

Approved _____

7-1-91
Date

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Representative Herman G. Dillon at
Chairperson

1:35 ~~AM~~/p.m. on March 26, 1991 in room 519-S of the Capitol.

All members were present except:

Representative Gross - Excused
Representative Everhart - Excused

Committee staff present:

Hank Avila - Legislative Research
Bruce Kinzie - Revisor of Statutes
Tom Severn - Legislative Research
Jo Copeland - Committee Secretary

Conferees appearing before the committee:

Senator Nancy Parrish
Senator Ken Francisco
Pat Barnes - Legislative Counsel for Ks. Outdoor
Bill Munson - KDOT - Beautification and Re-location Assistance Officer

Hearing on SB 169 was opened by Chairman Dillon.

SB 169 - Highway advertising control act, nonconforming signs, penalty.

Chairman Dillon introduced Senator Parrish who testified in support of SB 169. (Attachment 1)

Questions and discussion followed.

Chairman Dillon introduced Senator Francisco who testified in support of SB 169. He said he was the owner and operator of Adversign Outdoor Advertising in Sedgwick County. His small company owns a total of 9 outdoor advertising structures. He has been in business for six (6) years. He appeared before the committee to introduce the association's spokesman, Mr. Pat Barnes. We are asking for an amendment to S.B. 169 that would prohibit D.O.T. from competing with private business.

Questions and discussion followed.

Pat Barnes testified in support of SB 169. (Attachment 2)

Chairman Dillon introduced Bill Munson who testified in opposition of SB 169. (Attachment 3)

Hearing ended on SB 169.

Chairman Dillon opened hearing on SB 293.

SB 293 - Possession of fake out-of-state driver's license or identification is a crime.

Lt. Bill Jacobs testified in support of SB 293. He did not provide written testimony.

Hearing ended on SB 293.

Final action on SB 11.

SB 11 - Codification of laws pertaining to Manufactured Housing.

Representative Shallenburger moved to amend SB 11 on page 4, in line 34, by striking all after "and"; by striking all of lines 35, 36 and 37; in line 38, by striking all before "shall"; on page 15, in line 29, by striking "franchise" and inserting "manufactured home sales"

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:35 ~~XX~~ p.m. on March 26, 1991

in lieu thereof; on page 6, in line 19, by inserting after the period the following: "The sale of a mobile home or manufactured home by a manufactured home dealer without such delivery of an assigned certificate of title is fraudulent and void, and it shall constitute a violation of the Kansas manufactured housing act."; and Representative Freeman seconded. Motion carried.

Representative Shallenburger moved to pass SB 11 as amended and Representative Freeman seconded. Motion carried.

Final action on SB 281.

SB 281 - Increasing fees for 72 hour permits.

Representative Correll moved to pass SB 281 favorable and Representative McKechnie seconded. Motion carried.

Final action on SB 282.

SB 282 - Increasing the fee for motor-vehicle fuel tax refund permits.

Representative Webb moved to pass SB 282 favorable and Representative Correll seconded. Motion carried.

Chairman Dillon entertained a motion to approve the March 25th minutes. Representative McClure moved the motion and Representative Shore seconded. Motion carried.

Meeting adjourned at 2:26 p.m.

3-26-91 TESTIMONY OF SENATOR NANCY PARRISH ON S.B. 169

Mr. Chairman, members of the House Transportation Committee, I appreciate the opportunity to appear before you today. I am sponsoring S.B. 169 on behalf of a constituent who brought his concerns regarding highway advertising to my attention. His complaint concerned the display of a mobile flashing sign, used to advertise a seasonal business, near his home.

Under the current statute, an owner has 90 days either to remove the sign or to make it conform with the requirements under the Highway Beautification Act. If the advertiser is operating a seasonal business, all he may need is 90 days each year, without any penalty.

The amendment to the bill specifically addresses mobile signs, which are defined in Section (b). Under the amended version of S.B. 169, the Department of Transportation shall remove the sign at the expense of its owner if the owner fails to remove the sign within seven days. The 90-day time frame remains for stationery nonconforming signs because of the potential costs and inconveniences involved in removing a permanent, nonconforming sign.

It is my understanding that in my constituent's case, no local remedies are available. In the past, when he reported these violations to the Department of Transportation, he was informed that legislation was needed to correct the problem.

*House Transportation
3-26-91
ATTACHMENT 1-1*

Statement Before The
HOUSE COMMITTEE ON TRANSPORTATION & UTILITIES

by

KANSAS OUTDOOR

Tuesday, March 26, 1991

RE: Senate Bill 169

Amending the Highway Advertising Control Act of 1972

Mr. Chairman and Members of the Committee, I am Pat Barnes, Legislative Counsel for Kansas Outdoor, an association of companies which provide outdoor advertising services for the State of Kansas. We are a fairly new organization, which has essentially been formed to provide you information with respect to business problems and legislation which seem to affect us more today than in the past. There probably isn't anyone in this room who is not familiar with our operations and clientele, whether or not you actually realize it. We are the companies who generally own and operate billboard displays along many highways and streets in Kansas.

Kansas Outdoor advertisers are very proud of the product they supply the public. It is an interesting and important business to the people who own and operate these companies, and their employees. This is why we are here today.

(a) Background

Back in 1972, the Highway Advertising Control Act was passed. As part of the declared policy of the Act, found in

*House Transportation
3-26-91
ATTACHMENT 2-1*

K.S.A. 68-2231, the Legislature then recognized that outdoor advertising is a legitimate, commercial use of private property. It also recognized as a matter of policy, among other things, that the reasonable, orderly and effective display of outdoor advertising should be promoted. Finally, it was recognized that outdoor advertising is an integral part of the business and marketing function, and an established segment of the national economy. It has always been recognized that it should be allowed to operate, although it has been regulated.

The Highway Advertising Control Act of 1972 had another function, too. It was used as a method of implementing the Federal Highway Beautification Act passed back in the years of the Johnson administration.

For years the present law has allowed the State to prevent outdoor advertisers from replacing or building new billboards where older structures have become "non-conforming signs" as defined by the Act. There are a number of ways a sign can become non-conforming. Some of the ways a sign becomes non-conforming is with the addition of a sign, expansion of its existing size, upgrading of its quality, and other similar things, other than maintenance, which materially change the nature of the sign from the way it existed on March 31, 1972. (For an exception, see K.S.A. 68-2244, which deals with local

zoning authority and signs erected prior to November 6, 1978, which do not conform to local zoning standards.)

(b) SB 169

With this background, I will now turn to Senate Bill 169. As you can see by the stricken language of the bill, an owner of a permanent sign presently has ninety (90) days after notice from the Department of Transportation to remove a non-conforming sign. This bill after the Senate Amendments will retain this requirement for permanent signs since they do not present the same type of enforcement problem to be addressed, which is temporary or highly mobile signs. The solution implemented was to distinguish between the two classes of signs like some local ordinances do. I want to explain this so as to show why the bill is in its present form.

If this time period is lowered for permanent signs, it will cause great difficulty in our industry. Due to scheduling and the press of day-to-day business, it is often not possible to make the proper arrangements to locate and repair a sign many miles from the home office. Additionally, sometimes billboards are improperly identified as non-conforming, although it is also true that there are signs which are identified correctly as non-conforming. We try to deal with those signs in a timely fashion.

Another problem which arises with signs in general is that over the last twenty (20) to thirty (30) years, some smaller sign companies have sold out to their neighbors and some of the larger companies have purchased some of the smaller companies in order to operate more efficiently. Many of the signs we have on the road today were acquired at a time when they were thought to be conforming without notice that they were actually non-conforming.

Many times a notice that a sign is non-conforming will come as a shock to the advertising company which owns it. In such instances, we need to have understanding with respect to dealing with the sign as it represents a major investment and an ongoing contractual obligation. The ripple effect of a sign being declared non-conforming can mean the loss of many thousands of dollars to one of our members. The 90-day time period allows us to deal with this matter and, if available, negotiate a proper solution. In many cases the non-conformity is due to weather damage, oversight, predecessor additions to the sign (e.g., lighting) or other unexpected occurrences.

Part (b) of the original bill was too onerous and presented many critical problems and, thus, was taken out. The State already has the power to remove these signs and in many cases there are legitimate reasons as to why one of our signs should remain.

(c) Logo Advertising Amendment

There is a more important issue which has heightened the attention of the outdoor advertising industry in Kansas. This bill deals with the area of the law which is involved, the Highway Advertising Control Act, and it provides us an opportunity to bring up an unnecessary problem which we are experiencing at the hands of the State. We feel that this bill could be turned into a positive legislative enactment which would actually end up promoting Kansas business, rather than penalizing it. (Amendments to deal with this issue were drafted for use in the Senate, but the deadline for bills was upon us before the amendments were ready so consideration was deferred to this committee. The proposed amendment is attached.)

This is a problem which we commonly refer to as "logo sign" advertising on State highway right-of-ways. Logo advertising is a State-sponsored program which directly competes with private enterprise and has the effect of severely undercutting free market pricing of our services, if not eliminating them altogether.

Logo advertising is a method whereby the State of Kansas places signs at strategic intervals on the highway right-of-way near interstate exits which typically advertise nationally-

franchised restaurants, gas stations, camping and lodging facilities. These signs are, in fact, owned by the State of Kansas, and our information indicates that these signs rent for as little as \$250.00 annually.

A typical example of a sign would be a blue field with anywhere from 1 to 8 businesses advertised on the sign. The annual rent which I mentioned would in many cases equal the monthly rent on a sign offered for lease by an outdoor advertiser.

This is a problem because we are essentially in the business of making a return on investment and providing a service in the free enterprise system. We are already prohibited in many respects and regulated under the Highway Advertising Control Act. Nevertheless, in the past year the Kansas Department of Transportation has stepped into the business, taking part of our traditional market, and placing signs in the same exact areas where private companies are prohibited by law from placing advertising signs. This is direct competition with us and we have no way around it or any way to compete with it as the state sign possesses a more strategic spot for little expense.

We are essentially asking this Committee to authorize an amendment to eliminate this practice altogether, thus returning the field of advertising to the private sector. The amendments

attached hereto would do this without adverse impact. The traditional state blue field direction signs would remain, but private advertising would be removed from them.

We have researched the issue of logo advertising and its origin. We believe it found its way into the Kansas program administered by the Kansas Department of Transportation through their authority to provide for highway design and maintenance, including lighting, markings and traffic control. In so doing, Kansas has adopted the Manual on Uniform Traffic Control Devices, which also sets forth specifications for the signs which contain "logo" advertising. The logo advertising itself is discretionary. I have a few other items dealing with logo advertising which are attached with your copy of this testimony.

Why is this issue so important? Several of our companies, one based in Topeka, have advertising plants which are statewide. One of the members of Kansas Outdoor has a plant which encompasses the greater Kansas City Metropolitan area, Lawrence, Topeka, Emporia, Ottawa, I-35, and Interstate 70 from the Kansas line west to the Colorado line. Many of the members of Kansas Outdoor have facilities which are quite large, but yet are serviced by small and efficient staffs. Their employees depend upon them and they, in turn, depend upon advertising reve-

nue to pay for their debt and employees. In other states where this occurred the effect was financially devastating.

In sum, while not trying to take away from the issues Senate Bill 169 primarily addresses, we also ask that the Committee install a remedy to give commercial advertising back to the private sector, as opposed to the State entering this field. Because this bill deals with the Highway Advertising Control Act, we think it serves as an avenue for addressing this problem. Thank you for your courtesy. I would certainly be happy to address any questions you may have of me.

fast, lunch, and dinner)
*Public telephone

GENERAL CRITERIA

Business signs may be permitted on Specific Information Panels, provided the business complies with the following criteria:

1. Each business identified on a Specific Information Panel with a Business Sign shall file a written assurance to the Kansas Department of Transportation that it conforms with all applicable laws concerning the provisions of public accommodations without regard to race, religion, color, sex, or national origin, and shall comply with that written assurance.

2. Businesses must be located within a three (3) mile limit in any direction from the ramp terminal of the interchange, except that, if within that three miles, services of the type being considered are not available the mileage may be extended to a maximum of five (5) miles.

3. A **GAS** business in order to qualify shall have:

- *Appropriate licensing as required by law
- *Vehicle services, which shall include fuel, oil, free air, and water
- *Restroom facilities and drinking water
- *Subject to the availability of fuel, there should be continuous operation at least sixteen (16) hours per day, seven (7) days a week. If fuel is not available, the operation shall post on the premises the location of the nearest available source.
- *Public telephone

4. A **FOOD** business to qualify shall have:

- *Appropriate licensing as required by law
- *Continuous operation, year around, seven days a week, serving three (3) meals a day (break-

5. A **LODGING** business in order to qualify shall have:

- *Appropriate licensing as required by law.
- *Adequate lodging accommodations, with a minimum of ten (10) units, each including a bathroom and sleeping room to accommodate at least two (2) persons per unit and adequate vehicle parking.
- *Public telephone

6. A **CAMPING** business in order to qualify shall have:

- *Appropriate licensing as required by local and state law
- *A minimum of twenty spaces to accommodate camping tents and/or travel trailers and/or motorized campers.
- *An adequate supply of drinking water
- *Flush toilets
- *A sanitary disposal system for travel trailers and/or motorized campers
- *Agree to removal or masking of Business Signs, if seasonal operation; the Kansas Department of Transportation will remove or mask the logo during the off season.
- *Public telephone.

7. When the advertised activity or on-premise signing of the business is not visible from either the main travel way or interchange exit ramp, the business shall apply for space on a ramp Specific Information Panel and the mainline Specific Information Panel.

8. The Kansas Department of Transportation is not responsible for damage to Business Signs caused by vandalism or natural forces. If such damage requires repair or replacement of the sign, the business shall provide a new or renovated

The Kansas Department of Transportation has established guidelines for the erection and maintenance of specific information signs erected within the highway right of way on the Interstate System at rural interchanges. This program, commonly identified as "Logo Signing" is designed to provide motorist information about business establishments offering goods and services for GAS, FOOD, LODGING and CAMPING available at a rural interchange. This program is not intended to provide advertising within the public highway right of way and it is not intended to include Urban Interstates.

Under this program, a business which provides the motorist services designated above may have their Business sign displayed on a "Specific Information Panel" if the business meets the criteria listed herein, pays the fees listed herein, and provides a Business Sign that meets the requirements listed herein.

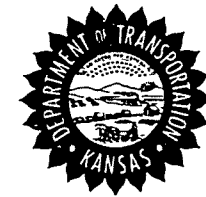
A "Specific Information Panel" is an official sign placed within the highway right-of-way which identifies the type of motorist service with the words GAS, FOOD, LODGING or CAMPING, or combinations thereof, and provides directional individual signs to identify the businesses providing that service.

A "Business Sign" is a separate sign mounted on the "Specific Information Panel" to show the brand, name, or trademark of the qualified motorist service available at or near an interchange.

An "Urban Interstate" means any portion of the Interstate System that is characterized not so much by city limits or other arbitrary boundaries but by the following specific features: mainline roadways with more than two (2) lanes; high traffic volumes on the through roadways; interchanges closely spaced so that the necessary additional signing cannot be placed between interchanges; three (3) or more interchanges serving a city; and a loop, circumferential or spur serving a sizable portion of an urban population.

LOGO SIGN PROGRAM INFORMATION

KANSAS DEPARTMENT OF TRANSPORTATION



KANSAS DEPARTMENT OF
TRANSPORTATION
BUREAU OF TRAFFIC
ENGINEERING
DOCKING STATE OFFICE BUILDING
TOPEKA, KANSAS 66612-1568
913/ 296-3618

2-10

MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES

INTRODUCTION

Traffic control devices are all signs, signals, markings, and devices placed on, over, or adjacent to a street or highway by authority of a public body or official having jurisdiction to regulate, warn, or guide traffic.

The need for high uniform standards was recognized long ago. The American Association of State Highway and Transportation Officials published a manual for rural highways in 1927 and the National Conference on Street and Highway Safety published a manual for urban streets in 1929. But the necessity for unification of the standards applicable to the different classes of road and street systems was obvious. To meet this need, a joint committee of the American Association of State Highway and Transportation Officials and the National Conference on Street and Highway Safety developed, and published in 1935, an original edition of this Manual of Uniform Traffic Control Devices. That committee, though changed from time to time in organization and personnel, has been in continuous existence and has contributed to periodic revisions of the Manual, including this 1988 edition. The committee's name was formally changed to the National Committee (NC) on Uniform Traffic Control Devices.

1988 Edition

Approved Revisions

This hardbound edition of the Manual incorporates all revisions which have been approved through official rulings issued by the Federal Highway Administrator. Most of these rulings were previously published in Revisions 1 thru 4 of the 1978 Edition. This 1988 Edition includes official rulings approved in four *Federal Register* notices effective December 12, 1985, March 9, 1987, March 16, 1988, and January 23, 1989. These 4 *Federal Register* notices comprise Revision 5 of the Manual.

A list of all official rulings with appropriate compliance dates is contained in this latest edition. The official ruling numbers are also identified in the margin of the revised text pages. The dates at the bottom of the text pages indicate the date the official text revisions were distributed.

Symbols and Additions

This edition of the Manual continues the trend set in the previous editions toward broader use of symbols as alternatives to word messages. Also, the following new parts have been added to the Manual:

II-G, Motorist Service Signing

II-H, Recreational and Cultural Interest Area Signs

II-I, Tourist Oriented Directional Signs

VI-H, Control of Traffic Through Incident Management Areas.

Implementation

It is expected that basic uniformity will be obtained in the visible features and functioning of traffic control devices on all highways in accordance with the Manual. Implementation of standards contained in this Manual on all highways open to public travel will be governed by Federal directive.

2G-5 SPECIFIC SERVICE SIGNING

II-1 (c)
Rev. 4

2G-5.1 Application of Specific Service Signs

Specific service signs provide travelers with business identification and directional information for essential motorist services. The signs may be used on any class of highway and are intended for use primarily on areas rural in character. The use of specific service signs should be based on a determination of motorist need for this type of signing.

Specific service signs, if used, shall carry word legends for one (or two in remote rural areas, see Section 2G-5.5) of the following services, GAS, FOOD, LODGING, OR CAMPING, along with an appropriate directional legend such as NEXT RIGHT, SECOND RIGHT or directional arrows, the exit number where applicable, and one or more separately attached business logos. The signs shall have white reflectorized uppercase letters, numbers, arrows, and borders on a blue background. The signs may be illuminated. Typical specific service signs are shown in Figure 2-47. The color and size of logos on a sign are specified in Sections 2G-5.2 and 2G-5.3.

II-161 (c)
Rev. 5

II-161 (c)
Rev. 5

The number of signs shall be limited to one for each type of service along an approach to an interchange or intersection. The number of logos permitted on a sign is specified in Sections 2G-5.5 and 2G-5.6.

In the direction of traffic, successive specific service signs shall be those of CAMPING, LODGING, FOOD, and GAS in that order. The signs should be located so as to take advantage of natural terrain, to have the least impact on the scenic environment, and to avoid visual conflict with other signs within the highway right-of-way. Unprotected sign supports located within the clear zone shall be of a breakaway type of design. Typical sign locations are shown in Figure 2-48.

2G-5.2 LOGOS

A business logo, which may consist of the business identification symbol, name, brand, trademark, or combination, shall be shown on a separate panel which is attached to the specific service sign. Logos should have a blue background with a white legend and border. The principle legend should be at least equal in height to the directional legend on the sign. Where business identification symbols or trademarks are used alone for a logo, the border may be omitted, the symbol or trademark shall be reproduced in the colors and general shape consistent with customary use, and any integral legend shall be in proportionate size.

II-161 (c)
Rev. 5

Messages, symbols, and trademarks which resemble any official traffic control device shall not be used.

2G-5.3 Size of Logos and Signs

Each logo, including its border, when attached to a specific service sign, shall be contained within a rectangular background area which shall not exceed the dimensions shown in Table II-4 for the applicable class of highway and location. Category 1 sizes are for use on expressways where access to crossroads is provided by at-grade intersections. Category 2 sizes are intended as alternates for signing at-grade intersections located between interchanges on expressways. Category 2 sizes shall be used only in conformance with the State signing policy specified in Section 2G-5.8.

Table II-4 Logo Sizes

Class of Highway	GAS		FOOD	
	Width	Height	LODGING Width	CAMPING Height
Freeway (Section 2F-1)	48"	36"	60"	36"
Expressways (Section 2E-1)				
Interchanges	48"	36"	60"	36"
Intersections—Category 1 . . .	36"	24"	36"	24"
Intersections—Category 2 . . .	48"	36"	60"	36"
Conventional Roads and Ramps	24"	18"	24"	18"

II-161 (c)
Rev. 5

Sign sizes must be fixed primarily in terms of the amount and height of legend and the number and size of logos attached to the sign. The vertical and horizontal spacing between logos shall not exceed 8 inches and 12 inches, respectively. Reference shall be made to Sections 2A-19, 2E-12, and 2F-12 for information on borders and on interline and edge spacing.

2G-5.4 Size of Lettering

All letters and numerals on specific service signs, other than on the logos, shall conform to the sizes specified in Table II-5. Letter sizes specified for Expressway Intersections, Category 2, shall be used only in

Table II-5—Letter and Numeral Sizes for Specific Service Signs

	Freeways	Expressways		Ramps and Conventional Highways	
		Interchanges	Intersections		
			Category 1		Category 2
Services	10"	10"	6"	10"	4"
Action Message	10"	10"	6"	10"	4"
Exit Legends					
Words	10"	10"			
Numeral	10"	10"			
Letter	10"	10"			

2-14

conjunction with Category 2 logo sizes given in Table II-4. Arrow details are provided in the publication "Standard Highway Signs." *

2G-5.5 Signing at Interchanges

When used on freeways or at interchanges on expressways, a separate specific service sign shall be used for each type of service for which logos are displayed. Exceptions may be made at remote rural intersections. The specific service signs shall be erected between the previous interchange and 800 feet in advance of the exit direction sign at the interchange from which the services are available. There should be at least 800 feet spacing between the signs. Excessive spacing is not desirable. Specific service signs should not be erected at an interchange where the motorist cannot conveniently reenter the freeway or expressway and continue in the same direction of travel.

At single-exit interchanges, the name of the type of service followed by the exit number shall be displayed on one line above the logos. At unnumbered interchanges, the directional legend NEXT RIGHT (LEFT) shall be substituted for the exit number. The GAS specific service signs should be limited to six logos and the FOOD, LODGING, and CAMPING specific service signs should be limited to four logos each.

II-161
Rev. 5

At double-exit interchanges, the specific service signs should consist of two sections, one for each exit. The top section shall display the logos for the first exit and the lower section shall display the logos for the second exit. The name of the type of service followed by the exit number shall be displayed in a line above the logos in each section. At unnumbered interchanges, the legends NEXT RIGHT (LEFT) and SECOND RIGHT (LEFT) shall be substituted for the exit numbers. Where a type of motorist service is to be signed for at only one exit, one section of the specific service sign may be omitted, or a single-exit interchange sign may be used. The number of logos on the sign (total of both sections) should be limited to six for GAS and four each for FOOD, LODGING, and CAMPING.

II-161
Rev. 5

In remote rural areas, where not more than two qualified facilities are available for each of two or more types of services, logos for two types of services may be displayed on the same sign. Not more than two logos for each type of service shall be displayed in combination on a sign. The name of each type of service shall be displayed above its respective logo(s), and the exit number shall be displayed above the names of the types of services. At unnumbered interchanges, the legend NEXT RIGHT (LEFT) shall be substituted for the exit number. Logos should not be combined on a sign when it is anticipated that additional service will become available in the near future. When it becomes necessary to display a third logo for a type of service displayed in combination, the logos involved shall then be displayed as required at single- or double-exit interchanges.

* Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

At single-exit interchanges, exit ramp signs shall be installed along the ramp or at the ramp terminal for service facilities which have business logos displayed along the main roadway except that logos for facilities visible from the ramp terminal may be omitted. Logos on ramp signs shall be duplicates of the corresponding logos installed along the main roadway, but reduced in size. The reduced size logos may also be installed along the crossroad. Ramp signs should include distances to the service facilities. Directions shall be indicated by arrows. The minimum letter height should conform to Table II-5, except that any legend on a symbol shall be proportional to the size of the symbol. Ramp signing may be used on ramps and crossroads at double-exit interchanges.

II-161 (Rev. 5)

2G-5.6 Signing at Intersections

When specific service signs are used on conventional roads and at intersections on expressways, they should be erected between the previous interchange or intersection and 300 feet in advance of the intersection from which the services are available. The spacing between signs should be determined on the basis of an engineering study. Signs similar to exit ramp signs may be provided on the crossroad. Logos should not be displayed for a type of service for which a qualified facility is visible from a point on the traveled way 300 feet from the intersection.

Each specific service sign should be limited to four logos. Not more than four logos for each type of service should be displayed along each approach to the intersection. A maximum of two logos for each of two different types of services may be combined on the same sign. The name of each type of service shall be displayed above its logo(s), together with an appropriate legend such as NEXT RIGHT (LEFT) or a directional arrow.

II-161 (Rev. 5)

2G-5.7 Guidelines for Specific Service Signing

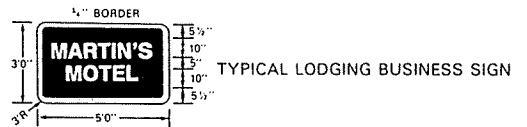
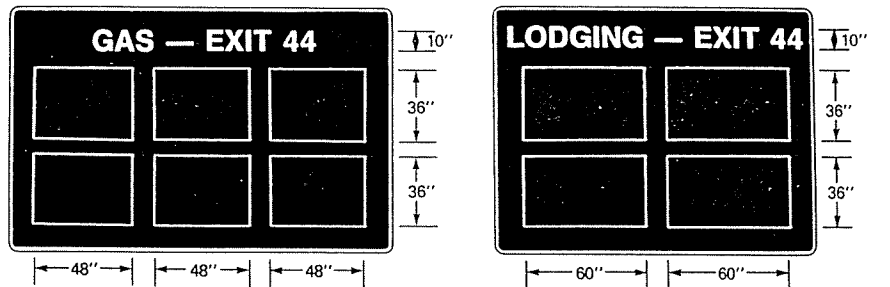
Use of specific service signing should conform to the following guidelines:

1. Eligible service facilities shall comply with laws concerning the provisions of public accommodations without regard to race, religion, color, age, sex, or national origin, and laws concerning the licensing and approval of service facilities.
2. Distances to eligible services should not exceed 3 miles in either direction, except that, if within the 3 miles limit, services of the type being considered are not available, the limit of eligibility may be extended in 3 mile increments until one or more services of the type being considered, or 15 miles, whichever comes first, are reached.
3. The use of GAS signs including:
 - (1) vehicle services including fuel, oil, tire repair, and water;
 - (2) restroom facilities and drinking water;

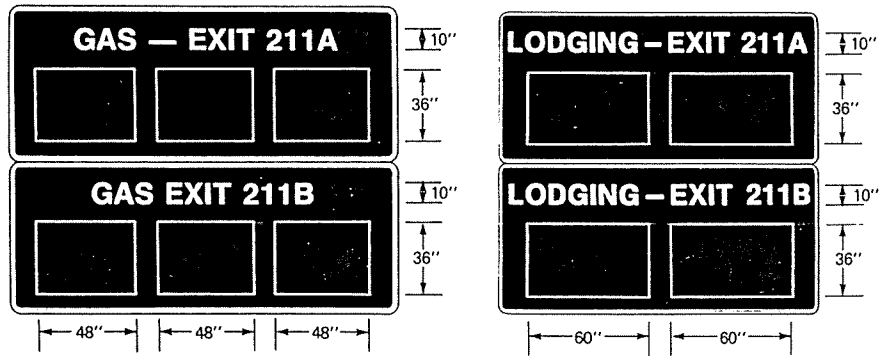
(3) continuous operation at least 16 hours per day, 7 days per week, for freeways and expressways, and continuous operation at least 12 hours per day, 7 days per week, for conventional roads; and

(4) telephone.

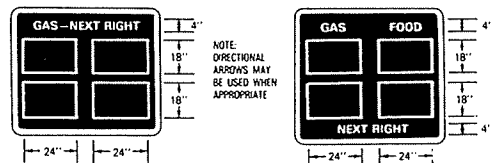
4. The use of FOOD signs including continuous operations to serve three meals a day, 7 days a week and a telephone.



SINGLE EXIT INTERCHANGE



DOUBLE EXIT INTERCHANGE



INTERSECTION

Figure 2-47. Typical Specific Service Signs

2-17

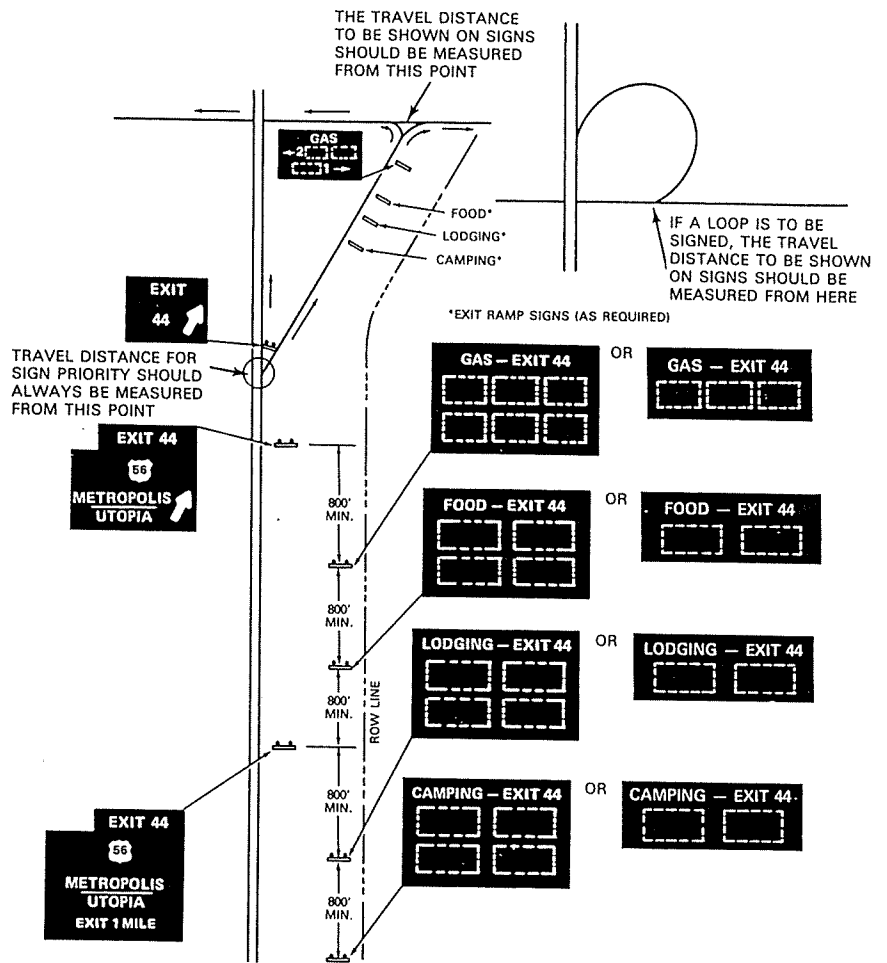


Figure 2-48. Typical Signing for Interchanges

5. The use of LODGING signs including adequate sleeping accommodations, and a telephone.

6. The use of CAMPING signs including adequate parking accommodations, modern sanitary facilities, and drinking water.

2G-5.8 Signing Policy

Each agency with highway jurisdiction that elects to use specific service signs should establish a signing policy which includes, as a minimum, the Provisions of Section 2G-5.7 and the following criteria:

1. Selection of eligible businesses.
2. Distances to eligible services.

3. The use of logos and legends conforming to the requirements of Tables II-4 and II-5.

4. Removal or covering of logos during off seasons for business operating on a seasonal basis.

5. The circumstances, if any, in which specific service signs may be used outside rural areas.

6. Determination of the costs to businesses for initial permits, installations, annual maintenance, removal, etc., of logos.

**BUSINESS SIGN
INFORMATION AND APPLICATION
INSTRUCTIONS**

**KANSAS DEPARTMENT
OF
TRANSPORTATION**

**Bureau of Traffic Engineering
Kansas Department of Transportation
Docking State Office Building, 801N
Topeka, Kansas 66612-1568
913-296-3618**

INTRODUCTION

The Kansas Department of Transportation has established guidelines for the erection and maintenance of specific information signs erected within the highway right-of-way on the Interstate System at rural interchanges. This program, commonly identified as "Logo Signing" is designed to provide motorist information about business establishments offering goods and services for GAS, FOOD, LODGING and CAMPING available at a rural interchange. This program is not intended to provide advertising within the public highway right-of-way and it is not intended to include Urban Interstates.

Under this program, a business which provides the motorist services designated above may have their Business Sign displayed on a "Specific Information Panel" if the business meets the criteria listed herein; pays the fees listed herein and provides a Business Sign that meets the requirements listed herein.

A "Specific Information Panel" is an official sign placed within the highway right-of-way which identifies the type of motorist service with the words GAS, FOOD, LODGING, or CAMPING, or combinations thereof, and provides directional information and space for one(1) or more individual signs to identify the businesses providing that service.

A "Business Sign" is a separate sign mounted on the Specific Information Panel to show the brand, name, or trademark of the qualified motorist service available at or near an interchange.

An "Urban Interstate" means any portion of the Interstate System that is characterized not so much by city limits or other arbitrary boundaries but by the following specific features: mainline roadways with more than two (2) lanes; high traffic volumes on the through roadways; interchanges closely spaced so that the necessary additional signing cannot be placed between interchanges; three (3) or more interchanges serving a city; and a loop, circumferential or spur serving a sizable portion of an urban population.

GENERAL INFORMATION

1. The Kansas Department of Transportation will perform all required installation, removal and replacement of Business Signs on Specific Information Panels. It is not permitted for the public to work within the right-of-way of the interstate system.

2. A Business Sign cannot be displayed which does not meet the criteria set forth herein; which would mislead or misinform the traveling public; or which is unsightly, badly faded or delapidated.

3. The Business Sign shown on the Specific Information Panel shall be repeated on signs with directional arrows located along the interchange ramps where the motorist services are not visible to approaching traffic from either the main travel way or interchange exit ramp. Any determinations on visibility relative to the placement of the supplemental directional signs shall be made by the Kansas Department of Transportation.

4. The selection of qualified businesses to be displayed on the Specific Information Panels shall be made by giving preference to the business closest to the interchange. If a new business offering the same motorist service comes into existence closer to the interchange than one which is currently displayed, at the end of the contract period of one (1) year, the new business may have its Business Sign displayed and the business farthest from the interchange will have its Business Sign removed and returned to the business. However the business farthest from the interchange must have had its Business Sign displayed for a minimum of three (3) contract periods before being removed.

5. In the absence of an official trademark or logo, the official name as indicated in partnership agreements, incorporation documents, or otherwise documented, may be substituted. Descriptive words, phrases or slogans shall not be allowed on a Business Sign; i.e., "Open 24 Hours", "Joe's 24-Hour Market", "Free Coffee," "Credit Cards Accepted," etc.. Only the following descriptive words which are part of the official name will be permitted: "hotel," "motel," "inn," "lodge," "cafe," "diner," or others with similar meaning.

6. Fee structure:

Processing fee per application	\$100.00
Removal fee per Business Sign	\$100.00
Replacement fee per Business Sign	\$100.00
Annual fee per mainline Business Sign	\$250.00
Annual fee per ramp Business Sign	\$125.00

7. Processing fees shall accompany each application. Notification of approval of the application by the Kansas Department of Transportation shall be as soon as possible so the applicant has sufficient time to order and furnish the necessary Business Signs. When the Business Signs have been installed the applicant shall be billed for only the full months of display remaining for the full year which shall be from July 1st. to June 30th. The annual fee shall be due each year thereafter by June 30th. There shall be no refunds of processing fees or annual fees under any circumstances.

8. For more detailed information see "Guidelines For Business Signs On Specific Information Panels".

GENERAL CRITERIA

Business Signs may be permitted on Specific Information Panels, provided the business complies with the following criteria:

1. Each business identified on a Specific Information Panel with a Business Sign shall file written assurance to the Kansas Department of Transportation that it conforms with all applicable laws concerning the provisions of public accommodations without regard to race, religion, color, sex, or national origin, and shall comply with that written assurance.

2. Businesses must be located within a three (3) mile limit in any direction from the ramp terminal of the interchange, except that, if within that three miles services of the type being considered are not available, the mileage may be extended to a maximum of five (5) miles.

3. A GAS business in order to qualify shall have:

- Appropriate licensing as required by law
- Vehicle services, which shall include fuel, oil, free air and water
- Restroom facilities and drinking water
- Subject to the availability of fuel there should be continuous operation at least sixteen (16) hours per day, seven (7) days a week. If fuel is not available the operation shall post on the premises the location of the nearest available source
- Public telephone.

4. A FOOD business in order to qualify shall have:

- Appropriate licensing as required by law
- Continuous operation, year around, seven days a week, serving three (3) meals a day (breakfast, lunch, and dinner)
- Public Telephone.

5. A LODGING business in order to qualify shall have:

- Appropriate licensing as required by law
- Adequate lodging accommodations, with a minimum of ten (10) units, each including a bathroom and sleeping room to accommodate at least two (2) persons per unit

and adequate vehicle parking
-- Public telephone.

6. A CAMPING business in order to qualify shall have:

- Appropriate licensing as required by local and state law
- A minimum of twenty spaces to accommodate camping tents and/or travel trailers and/or motorized campers
- An adequate supply of drinking water
- Flush toilets
- A sanitary disposal system for travel trailers and/or motorized campers
- Agree to removal or masking of Business Signs, if seasonal operation; the Kansas Department of Transportation will remove or mask the logo during the off-season
- Public telephone.

7. When the advertised activity or on-premise signing of the business is not visible from either the main travel way or interchange exit ramp, the business shall apply for space on a ramp Specific Information Panel and the mainline Specific Information Panel.

8. The Kansas Department of Transportation is not responsible for damage to Business Signs caused by vandalism or natural forces. If such damage requires repair or replacement of the sign, the business shall provide a new or renovated Business Sign with the replacement fee to replace the damaged sign.

BUSINESS SIGN SPECIFICATIONS

The sign blank shall be fabricated from flat sheet aluminum of 0.100 inch thickness. The mounting holes are to be drilled to 3/8 inch diameter as per details for the appropriate size sign.

The Business Sign colors shall be consistent with those customarily used with the nationally, regionally or locally known symbols or trademarks. When the official name of the business is used the Business Sign colors shall be blue with a white border and legend. Reflectorized sheeting shall be used and must be equal to or better than 3 M's Scotchlite Series 2200 or 3200, or a comparable industry product. The background paint shall be equal to or better than 3 M's Process Colors, or a comparable industry product.

When a symbol or trademark is used, the legend on it shall be proportional to the size customarily used on that symbol or trademark. The logo or name, whichever may be used, shall be centered both vertically and horizontally on the Business Sign.

When the official name of the business is used the mainline Business Sign shall have a 3/4-inch white border with 8-inch capital or lower case letters and with a one or two line legend.

When the official name of the business is used the ramp Business Sign shall have a 1/2-inch white border with 4-inch capital or lower case letters and with a one or two line legend.

Any messages, trademarks, or symbols which imitate or resemble any official warning or regulatory traffic sign, signal, or device are prohibited.

BUSINESS SIGNS WHICH DO NOT MEET THESE SPECIFICATIONS WILL BE REJECTED!! If there are any questions about the specifications please contact the Bureau of Traffic Engineering prior to the fabrication of the Business Signs.

APPLICATION INSTRUCTIONS

Individual businesses requesting a Business Sign upon a Specific Information Panel shall submit a Business Sign Application Form, which is attached to this information and available from the Bureau of Traffic Engineering, Kansas Department of Transportation.

After the application is approved, the applicant shall furnish the Kansas Department of Transportation with the appropriate Business Signs fabricated in accordance with the attached specifications.

The processing fee shall accompany each application for each type of motorist service being applied for on the mainline Specific Information Panel. If your application is approved or denied you will be notified in writing. No refund of application fee shall be made under any circumstances.

The application shall be completed as follows:

Line 1. Give distance and direction from the nearest ramp terminal (the point where the exit ramp from the Interstate connects to the intersecting roadway) to the nearest entrance to your business.

Line 2. Indicate whether your business establishment (including on-premise signing or other identifying features) is visible from the main travel way, interchange exit ramp, or either ramp terminal.

Line 3. Identify the interchange where your business is located.

Line 4, 5, 6, 7. Below the appropriate type of service, place a check mark in all applicable blanks.

Line 8. Enter approved state license number and the date it was issued (if applicable).

Line 9. Enter daily hours of operation on a seasonal basis.

Line 10. Indicate by check mark the days of the week your business is in operation.

Line 11. Enter months of operation.

Line 12. If your business is operated on a seasonal basis, enter dates of reduced hours or closed season.

Applicant's Certification shall be signed by all applicants. Failure to fully complete all applicable lines on the application, or falsification of information, or failure to sign it will result in the rejection of the application.

LOGO SIGNING APPLICATION

Bureau of Traffic Engineering
Kansas Department of Transportation
Docking State Office Building, 801N
Topeka, Kansas 66612-1568
913-296-3618

Name of Business _____ Business Phone _____

Name of Applicant _____ Title _____

Business Address _____ Zip Code _____

BUSINESS LOCATION DATA:

- 1. Travel distance from nearest exit ramp terminal: _____ miles. Direction: N S E W (To nearest tenth mile) (circle one)
2. Is the advertised activity or the on premise signing visible from the main travel way, the interchange exit ramp, or either ramp terminal? Yes _____ No _____
3. Clearly identify interchange (i.e. route and exit number): _____

MINIMUM REQUIRED SERVICES:(Check Primary Service Only)

- 4. GAS: Fuel, Oil, Free Air & Water, Public Restrooms, Drinking Water, Continuous Operation 16 Hours/Day, 7 Days a Week, Public Telephone
5. FOOD: Approved State License, Breakfast Daily, Lunch Daily, Dinner Daily, Continuous Operation 7 Days a Week, Public Telephone
6. LODGING: Approved State License Ten Units or More, Each Including a Bathroom & a Sleeping Room, Adequate Vehicle Parking, Public Telephone
7. CAMPING: Approved State License Minimum of 20 Spaces, Drinking Water, Flush Toilets, Sanitary Disposal System, Seasonal Operation, Public Telephone

8. List Appropriate State License Number: _____ Issuance Date: _____

OPERATION DETAILS:

- 9. Business Hours: Spring _____ Fall _____ Summer _____ Winter _____
10. Days of Operation: _____ Sunday _____ Monday _____ Tuesday _____ Wednesday _____ Thursday _____ Friday _____ Saturday
11. Months of Operation: All _____ Seasonal _____
12. Camping Only: If operated on a seasonal basis; closed for off-season from _____ to _____ (KDOT shall remove or mask Business Sign during off-season.)

APPLICANT'S CERTIFICATION

I certify that the above and foregoing statements are true and correct and that I will inform the Kansas Department of Transportation of any changes to the above indicated information that may affect the availability of the service provided. I further certify that I will not discriminate or deny such services of public accommodations based upon race, religion, color or national origin which is prohibited by law and that I have read and understood the documents titled "BUSINESS SIGN INFORMATION AND APPLICATION INSTRUCTIONS" and "GUIDELINES FOR BUSINESS SIGNS ON SPECIFIC INFORMATION PANELS".

Applicant's Signature

Date

NOTICE: Falsification of the foregoing statements will result in the denial or revocation of this application and the removal of any Business Sign in addition to any other penalty provide by law. The Kansas Department of Transportation will not be responsible for damage to Business Signs caused by vandalism or natural forces.

BUREAU OF TRAFFIC ENGINEERING USE ONLY

Application No. _____ Date Received _____ Route No. _____ County No. _____ Plan No. _____

GAS _____ FOOD _____ LODGING _____ CAMPING _____

Approved _____ Denied _____

SIGN STATIONING

Mainline Ramp

Comments: _____

N. B. _____

S. B. _____

E. B. _____

W. B. _____

Signature

Date

**BUSINESS SIGN
ACQUISITION PROVISIONS
AND
SPECIFICATIONS**

**Bureau of Traffic Engineering
Kansas Department of Transportation
State Office Building, 801N
Topeka, Kansas 66612-1568
913-296-3618**

ACQUISITION PROVISIONS

1. Before any Business Sign is placed on a mainline or ramp Specific Information Panel, the design, layout, and color scheme of the logo will be submitted to the Bureau of Traffic Engineering, Kansas Department of Transportation for approval. The business shall have the sign supplier submit a material certification (see page # 5) and two (2) shop drawing copies of the proposed Business Sign consisting of and indicating the following:

- a. Locations of holes and borders with dimensions,
- b. Colors to be used,
- c. Spacing of design, lettering, and symbols if used.

2. The designs will be reviewed by the Bureau and one(1) copy will be returned approved or with revisions, corrections, and/ or changes. One copy will be retained by the Bureau. Do not purchase or fabricate the Business Sign until approval is received.

3. Businesses with previously approved Business Sign designs need not re-submit designs unless a change is being made, but the material certifications will always be required.

4. For required sign sizes, details and punching patterns see pages 6-8.

5. The business establishments serving a nationally recognized brand should consider using the national brand logo rather than the name of the business.

6. Drawings shall be submitted for approval to:

Bureau of Traffic Engineering
Kansas Department of Transportation
State Office Building, 801N
Topeka, Kansas 66612-1568

7. Completed signs shall be shipped to:

Sign Shop
Kansas Department of Transportation
101 Gage Blvd.
Topeka, KS 66606-2021
Attn.: Kerry McDonald
Sign Shop Supervisor

BUSINESS SIGN SPECIFICATIONS

The sign blank shall be fabricated from flat sheet aluminum of 0.100 inch thickness. The mounting holes are to be drilled to 3/8 inch diameter as per details for the appropriate size sign.

The Business Sign colors shall be consistent with those customarily used with the nationally, regionally or locally known symbols or trademarks. If the official name of the business is used the Business Sign colors shall be blue with a white border and legend. Reflectorized sheeting shall be used and must be equal to or better than 3 M's Scotchlite Series 2200 or 3200, or a comparable industry product. The background paint shall be equal to or better than 3 M's Process Colors, or a comparable industry product.

When a symbol or trademark is used, the legend on it shall be proportional to the size customarily used on that symbol or trademark. The logo or name, whichever may be used, shall be centered both vertically and horizontally on the Business Sign.

When the official name of the business is used the mainline Business Sign shall have a 3/4-inch white border with 8-inch capital or lower case letters and with a one or two line legend.

When the official name of the business is used the ramp Business Sign shall have a 1/2-inch white border with 4-inch capital or lower case letters and with a one or two line legend.

Any messages, trademarks, or symbols which imitate or resemble any official warning or regulatory traffic sign, signal, or device are prohibited.

BUSINESS SIGNS WHICH DO NOT MEET THESE SPECIFICATIONS WILL BE REJECTED!! If there are any questions about the specifications please contact the Bureau of Traffic Engineering prior to the fabrication of the Business Signs.

LOGO SIGN SUPPLIERS

Lyle Sign Co.
7934 Wallace Rd.
Eden Prairie, Mn. 55344
612-934-7653

National Sign Co.
1204 N. Main
Box 25
Ottawa, Ks. 66067
913-242-4111

K. E. Hill
Box 1972
Hutchinson, Ks. 67501
316-663-6512

Interstate Highway Sign Co.
P.O. Box 2380
605 Scott Hamilton Dr.
Little Rock, Ark. 72203
501-565-8484

Vulcan Sign Inc.
P.O. Box 850
Foley, Al. 36535
800-633-6845

Commercial Sign Co.
P. O. Box 897
Colby, KS 67701
800-344-7446
913-462-3361

J & S Contractors Supply
P. O. Box 16026
Denver, CO 80216

Art Kraft, Co
P. O. Box 1348
Grand Island, NE 68802
800-356-0904

MATERIAL CERTIFICATION

We hereby certify that the reflective material we will supply for the logo sign(s) will fully comply with the "Business Sign Specifications" and will be _____, supplied to us by _____, and that these signs will be fabricated in strict accordance with the sign manufacturer's recommendations.

Signature of Fabricator

Company

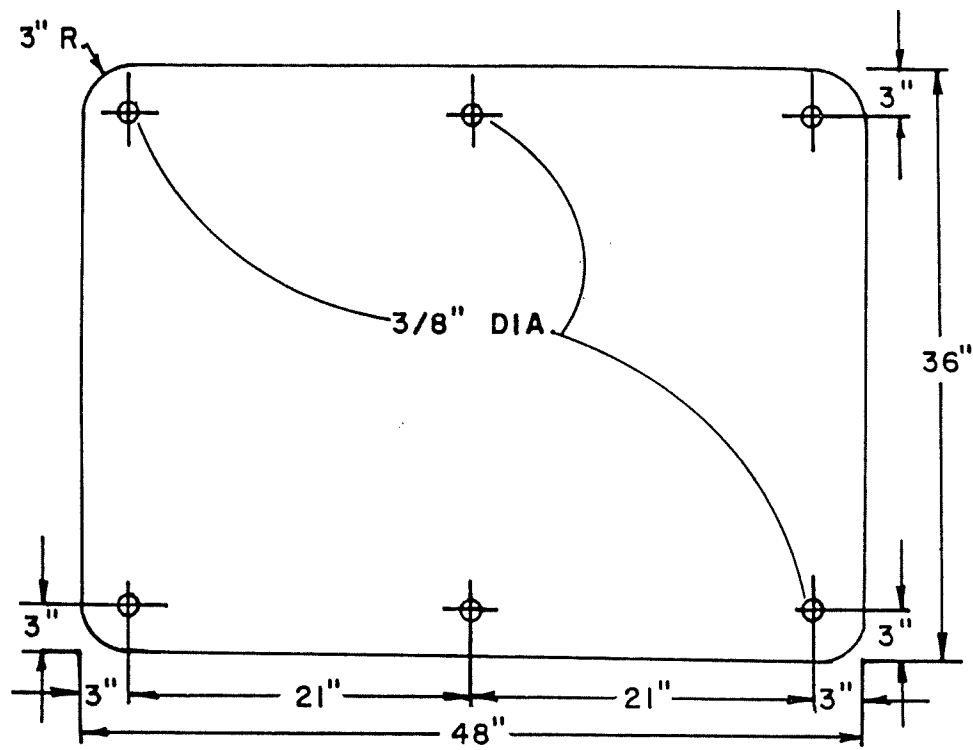
Date

Name of Business Ordering Logo

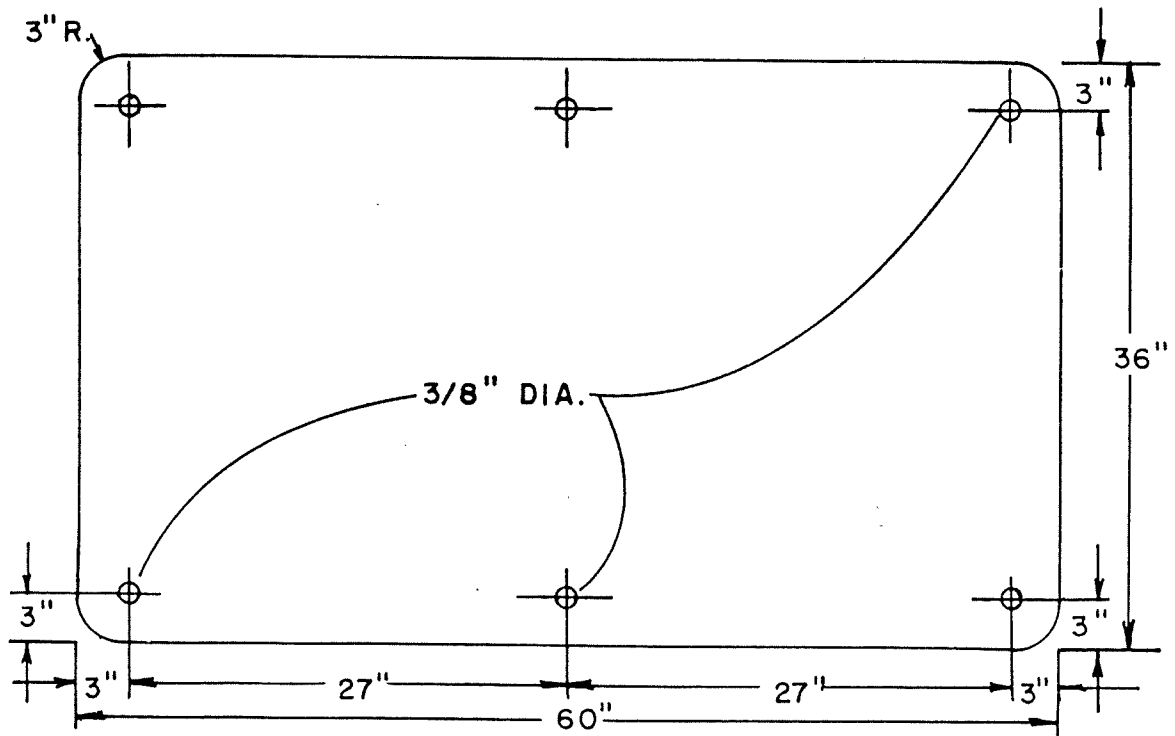
**Location of Logo Installation
(Route/Exit Number)**

Please complete this certification and mail with two(2) shop drawings, to-scale, to the following address:

Bureau of Traffic Engineering
Kansas Department of Transportation
Docking State Office Building, 801N
Topeka, Kansas 66612-1568

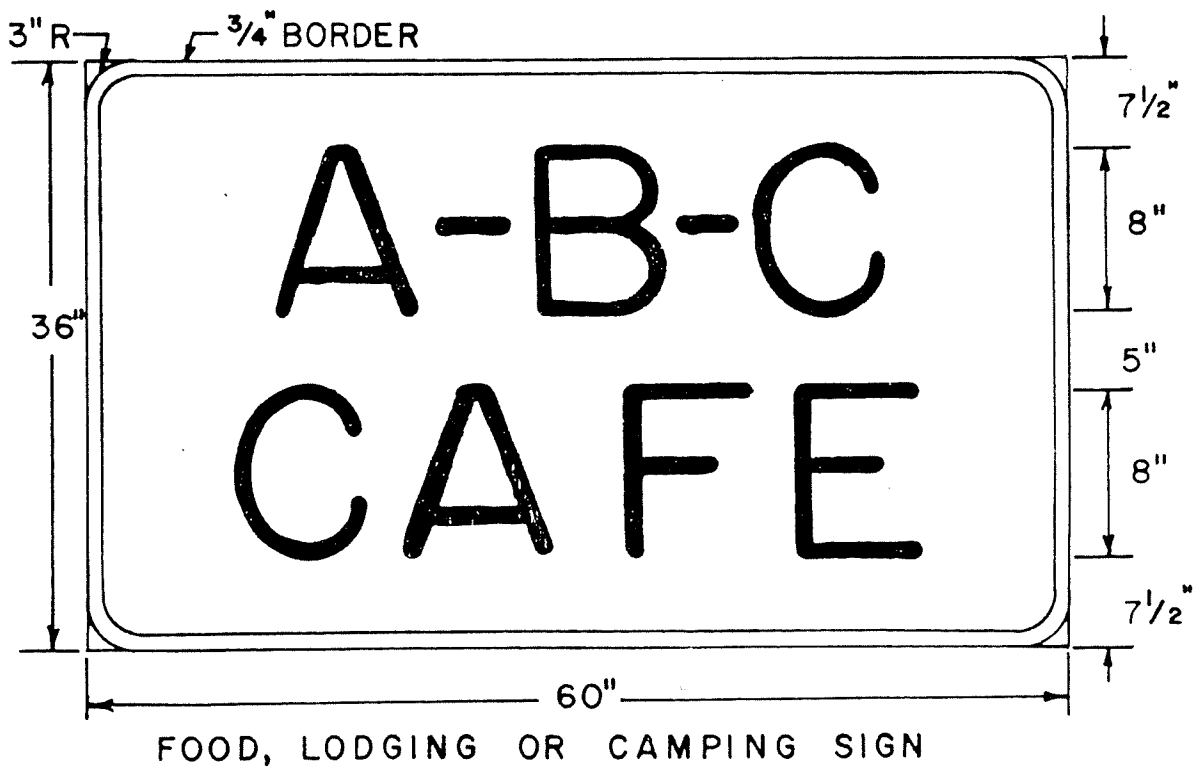
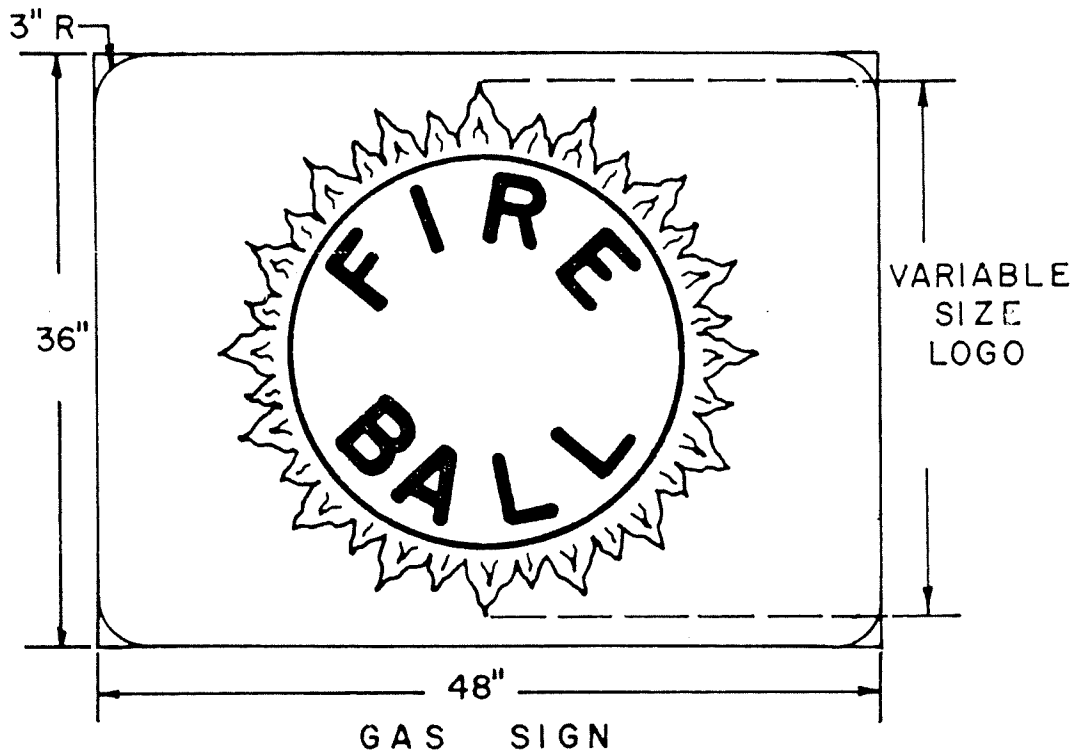


GAS SIGN

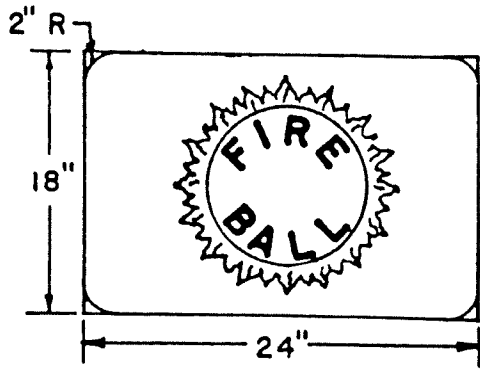


FOOD, LODGING OR CAMPING SIGN

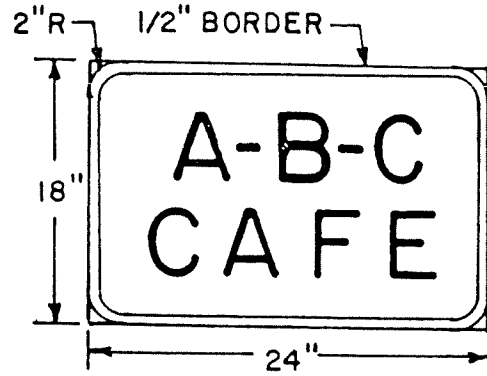
MAINLINE BUSINESS SIGN BLANKS



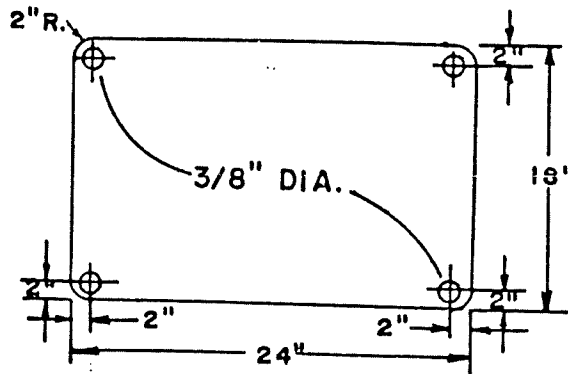
MAINLINE BUSINESS SIGNS



LOGO OR TRADEMARK



BUSINESS NAME



GAS, FOOD, LODGING OR CAMPING SIGNS

RAMP BUSINESS SIGNS

PROPOSED AMENDMENTS

TO

SENATE BILL NO. 169

To Prohibit State Competition With Private Enterprise
In Business Advertising

The following suggested amendments would solve the problem experienced by the outdoor advertising industry where the State of Kansas competes with private enterprise in advertising for profit services of various persons and other business entities throughout the State.

The Definitions Section of the Highway Advertising Control Act of 1972, K.S.A. 68-2232, should be placed into the bill and amended to add the following definitions to those already existing:

(v) "Specific information panel" is a sign placed within the highway right-of-way which identifies a type of motorist service with the words GAS, FOOD, LODGING, or CAMPING, or combinations thereof, and provides directional information to areas providing such services.

(w) "Logo signs or logo signing" are signs which show, reference or contain the identification symbol, name, brand, trademark or combination thereof, of any person, business or other organization, or otherwise provides advertising services.

K.S.A. 68-2233 generally provides for the prohibition of certain signs, with some exceptions. K.S.A. 68-2233 should be added to the bill and subsection (a) of the statute should be amended in the following manner:

"(1) After March 31, 1972, and subject to the provisions of K.S.A. 68-2237, no sign shall be erected or maintained in an adjacent area, except the following: (a) directional and other official signs, including, but not limited to, specific information panels and signs pertaining to natural wonders or scenic or historical attractions, which are required or authorized by law and which comply with regulations which shall be promulgated by the Secretary of Transportation. . . ."

This same statute should be further amended with the addition of the following new section:

"(2) Notwithstanding any other provisions of this section, the Secretary or the State, as the case may be, shall not approve, allow or offer logo signs or logo signing on specific information panels as defined by law or otherwise sponsor or engage in the business of offering such signs for rent, lease, sale or use. All logo signs subject to this section shall be removed by July 1, 1991, or at the end of any lease or similar use term in effect on the effective date of this Act."

THE DEPARTMENT OF TRANSPORTATION BELIEVES THAT TEMPORARY MOBILE SIGNS ARE BEST HANDLED AT THE LOCAL LEVEL. KDOT DOES NOT HAVE THE RESOURCES TO RESPOND PROMPTLY TO THE ERECTION OR PLACEMENT OF MOBILE SIGNS. BY THE TIME WE ARE ABLE TO GET AN AGENT TO THE LOCATION TO INVESTIGATE, THE EVENT BEING ADVERTISED BY THIS TEMPORARY SIGN MAY HAVE ALREADY TAKEN PLACE AND THE SIGN REMOVED. THIS WOULD BE A COSTLY UTILIZATION OF RESOURCES.

THESE SIGNS WILL NOT GENERALLY BE USED BY THE COMMERCIAL BILLBOARD COMPANIES BUT BY LOCAL BUSINESS PEOPLE WISHING TO ADVERTIZE A SPECIAL EVENT OR SALE.

OUR LEGAL DEPARTMENT TELLS US THAT IT WOULD BE VIRTUALLY IMPOSSIBLE TO INITIATE COURT ACTION IN A TIMELY MANNER TO ACCOMPLISH THE REMOVAL OF THIS TYPE OF SIGN. THEY DO NOT BELIEVE THAT IT WOULD BE A PRUDENT UTILIZATION OF OUR LEGAL RESOURCES. WE HAVE NOT BEEN ASKED TO MAKE A COST PROJECTION ON THE ENFORCEMENT OF THIS BILL BUT IT COULD BE SUBSTANTIAL.

THE MAJORITY OF OUR LEGISLATIVE CONTACTS ARE USUALLY TO SEEK ASSISTANCE IN THE PROPER ERECTION OF SIGNS FOR CONSTITUENTS OR TO REQUEST THAT WE DEFER REMOVAL ACTION UNTIL OTHER ARRANGEMENTS CAN BE MADE.

BECAUSE OF THESE REASONS, THE DEPARTMENT OF TRANSPORTATION OPPOSES THE PASSAGE OF SENATE BILL NUMBER 169.

*House Transportation
3-26-91
ATTACHMENT 3-1*