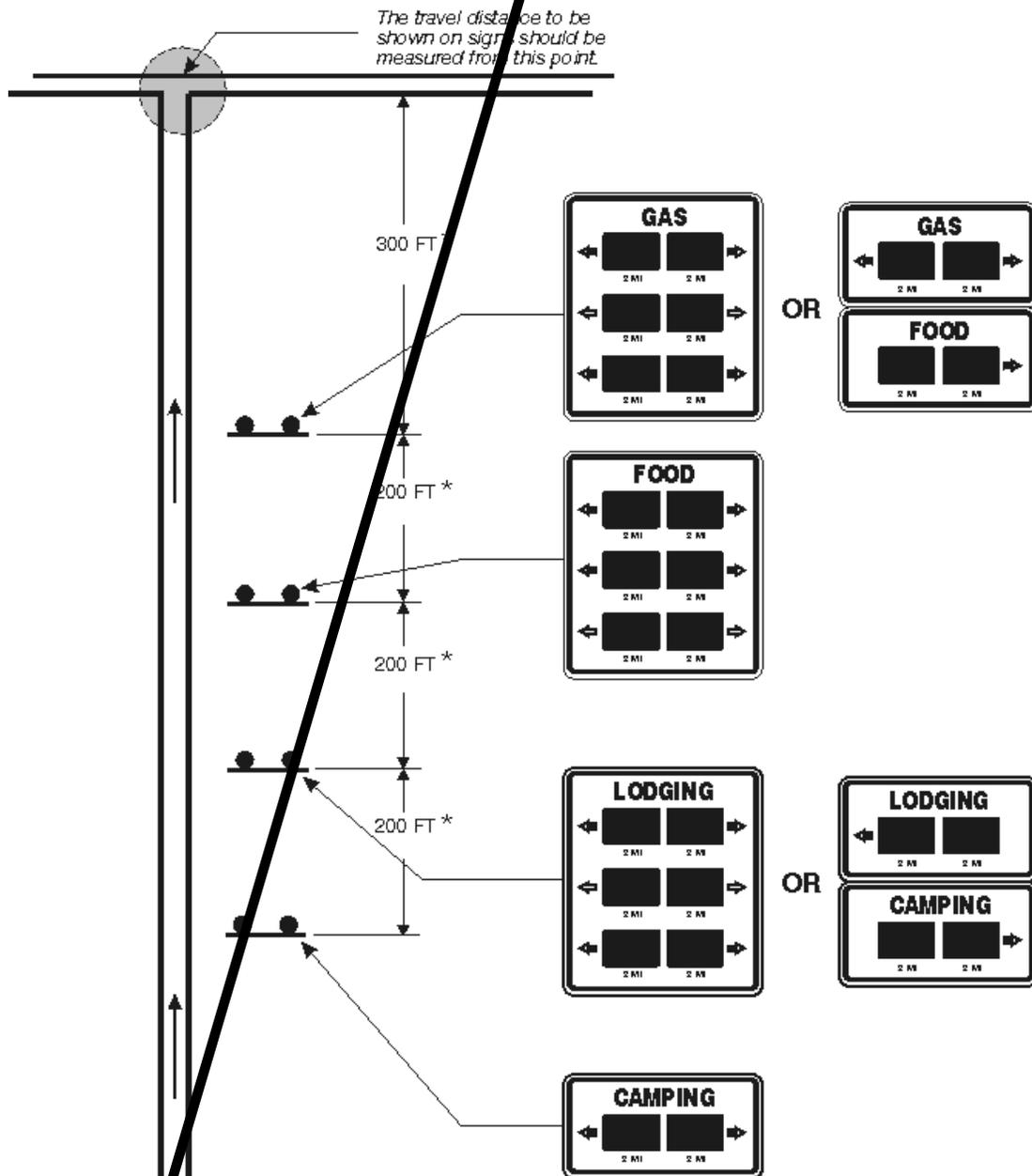
- a. ~~The A contractor or the Department~~ reasonably expects three or ~~more categories~~ fewer types of specific services to lease space for placement of logos on a specific service information sign; panel, and
- b. ~~The A contractor or the Department~~ reasonably expects the total number of ~~logo signs~~ logo sign panels to be leased on one specific service information sign will be at least three and not more than six.
2. ~~The A contractor or the Department~~ shall install no more than one specific service information sign panel that displays the legend “SERVICES” ~~on~~ at an approach to an intersection.
3. ~~The A contractor or the Department~~ shall not display a logo ~~sign~~ on a specific service information sign panel that displays the legend “SERVICES” if the specific service ~~category~~ type advertised by the logo sign already exists on a specific service information sign ~~on~~ at the approach to the intersection.

**C.** A community official designated by a municipality or town organized under Arizona law may sign a written agreement with the Department or its contractor to prohibit installation of logos on logo sign panels or specific service information sign panels on rural state highways within the recognized boundaries of the community.



Illustration B. Repealed

Illustration B  
**TYPICAL SIGNING FOR INTERSECTIONS**  
(RURAL PROGRAM)



\* An engineering study shall determine the location of the sign closest to an intersection, and the spacing between the remaining signs.

Illustration C. Repealed

