

Title 27. Transportation

Chapter V. Arkansas Department of Transportation, State Highway

Commission

Subchapter D. Beautification

Part 132. Signing Policies and Guidelines

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"FOREWORD

This document is a guide for District personnel to use in signing for those items not addressed in the MUTCD or only mentioned and left to the discretion of the Department. It is a supplement to the MUTCD and does not supersede any part of the MUTCD. All signing will be in accordance with the MUTCD.

It is intended to provide additional information on signing policies specific to the Department and to promote uniformity statewide. In order to prevent over-saturation of signs which can desensitize motorist, it is not our practice to sign all state or federal laws. Uniformity and proper use of signs and other devices is vital not only for safety but to earn the respect of our main customers, the driving public."

"AUTHORITY

Act 300 of the Acts of the General Assembly of 1937 established the authority of the Highway Commission over the State's Highways. As such, authority over traffic control devices was established.

Minute Orders

Act 143, 1959

Act 307, 1959

State Law 27-51-1301"

The Signing Authority Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules provided as follows:

"Signing Authority Minute Order

MO 3423 WHEREAS, on the urban extensions of State Highways and along State Highways through small towns and communities an increasing number of sections are being taxed with traffic volumes at or above the design capacity of the roadways, and, WHEREAS, at numerous locations on state highways local jurisdictions have established unreasonably low speed limits and erected substandard, unwarranted and unapproved traffic control devices, and these, together with other poor traffic operating practices, are resulting in excessive congestion, hazardous parking and unnecessary delays to motorists, and,

WHEREAS, in order to realize maximum utility of existing and planned facilities it is imperative that the safest and most efficient methods of traffic control be utilized to the fullest extent practicable, and,

WHEREAS, The Highway Commission by Act 300 of 1937, and subsequent Amendments, and by Act 307, of 1959, has been delegated responsibilities and authorities necessary to obtain maximum utility of State Highways,

NOW, THEREFORE, in accordance with legally delegated responsibilities, it is ordered that the following be and are adopted as policies of the Arkansas State Highway Commission:

1. All traffic signals, signs, and other devices, hereafter, installed and used to direct, control, restrict, or regulate traffic upon, entering, or leaving any State Highway shall have written approval from the Department of Transportation as required by Section 29, Act 300 of the Acts of the General Assembly of 1937.
2. All traffic signals, signs, and other devices hereafter used on any State Highway shall conform to the standards contained in the "Manual of Uniform Traffic Control Devices for Streets and Highways", as required by Act 143 of the Acts of the General Assembly of 1959.

3. In compliance with the provisions of Section 38 of Act 307 of the Acts of the General Assembly of 1959, angle parking will not be permitted on any section of a State Highway except where specifically authorized by Minute Order based on an engineering and traffic investigation which must indicate that angle parking can be permitted without restricting the normal flow of traffic and without reducing the roadway width for moving lanes of traffic below the width required to adequately serve the traffic demand.

4. The Director is hereby ordered to notify all local jurisdictions and the State Police of these policies. And, consistent with the best possible public relation practice, local jurisdictions having traffic control devices in operation and/or permitting parking which does not conform to the provisions of these policies and to the requirement of State laws, shall be requested to make necessary changes. Traffic Engineering personnel of the Department, to the fullest possible extent, shall assist and advise local jurisdictions in their efforts to make traffic control devices and parking practices qualify for Department Approval."

Subpart 1. Generally

27 CAR § 132-101. Definitions.

As used in this part:

- (1) "AASHTO" means the American Association of State Highway and Transportation Officials;
- (2) "ARDOT" means the Arkansas Department of Transportation;
- (3) "ASTM" means the American Society for Testing and Materials;
- (4) "FHWA" means the Federal Highway Administration;
- (5) "MUTCD" means the Manual on Uniform Traffic Control Devices;
- (6) "Scenic Byway" means the designation given a state highway that possesses the scenic qualities and cultural heritage that would be of interest to the road user which would encourage economic enhancement through additional tourism activities;

(7) "SHRP" means the Strategic Highway Research Program;

(8) "Sight distance" means the distance a vehicle operator can see around or over horizontal or vertical curves of a roadway;

(9) "Trailblazing" means supplemental signing of secondary or off-main roadway routes;

(10) "U.S.C." means United States Code; and

(11) "Zoning" means the delineation of "Passing" and "No Passing" areas of a roadway with respect to conditions of that roadway.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-102. Signs installed by the Arkansas Department of Transportation.

Signs installed by the Arkansas Department of Transportation:

(1) **Adopt-A-Highway.** Allowed by memorandum from Assistant Chief Engineer – Operations dated June 12, 1987;

(2) **Adopt-A-Spot.** Allowed by memorandum from Assistant Chief Engineer – Operations dated February 9, 1996;

(3) **Wildflower Routes;**

(4) **City limits.**

(A)(i) The Arkansas Department of Transportation typically erects and maintains city limit signs on all state highways other than freeways.

(ii) These signs are generally erected where motorists first encounter the corporate boundaries of the city on both sides of the roadway. Signs for incorporated cities show the most current population as established by the United States Bureau of the Census.

(iii) Signs for unincorporated towns and communities shown on official State Highway Maps or County Maps show only the name of the town or community.

(B) Cities may furnish, install, and maintain city limit signs in lieu of the standard signs installed by the Arkansas Department of Transportation provided the criteria as set forth in 27 CAR § 132-103 is followed;

(5) **Community limits.** The community must be shown on the current Arkansas Department of Transportation State Highway Map or on Arkansas Department of Transportation County Maps;

(6) **County lines.**

(A) These are installed at all county lines on all highways.

(B) Counties may furnish, install, and maintain county line signs in lieu of the standard signs installed by the Arkansas Department of Transportation provided the criteria as set forth in 27 CAR § 132-103 is followed;

(7) **Log mile markers.** Markers will be maintained on the interstates and interstate type roadways and at bridge ends on other roads;

(8) **Bridge vertical clearances.**

(A) By Arkansas Code § 27-35-207, the maximum height of any vehicle on state highways is thirteen feet, six inches (13' 6"), unless a greater height is authorized by a special permit issued.

(B) According to Maintenance Memorandum 95-10, "It shall be Department policy to post the actual clearance of all bridges that have a vertical roadway clearance of 15'-0" or less."

(C) In addition, changes in vertical clearances due to maintenance activities should be measured by the district bridge inspector and reported to the Bridge Division and Permits Section as soon as possible. Bridges whose vertical clearance has been reduced to fifteen feet (15') or less shall be posted;

(9) **Cultural interest.**

(A) **Historic districts.**

(i) Signing for historic districts are classified as supplemental signs and should not be considered unless sufficient longitudinal space exists to accommodate the placement of the sign without interfering or conflicting with necessary regulatory warning or guide signs.

(ii) Signing for historic districts, where permitted, should be located in advance of the intersecting, nonfreeway type road that provides the direct and best route to the district from the nearest state highway. If the historic district is on a state highway, signs may be warranted on the nearest state highway intersecting that route.

(iii) Secondary signing, if needed, on city streets is the responsibility of the city. Historic district signing on state highways is not to be installed until the required secondary signing is in place.

(iv) The historic district must be open to the public twelve (12) months per year. The historic district must be listed as an official district by the Arkansas Historic Preservation Program.

(B) **Arts centers.** Regional and statewide centers. Allowed on nonfreeways except for downtown Little Rock attraction type sign.

(C) **Convention centers.** City, county, or state. Allowed on nonfreeways except for downtown Little Rock attraction type sign.

(D) **Fairgrounds.** County, district, or state. Only state fairgrounds signed on freeways.

(E) **Governor's Mansion, Old State House, Historic Arkansas Museum.** Installed as requested by the City of Little Rock.

(F) **Historical markers.** Must have a monument, marker, or interpretive panel describing the historical significance of the location and must be accessible for recreational vehicles and have adequate, safe parking off freeway only.

(G) **Libraries.** Upon request by the library if sign locations are acceptable to the Arkansas Department of Transportation. Nonfreeway facilities only.

(H) **Museums (city, county, and state).** Upon request, if they are open most of the time. Signs on freeways limited to those museums operated as a state park by the Department of Parks, Heritage, and Tourism.

(I) **Racetracks (Hot Springs and West Memphis).** Signs on freeways based on AASHTO Guidelines for Major Recreation Areas;

(10) **Educational facilities.**

(A) **Higher education facilities.**

(i) Legislative acts:

(a) Acts 1979, No. 584;

(b) Acts 1979, No. 803; and

(c) Acts 1991, No. 1244.

(ii) Currently the following classify as higher education facilities:

(a) Colleges and universities;

(b) Community colleges;

(c) Technical colleges;

(d) Technical institutes; and

(e) Vocational technical schools.

(iii) Private, for-profit institutions are not eligible for guide signs on any facility of the highway system.

(iv) Freeway.

(a) Institutions must be either a four-year public university or a two-year public college as defined by the Division of Higher Education or the Division of Career and Technical Education, or a private, nonprofit institution that is a member of Arkansas's Independent Colleges and Universities. Satellite facilities of greater institutions are not eligible for signs on freeways. There are three (3) satellite facilities in this category with signs on the interstate that are grandfathered in:

(1) University of Arkansas-Pulaski Technical College South Campus;

(2) Arkansas State University-Beebe and Arkansas State University-Searcy; and

(3) Arkansas Tech University-Ozark Campus.

(b) Institutions located in a city adjacent to a freeway must have a minimum on-campus enrollment of five hundred (500) students.

(c) Institutions not located in a city adjacent to a freeway must have a minimum on-campus enrollment of five hundred (500) students plus one hundred (100) students for each mile the institution is located from a freeway. For

example, an institution located thirty (30) miles from a freeway would need a minimum enrollment of three thousand five hundred (3,500) students to qualify.

(d) A formal request for freeway signing must be made by the institution. This policy shall not result in the removal of any existing regulatory signs.

(v) Nonfreeway.

(a) As requested.

(b) Satellite facilities of greater institutions will qualify for signage if the site offers multiple programs of study and has student administrative support services on-site.

(B) **Arkansas School for the Blind/Arkansas School for the Deaf.** I-630 only.

(C) **Agricultural Experiment Stations.** Nonfreeways only;

(11) **Law enforcement related.**

(A) **Beware of Hitchhikers.** Restricted to prison areas.

(B) **County Sheriff's Office.** As requested for new facilities not located on state highways.

(C) **Division of Correction.** As requested.

(D) **Division of Community Correction.** As requested.

(E) **Regional detention facilities.** As requested when not located on state highways.

(F) **Speed Enforced by Aircraft.** Request from the Division of Arkansas State Police.

(G) **Speed Limits Strictly Enforced.** Placed at the state lines on the interstate system.

(H) **Division of Arkansas State Police Headquarters.** As requested by the Division of Arkansas State Police;

(12) **Logo signing.** Logo signs are installed and maintained by the Maintenance Division. Permits are issued by the Beautification Unit of the Right of Way Division;

(13) Public attractions signs (downtown Little Rock/North Little Rock only).

(A) Attractions signs on I-630 and I-30.

(B) They must be owned or funded, in part, by the city, must have adequate parking, must have modern sanitary facilities, must be of regional significance, and cannot otherwise qualify for supplemental guide signs.

(C) They must be recommended for signing by the city and receive concurrence from the Department of Parks, Heritage, and Tourism;

(14) Tourist-oriented directional signs (TODS). Allowed by Maintenance Memorandum No. 2005-1 from State Maintenance Engineer dated February 11, 2005;

(15) Wayfinding Program;

(16) General service signs;

(17) Commemorative and memorial signing. Installed and maintained by the Arkansas Department of Transportation:

(A) **Jonathan Barnett Highway.** U.S. 412 from the Oklahoma line to Hwy. 59;

(B) **Eisenhower Memorial Highways.** Interstate welcome centers and rest areas;

(C) **Heritage Trail System.** Arkansas Code §§ 13-14-101 – 13-14-105. As requested by the Department of Parks, Heritage, and Tourism;

(D) **Hickerson Freeway.** Hwy. 245 (future I-49) from the Louisiana line to I-30;

(E) **Highway of Hope.** Arkansas Code § 27-67-220. U.S. 67 and Hwy. 7 between Hope and Hot Springs;

(F) **Rock 'n' Roll Highway 67.** Arkansas Code § 27-67-223. U.S. 67 in Jackson County, Lawrence County, and Randolph County;

(G) **John Paul Hammerschmidt Highway.** Arkansas Code § 27-67-219. I-540 from I-40 to the Missouri line;

(H) **National Purple Heart Trail.** I-30, I-40, I-430, I-540, and U.S. 63;

(I) **Trail of Tears.** As requested by the National Park Service;

(J) **Traffic Fatality Memorials.** Allowed per current guidelines;

(K) **Veterans Memorial Highways.** I-40 from the Oklahoma line to the Tennessee line;

(L) **Wiley A. Branton, Sr. Highway.** I-530 – Pine Bluff bypass;

(M) **State Trooper Memorial Mile.** Various locations determined by the Division of Arkansas State Police;

(N) **Gold Star Families Highway.** Arkansas Code § 27-67-225.

(i) Hwy. 163 in Cross County from Hwy. 42 north to the Poinsett County line.

(ii) I-630 in Little Rock from I-30 to I-430;

(O) **Bobby Hopper Highway.** Hwy. 62 from its junctions with Hwy. 62B east and west of Cotter;

(P) **Delta Rhythm & Bayous Highway.** Arkansas Code § 27-67-226. U.S. Hwy. 65 from Pine Bluff south to the Louisiana line;

(Q) **Delta Music Trail.** Arkansas Code § 27-67-227.

(i) Hwy. 17 from Dyess to Wilson, "Johnny Cash Memorial Highway".
(ii) Hwy. 17 from Cotton Plant to Brinkley, "Sister Rosetta Tharpe Memorial Highway".

(iii) U.S. Hwy. 49 from Marvell to Helena, "Levon Helm Memorial Highway".

(iv) U.S. Hwy. 49 from Brinkley to Marvel, "Louis Jordan Memorial Highway".

(v) U.S. Hwy. 61 from West Memphis to Blytheville, "Americana Music Highway"; and

(R) **True Grit Trail.** Arkansas Code § 27-67-229. Hwy. 22 from Dardanelle west to Fort Smith;

(18) **National Forest Recreational Areas.**

(A) Erected by the Arkansas Department of Transportation upon request from the United States Forest Service.

(B) Paid for by the United States Forest Service;

(19) **Scenic Highways/Byways.**

(A) **Scenic Highways.** Signed using the square blue and white "Scenic" sign. Arkansas Code § 27-67-203.

(B) **Scenic Byways.** Signed using the round "Arkansas Scenic Byway" sign;

(20) **Specific interest.**

(A) **Airports.**

(i) Freeways. Major airports with regularly scheduled passenger service.

(ii) Nonfreeways. Signed with the Information Symbol Sign (I-5).

(B) **Arkansas Wine Country Trail.** Authorized by Arkansas Code § 27-67-224.

(C) **Amateur Radio Operator.** Authorized by Arkansas Code § 27-67-221. No signs have been installed at this time.

(D) **Business District.** As requested, approval required.

(E) **Buckle Up It's The Law.** Installed at borders, welcome centers, and rest areas.

(F) **Hospitals and emergency medical services.**

(i) Must be a certified trauma center as defined by the Department of Health or have a dedicated emergency department capable of handling trauma situations.

(ii) The facilities must have a physician on duty twenty-four (24) hours per day, seven (7) days per week, and must be equipped for radio communication with emergency medical services (EMS) and other hospitals.

(iii) Emergency departments located in a facility that also provides in-patient services shall be signed with D9-2 "H" signs.

(iv) Off-campus emergency departments shall be signed with D9-13 "Emergency Medical Services" signs with a D9-13cP "Emergency Medical Care" supplemental plaque.

(v) Signs with hospital names are allowed only on freeways in urban areas when requested by a facility with emergency medical services and in-patient treatment capabilities.

(G) **Industrial parks.** As requested, approval required.

(H) **Landfill/recycling center.** Public facilities as requested when not located on state highways (nonfreeway only).

(I) **Litter signs.** Installed as needed;

(21) **Special recognition.**

(A) **Main Street Arkansas Community.** As requested by the Main Street Program of the Department of Parks, Heritage, and Tourism.

(B) **Volunteer Community of the Year.**

(i) Requested by the Department of Volunteerism of the Department of Human Services to give special recognition to selected cities.

(ii) In general, these signs will be removed if they are over four (4) years old;

(22) **State parks/national parks.**

(A) Freeways.

(i) The annual attendance should be a minimum of one hundred thousand (100,000) people.

(ii) The maximum distance from the interstate interchange to the park should be twenty-five (25) miles.

(iii) The park entrance road should connect directly to the numbered highway, which intersects with the freeway.

(iv) Mileage and/or information signing should be provided at the interchange crossroad and the route to the park should be adequately signed by trailblazers.

(B) Nonfreeways. Information signing should be provided on the highway at the park entrance or in some cases at the highway that connects directly to the park;

(23) **Buffalo River signs.**

(A) Requested by the National Park Service.

(B) Major recreational areas and access points are signed.

(C) Signs on I-40 at Conway and Russellville provided at the request of the Department of Parks, Heritage, and Tourism;

(24) City parks and county parks.

(A) As requested. Nonfreeway only, but must meet the following criteria:

(i) Adequate parking accommodations; and

(ii) Modern sanitary facilities and drinking water.

(B) Sign legend will be "City Park" or "County Park", park name as requested;

(25) United States Army Corps of Engineers parks. Parks that meet the same criteria as state parks per request of the United States Army Corps of Engineers;

(26) Arkansas State Game and Fish Commission access signs.

(A) Per agreement of the Arkansas State Game and Fish Commission and the State Highway Commission, signs for access points and major recreational areas are provided.

(B) The Arkansas State Game and Fish Commission pays for these signs and the Arkansas Department of Transportation installs (nonfreeway only);

(27) National Historic Sites (of the National Park System). Treated as a national park;

(28) Natural State Golf Trail.

(A) Provided at the request of the Department of Parks, Heritage, and Tourism.

(B) Freeway signs allowed if the course is within twenty-five (25) miles of an interchange;

(29) Wildlife Management Areas and Wildlife Refuges.

(A) Requested by the United States Fish and Wildlife Service and the Arkansas State Game and Fish Commission.

(B) Major recreational areas and access points are signed (nonfreeway only);

(30) Major amusement parks.

(A) Freeways.

(i) The annual attendance should be a minimum of two hundred thousand (200,000) people.

(ii) The maximum distance from the interstate interchange to the park should be five (5) miles.

(iii) The park entrance road should connect directly to the numbered highway, which intersects with the freeway.

(iv) Mileage and/or information signing should be provided at the interchange crossroad and the route to the park should be adequately signed by trailblazers.

(B) Nonfreeways. Information signing should be provided on the highway at the park entrance or in some cases at the highway that connects directly to the park;

(31) **Water crossings.** Rivers, streams, and other bodies of water crossed by a state highway are signed provided they are designated on the current Arkansas Department of Transportation State Highway Map or on Arkansas Department of Transportation County Maps; and

(32) **Arkansas Welcome Centers.**

Authority. Arkansas Code § 27-65-107.

Codification Notes. For minute orders pertaining to Adopt-A-Highway that were promulgated with this part prior to codification into the Code of Arkansas Rules, see Codification Notes at Subpart 2 of this part. For Adopt-A-Highway Policy and Guidelines, see Subpart 2 of this part.

For the Adopt-A-Spot Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules, see Codification Notes at Subpart 3 of this part. For Adopt-A-Spot Policy and Guidelines, see Subpart 3 of this part.

For minute orders pertaining to the Logo Program that were promulgated with this part prior to codification into the Code of Arkansas Rules, see Codification Notes at Subpart 4 of this part. For Policy for Erection of Specific Service Signs (Logos), see Subpart 4 of this part.

For minute orders pertaining to Tourist Oriented Directional Signing that were promulgated with this part prior to codification into the Code of Arkansas Rules, see Codification Notes at Subpart 5 of this part. For Rules for Tourist-Oriented Directional Signs see Subpart 5 of this part.

For the Wayfinding Program Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules, see Codification Notes at Subpart 6 of this part. For Wayfinding Program Policy, see Subpart 6 of this part.

For the General Services Signs Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules, see Codification Notes at Subpart 7 of this part. For Policy for the Erection of General Services Signs, see Subpart 7 of this part.

For the minute orders pertaining to Scenic Byway that were promulgated with this part prior to codification into the Code of Arkansas Rules, see Codification Notes at Subpart 8 of this part. For Criteria for Arkansas Scenic Byway Designation, see Subpart 8 of this part.

For the Tourist Information Centers Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules, see Codification Notes at Subpart 9 of this part. For Arkansas Welcome Centers, see Subpart 9 of this part.

For minute orders pertaining to Signs Installed by Other Government Agencies, see Codification Notes at Subpart 10 of this part. For City or County Welcome Sign Guidelines, see Subpart 10 of this part.

For the Blue Star Memorial Highway Minute Order, see Codification Notes at Subpart 11 of this part. For Blue Star Memorial Highway Markers, see Subpart 11 of this part.

For Traffic Fatality Memorials, see Subpart 12 of this part.

For Arkansas Wine Country Trail, see Subpart 13 of this part.

For Transportation Enhancements Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules, see Codification Notes at Subpart 14 of this part. For Guidelines for the Issuance of Permits to Qualifying Applicants for Transportation Enhancement Projects Financed with Local Funding, see Subpart 14 of this part.

The Wildflower Program Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules provided as follows:

"Wildflower Program Minute Order

MO 96-093 WHEREAS, the Arkansas Department of Transportation has an established wildflower program to provide for the establishment, proliferation and maintenance of wildflowers and native plants on highway rights of way; and WHEREAS, both public and private individuals and organizations participate in the program by providing seeds and plants; and WHEREAS, it is appropriate to recognize these individuals and groups, consistent with the provisions of the Adopt-A-Highway and Adopt-A-Spot Programs.

NOW THEREFORE, BE IT RESOLVED that the Director is authorized to modify the existing wildflower program to provide for appropriate signage to recognize participants."

The Historic District Signing Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules provided as follows:

"Historic District Signing Minute Order

MO 97-022 WHEREAS, the Arkansas Historic Preservation Program periodically reviews nominations for and maintains a list of sites that are identified as Historic Districts; and

WHEREAS, many of these historic features may be of interest to motorists.

NOW THEREFORE, the Director is authorized to develop and implement a program to provide appropriate signing on state highway rights-of-way to inform motorists of Historic District sites."

The Jonathan Barnett Highway Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules provided as follows:

"Jonathan Barnett Highway

2011-014 WHEREAS, Jonathan Barnett served on the Arkansas Highway Commission from January 1999 through January 2009; and

WHEREAS, Commissioner Barnett has been a strong supporter of improvements to the state's highway system, not only as a member of the Highway Commission but also as a member of the Arkansas House of Representatives; and

WHEREAS, a major project for which Commissioner Barnett served as an advocate was the improvement of Highway 412 in Benton County.

NOW THEREFORE, considering the distinguished service of Commissioner Barnett to the Arkansas Highway Commission and the importance of Highway 412 to the State Highway System, the Highway Commission hereby honors Commissioner Barnett by officially naming the portion of Highway 412 from the Oklahoma state line to Highway 59 in Siloam Springs as the Jonathan Barnett Highway."

The Veterans Memorial Highways and Eisenhower Memorial Highways Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules provided as follows:

"Minute Order 2003-054

2003-054 WHEREAS, numerous requests have been received asking that certain highways be designated Veterans Memorial Highways in honor of veterans' service to the country; and

WHEREAS, the Commission believes that such designation is appropriate to honor the significant sacrifice made by Veterans; and

WHEREAS, the Dwight D. Eisenhower System of Interstate and Defense Highways is recognized as being one of the greatest public works projects which serves to enhance defense of this nation.

NOW THEREFORE, in recognition of Veterans' service, the Highway Commission hereby designates Interstate 40 from the Arkansas/Oklahoma State Line to the Arkansas/Tennessee State Line as "The Veterans Memorial Highway."

FURTHERMORE, the Director is authorized to install appropriate roadside signs noting such designation at strategic locations along the route and to install appropriate signs in Arkansas Tourist Information Centers and Rest Areas which commemorate the Eisenhower Interstate System and The Veterans Memorial Highway.

FURTHER, the Arkansas Veterans Coalition and the Arkansas Department of Veterans Affairs support this designation and signage."

The Hickerson Freeway Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules provided as follows:

"Hickerson Freeway

2007-037 WHEREAS, Mary P. "Prissy" Hickerson has served on the Arkansas Highway Commission since January 1997; and
WHEREAS, when Commissioner Hickerson's current term expires in January 2007, she will have served a total of 10 years; and
WHEREAS, Commissioner Hickerson has been a strong supporter of improvements to the state's highway system; and
WHEREAS, a major project for which Commissioner Hickerson has been an advocate is the improvement of the Highway 71 Corridor (future Interstate 49).
NOW THEREFORE, considering the distinguished service of Commissioner Hickerson to the Arkansas Highway Commission and the importance of the construction of future Interstate 49 to the State Highway System, the Highway Commission hereby honors Commissioner Hickerson by officially naming the portion of Highway 245 (future Interstate 49) from I-30 to the Texas State Line the Hickerson Freeway."

The minute orders pertaining to Purple Heart Trail that were promulgated with this part prior to codification into the Code of Arkansas Rules provided as follows:

"Purple Heart Trail Minute Orders

2004-093 WHEREAS, the Arkansas Purple Heart Trail Committee of the Military Order of the Purple Heart (MOPH) has requested that Interstate 430 from Interstate 30 to Interstate 40 in Pulaski County be designated a part of the National Purple Heart Trail; and
WHEREAS, the Commission believes that such designation is appropriate to honor the significant sacrifice made by MOPH members; and

WHEREAS, the Arkansas Veterans Coalition and the Arkansas Department of Veterans Affairs support this designation and signage,
NOW THEREFORE, the Highway Commission hereby designates Interstate 430 from interstate 30 to Interstate 40 in Pulaski County as the "Purple Heart Highway", a part of the "National Purple Heart Trail."
FURTHERMORE, the Director is authorized to install appropriate roadside signs noting such designation at strategic locations along the route.

2009-113 WHEREAS, the Arkansas Purple Heart Trail Committee of the Military Order of the Purple Heart (MOPH) has requested that Interstate 540/U. S. Highway 71 from Interstate 40 to the Missouri State Line be designated a part of the "National Purple Heart Trail"; and

WHEREAS, the Commission believes that such designation is appropriate to honor the significant sacrifice made by MOPH members; and

WHEREAS, the Arkansas Veterans Coalition and the Arkansas Department of Veterans Affairs support this designation and signage.

NOW THEREFORE, the Highway Commission hereby designates Interstate 540/U. S. Highway 71 from Interstate 40 to the Missouri State Line as a part of the "National Purple Heart Trail."

FURTHERMORE, the Director is authorized to install appropriate roadside signs noting such designation at strategic locations along the route.

2009-147 WHEREAS, the Military Order of the Purple Heart has developed a national program for the designation of a continuous network of major highways as the "National Purple Heart Trail"; and

WHEREAS, the Tennessee and the Oklahoma Departments of Transportation have already designated Interstate 40 across their states as elements of the "National Purple Heart Trail"; and

WHEREAS, Interstate 40 across Arkansas has previously been designated the Veterans Memorial Highway, and

WHEREAS, the Arkansas Department of the Military Order of the Purple Heart has requested that the Arkansas State Highway and Transportation Department add the designation of "National Purple Heart Trail" to the Veterans Memorial Highway designation.

NOW THEREFORE, the Arkansas Highway Commission hereby designates Interstate 40 from the Oklahoma State Line to the Tennessee State Line as an element of the "National Purple Heart Trail".

FURTHERMORE, the Director is authorized to install appropriate roadside signs noting such designation at strategic locations along the route.

2011-052 WHEREAS, local officials have requested that U. S. Highway 63 (Future I-555) from Interstate 55 to Jonesboro be designated a part of the "National Purple Heart Trail"; and

WHEREAS, the Commission believes that such designation is appropriate to honor the significant sacrifice which has been made; and

WHEREAS, the Arkansas Veterans Coalition and the Arkansas Department of Veterans Affairs support this designation and signage.

NOW THEREFORE, the Highway Commission hereby designates U. S. Highway 63 (Future I-555) from Interstate 55 to Jonesboro as a part of the "National Purple Heart Trail."

FURTHERMORE, the Director is authorized to install appropriate roadside signs noting such designation at strategic locations along the route.

2014-055 WHEREAS, the Military Order of the Purple Heart has developed a national program for the designation of a continuous network of major highways as the "National Purple Heart Trail"; and

WHEREAS, the Highway Commission believes that such designation is appropriate to honor and give tribute to those who have been awarded the Purple Heart Medal; and

WHEREAS, a request from the Arkansas Department of the Military Order of the Purple Heart has been made to designate Interstate 30 from Little Rock to Texarkana as part of the "National Purple Heart Trail"; and

WHEREAS, the Arkansas Veterans Coalition and the Arkansas Department of Veterans Affairs support this designation.

NOW THEREFORE, the Highway Commission hereby designates Interstate 30 from Little Rock to Texarkana as a part of the "National Purple Heart Trail".

FUTHERMORE, the Director is authorized to install appropriate roadside signs noting such designation at strategic locations along the route."

The Wiley A. Branton, Sr. Highway Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules provided as follows:

"Wiley A. Branton, Sr. Highway

2003-007 WHEREAS, many requests have previously been received to formally designate the I-530 Pine Bluff Bypass as the Wiley A. Branton, Sr. Highway; and WHEREAS, Mr. Branton served with distinction in many local, state and national leadership positions.

NOW THEREFORE, in recognition of Mr. Branton's outstanding achievements and years of service to the State of Arkansas, the Arkansas Highway Commission hereby designates the I-530 Pine Bluff Bypass as the Wiley A. Branton Sr. Highway; and FURTHERMORE, the Director is hereby authorized to install appropriate signs denoting such designation."

The State Trooper Memorial Mile Program Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules provided as follows:

"State Trooper Memorial Mile Program

2009-034 WHEREAS, the Arkansas State Police (ASP) has requested the Department to erect signs on one-mile sections of State Highway on or near where ASP

officers were killed in the line of duty as part of the State Police Officer Memorial Highway Dedication Program; and

WHEREAS, Commission policy currently provides for monumenting and signing of commemorative highways and bridges.

NOW THEREFORE, the Director is authorized to erect appropriate signs, with language agreed upon by the ASP and the Department, to recognize those officers who are identified by the ASP in the Police Officers Memorial Highway Dedication Program."

The Bobby Hopper Highway Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules provided as follows:

"Bobby Hopper Highway

2015-036 WHEREAS, Bobby Hopper served on the Arkansas Highway Commission from 1983 to 1999; and

WHEREAS, Commissioner Hopper has been a strong supporter of improvements to the State Highway System; and

WHEREAS, Commissioner Hopper was an advocate for a major project that relocated Highway 62 in Marion and Baxter Counties in the vicinity of the City of Cotter; and

WHEREAS, this project was completed in 1989 and constructed a new bridge over the White River and provided a bypass of the City of Cotter.

NOW THEREFORE, considering the distinguished service of Commissioner Hopper to the Arkansas Highway Commission and the importance of the construction of the Highway 62 Cotter Bypass to the State Highway System, the Highway Commission hereby honors Commissioner Hopper by officially naming the portion of Highway 62 from its junctions with Highway 62B east and west of the City of Cotter as the Bobby Hopper Highway."

The National Forest Service Recreation Areas Minute Order that was promulgated with this part prior to codification into the Code of Arkansas Rules provided as follows:

"National Forest Service Recreation Areas

94-073 WHEREAS, the tourism industry is vital to the economy of this state; and
WHEREAS, there are several recreation areas in the National Forest lands maintained by
the U. S. Forest Service; and
WHEREAS, directional signing to these areas would be of benefit to the tourism industry
and to the state;
NOW THEREFORE, the Director is authorized to implement a policy whereby directional
signs to major recreation areas may be erected by the Department upon request from
the U. S. Forest Service when these areas are directly accessible from the highway
system and are shown on the official State Highway Map. Signs erected by the
Department will be paid for by the U. S. Forest Service. Directional signs to subordinate
attractions and facilities such as hiking trails, equestrian trails, shooting ranges,
demonstration areas, vistas, overlooks, etc., shall be the responsibility of the U. S.
Forest Service. Signs erected by the U. S. Forest Service shall meet the requirements
of the Manual on Uniform Traffic Control Devices and may be erected on Department
right-of-way only after written permission is granted by and at no cost to the
Department."

The minute orders pertaining to Commemorative and Memorial Signing that were
promulgated with this part prior to codification into the Code of Arkansas Rules
provided as follows:

"Commemorative and Memorial Signing

2002-213 WHEREAS, it is considered appropriate to implement a formal policy
for monumenting and signing commemorative highways and bridges; and
WHEREAS, a monument or sign may be requested by any person, group, agency, or
jurisdiction, hereafter referred to as "sponsor".

NOW THEREFORE, the following policy will be utilized for the monumenting and signing of commemorative highways and bridges:

Highways and bridges may be named for persons, groups or themes provided:

1. Documented support for the naming, acceptable to the Commission, is provided. This documentation may come in the form of resolutions from the governing body/s of the jurisdiction/s in which the facility is located, or in other appropriate forms.
2. A monument will be allowed as follows:

The sponsor may furnish an appropriate metal plaque at no cost to the Department. The Department will mount the plaque, in an appropriate location, in a concrete mounting.

The location of the mounting will be determined by the Department in consultation with the sponsor.

3. A roadside sign will be allowed as follows:

The sponsor may request a roadside sign permit by letter to the Director of the Department of Transportation. The request will include the appropriate supporting resolutions.

The sign request will require the approval of the Commission, by Minute Order, authorizing the Director to issue a sign permit.

The cost of the sign and installation of the sign will be the responsibility of the sponsor.

The sign size, color, configuration and message will be as approved in the sign permit.

The number of signs will generally be limited to one sign in each direction near each end of the named section of highway or approach to the named bridge.

The sponsor will be responsible for the maintenance of the permitted signs. Failure to properly maintain the sign will be cause for revocation of the sign permit. Upon revocation of a permit, the sponsor will be given reasonable opportunity to remove the sign, and mounting posts footings. Should the sponsor fail to remove the sign, the Department will remove and dispose of the sign with no reimbursement to the sponsor.

2009-033 WHEREAS, it is considered appropriate to implement a formal policy for monumenting and signing commemorative highways and bridges.

WHEREAS, a monument or sign may be requested by any person, group, agency, or jurisdiction, hereafter referred to as "sponsor."

NOW THEREFORE, the following policy will be utilized for the monumenting and signing of commemorative highways and bridges:

Highways and bridges may be named for persons, groups or themes provided:

Documented support for the naming, acceptable to the Commission, is provided. This documentation may come in the form of resolutions from the governing body/s of the jurisdiction/s in which the facility is located, or in other appropriate forms.

A monument will be allowed as follows:

The supporting jurisdiction may furnish an appropriate metal plaque at no cost to the Department. The Department will mount the plaque, in an appropriate location, in a concrete mounting.

The location of the mounting will be determined by the Department in consultation with the sponsoring jurisdiction.

A roadside sign will be allowed as follows:

The sponsoring jurisdiction may request a roadside sign permit from the Commission.

This permit will be requested by letter to the Director of the Department of Transportation. The request will include the appropriate supporting resolutions.

The sign request will require the approval of the Commission, by Minute Order, authorizing the Director to issue a sign permit.

The cost of the sign and installation of the sign will be the responsibility of the sponsoring jurisdiction.

The sign size, color, configuration and message will be as approved in the sign permit.

The number of signs will generally be limited to one sign in each direction near each end of the named section of highway or approach to the named bridge.

The sponsoring jurisdiction will be responsible for the maintenance of the permitted signs. Failure to properly maintain the sign will be cause for revocation of the sign permit.

On highways which have previously been named for an individual, group or theme, the Commission may name a bridge, tunnel or specific section of the previously named

route for another individual, group or theme, provided that all other appropriate provisions of this policy have been met or if otherwise deemed appropriate by the Commission.

2014-023 WHEREAS, the Commission, by Minute Order No. 2009-033, adopted a policy for the monumenting and signing of commemorative highways and bridges; and

WHEREAS, Act 1225 of the 2013 Regular Session of the 89th General Assembly established regulations for the naming of public buildings, structures, or facilities; and WHEREAS, these regulations necessitate a revision to the policy adopted by the Commission;

NOW THEREFORE, the following policy will be utilized for the monumenting and signing of commemorative highways and bridges:

A monument or sign may be requested by any person, group, agency, or jurisdiction, hereafter referred to as sponsor.

Highways and bridges may be named for persons, groups or themes provided:

The individual meets the criteria established by A. CA. § 25-1-121.

Documented support for the naming, acceptable to the Commission, is provided. This documentation may come in the form of resolutions from the governing body of the jurisdiction(s) in which the facility is located, or in other appropriate forms.

A monument will be allowed as follows:

The supporting jurisdiction may furnish an appropriate metal plaque at no cost to the Department. The Department will mount the plaque, in an appropriate location, in a concrete mounting.

The location of the mounting will be determined by the Department in consultation with the sponsoring jurisdiction.

A roadside sign will be allowed as follows:

The sponsoring jurisdiction may request a roadside sign permit from the Commission.

This permit will be requested by letter to the Director of the Department of Transportation. The request will include the appropriate supporting resolution(s).

The sign request will require the approval of the Commission, by Minute Order, authorizing the Director to issue a sign permit.

The cost of the sign and installation of the sign will be the responsibility of the sponsoring jurisdiction.

The sign size, color, configuration and message will be as approved in the sign permit. The number of signs will generally be limited to one sign in each direction near each end of the named section of highway or approach to the named bridge.

The sponsoring jurisdiction will be responsible for the maintenance of the permitted signs. Failure to properly maintain the sign will be cause for revocation of the sign permit.

On highways which have previously been named for an individual, group or theme, the Commission may name a bridge, tunnel or specific section of the previously named route for another individual, group or theme, provided that all other appropriate provisions of this policy have been met or if otherwise deemed appropriate by the Commission."

27 CAR § 132-103. Signs installed by others.

(a)(1) In addition to signs installed by the Arkansas Department of Transportation, there may be circumstances and locations where it is acceptable to allow cities, counties, state, and federal agencies to install signs for the benefit of motorists.

(2)(A) For such signs to be installed on department right-of-way, the requesting entity must have written permission from the department.

(B) Requests for permission must present evidence demonstrating a need for all locations requested and type of sign desired.

(3)(A) Generally, these signs will require a separate support assembly.

(B) Prior written approval will be required before a sign is placed on an existing department assembly.

(C)(i) All costs to manufacture, install, and maintain the sign or signs shall be at no cost to the department.

(ii) The entire installation shall comply with this section and the MUTCD.

(4)(A) Signs cannot be of any type or size which is specifically not allowed by the department.

(B) Advertising is prohibited.

(5)(A) Signs advising of prohibited activity within a city must have a city ordinance or county resolution in force prohibiting the specific activity.

(B) The city ordinance number may be included in the sign legend.

(b) **Special city and county limit signs.** Special designed city limit signs complying with this section may be substituted in lieu of the standard department city limit signs.

(c) **Signs installed on city and county limit sign assembly.**

(1) Almost without exception, the signs listed below must be installed on the city limit sign assemblies.

(2) Signs advising of a prohibited activity must have a city ordinance or county resolution in force prohibiting the specified activity.

(3) The following is a list of signs that have been approved for placement only on these assemblies:

(A) 911 signs;

(B) Bird Sanctuary;

(C) Burn Ban;

(D) City limit signs (per the requirements above);

(E) Crime Watch Area;

(F) D.A.R.E. Community;

(G) Engine exhaust brake (Jake Brake) prohibition (the use of the word "Jake" is prohibited);

(H) Fire wise Community;

(I) Juvenile Curfew;

(J) Keep (City Name) Clean;

(K) Preserve America;

- (L) Purple Heart City;
- (M) "Shine" Award Winner;
- (N) Speed Enforced by Radar;
- (O) Speed Limit XX Unless Otherwise Posted;
- (P) Storm Ready Community; and
- (Q) Tree City USA.

(d) **Signs installed on independent sign assembly.**

(1) Signs must be specific to the program of the government agency installing the sign.

(2) Advertising is prohibited.

(3) Signs cannot be of any type or size which is specifically not allowed by the department.

(4) The following is a list of signs that have been approved for placement on independent assemblies:

(A) **AMTRAC;**

(B) **Bike route signs.** Allowed when geometry meets bicycle facility design criteria and route has official city or county designation;

(C) **Buffalo River.** Special design used by the National Park Service;

(D) **Entertainment district boundary signs.** Allowed after approval of design by the department;

(E) **National Forest Scenic Byways.** Special design used by the National Forest Service;

(F) **National Forest signs.** Special design used by the National Forest Service;

(G) **Public Transit Bus Stop signs;**

(H) **Purple Heart City.**

(i) Allowed when designated as such by The Military Order of the Purple Heart.

(ii) The signs are typically installed on the city limit assembly, but are also allowed on an independent commemorative sign assembly;

(I) **Street Names/County Road Route markers;**

(J) **Watershed Boundary signs;** and

(K) **Wellhead Protection Area.** Department of Health program.

(e)(1) **Commemorative and memorial signing.** Installed and maintained by others.

(2) **Blue Star Memorial Highways.** Allowed by Maintenance Memorandum No. 2006-02 from State Maintenance Engineer dated April 17, 2006.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-104. Signs not allowed.

The following is a list, not exhaustive, of commonly requested signs that are not allowed on Arkansas Department of Transportation right-of-way:

(1) **Armory.** Allowed only during emergencies as per Arkansas National Guard Operations Plan;

(2) **Cemeteries/churches;**

(3) **Birthplace, childhood home, hometown;**

(4) **Church camps/scout camps.** Some signs exist but are no longer allowed;

(5) **Civic clubs/noncivic clubs;**

(6) **Community centers;**

(7) **Disaster Recovery Community;**

(8) **Education service cooperatives;**

(9) **Fire district boundaries;**

(10) **Public schools** (elementary and secondary);

(11) **Children at Play;** and

(12) **Veterans' Memorials.**

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-105. Other signing policies.

(a) Traffic fatality memorials.

(1) While construction of roadside memorials within the state right-of-way is not allowed, the Arkansas Department of Transportation recognizes that, from time to time, persons who lose a loved one in a traffic accident want to memorialize the site where the fatal accident occurred.

(2)(A) The department will remove a memorial as soon as possible if it poses a safety concern.

(B) A memorial will be removed if it:

(i) Interferes with a maintenance operation, roadway safety features, or vision;

(ii) Negatively impacts the free flow of traffic; or

(iii) Would be a hazard should it be hit.

(3)(A) Small, unobtrusive, nonstructural objects, such as small wreaths or flower arrangements, placed on the roadside may be left for a period of seven (7) days from when first noticed by department personnel.

(B) During this seven-day period, department personnel will attempt to make contact with those persons responsible for placing the monument and urge them to remove it from the highway right-of-way.

(C) After the seventh day, department personnel will move the monument to the nearest maintenance area headquarters to be held until the grieving party reclaims it, but typically no longer than thirty (30) days.

(b) **Transportation enhancements.** Financed entirely with local funding, certain types of aesthetic improvements are allowed on department right-of-way under permit.

(c) School Zone and Pedestrian Crosswalk signs.

(1) The use of the School Sign (S1-1) should be limited to school zones and school crosswalks maintained by the department.

(2) The "SCHOOL" pavement marking should only be used in school zones (areas where the school property abuts the highway).

(3) A school shall be defined as a publicly owned kindergarten through grade twelve (K – 12) facility meeting the Rules Governing Standards of Accreditation for Arkansas Public Schools and School Districts, 6 CAR pt. 61, set by the State Board of Education and monitored by the Department of Education, or a privately owned kindergarten through grade twelve (K – 12) facility meeting the accreditation standards of the Arkansas Nonpublic School Accrediting Association, Inc.

(4)(A) Daycare centers and higher education facilities will not be classified as schools for the purpose of installing or maintaining crosswalks.

(B) All other crosswalks installed and maintained by others should be signed, when warranted, using the Pedestrian Warning Sign (W11-2).

(5) School and pedestrian signs should not be installed at signalized intersections.

(d) Guidelines for standard sign usage.

(1) Regulatory and guide signs.

(A) Stop signs (R1-1).

(i) Usage: installed on public roads only.

(ii) Placement and size:

(a) They should be placed on their own assembly, not underneath or crowded with route markers; and

(b) Minimum size is thirty-six inches (36") or forty-eight inches (48") when recommended by an engineering study.

(B) Yield signs (R1-2).

(i) Usage: installed at channelized intersections.

(ii) Placement and size:

(a) They should be placed on their own assembly; and

(b) Minimum size is thirty inches (30") normal, thirty-six inches (36") on state highways, forty-eight inches (48") on interstate off-ramps, and forty-eight inches (48") when recommended by an engineering study.

(C) Speed Limits (R2-1).

(i) Usage:

(a) Existing speed limits are changed only after an engineering study to determine the appropriate speed limit;

(b) Speed Zone Ahead (R2-5C) sign no longer used, use W3-5 instead; and

(c) Typically placed post-interchange on all fully controlled access facilities.

(ii) Placement and spacing:

(a) Placed only where a change in the regulatory speed occurs; and

(b) Seven hundred fifty feet (750') normal spacing, six hundred feet (600') minimum.

(D) **Keep Right sign (R4-7)**. Usage: use Keep Right (R4-7A) instead of the symbol (R4-7) sign.

(E) **Mandatory movement lane control signs (R3-5, R3-5a, and R3-7)**. Placement and spacing: placed at the beginning of the dashed white line and again at the beginning of the solid white line.

(F) **Route markers**.

(i) Usage and placement: four (4) assemblies typically used on approach to an intersection:

(a) Junction assembly (Sect. 2D.28) — usually placed with a destination board six hundred feet (600') from the intersection;

(b) Advance route turn assembly (Sect. 2D.29) — placed three hundred feet (300') minimum from the intersection only when turn required to stay on route;

(c) Directional assembly (Sect. 2D.30) — placed at the intersection. At "T" intersections routes, are gated by placing route markers back-to-back; and

(d) Confirming assembly (Sect. 2D.31) — usually placed with a distance board two hundred feet (200') to three hundred feet (300') after the intersection.

(ii) Straight arrows are not typically used, with exceptions being at interchanges and at intersections where the route being travelled turns and another route continues straight.

(iii) Dual route marking and trailblazing are not done unless previously approved.

(G) **Destination and distance signs.** Usage and placement:

(i) Destination and distance signs should have two (2) or three (3) destinations;

(ii) When a destination is listed on the junction assembly, the same destination should be repeated on the post-intersection confirming assembly;

(iii) The top line should be the closest destination straight ahead, followed by the left destination and then the right destination;

(iv) Mileages for the distance signs are measured to the middle of the destination;

(v) When adding destinations to an existing assembly, the new sign should be the same length as the existing one; and

(vi) Typically placed post-interchange on all fully controlled access facilities listing the next exit and the next control city.

(H) **Overhead guide signs.** Usage and placement: overhead signs shall be used for both the advance guide sign and the exit direction sign at:

(i) Freeway to freeway interchanges;

(ii) Other complex interchanges (cloverleaf, A-B exits, C-D roads, off-ramps with sharp or short geometry, etc.);

(iii) Interchanges with mandatory lane drops (exit only); and

(iv) Freeways with three (3) or more lanes in each direction.

(2) **Warning signs.**

(A) **Chevrons (W1-8).**

(i) Usage:

(a) Curves that ball-bank more than twelve degrees (12°) at fifteen (15) or more miles per hour (m.p.h.) below the posted speed limit;

(b) Curves where the vertical alignment either obscures or distorts the view of the curve (blind curves or downhill curves (curves that fall away from the driver, making the curve look flatter than it is));

(c) Curves after a long tangent section; and

(d) Any curve with a run-off-the-road accident history.

(ii) Placement and spacing:

(a) Chevrons are placed evenly from the P.C. to P.T. of the curve;

(b) The spacing should be approximately thirty feet (30') for every ten miles per hour (10 m.p.h.) of advisory speed, for example, thirty miles per hour (30 m.p.h.) advisory speed equals ninety feet (90') spacing; and

(c) Placement must be such that a minimum of two (2) chevrons are visible at all times.

(B) Arrows (W1-6 and W1-7).

(i) Usage:

(a) W1-6 on curves that ball-bank more than twelve degrees (12°) at thirty miles per hour (30 m.p.h.) or less (abrupt changes in alignment) where the curve length is too short to accommodate three (3) chevrons (approximately three hundred feet (300')); and

(b) W1-7 at "T" intersections where the stopping roadway is either a highway or paved county road that does not have adequate stopping sight distance.

(ii) Placement and spacing: one (1) W1-6 each direction placed in line with the approach tangent.

(C) Object markers (OM-3). Usage:

(i) Place at pipe and box culvert ends that are closer than thirty feet (30') from the edge line. Place signs back-to-back on the approach side of culverts less than twenty feet (20') in width, and on all four (4) corners of structures greater than twenty feet (20');

(ii) Bridge or guardrail ends when either is less than the approach roadway shoulder width; and

(iii) On narrow bridges (less than eighteen feet (18')) per signing details.

(D) Alignment warning signs.

(i) Usage:

(a) Curve warning signs are placed on curves that ball-bank more than five degrees (5°) at the posted speed limit;

(b) Advisory speed plates are added at ten (10) or more miles per hour (m.p.h.) below the posted speed limit; and

(c) Use Winding Road signs (W1-4 and W1-5) when there is less than six hundred feet (600') tangent between successive curves.

(ii) Placement and size:

(a) Place warning signs approximately five hundred feet (500') in advance of the condition requiring the sign; and

(b)(1) Use forty-eight-inch signs on all fully controlled access facilities.

(2) Use thirty-six-inch signs with twenty-four-inch advisory plates, if needed, on all U.S. Routes and multi-lane highways.

(3) Use either thirty-six-inch or forty-eight-inch signs with twenty-four-inch advisory plates, if needed, in high accident rate locations.

(4) Use thirty-inch signs with eighteen-inch advisory plates, if needed, on all other routes.

Authority. Arkansas Code § 27-65-107.

Codification Notes. "P.C." means point of curve.

"P.T." means point of tangent.

Subpart 2. Adopt-A-Highway Policy and Guidelines

Codification Notes. Minute orders pertaining to Adopt-A-Highway that were promulgated with this subpart prior to codification into the Code of Arkansas Rules provided as follows:

"Adopt-A-Highway Minute Orders

MO 87-174 WHEREAS, the Department incurs a considerable expense annually in the control of litter along the State's highway system, and

WHEREAS, House Resolution 1022-of the 76th General Assembly, sponsored by Representative Schexnayder, urged the Arkansas State Highway Commission and the Arkansas Department of Transportation to investigate the Adopt-A-Highway Program in other States, and

WHEREAS, the Department has made this investigation and believes a program of public involvement in controlling litter is considered a positive means of reducing that expense and contributing to public pride in highway aesthetics.

NOW THEREFORE IT IS ORDERED that the Director develop and administer an Adopt-A-Highway Program, which will provide for volunteer groups to adopt selected sections of state highway for the purpose of controlling litter.

MO 89-502 WHEREAS, House Resolution 1022 of the 76th General Assembly, sponsored by Representative Schexnayder, urged the Arkansas State Highway Commission and the Arkansas Department of Transportation to investigate the Adopt-A-Highway Program in other states; and

WHEREAS, the Department initiated an Adopt-A-Highway Program for non-profit volunteer groups to adopt non-freeway sections of highway in May 1987, as provided by Minute Order No. 87-174; and

WHEREAS, the Adopt-A-Highway Program has been very successful in improving the aesthetics of adopted highway sections, has promoted civic pride and has increased awareness of the litter problem; and

WHEREAS, many commercial businesses have requested to participate in the program and many requests have been received to adopt sections of freeways; and

WHEREAS, other states are now permitting the participation of businesses and the adoption of sections of freeway- type highways.

NOW THEREFORE, IT IS ORDERED that the Director modify the Department's current Adopt-A-Highway Program to provide for participation by both volunteer groups and commercial businesses to adopt appropriate sections and/or areas of highway, including appropriate freeway-type facilities.

MO 92-087 WHEREAS, the Adopt-A-Highway Program, as approved by Minute Order 87-174 on May 6, 1987, has been highly successful with over 2,200 groups now participating and over 4,200 mile adopted; and

WHEREAS, the Program Guidelines, as initially approved, need to be revised; and

WHEREAS, participants should be encouraged to provide the Department with a report of their activities following each cleanup and to take part in one of the two statewide cleanups each year.

NOW THEREFORE, IT IS ORDERED that the revisions, as shown on the attached Adopt-A-Highway Policy Statement, be adopted.

MO 92-332 WHEREAS, The Department of Transportation has previously found in Minute Order No. 87-174 that it incurs a considerable expense annually in the control of litter along the State's Highway System; and

WHEREAS, working on State Highway rights-of-way, which includes participation in the Adopt-A-Highway Program, is an exclusive state function; and

WHEREAS, the Commission deems it in the State's best interest to ensure that participants in the Adopt-A-Highway Program adhere to all state and federal nondiscrimination laws; and

WHEREAS, the Commission deems it to be in the best interest of the State not to promote groups or organizations which discriminate on the basis of race, religion, color or national origin; and

WHEREAS, the Commission deems it in the best interest of the State to have sufficient information about applicants for the Adopt-A-Highway Program in order to process the application;

NOW THEREFORE, IT IS ORDERED that all previously adopted Adopt-A-Highway Policy statements are hereby rescinded and the attached Policy Statement is hereby adopted."

27 CAR § 132-201. Program purpose.

(a) The Adopt-A-Highway Program provides for public involvement in controlling litter along selected sections of state highway routes.

(b) Businesses, individuals, and other groups are permitted to adopt a section of highway for the purpose of litter control and to receive Arkansas Department of Transportation recognition for their participation in the program.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-202. Program guidelines.

The following guidelines will apply to any organization's or individual's participation in the Adopt-A-Highway Program:

(1)(A) The section of a state highway to be adopted will generally be from one (1) to three (3) miles in length, but can be of any length subject to Arkansas Department of Transportation approval.

(B) Eligible sections will be selected by the adopting group in cooperation with the district management;

(2)(A) Litter pick up will be done at least four (4) times a year.

(B) The recommended adoption period will be for one (1) year, renewable at the request of the organization;

(3) The department reserves the right to deny adoption or renewal requests by any group, individual, or business based on any one of the following criteria:

(A) Safety of the participants, passing motorists, or department employees;

(B) Effectiveness of the litter control by the participants; or

(C) Harm to the public image of the program or the department;

(4)(A) The program is not intended as a means of providing a public forum for groups, individuals, or businesses to use in promoting name recognition or political causes.

(B) Therefore, the department management reserves the right to deny adoption of more than one (1) section of highway to any group, individual, or business;

(5)(A) Consideration will be given to traffic volumes, types, and speed and to the geometrics of the highway in selecting appropriate program sites.

(B) Those sections determined unsafe or inappropriate by the district management will not be eligible for adoption;

(6) The department's district management will coordinate the litter cleanup activities with the adopting organization and monitor the organization's activities relative to safety;

(7) The department will furnish the adopting organization with:

(A) Safety vests;

(B) Advance warning signs; and

(C) Litterbags;

(8) The department will dispose of the bagged litter;

(9)(A) The department will erect an appropriately sized sign along the adopted highway section to provide public recognition to the adopting organization for their participation in the program.

(B)(i) The sign will have a maximum of thirty-four (34) spaces available for the name of the adopting organization, limited to two (2) lines with seventeen (17) characters per line.

(ii) Spaces and dashes are considered characters.

(C)(i) Political or business slogans and logos are prohibited, as well as names of candidates for political office.

(ii) Phone numbers and addresses of adopting groups or businesses are also prohibited;

(10)(A) After each pickup, participants must file reports detailing the number of:

- (i) People involved;
- (ii) Bags collected; and
- (iii) Hours spent.

(B) Pickup report forms will be furnished by the department.

(C) This recordkeeping function is crucial to track the program's success and provide statistics to interested groups and the media;

(11)(A) Participants will be encouraged to schedule at least one (1) of their required four (4) pickups to coincide with the:

- (i) Great American Trash-Off in the spring; or
- (ii) Great Arkansas Clean-Up the first weekend after Labor Day.

(B) Participants will be notified in advance of these events;

(12) News media coverage will be encouraged to promote the program and to recognize participating organizations;

(13) Upon successful completion of participation in the program, the adopting organization will be presented a certificate of recognition on their anniversary date by the department;

(14)(A) For an applicant to qualify for admission into the program, the said applicant must adhere to the restrictions of all state or federal nondiscrimination laws.

(B) Specifically, the said applicant must not discriminate on the basis of:

- (i) Race;
- (ii) Religion;
- (iii) Color; or
- (iv) National origin.

(C) Such discrimination disqualifies the said applicant from admission into the program; and

(15) An application for admission into the program shall contain the following:

(A) The complete name and complete mailing address of the applying group;

(B) The current charter or current articles of incorporation of the applying group or organization;

(C) The name and complete mailing address of the president, chairperson, or authorized representative of the applying group or organization; and

(D) The name and complete mailing address of all members of the applying group or organization who will actually participate in the collecting of trash in the program.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-203. Guidelines for conducting Adopt-A-Highway Program.

(a)(1) All litter pickup activities will be restricted to the areas of the right-of-way outside the pavement and shoulder areas.

(2) No litter pickup will be accomplished in the median area of multi-lane or freeway type roadways.

(3)(A) No person under the age of eleven (11) years will be permitted to pick up litter within the highway right-of-way.

(B) All persons between the ages of eleven (11) and eighteen (18) must be accompanied by at least one (1) adult per five (5) persons under age eighteen (18).

(4) Each organization shall designate a contact/safety representative who will arrange to meet with an Arkansas Department of Transportation representative prior to the first scheduled litter pickup and at least annually thereafter.

(5)(A) A safety meeting will be conducted immediately prior to each scheduled litter pickup.

(B) The department will assist the adopting organization in planning the meeting.

(C) In this meeting, the workers should be apprised of the hazardous nature of the work which they will be performing.

(6)(A) No litter pickup will be performed unless the adopting organization has displayed the appropriate advance warning signs.

(B) The department will furnish the appropriate signs.

(7)(A) All persons engaged in litter pickup on the right-of-way will wear an appropriate safety vest.

(B) The department will furnish the appropriate safety vest.

(C) The group shall obtain required vests and bags from the department during regular business hours.

(D) Vests and unused bags furnished by the department shall be returned to the department within one (1) week following a cleanup.

(8)(A) Place all bagged litter along the edge of the shoulder.

(B) The department will pick up and dispose of bagged litter.

(9) Support activities which will influence and encourage the public to improve roadside appearance.

(10) Promote the activities of the adopting organization through media attention.

(b) The department will:

(1) Erect an identification sign on each end of the adopted highway section to recognize the adopting organization's activities and efforts;

(2) Furnish a set of appropriate advance warning signs to be set up and maintained in place during litter pickup activities by the adopting organization;

(3) Furnish appropriate safety vests for all persons involved in litter pickup for the adopting organization;

(4) Furnish all litterbags needed by the adopting organization;

(5) Furnish postage paid return cards to be completed by the adopting organization;

(6) Collect and dispose of all litter that is picked up and bagged by the adopting organization;

(7)(A) Assist the adopting organization with litter pickup, promotional, and media activities, to the extent practical.

(B) A two-week notice should be given to the department;

(8) Issue the adopting organization a Certificate of Recognition upon completion of each year's successful participation in the program; and

(9) Meet with contacts/safety representatives prior to the first scheduled pickup and at least one (1) time annually thereafter.

(c)(1) As long as two (2) pickup cards are received per year, the agreement will remain in effect with no annual renewal agreement necessary.

(2) If less than two (2) pickup cards are received in one (1) year, the group will be asked whether or not it wishes to continue participating in the program.

Authority. Arkansas Code § 27-65-107.

Subpart 3. Adopt-A-Spot Policy and Guidelines

Codification Notes. The Adopt-A-Spot Minute Order that was promulgated with this subpart prior to codification into the Code of Arkansas Rules provided as follows:

"Adopt-A-Spot Minute Order

MO 95-152 WHEREAS, various entities around the state have approached the Department about beautifying sections of highway right of way, particularly intersections; and

WHEREAS, a Quality Initiative Program (QIP) team was established to explore the possibility of establishing an Adopt A Spot Program within the Department for the purpose of letting volunteer groups beautify and maintain sections of right of way; and

WHEREAS, the Adopt A Spot Team has recommended guidelines for establishing such a program; and

WHEREAS, the recommendations of the Adopt A Spot Team have been approved by the QIP Council and the QIP Steering Committee;

NOW THEREFORE, BE IT RESOLVED, that the Department establish an Adopt A Spot Program in accordance with the guidelines and criteria recommended by the Quality Improvement process."

27 CAR § 132-301. Generally.

(a) The Arkansas Department of Transportation has implemented an Adopt-A-Spot Program for the purpose of allowing cities or counties to landscape selected sites on state highway rights-of-way.

(b) These guidelines are used in issuing permits and coordinating the program activities.

(c) The goal of the program is to enhance the appearance of the local community as well as the state highway system by allowing political subdivisions of this state (counties or municipalities) to landscape selected areas of the rights-of-way along state highways.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-302. Program purpose.

(a) The purpose of the Adopt-A-Spot Program is to permit and promote political subdivisions of this state (counties or municipalities) to landscape selected intersection islands and other areas of the rights-of-way along state highways.

(b) The goal of the program is to enhance the appearance of the local community as well as the state highway system.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-303. Program requirements.

The following will apply to all participants:

(1) General requirements.

(A) Permittee.

(i) A political subdivision making application to participate in the Adopt-A-Spot Program and meeting the requirements set forth herein may be given a permit to landscape within that subdivision at the sole discretion of the Arkansas Department of Transportation.

(ii)(a) In selecting appropriate program sites, considerations shall include, but may not be limited to, traffic volumes, traffic types, traffic speed, and the geometrics of the highway.

(b) Those sections determined by the department to be inappropriate for adoption will not be eligible for inclusion in this program.

(B) Restrictions on workers.

(i) The installation and maintenance of landscaping which is within thirty feet (30') of a travel lane shall be performed by qualified individuals over the age of eighteen (18) and experienced in this type of work.

(ii)(a) For areas that are to be landscaped and that are located a minimum of thirty feet (30') from a travel lane, volunteer labor may be utilized if they are under the direction of qualified personnel experienced in this type of work.

(b) No individuals under sixteen (16) years of age shall be allowed to perform any construction or maintenance work covered under this permit unless accompanied and fully supervised by one (1) individual over eighteen (18) years of age for each five (5) individuals under the age of sixteen (16) but over age fourteen (14).

(c) In no event shall an individual under the age of fourteen (14) be allowed by the permittee to be on location during the construction or maintenance or any other work associated with the permit.

(C) Funding.

(i) The entire cost of installation, maintenance, restoration, and removal of landscaping, lighting, and irrigation including all materials, labor, equipment, and any other expenses necessary to accomplish the work covered in this permit will be borne by the permittee.

(ii)(a) Private donations are acceptable.

(b) However, funding may not include grants or other financing provided by other state or federal programs.

(D) Length of permit.

(i) Approved permits shall be valid for a five-year period subject to all conditions herein and as contained in the permit.

(ii) Permits may be renewed after completion of the initial period at the option of the permittee and with the concurrence of the department.

(E) Public safety and liability.

(i)(a) No permit shall be approved by the department if it is determined that such proposed landscaping may interfere with the safety of the general public.

(b) The permittee shall agree to fully protect the safety of the general public and participants in or adjacent to the permitted area during construction and maintenance of the landscaping by the proper utilization of signs, barricades, flag persons, and/or lights.

(c) If the work in progress or delivery of materials requires a lane closure, signing shall be in accordance with the current edition of the MUTCD and department policy.

(ii) The permittee shall fully agree to hold harmless the State Highway Commission and the department and its officers, agents, and employees from any and all damages of any nature to any person or property due to construction, maintenance, performance, or nonperformance of any permitted work, landscaping, or other activities associated with this permit.

(F) Conditions of participation. The permittee is responsible for advising participants of the provisions of this permit;

(2) Construction requirements.

(A) Plan submittal.

(i)(a) A detailed plan shall be prepared by the individuals experienced in this type of work.

(b) The plans shall show all existing facilities as well as the location of the state right-of-way and the specifics concerning the proposed landscaping, signing, lighting locations, and irrigation details.

(ii) This plan shall be submitted by the permittee to the department's District Engineer for the department's review and approval.

(iii)(a) No work shall begin until the permit has been approved by the department.

(b) The department's District Engineer shall be given three (3) days' notice prior to the beginning of work on this permit.

(B) Materials.

(i)(a) All planting material shall be healthy and disease-free.

(b) To the extent possible and to minimize maintenance, plantings shall consist of primarily evergreens and perennials.

(c) If annual plants are incorporated, periodic renewal will be necessary to maintain the attractiveness of the area.

(d) Plants which obstruct sight distance shall not be permitted.

(e) In order to further minimize maintenance, the use of low-growing ground covers is encouraged.

(f) The layout of the landscaping and plantings shall not be designed to depict symbols, logos, or slogans.

(ii)(a) If fountains or fixtures such as birdbaths, figurines, or other sculptures are to be installed, they must be shown on the plans when submitted for review.

(b) They shall be of such size and location as to not create a hazard or obstruct sight distance and shall not depict symbols, logos, or slogans of any nature.

(C) Signing.

(i)(a) When the total landscaping area covered under a permit exceeds two hundred square feet (200 ft²), a sign or signs acknowledging those responsible for the placement and maintenance of the landscaping may be erected in locations where they do not interfere with sight distance or create a hazard.

(b) Furnishing and installing the signs shall be the responsibility of the department.

(c) Sign locations shall be shown on the plan submittal.

(ii)(a) The signs will be stationary and mounted on no more than two (2) posts not exceeding three and one-half inches by one and one-half inches (3 1/2" x 1 1/2").

(b) Total height of the sign assembly will not exceed three feet (3').

(iii)(a) Sign borders and lettering will be green in color placed upon a white background.

(b) Each sign face will be rectangular in shape and will not exceed four square feet (4 ft²) in area.

(c) A sign may be printed on front and back faces but will not depict symbols, logos, or individual titles, nor will it include the telephone numbers or addresses of those responsible for the landscaping.

(d) No more than one (1) sign will be erected in an island and a maximum of four (4) signs will be allowed per intersection or area.

(iv) Lighting solely for the purpose of illuminating a sign shall not be allowed.

(D) Lighting.

(i) Any lighting which is proposed must be approved through the same process as the overall landscaping plans.

(ii) The lighting should generally be limited to the low intensity, low voltage type.

(iii) Any lighting which, in the opinion of the department, performs in such a manner as to be hazardous or in any way distracts the traveling public shall be removed immediately; and

(3) Maintenance requirements.

(A) Watering system.

(i) A watering system suitable for sustaining plant growth shall be provided.

(ii) All watering systems must be situated and operated to contain all water within the landscaped area.

(B) Frequency of maintenance. Maintenance should be provided at a level and frequency sufficient to provide an actively growing, attractive, and well-maintained area that is free of objectionable grass, weeds, brush, trash, etc.

(C) Restoration of damaged highway.

(i) No portion of the traveled surface or shoulder of any highway shall be disturbed by the permittee unless prior approval is obtained from the department's District Engineer.

(ii) All restoration work shall be done in accordance with the instructions of the department's District Engineer.

(D) Removal conditions.

(i) If in the opinion of the department the landscaping provided under the Adopt-A-Spot Program becomes objectionable due to insufficient maintenance, interferes with public safety, conflicts with highway improvements/maintenance, or becomes a nuisance, the landscaping shall be restored by the permittee or the permit shall be null and void and the landscaping shall be promptly removed by the permittee as directed by the department's District Engineer.

(ii) No reimbursement will be provided by the department for the cost of any item covered under this permit, or the cost of its installation, restoration, or removal.

Authority. Arkansas Code § 27-65-107.

Subpart 4. Policy for Erection of Specific Service Signs (Logos)

Codification Notes. This subpart as promulgated prior to codification into the Code of Arkansas Rules provided as follows: "REVISED 6-2011"

The minute orders pertaining to the Logo Program that were promulgated with this part prior to codification into the Code of Arkansas Rules provided as follows:

"Logo Program Minute Orders

79-353 WHEREAS, Title 23 U.S.C. 109(d) provides that States may erect signs within highway rights of way which display specific information for business establishments offering goods and services in the interest of the traveling public; commonly referred to as "Logo Signs"; and,
WHEREAS, nationwide fuel shortages increase motorists needs for specific information as to the availability of services at rural freeway interchanges; and,
WHEREAS, federal-aid highway funds are eligible to participate in the cost and erection of specific information signs on federal-aid highways in the same manner that such funds are eligible for other highway traffic control devices on the federal aid highway system;
NOW, THEREFORE, the Director is hereby authorized to erect specific information panels within the rights of way of the State's rural freeway highways at locations at which highway oriented businesses agree to participate and provide the appropriate Logo business signs for application on the panels. Specific information and business eligibility shall be provided in accordance with the attached guidelines.

87-354 WHEREAS, Commission Minute Order 79-353 authorized the Director to erect "Logo" signs on the State's freeway system that would provide specific information concerning motorist services; and

WHEREAS, at that time, due to Federal regulations, a number of the State's businesses could not qualify for such signing, which caused the Department to postpone implementation of this program; and

WHEREAS, a recent survey indicated a large percentage of highway businesses are now capable of complying with the regulations and are interested in participating in the "Logo" program; and

WHEREAS, Federal-Aid Highway Funds are available to participate in the cost of the necessary sign structures.

NOW THEREFORE, the Director is authorized to proceed with the "Logo" program in accordance with the attached guidelines and is authorized to remove existing motorist services signs upon program implementation.

87-518 WHEREAS, Commission Minute Order 79353 authorized the Director to erect "Logo" signs on the State's freeway system that would provide specific information concerning motorist services; and

WHEREAS, at that time, due to Federal regulations, a number of the State's businesses could not qualify for such signing, which caused the Department to postpone implementation of this program; and

WHEREAS, a recent survey indicated a large percentage of highway businesses are now capable of complying with the regulations and are interested in participating in the "Logo" program; and

WHEREAS, Federal-Aid Highway Funds are available to participate in the cost of the necessary sign structures.

NOW THEREFORE, the Arkansas State Highway Commission hereby establishes and adopts the attached "Policy for Erection of Specific Information Signs" as the official regulations and the Director is hereby authorized to remove existing motorist services signs upon program implementation. This action supersedes Minute Order 87-354 passed July 16, 1987.

89-102 WHEREAS, Arkansas State Highway Commission Minute Order 87-518 adopted the 'Policy for Erection of Specific Information Signs' as official regulations, and whereas under these regulations, the number of LOGOs on a sign panel is limited to six for GAS and four each for FOOD, LODGING, and CAMPING; and WHEREAS, the initial federal regulations restricting the number of LOGOs on a sign panel have been changed to allow six LOGOs for GAS, FOOD, LODGING, and CAMPING; and WHEREAS, the construction and erection of LOGOs by companies under contract with the Arkansas State Highway Commission will begin shortly, and WHEREAS, under these contracts, the number of LOGOs on a sign panel will be limited by existing state regulations unless the attached amended regulations are adopted; and another such contract will be let to contract in the near future; WHEREAS, the attached amendments to the 'Policy for Erection of Specific Information Signs' is consistent with the current federal regulations; and WHEREAS, the attached amendments will save the State of Arkansas money and will provide travelers with more business identification information for motorist services: IT IS THEREFORE, found by the Arkansas State Highway Commission that imminent peril to the public health, safety, and welfare requires adoption of these amendments so that any sign panels erected under the LOGO program can be constructed and erected in accord with current federal regulations. NOW THEREFORE, the 'Policy for Erection of Specific Information Signs' adopted under Highway Commission Minute Order 87-518 is hereby changed by amendment to the following paragraphs, to read as follows:

5. b. Composition

(1) Single-Exit Interchanges. The name of the type of service followed by the exit number shall be displayed in one line above the business signs. The "GAS", "FOOD", "LODGING", and "CAMPING" specific information signs shall be limited to six business signs each except as otherwise permitted in 3.d. Number of Signs Permitted.

(2) Double-Exit Interchanges. The specific information signs shall consist of two sections, one for each exit. The top section shall display the business signs for the first exit and the lower section shall display the business signs for the second exit. The name of the type of service followed by the exit number shall be displayed in a line above the business signs in each section. Where a type of motorist service is to be signed for at only one exit, one section of the specific information sign may be omitted, or a single-exit interchange sign may be used. The number of business signs on the sign panel (total of both sections) shall be limited to six each for 'GAS', 'FOOD', 'LODGING', and 'CAMPING' except as otherwise permitted in 3.d. Number of Signs Permitted.

89-293 WHEREAS, Arkansas State Highway Commission Minute Order 87-518 adopted the "Policy for Erection of Specific Information Signs" as official regulations, and whereas under these regulations, the maximum distance that service facilities can be located from the main traveled way to qualify for a business sign shall not exceed 3 miles in either direction for "FOOD", "LODGING", and "CAMPING" services and 1 mile for "GAS"; and

WHEREAS, federal regulations allow the limit of eligibility to be extended in 3-mile increments until a maximum of 15 miles is reached; and

WHEREAS, the amendment to the "Policy for Erection of Specific Information Signs" will provide travelers with more business identification for motorist services; and

WHEREAS, additional businesses will be allowed to participate in the Specific Information Sign Program thereby enhancing economic development in Arkansas:

NOW THEREFORE, the "Policy for Erection of Specific Information Signs" adopted under Highway Commission Minute Order 87-518 is hereby changed by amendment to the following paragraph, to read as follows:

3. b. Distance to Services. The maximum distance that service facilities can be located from the main traveled way to qualify for a business sign shall not exceed 3 miles in either direction for "FOOD", "LODGING", and "CAMPING" services and 1 mile for "GAS"; except that, if within that 3-mile limit services of the type being considered

are not available, the limit of eligibility may be extended in 3-mile increments until services of the type being considered, or 15 miles, are reached.

WHEREAS, the amendment will save the State of Arkansas money and will provide travelers with more business identification information for motorist services:

IT IS THEREFORE, found by the Arkansas State Highway Commission that imminent peril to the public health, safety, and welfare requires adoption of this amendment so that any sign panels erected under the LOGO program can be constructed and erected in accord with current federal regulations.

89-503 WHEREAS, Commission Minute Order 87-518 adopted regulations for the erection of "Logo" signs on the rural interstate highway system; and

WHEREAS, this program is presently being implemented and is being well received by both the traveling public and businesses offering the various services; and

WHEREAS, the Commission now wishes to expand the program to include all rural state highways constructed to freeway standards, and which will meet the present regulations governing the placement of "Logo" signs.

NOW THEREFORE, Section 2a of the 'Policy for Erection of Specific Information Signs' is amended to read as follows;

2. a. Intended for Rural Areas: Specific information signs are intended for use primarily in rural areas, specifically, but not limited to, those sections of the rural interstate highway system and other fully controlled access highways located in rural areas where the 65 miles per hour maximum speed limit is currently in effect.

90-282 WHEREAS, Commission Minute Orders 87-518, 89-293 and 89-503 adopted regulations for the erection of "Logo" signs on Rural fully controlled access facilities; and

WHEREAS, this program is presently being implemented, and is being well received by both the traveling public and businesses offering the various services; and

WHEREAS, Section 66 "Selection of Eligible Businesses" needs to be revised to read as follows: "If there is not enough space on specific information panels to accommodate

all businesses wishing to display signs, those businesses closest to the particular interchange will be selected. If, subsequently, a business exists or is constructed closer to the interchange than one being displayed on the panel, the business on the panel may continue to display until such time as they no longer desire to do so. At that time, the business that is located closer to the interchange may apply for a sign".

91-097 WHEREAS, the I-55 Pilot Project for the Logo Signing Program identified areas of concern pertaining to the policy and regulations for the program: and

WHEREAS, one identified concern was the desire of business participation to display their Logos on more than one service panel at an exit, if they offered more than one service; and

WHEREAS, administrative policy was adjusted to allow the display of business Logos on more than one service panel, and this adjustment does not contradict Commission Minute Order 90-282 which amended paragraph 6f, "Selection of Eligible Businesses:", of the Logo Signing Regulations adopted by the Commission Minute Order 87-518:

NOW THEREFORE, paragraph 3d of the Logo Signing Regulations is amended by adding this sentence to the end of the paragraph: "Businesses offering more than one service may have their signs displayed on more than one service panel, as long as no other business would be eliminated."

91-512 WHEREAS, the Commission's Logo Signing Program has been well received by both the traveling public and businesses offering motorist services; and WHEREAS, the Commission desires to provide additional information to the motorist regarding the availability of eating establishments along the freeway system:

NOW THEREFORE, paragraph 3c (2) (b) of the Logo Signing Regulations adopted by Commission Order 87-518 is amended to read; 'Continuous operation to serve meals beginning no later than 11:00 a.m., 7 days a week.

92-489 WHEREAS, the tourism industry in Arkansas has increased at an above normal rate due to the development of tourist attractions both within the state and in surrounding states; and

WHEREAS, this increase is expected to continue with the national attention Arkansas will now receive from being the home state of the next President of the United States of America; and

WHEREAS, the need exists for 'Tourist Attraction Directional Signs' (TADS) to direct the tourist in an efficient manner from the Interstate to the major tourist areas of the state; NOW THEREFORE, the Director is authorized to develop criteria, prepare plans, and implement in phases a statewide signing project for providing directional information to the tourist traveling Arkansas Highways.

FURTHER, the criteria is to be developed in cooperation with the Department of Parks and Tourism.

93-092 WHEREAS, several Arkansas cities and counties have adopted ordinances banning billboards in order to protect and promote scenic beauty and community appearance; and

WHEREAS, the Arkansas State Highway Commission's Logo Signing Program has been well-received and is an effective and aesthetic method to provide information to the motorist regarding the availability of gas, food, lodging, and camping services at freeway exists:

NOW THEREFORE, paragraph 2a of the Commission's Logo Signing Regulations is amended by adding this sentence to the end of the paragraph: "Specific information signs may be erected along freeways in urbanized areas, if those freeways are subject to city or county ordinances banning billboards and the signs can be installed without detriment to traffic safety".

95-008 WHEREAS, the Commission's Logo Signing Program has been well received by both the traveling public and the businesses offering motorist services; and

WHEREAS, the Commission desires to promote economic development and provide as much motorist services information to the traveling public as possible.

NOW THEREFORE, the second sentence of paragraph 5.b. (1) is amended to read: "The gas, food, lodging and camping specific information signs shall be limited to nine business signs each except as otherwise permitted in 3.d Number of Signs Permitted."

2001-213 WHEREAS, the Department's roadside motorists services signing is an effective tool for providing information to motorists, and

WHEREAS, it would be beneficial to provide additional signs directing motorists to significant public attractions.

NOW THEREFORE, the Director is authorized to develop and implement a signing program for public attractions.

2003-160 WHEREAS, the Arkansas Highway Commission desires to promote economic development in the State by expanding the Specific Service Signs (Logo) program to include attractions; and

WHEREAS, in cooperation with the Arkansas Department of Parks and Tourism, the Policy for Erection of Specific Service Signs (Logos) has been revised to include attractions and to define the role of the Department of Parks and Tourism in deciding which attractions will be approved; and

WHEREAS, the Policy for Erection of Specific Service Signs (Logos) has been revised to conform to the latest edition of the Manual on Uniform Traffic Control Devices.

NOW THEREFORE, the Director is authorized to submit the attached Policy for Erection of Specific Service Signs (Logos) for approval by the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council and to erect attraction Logo signs statewide.

2005-058 WHEREAS, the Department, in accordance with Minute Orders 92-489 and 2001-213, has developed a program for signing for major public attractions; and

WHEREAS, the Department of Parks and Tourism is an active partner in this effort and is supportive of this program; and

WHEREAS, the Department has advertised for and received applications for public attractions signs:

NOW THEREFORE, the Director is authorized to proceed with the implementation of the public attractions signing program by installing signs for those attractions approved by the Department of Parks and Tourism.

2006-028 WHEREAS, Regulations for Control of Outdoor Advertising on Arkansas Highways provides for a 60-day renewal period for outdoor advertising signs; and

WHEREAS, the Department's procedures for Logo/Attraction signs allow for a 90-day renewal period; and

WHEREAS, it would be beneficial to provide consistent renewal procedures for all types of various permitted signs.

NOW THEREFORE, the Director is hereby authorized to take the steps necessary to revise Department policies and procedures to allow for a 90-day renewal period for the various types of permitted signs.

2008-131 WHEREAS, the Department, in accordance with Minute Orders 92-489, 2001213, 2003-160, and 2005-058, has developed programs for signing for public attractions which are considered to be beneficial to directing motorist to significant public attractions; and

WHEREAS, the Department of Parks and Tourism is an active partner in this effort and is supportive of this program; and

NOW THEREFORE, the Director is authorized to continue the public attractions signing program in accordance with the attached revised Policy for Erection of Specific Services Signs (Logos)."

27 CAR § 132-401. Definitions.

Except as defined in this section, the terms used in this subpart shall be defined in accordance with the definition and usage of the MUTCD:

- (1) "Business sign panel (logo)" means a separately attached sign panel mounted on the specific service sign to show the brand, symbol, trademark, or name, or combination of these, for a motorist service available at or near an interchange;
- (2) "Department" means the Arkansas Department of Transportation; and
- (3) "Specific service sign" means a guide sign with:
 - (A) The words "GAS", "FOOD", "LODGING", "CAMPING", or "ATTRACTIONS";
 - (B) Directional information; and
 - (C) One (1) or more business sign panels (logos).

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-402. Location.

(a) **Eligible areas.** Upon request from a local jurisdiction, specific service signs will be allowed on those sections of the interstate highway system and other fully controlled access highways (freeways), where the maximum posted speed limit is greater than fifty-five miles per hour (55 m.p.h.).

(b) **Lateral location approved by the Arkansas Department of Transportation.**

(1) The specific service sign locations shall be approved by the department and should be located so as to:

- (A) Take advantage of natural terrain;
 - (B) Have the least impact on the scenic environment; and
 - (C) Avoid visual conflict with other signs within the highway right-of-way.
- (2) Sign supports shall be of a breakaway design.

(c) **Relative location.** In the direction of traffic, successive specific service signs shall be those for "ATTRACTIONS", "CAMPING", "LODGING", "FOOD", and "GAS" in that order.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-403. Criteria.

(a) **Conformity with laws.** Eligible service facilities shall comply with laws concerning:

(1) The provisions of public accommodations without regard to:

- (A) Race;
- (B) Religion;
- (C) Color;
- (D) Age;
- (E) Sex; or
- (F) National origin; and

(2) Licensing and approval of service facilities.

(b) **Distance to services.** The maximum distance that service facilities can be located from the main traveled way to qualify for a business sign panel shall not exceed:

(1) Fifteen (15) roadway miles in either direction for "GAS", "FOOD", "LODGING", and "CAMPING"; and

(2) Thirty (30) roadway miles for "ATTRACTIONS".

(c) **Types of services permitted.**

(1) The types of services permitted shall be limited to:

- (A) Gas;
- (B) Food;
- (C) Lodging;
- (D) Camping; and
- (E) Attractions.

(2) To qualify for display on a specific service sign:

(A) "Gas" shall include:

(i) Vehicles services, which shall include gas and/or alternative fuels, oil, and water;

(ii) Continuous operation at least sixteen (16) hours per day, seven (7) days a week;

(iii) Modern sanitary facilities and drinking water; and

(iv) A public telephone;

(B) "Food" shall include:

(i) Licensing or approval, where required;

(ii) Continuous operation to serve meals beginning no later than 11:00 a.m., six (6) days a week;

(iii) Modern sanitary facilities and drinking water; and

(iv) A public telephone;

(C) "Lodging" shall include:

(i) Licensing or approval, where required;

(ii) Adequate sleeping accommodations;

(iii) Modern sanitary facilities; and

(iv) A public telephone;

(D) "Camping" shall include:

(i) Licensing or approval, where required;

(ii) Adequate parking accommodations; and

(iii) Modern sanitary facilities and drinking water; and

(E)(i) "Attractions" shall include or have:

(a) Licensing or approval, where required;

(b) Adequate parking accommodations;

(c) Modern sanitary facilities and drinking water;

(d) Continuous operations at least eight (8) hours per day, six (6) days a week;

(e) Regional significance; and

(f) Cultural or historic site, recreational or entertainment facility, area of natural phenomenon or scenic beauty, theme park, amusement or entertainment park, indoor or outdoor play, music show, botanical garden, or cultural or education center.

(ii) An activity or site shall not qualify for "ATTRACTIONS" sign panels if the activity or site is identified by official guide signs that are within the freeway right-of-way.

(iii) Qualification for "ATTRACTIONS" sign panels will be determined by the Department of Parks, Heritage, and Tourism.

(d) Number of signs permitted.

(1) The number of specific service signs permitted shall be limited to four (4) along an approach to an interchange.

(2) The number of business sign panels permitted on a specific service sign is specified in 27 CAR §§ 132-405(b) and 132-406(f).

(3) Businesses offering more than one (1) service may have their sign panels displayed on more than one (1) specific service sign, as long as no other business would be eliminated.

(4) In those instances where this section applies, the Arkansas Department of Transportation may limit the business to one (1) sign panel.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-404. Composition.

(a) Specific service signs.

(1) The signs shall have a blue background with a white reflectorized border.

(2) The size of the signs shall not exceed the minimum size necessary to accommodate the maximum number of business sign panels permitted using the required legend height and the interline and edge spacing specified in the MUTCD.

(b) Business sign panels.

(1) Where business identification symbols or trademarks are used alone for a business sign panel:

(A) The border may be omitted;

(B) The symbol or trademark shall be reproduced in the colors and general shape consistent with customary use; and

(C) Any integral legend shall be in proportionate size.

(2) Messages, symbols, and trademarks which resemble any official traffic control device are prohibited.

(3) The vertical and horizontal spacing between business sign panels on specific service signs shall not exceed eight inches (8") and twelve inches (12"), respectively.

(c) **Legends.** All specific service sign directional arrows and all letters and numbers used in the name of the type of service and the directional legend shall be white and reflectorized.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-405. Special requirements.

(a) Location.

(1) Separate sign.

(A) Except as provided in 27 CAR § 132-403(d) and subdivision (b)(3) of this section, a separate sign shall be provided for each type of service for which business sign panels are displayed.

(B) No service type shall be displayed on more than one (1) sign along an approach to an interchange.

(2) Relationship to exit gore.

(A) The specific service signs shall be erected between the previous interchange and eight hundred feet (800') in advance of the exit direction sign at the interchange from which the services are available.

(B) There should be at least eight hundred feet (800') spacing between the main lanes specific service signs.

(C) Excessive spacing should be avoided.

(3) **Convenient reentry required.** Specific service signs shall not be installed at an interchange where the motorist cannot conveniently reenter the interstate highway or freeway and continue in the same direction of travel.

(4) **Exit ramp signs.**

(A) At single-exit interchanges where service facilities are not visible from a ramp terminal, ramp signs shall be installed along the ramp or at the ramp terminal and along the highway crossroad leading to the service facility, if turns are required from the highway crossroad.

(B) These signs shall be duplicates of the corresponding specific service signs along the main roadway but reduced in size.

(C) The signs shall include the distances to the service installations and directional arrows in lieu of words.

(D) The minimum letter height should be four inches (4") except that any legend on a symbol shall be proportional to the size of the symbol.

(E) Ramp signing may be used on ramps and highway crossroads at double-exit interchanges.

(b) **Composition.**

(1) **Single-exit interchanges.**

(A) The name of the type of service followed by the exit number shall be displayed in one (1) line above the business sign panels.

(B) The "GAS", "FOOD", "LODGING", "CAMPING", and "ATTRACTIONS" specific service signs shall be limited to six (6) business sign panels each.

(2) **Double-exit interchanges.**

(A) The specific service signs shall consist of two (2) sections, one (1) for each exit.

(B) The top section shall display the business sign panels for the first exit and the lower section shall display the business sign panels for the second exit.

(C) The name of the type of service followed by the exit number shall be displayed in a line above the business sign panels in each direction.

(D) Where a type of motorist service is to be signed for at only one (1) exit, one (1) section of the specific service sign may be omitted, or a single-exit interchange sign may be used.

(E) The number of business sign panels on the specific service sign (total of both sections) shall be limited to six (6) each for "GAS", "FOOD", "LODGING", "CAMPING", and "ATTRACTIONS".

(3) Combination signs.

(A) In areas where not more than two (2) qualified facilities are available for each of two (2) or more types of services, or areas where sign spacing is limited, business sign panels for two (2) types of services may be displayed on the same specific service sign.

(B) Not more than four (4) business sign panels for a type of service shall be displayed in combination on a specific service sign.

(C) The name of each type of service shall be displayed above its respective business sign panels, and the exit number shall be displayed above the names of the types of services.

(D) Business sign panels should not be combined on a specific service sign when it is anticipated that additional service facilities will become available in the near future.

(c) Size.

(1) **Business signs.** Each business sign panel on the main lane specific service signs shall be contained within a sixty-inch-wide and thirty-six-inch-high rectangular background area, including border.

(2) **Legends.** All letters used in the name of the type of service and the directional legend shall be in conformance with the MUTCD.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-406. Procedures.

(a) **Contracts.** Contracts for erection or replacement of business sign panels shall be provided by the Arkansas Department of Transportation or its contractor.

(b) **Erection.** Specific service signs shall be erected and business sign panels shall be attached by the department or its contractor.

(c) **Cost.** Business sign panels shall be furnished to the department or its contractor, in accordance with departmental specifications, by the participating businesses.

(d) **Replacement.** Upon notice from the department or its contractor, businesses will provide replacement business sign panels for those panels which become worn or damaged.

(e) **Removal.** The department or its contractor shall remove or cover business sign panels for those businesses that are not in compliance with the conditions indicated in 27 CAR § 132-403.

(f) Selection of eligible businesses.

(1) If there is not enough space on specific service signs to accommodate all businesses wishing to display business sign panels, those businesses closest to the particular interchange will be selected.

(2)(A) If, subsequently, a business exists or is constructed closer to the interchange than one (1) being displayed on the specific service sign, the business on the specific service sign may continue to display until such time as they no longer desire to do so.

(B) At that time, the business that is located closer to the interchange may apply for the specific service sign.

(g) Seasonal removal/covering.

(1)(A) Each business sign panel displayed on the "CAMPING" or "ATTRACTIONS" specific service signs and ramp signs shall be removed or covered by the department or its contractor during off-season months if such business is operated on a seasonal basis only.

(B) Said sign panels shall be reinstalled or uncovered by the department or its contractor during seasonal operations.

(2) Each such business shall notify the department or its contractor at the time of annual maintenance fees of their operating intentions for the forthcoming year.

(3) The department or its contractor shall remove sign panels at an interchange for any such business that fails to give notice at least six (6) months in advance of any seasonal closing.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-407. Fees.

(a) The State Highway Commission shall determine the initial fees, annual fees, and special fees pertaining to the Specific Service Sign Program.

(b) **Annual fees.**

(1) Upon approval of a business for specific service signs, the annual maintenance fee (permit renewal) shall be paid in accordance with the terms of the contract between the business and the Arkansas Department of Transportation or its contractor.

(2)(A) If an application for permit renewal is, for any reason, not granted, the fee tendered with the renewal application shall be promptly refunded.

(B) If a permit has been renewed, no part of the annual maintenance fee shall be refunded.

(C) If, however, the business sign panel is subsequently removed at the direction of the department for any reason, a proportional refund of the annual maintenance fee shall be made.

(D) However, in case of any removal, the annual maintenance fee for any months or major portion (sixteen (16) days or more) of a month remaining to the anniversary date of placement of the business sign panel shall be refunded.

(E) There shall be no refund of the annual maintenance fee for any business sign panel temporarily removed or covered pursuant to 27 CAR § 132-406(e) or 27 CAR § 132-406(g).

(c) **Special fees.**

(1) A fee will be charged per business per interchange for the removal of business sign panels by the department or its contractor.

(2) A fee will be charged per business per interchange for the seasonal removal or covering by the department or its contractor of "CAMPING" or "ATTRACTIONS" business sign panels (fee to include corresponding reinstallation or uncovering at the end of the off-season).

Authority. Arkansas Code § 27-65-107.

Subpart 5. Rules for Tourist-Oriented Directional Signs

Codification Notes. The minute orders pertaining to Tourist Oriented Directional Signing that were promulgated with this subpart prior to codification into the Code of Arkansas Rules provided as follows:

"Tourist Oriented Directional Signing Minute Orders

95-009 WHEREAS, the Federal Highway Administration's Manual on Uniform Traffic Control Devices authorizes the installation of Tourist-Oriented Directional Signs (TODS) on State highway rights-of-way; and

WHEREAS, the Arkansas State Highway Commission desires to promote economic development in the state by providing directional information regarding tourist-oriented businesses and activities to the motorist.

NOW THEREFORE, the Director is authorized to implement a TODS Pilot Project on State Scenic Byways 7 and 309 in accordance with the attached TODS Signing Regulations, to adopt the regulations in accordance with State Statutes, and to report

the results of the Pilot Project to the Commission for consideration of a statewide TODS Program.

2002-073 WHEREAS, the Tourist-Oriented Directional Sign (TODS) program regulations were approved by the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council on July 6, 1995; and

WHEREAS, by Minute Order 95-009, the Arkansas Highway Commission authorized a pilot TODS program; and

WHEREAS, the Commission desires to promote economic development in the state by providing directional information regarding tourist-oriented businesses and activities to motorists; and

WHEREAS, in cooperation with the Arkansas Department of Parks and Tourism, the Commission desires to expand the pilot TODS program.

NOW THEREFORE, the Director is hereby authorized to fully implement the TODS program and initiate necessary revisions to the approved TODS Regulations.

FURTHERMORE, any signs proposed for use in the TODS program must comply with the Manual on Uniform Traffic Control Devices and must be approved by the Director."

This subpart as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"Authority

The Arkansas State Highway Commission is authorized by Ark. Code Ann Section 27-65-107(a)(13)(1994), and the Federal Highway Administration's Manual on Uniform Traffic Control Devices to promulgate rules governing Tourist-Oriented Directional Signing (TODS) within the rights-of-way of state highways."

27 CAR § 132-501. Purpose.

This subpart provides for the installation and administration of TODS for qualified activities or sites of reasonable interest to the traveling public not residing in the immediate area of the business or activity.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-502. Definitions.

As used in this subpart:

(1) "Rural" means those areas outside the city limits of incorporated cities or towns with a population of five thousand (5,000) or more people;

(2)(A) "State highway" means the National Highway System and the five thousand two hundred fifty (5,250) miles of state highways subject to federal and state highway beautification acts as of June 1, 1991.

(B) "State highway" does not include the interstate or freeway highway systems, both of which are eligible for the Logo Signing Program;

(3) "Tourist-oriented directional signs", hereafter referred to as "TODS", means official signs that are located within the right-of-way of a state highway giving specific information regarding activities or sites of reasonable interest to the traveling public not residing in the immediate area of the business or activity; and

(4) "Trailblazer sign" means a sign that must be installed at an intersection where the motorist must change directions in order to reach the tourist activity.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-503. Activities or sites of reasonable interest.

(a) The activity or site must be of reasonable interest to the traveling public not residing in the immediate area of the business or activity to qualify for the TODS Program.

(b) Any one of the following may qualify the activity or site:

- (1) **Motorist service.** It offers a motorist service such as gas, food, lodging, camping, or motor vehicle service or repair;
- (2) **Tourist attraction.** It is of reasonable interest to tourists as a:
 - (A) Historic, cultural, scientific, educational, or entertainment site; or
 - (B) Site of natural scenic beauty or naturally suited for outdoor recreation;
- (3) **Commercial interest.** It is of reasonable commercial interest to the traveling public not residing in the immediate area of the business or activity; and
- (4) **Seasonal agricultural interest.** It offers fresh, locally produced, seasonal agricultural products of reasonable interest to the traveling public not residing in the immediate area of the business or activity.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-504. General requirements.

- (a) An individual activity or site of reasonable interest must meet the following general requirements to qualify for TODS.
 - (b) The Arkansas Department of Transportation may require applicants to prove that they comply with the requirements of this section:
 - (1) With the exception of motorist services activities, the activity or site, including seasonal agricultural products, must reasonably derive the major portion of income or visitors during the normal business season from motorists not residing in the immediate area of the business or activity;
 - (2) The activity or site shall be open to the general public during regular and reasonable hours and not by appointment or reservation only;
 - (3)(A) The activity shall be conducted in an appropriate building or area.
 - (B) It shall not be conducted in a building used as a residence unless the activity is a motorist service lodging facility (hotel, motel, bed and breakfast, etc.);
 - (4) The activity or site shall be located in a rural area not within the corporate limits of a city or town with a population of five thousand (5,000) or more people, except for Scenic Byways;

(5) With the exception of those instances where the department determines that operational safety requires an advance sign, an activity shall not qualify for a TODS unless the activity or its on-premises signing and driveway entrance are not readily visible from the state highway;

(6) An activity or site will not qualify for TODS if the activity or site is:

(A) Identified by a department directional sign that is within the right-of-way;

(B) Advertised by an off-premises sign that is illegal as defined by the Arkansas Highway Beautification Act, Arkansas Code § 27-74-101 et seq.; or

(C) Advertised by an off-premises sign that is visible from the location of the proposed TODS;

(7) The activity or site shall comply with all applicable:

(A) Laws concerning public accommodations without regard to:

(i) Race;

(ii) Religion;

(iii) Color;

(iv) Age;

(v) Sex;

(vi) National origin; or

(vii) Disability; and

(B) Health and sanitation laws and must possess any required local permits or licenses; and

(8) The activity or site must be located within fifteen (15) miles of the state highway.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-505. Special requirements.

In addition to the general requirements, an individual activity or site of reasonable interest must meet the following requirements to qualify for the TODS Program:

(1) **Motorist service.** An activity providing a motorist service must be open a minimum of:

- (A) Eight (8) hours a day;
- (B) Five (5) days a week, one of which is Saturday; and
- (C) Six (6) months a year;

(2) **Tourist attraction.** A tourist attraction must be open a minimum of:

- (A) Four (4) hours a day;
- (B) Five (5) days a week, one of which is Saturday; and
- (C) Six (6) months a year;

(3) **Commercial interest.** A commercial activity not covered by subdivisions (1) and (2) of this section must be open a minimum of:

- (A) Eight (8) hours a day;
- (B) Five (5) days a week, one of which is Saturday; and
- (C) Six (6) months a year; or

(4) **Seasonal agricultural interest.** An agricultural business activity must be open a minimum of eight (8) hours a day, five (5) days a week, one of which is Saturday, during the normal seasonal period.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-506. Conditions.

(a) A TODS sign shall not be erected until the:

(1) Activity or site has been approved for a TODS Signing Permit in accordance with this subpart; and

(2) Arkansas Department of Transportation has received payment of all fees due.

(b) A TODS sign shall be covered or removed by the department if the activity or site ceases to qualify for a period of seven (7) days.

(c) In the event the qualifying business changes ownership, the department is to be notified in writing.

(d)(1) The department shall cover or remove a TODS sign for a seasonal activity when the activity is closed during the off-season period unless the TODS sign displays the period of operation.

(2) A fee will be assessed by the department if the sign is covered or removed.

(e)(1) If needed, adequate trailblazing signs shall be provided on local roads and streets to guide motorists from the state highway to the activity or site.

(2) Trailblazer signs on local roads and streets must be approved by the department and be in place prior to the installation of the TODS signs.

(3) The applicant will be responsible for obtaining the trailblazer signs and any necessary permits from local officials, and for the installation of the signs.

(4) Any trailblazer signs required on state highway rights-of-way will be:

(A) Authorized in the TODS Signing Permit;

(B) Purchased by the applicant; and

(C) Installed by the department or its authorized contractor.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-507. Design of TODS signs.

(a)(1) TODS signs shall be provided by the applicant and will be installed on a metal post structure furnished and erected by the Arkansas Department of Transportation or its authorized contractor.

(2) A maximum of four (4) TODS signs shall be installed on a single structure.

(b)(1) TODS signs shall be seventy-two inches (72") wide by eighteen inches (18") high with reflective blue background and reflective white legend, borders, and directional arrows.

(2) The TODS signs must be professionally fabricated with reflective sheeting on an aluminum panel, and must comply with department specifications to be furnished to each applicant.

(3) Logos may be reproduced in the colors desired by the applicant.

(4) Recreation or service symbols shall be reflective white.

(c)(1) The TODS signs will contain space for two (2) lines of legend in six-inch letters, a directional arrow, and distance to the activity.

(2) Lettering will be in accordance with department specifications except when the style of lettering for a business name is a trademark.

(3) In all cases, the lettering shall be reflective white.

(4)(A) The legend will be the activity name only.

(B) However, appropriate service or recreational symbols and logos may be used if reduced to appropriate size.

(5) Promotional advertising and symbols or logos resembling official highway signs or traffic control devices are prohibited.

(d)(1) When approved symbols and logos are used, they shall not exceed the height or the two (2) lines or word legend.

(2) If used with a word legend, the symbol or logos will be placed to the left of the word legend.

(3)(A) Times of operation may be displayed on the TODS sign if deemed necessary by the department for the convenience of the motorist.

(B) When times of operation are displayed, they must be incorporated in the two (2) lines of legend.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-508. TODS sign installation.

(a) TODS signs normally will be installed in rural areas a minimum of two hundred feet (200') in advance of the intersection while maintaining a minimum of two hundred feet (200') between TODS signs and other official traffic control devices.

(b)(1) No more than two (2) TODS sign structures, one (1) for activities to the left and one (1) for activities to the right, should be installed at any intersection approach.

(2) One (1) additional sign structure may be installed if needed to accommodate TODS for activities in the ahead direction.

(c) The right turn TODS structure shall be the closest to the intersection with the left turn TODS structure being the farthest in advance of the intersection.

(d) The advance TODS sign "1/2 mile" or "Next Right (or Left)" will not normally be used unless the Arkansas Department of Transportation determines that it is needed for highway safety purposes.

(e)(1) Where the number of activities to be signed is four (4) or less at any one intersection, the TODS signs for right or left activities may be combined on one (1) TODS sign structure.

(2) On a combination structure, the TODS signs will be arranged with the left arrows at the top and the right arrows below.

(f) Lateral clearance for TODS signs shall be equal to or greater than the other guide signs at the intersection.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-509. Procedures.

(a)(1) The Beautification Section of the Environmental Division of the Arkansas Department of Transportation will be responsible for the administration and fee collection for the TODS Signing Program.

(2) The Beautification Section will provide application forms, rules, fee schedules, and design and specification standards to all interested parties.

(3) Applications will be submitted to:

Beautification Section of the Environmental Division
Arkansas Department of Transportation
P.O. Box 2261

Little Rock, Arkansas 72203

Telephone Number: (501) 569-2088

(b) **Installation.** The Arkansas Department of Transportation or the authorized contractor will be responsible for the erection and maintenance of the TODS sign structures.

(c) **Cost.**

(1) TODS signs shall be furnished to the department in accordance with department specifications.

(2) The TODS signs shall be furnished by the businesses or activities at no cost to the department.

(3) The department will provide information to applicants pertaining to sign companies that manufacture TODS signs.

(d) **Replacement.**

(1) Upon notice from the department, businesses or activities will provide new TODS signs to replace signs which become faded, damaged, destroyed, or otherwise need replacement as determined by the department.

(2) The replacement signs will be provided at no cost to the department.

(e) **Selection of eligible businesses, activities, or sites.**

(1) The department will notify potential qualifying tourist-oriented activities in writing and/or by public notice in a newspaper of general circulation within the county where the TODS intersections are located.

(2) If there is not enough space on TODS sign structures to accommodate all businesses, activities, or sites that desire to display signs, those businesses, activities, or sites closest to the particular intersection will be selected.

(3) If, subsequently, a business, activity, or site exists or is constructed closer to the intersection than the one being displayed on the TODS sign structure, the business, activity, or site on the TODS sign structure may continue to display until such time as they no longer desire to do so or fail to pay any applicable fees.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-510. Fees.

(a)(1) It is intended that the TODS Signing Program shall be self-sustaining.

(2) Fees assessed by the Arkansas Department of Transportation shall be reviewed periodically to determine their relationship to the cost of operation.

(3) Fees may be increased or decreased by the department as required to ensure the program is self-sustaining.

(b) **Application fee.** An application fee of twenty-five dollars (\$25.00) per intersection per business, activity, or site shall be submitted with each application for a TODS Signing Permit.

(c)(1) **Initial installation fee.** Upon approval of the TODS Signing Permit, the applicant will be billed for the initial installation fee of fifty dollars (\$50.00) per TODS sign and per trailblazer sign to be installed on state highway rights-of-way.

(2) The initial installation fees will be payable within ten (10) days of the permit date.

(d) **Annual fees.** Annual maintenance/administration fees of fifty dollars (\$50.00) per TODS sign and per trailblazer sign on state highway rights-of-way will be payable in July of each year beginning with the first July of the year following the TODS Signing Permit date.

(e) **Special fees.**

(1) The fee to be assessed for the removal or covering, including seasonal removal or covering, of TODS signs and trailblazer signs on state highway rights-of-way is fifty dollars (\$50.00) per sign.

(2) The fee to be assessed for the replacement installation of TODS signs and trailblazer signs on state highway rights-of-way is fifty dollars (\$50.00) per sign.

(f) **Refunds.**

(1) Application fees will be refunded when applications cannot be approved by the department.

(2) After TODS permits have been issued, application and installation fees will not be refunded.

(3)(A) Annual maintenance/administrative fees will not be refunded unless TODS signs are required to be removed because of highway construction or maintenance work.

(B) In such cases, refunds will be calculated based on the number of full months the signs were down.

Authority. Arkansas Code § 27-65-107.

Subpart 6. Wayfinding Program Policy

Codification Notes. The Wayfinding Program Minute Order that was promulgated with this subpart prior to codification into the Code of Arkansas Rules provided as follows:

"Wayfinding Program Minute Order

2011-176 WHEREAS, it is considered appropriate to implement a formal policy whereby local jurisdictions may adopt a Wayfinding Program to provide for local control of guide signs maintained on conventional state highways within a defined wayfinding region; and

WHEREAS, any county or incorporated municipality within the State of Arkansas that is organized with legal authority to construct and maintain its own local roads is eligible to develop a Wayfinding Program; and

WHEREAS, these signs will provide a benefit to motorists seeking to locate destinations and/or points of interest identified by the local jurisdiction.

NOW THEREFORE, the Director is hereby authorized to proceed with the Wayfinding Program in accordance with the attached policy."

27 CAR § 132-601. Purpose.

(a) As stated in the MUTCD, wayfinding guide signs are part of a coordinated and continuous system of signs that direct tourists and other road users to key civic, cultural, visitor, and recreational attractions and other destinations within a city or a local urbanized or downtown area.

(b) The purpose of this subpart is to establish methods, procedures, and guidelines under which a local government may adopt a wayfinding guide sign program (Wayfinding Program) to provide for local control of guide signs maintained on conventional state highways within a defined Wayfinding Region.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-602. Application and scope of program.

(a) Any county or incorporated municipality that is organized with legal authority to construct and maintain its own local roads is eligible to adopt a Wayfinding Program as provided in this subpart.

(b) Adoption of a program is optional, and nothing in this subpart shall be construed to require any county or municipality to participate in or undertake a program.

(c) A permitted program may apply to conventional state highways within the jurisdiction of a county or municipality, but it shall not apply to freeway or expressway main lanes or along ramps on the state highway system.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-603. Definitions.

As used in this subpart:

(1) "Conventional highway" means a highway with at-grade intersections and without partial or full control of access;

(2) "Department" means the Arkansas Department of Transportation;

(3) "Eligible local government" means a county or a municipality that is incorporated under the laws of the State of Arkansas and is organized with legal authority to construct and maintain its own local roads;

(4) "Expressway" means a divided highway with partial control of access;

(5) "Freeway" means a divided highway with full control of access;

(6) "Guide sign" means a highway or street sign that shows:

(A) Route designations (route shields);

(B) Destinations;

(C) Directions;

(D) Distances;

(E) Services;

(F) Points of interest; or

(G) Other geographical, recreational, or cultural information;

(7) "MUTCD" means the United States Department of Transportation, Federal Highway Administration, Manual on Uniform Traffic Control Devices for Streets and Highways, which is adopted and incorporated by the Arkansas Department of Transportation;

(8) "State highway" means a highway designated by the Arkansas Department of Transportation as part of the state highway system of the State of Arkansas;

(9) "Wayfinding Program" means a program adopted by an eligible local government in accordance with this subpart that provides for local control of wayfinding guide signs within a defined Wayfinding Region, including conventional state highways as well as local roads under the local government's jurisdiction; and

(10) "Wayfinding Region" means the defined area, including all or part of an eligible local government, within which a Wayfinding Program permitted by the Arkansas Department of Transportation shall apply.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-604. Program components.

(a) On all state highways within the Wayfinding Region, the Arkansas Department of Transportation will continue to be responsible for the installation and maintenance of all regulatory signs, warning signs, route designation signs (route shields), city destination and distance signs, and any other guide signs that the department has designated to remain in place under the local government's Wayfinding Program.

(b) Wayfinding guide sign policy.

(1) An eligible local government choosing to have a Wayfinding Program shall develop a proposed wayfinding guide sign policy that establishes:

(A) The types of destinations and/or points of interest for which guide signs may be erected;

(B) The specific eligibility criteria under which such destinations and points of interest may be signed; and

(C) The types of signs that will be used to sign destinations and points of interest under the proposed Wayfinding Program.

(2)(A) The department reserves the right to require that specifically designated guide signs previously installed and maintained by the department shall remain in place under the permitted Wayfinding Program.

(B) In such cases, the department will retain responsibility for maintaining the designated signs.

(3) All signs within the Wayfinding Region must conform to the design standards of the current MUTCD, including standards for the shape, color, dimensions, legends, borders, and reflectivity of signs.

(4)(A) Wayfinding sign assemblies will only be allowed at locations where a turn is required in order to reach a destination or point of interest.

(B) Sign assemblies should be limited to three (3) destinations or points of interest per sign assembly.

(C) The assemblies shall be located such that adequate spacing is maintained between other wayfinding assemblies and existing sign assemblies the department has designated to remain in place.

(5) Wayfinding guide signs within the Wayfinding Region must use a consistent sign design, whether by using either standard guide signs or community wayfinding signs consistent with the MUTCD.

(c) Wayfinding Region.

(1) The local government shall define the geographic area within its jurisdictional limits that will constitute the Wayfinding Region in which its proposed guide sign policy shall apply.

(2) The Wayfinding Region may include all or part of the area within the jurisdiction of the local government, subject to the acceptance of the department.

(d) **Submittals.** The local government shall submit the following information to the department's District Engineer for review and acceptance before installing any guide signs on conventional state highways under the local government's proposed Wayfinding Program:

(1) The proposed wayfinding guide sign policy;

(2) A detailed map defining the proposed Wayfinding Region; and

(3) A complete inventory and a detailed map identifying:

(A) The existing sign locations;

(B) All destinations and points of interest within the Wayfinding Region;

and

(C) The location and legend of each proposed wayfinding guide sign.

(e) Notice of acceptance.

(1) After all required submittals have been reviewed as provided in this subpart, the department will issue the applicant a permit setting forth the terms and conditions of the Wayfinding Program.

(2) If acceptable, the applicant shall:

(A) Execute the permit in accordance with such procedures as may be required under local law; and

(B) Return it to the department's District Engineer.

(f) Modifications to the Wayfinding Program.

(1) A request to modify a previously permitted Wayfinding Program shall be submitted in writing to the department's District Engineer for review.

(2) If the modification is accepted, the department will prepare an amended permit, which shall be executed in the same manner as the original permit.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-605. Installation and maintenance of signs.

(a) The local government with jurisdiction over the Wayfinding Region shall have the responsibility to oversee and implement the Wayfinding Program, but the local government may use an outside organization or consultant to manage the daily operations of its Wayfinding Program.

(b) The placement of all guide signs within the Wayfinding Region shall conform to the standards and guidance of the current MUTCD.

(c)(1) All wayfinding guide signs and their structural supports, posts, foundations, and mountings installed and maintained within the Wayfinding Region shall conform to the standards of the MUTCD.

(2) They shall be:

(A) Crashworthy as defined in the MUTCD if located within the clear zone, as defined in the AASHTO Roadside Design Guide; or

(B) Located entirely outside of the clear zone.

(d) The local government shall be responsible, at its own expense, to install, maintain, and/or replace as necessary all wayfinding guide signs on conventional state highways within the Wayfinding Region that are included in or installed under the Wayfinding Program, except as follows:

(1) The Arkansas Department of Transportation will continue to maintain route designation (route shield) and directional signs as well as city destination and distance signs on conventional state highways throughout the Wayfinding Region; and

(2) The department will maintain any other guide signs that it may designate to remain in place under the Wayfinding Program.

(e) The local government will assume all liability for signs that are included, installed, and/or maintained within the Wayfinding Region under the Wayfinding Program.

(f)(1) The department's Specific Services Signing Program signs ("GAS", "FOOD", "LODGING", "CAMPING", and "ATTRACTIONS") and signs installed under the department's Tourist-Oriented Directional Signing Program shall remain in place within the Wayfinding Region unless, subject to the approval of the department and consent of any affected facility, new wayfinding guide signs installed under the Wayfinding Program are provided for the same facility.

(2) In such cases, the department's signs may be removed.

(3) The department's attraction sign trailblazers for any public facilities located within a Wayfinding Region may also be removed by the department.

Authority. Arkansas Code § 27-65-107.

Subpart 7. Policy for the Erection of General Service Signs

Codification Notes. The General Services Signs Minute Order that was promulgated with this subpart prior to codification into the Code of Arkansas Rules provided as follows:

"General Services Signs Minute Order

2014-145 WHEREAS, the Federal Highway Administration's Manual on Uniform Traffic Control Devices authorizes the installation of General Service Signs on State highway right-of-way; and

WHEREAS, the Arkansas State Highway Commission desires to encourage continued economic activity in communities located on routes where the highway has been constructed on new location around the community.

NOW THEREFORE, the Director is authorized to implement a General Services Signing Program in accordance with the attached Policy for the Erection of General Service Signs."

This subpart as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"Authority

The Arkansas State Highway Commission is authorized by Ark. Code Ann Section 27-65-107(a)(13)(1994), and the Federal Highway Administration's Manual on Uniform Traffic Control Devices to promulgate rules governing General Service Signing within the rights-of-way of state highways."

27 CAR § 132-701. Purpose.

This subpart provides for the installation of general service signs for qualified motorist services when new routes are constructed that bypass existing communities where these services are available.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-702. Definitions.

As used in this subpart:

- (1) "Department" means the Arkansas Department of Transportation;
- (2) "General service signs" means official signs placed by the Arkansas Department of Transportation that are located within the right-of-way of a state highway providing motorist service information to the traveling public about eligible general services that are available in the bypassed community;
- (3) "Motorist service" means commercial services consisting of:
 - (A) Gas;
 - (B) Food;

(C) Lodging; and

(D) Camping; and

(4)(A) "State highway" means a state highway that is constructed on a new location and bypasses a community that is located along the existing route.

(B) "State highway" does not include the interstate or freeway highway systems, both of which are eligible for the Logo Signing Program.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-703. Location.

Upon request from a local jurisdiction, general service signs will be installed for eligible services at each end of the bypassed community where the new highway reconnects to the existing highway.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-704. General requirements.

(a) **Conformity with laws.** Eligible service facilities shall comply with laws concerning:

(1) The provisions of public accommodations without regard to:

(A) Race;

(B) Religion;

(C) Color;

(D) Age;

(E) Sex; or

(F) National origin; and

(2) Laws concerning licensing and approval of service facilities.

(b) **Types of services permitted.**

(1) The types of services permitted shall be limited to:

(A) Gas;

- (B) Food;
- (C) Lodging; and
- (D) Camping.

(2) To qualify for display on a general service sign:

(A)(i) "Gas" means retail businesses selling gasoline for motor vehicle use.

(ii) It is not intended to guide traffic to retailers selling fuel for industrial, agricultural, marine, aviation, or racing purposes.

(iii) Eligibility requirements shall include:

(a) Vehicle services, which shall include gas and/or alternative fuels, oil, and water;

(b) Continuous operation at least sixteen (16) hours per day, seven (7) days a week; and

(c) Modern sanitary facilities and drinking water located within two hundred feet (200') of the fuel pumps;

(B)(i) "Food" means retail businesses selling fully prepared and ready to eat meals intended for immediate consumption.

(ii) It does not include grocery stores, catering services, or food retailers selling food intended to be cooked and consumed later at another location.

(iii) It also does not include coffee shops, pastry shops, taverns, night clubs, or concessionaires that do not offer meals or only offer meals as an accessory use.

(iv) Eligibility requirements shall include:

(a) Licensing or approval, where required;

(b) Continuous operation to serve meals beginning no later than 11:00 a.m. and closing no earlier than 7:00 p.m. at least six (6) days per week; and

(c) Modern sanitary facilities and drinking water;

(C)(i) "Lodging" means conventional motels/hotels or bed and breakfasts at which travelers can stay a single night.

(ii) Apartment complexes, condominiums, time shares, rental houses, mobile home parks, or boarding houses are not included.

(iii) "Extended stay" businesses will only be considered if they also rent rooms in one-night increments and do not require deposits or payment for multiple nights when only renting a room for one (1) night.

(iv) Eligibility requirements shall include:

(a) Licensing or approval, where required;

(b) Adequate sleeping accommodations; and

(c) Availability seven (7) days per week; and

(D)(i) "Camping" means the overnight stay by travelers that provide their own temporary shelters such as tents, trailers, recreational vehicles, or motor homes.

(ii) It does not include mobile home parks, RV parks that do not rent by the single night, or RV parks that do not allow tent camping.

(iii) Eligibility requirements shall include:

(a) Licensing or approval, where required;

(b) Adequate parking accommodations; and

(c) Availability seven (7) days per week, at least six (6) months per year.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-705. Procedures.

(a)(1) Once requested by a local jurisdiction, the Beautification Section of the Right of Way Division of the Arkansas Department of Transportation will be responsible for determining which motorist services will be eligible for inclusion on the general services signs.

(2) The legend on the signs:

(A) Shall consist of the words "GAS", "FOOD", "LODGING", and "CAMPING"; and

(B) Shall not include individual business names.

(3) Once determined, the Maintenance Division will be responsible for fabricating and installing the signs.

(b) The signs shall remain in place until motorist services are developed along the new route, at which time the particular motorist service available on the new route will be removed from the general services signs.

Authority. Arkansas Code § 27-65-107.

Subpart 8. Criteria for Arkansas Scenic Byway Designation

Codification Notes. The minute orders pertaining to Scenic Byway that were promulgated with this subpart prior to codification into the Code of Arkansas Rules provided as follows:

"Scenic Byway Minute Orders

2006-077 WHEREAS, the Arkansas Highway Commission has adopted criteria by which routes in the State can be designated as Arkansas Scenic Byways; and
WHEREAS, there may be occasions when new developments along an existing Arkansas Scenic Byway will warrant removal of the Byway designation along part or all of the route; and
WHEREAS, the previously adopted criteria have been amended to include a process for the removal of Scenic Byway designation.
NOW THEREFORE, the attached criteria are hereby adopted for use in the designation of an Arkansas Scenic Byway or in the removal of Byway designation.

2004-151 WHEREAS, the Arkansas Highway Commission has adopted criteria by which routes in Arkansas can be designated as Arkansas Scenic Byways; and
WHEREAS, marketing and promotion of designated byways is essential for the success of each individual byway; and
WHEREAS, local public officials play a key role in the leadership of byway sponsoring organizations.

NOW THEREFORE, the Director is authorized to modify the criteria by which routes are designated as Arkansas Scenic Byways to require a marketing and promotion plan prepared by the sponsoring organization and to require local officials or their designees to be members of the sponsoring organization as attached.

97-044 WHEREAS, Arkansas Highway Commission Minute Orders 91-513 and 92-9 establish criteria by which highways are designated as Arkansas Scenic Byways; and WHEREAS, the National Highway System Designation Act of 1995 provides for the segmentation of byways where appropriate.

NOW THEREFORE, the attached "Criteria for Arkansas Scenic Byway Designation" is hereby adopted, authorizing Scenic Byway segmentation where appropriate.

93-091 WHEREAS, Minute Order 92-9 adopted criteria for designating Scenic Byways in Arkansas, and

WHEREAS, it has been determined that a public hearing should be conducted prior to the designation of a route as an Arkansas Scenic Byway;

NOW THEREFORE, the attached revised criteria that includes the public hearing requirement is hereby adopted.

92-009 WHEREAS, Minute Order 91-513 authorizes the Director to establish criteria for scenic byways in Arkansas; and

WHEREAS, the Intermodal Surface Transportation Efficiency Act of 1991 includes an interim Scenic Byways Program to provide discretionary grants to states that have scenic highway programs to develop scenic byways; and

WHEREAS, in order to apply for such grants, a procedure for designating certain routes as scenic byways is required; and

WHEREAS, the Department has developed the attached interim criteria in cooperation with the staff of the Arkansas Department of Parks and Tourism designating scenic byways in Arkansas;

NOW THEREFORE, the attached criteria is hereby adopted.

91-513 WHEREAS, many states are currently operating scenic byways programs that expand tourism and produce enhanced economic benefits; and
WHEREAS, because of Arkansas' scenic qualities and cultural heritage, such a program would be a natural complement to the state's effort to encourage economic enhancement through additional tourism activities; and
WHEREAS, both the Senate and House Public Works Committees' state scenic byways programs; and
WHEREAS, the U.S. Forest Service, as well as a number of private groups, have formed organizations to promote several Arkansas highways as scenic byways and would greatly benefit from an official state byway program;
NOW THEREFORE, the Director is authorized to work in cooperation with the State Department of Parks and Tourism in order to establish an Arkansas Scenic Byways Program, to establish criteria for routes that would qualify for such a designation, to establish distinctive signing for scenic byways, to apply for any available federal funding for scenic byways, and to work with other state and private agencies in order to promote and publicize scenic byways in Arkansas."

27 CAR § 132-801. Criteria for Arkansas Scenic Byway designation.

(a) The route must be designated as a "Scenic Highway" by the General Assembly.

(b) An active organization composed of various private and governmental groups, businesses, and agencies who are interested in preservation, enhancement, marketing, and development of the route's scenic, cultural, recreational, and historic qualities must be established.

(c)(1) The route's corridor must contain abundant scenic, cultural, recreational, and/or historic qualities that would be of interest to tourists.

(2) Segmentation of the route will be considered if development patterns exist which may detract from the overall character of the byway.

(d)(1) The route must be submitted to the Arkansas Department of Transportation who will conduct a study to determine its qualifications as a candidate for Scenic Byway designation.

(2) The study should include local jurisdiction's position on byway designation and segmentation.

(3) The study will be conducted in cooperation with the Department of Parks, Heritage, and Tourism.

(e) If the study demonstrates the route qualifies, the Arkansas Department of Transportation will submit it to the Arkansas Scenic Resources Preservation Coordinating Committee (ASRPCC) for their consideration.

(f) A public meeting will be held to solicit public input regarding byway designation and to answer any questions that may arise.

(g) After ASRPCC consideration and after the public meeting, the State Highway Commission may adopt the route and designate it as an official Scenic Byway with appropriate identification on State Highway Maps and distinctive Scenic Byways logos and signing.

Authority. Arkansas Code § 27-65-107.

Subpart 9. Arkansas Welcome Centers

Codification Notes. The Tourist Information Centers Minute Order that was promulgated with this subpart prior to codification into the Code of Arkansas Rules provided as follows:

"Tourist Information Centers

96-192 WHEREAS, some cities, counties and chambers of commerce have established Tourist Information Centers to promote local and statewide points of interest; and

WHEREAS, it has been determined that a service could be provided to motorists if identification signs were installed on highways for Tourist Information Centers that complied with a criteria established by the Department.

NOW THEREFORE, the Director is authorized to develop and implement policies and guidelines to provide signing for Tourist Information Centers."

27 CAR § 132-901. Arkansas Welcome Centers.

(a) The Welcome Center must be operated by the state, county, and/or the local chamber of commerce, if sanctioned by the city.

(b)(1) The Welcome Center must be located in a publicly owned facility or a facility owned by the chamber of commerce.

(2) The Welcome Center must not be located in any facility whose primary emphasis is commercial sales such as stores, shopping centers, etc.

(c) The Welcome Center must be open daily during reasonable daytime hours especially during tourist season.

(d)(1) The Welcome Center must be adjacent to or on a direct route from the highway such that trailblazing is not required.

(2) This route must be able to accommodate:

(A) Motor homes;

(B) Travel trailers; and

(C) Other recreational vehicles.

(e) The Welcome Center must have adequate parking to accommodate:

(1) Motor homes;

(2) Travel trailers; and

(3) Other recreational vehicles.

(f)(1) The Welcome Center must distribute pamphlets, flyers, brochures, and other information free of charge.

(2) The Department of Parks, Heritage, and Tourism must approve information on state parks and other facilities under their management.

(g) The Welcome Center must meet all of the above requirements and be within one (1) mile of a highway to qualify for signs on that highway.

Authority. Arkansas Code § 27-65-107.

Subpart 10. City or County Welcome Sign Guidelines

Codification Notes. The Signs Installed by Other Government Agencies Minute Order that was promulgated with this subpart prior to codification into the Code of Arkansas Rules provided as follows:

"Signs Installed by Other Government Agencies

2007-113 WHEREAS, in addition to signs installed on state highways by the Department, there are signs which are sometimes installed by cities, counties, and other State and Federal agencies particular to their operations.

NOW THEREFORE, such signing must comply with the following:

Signs installed on ARDOT City Limit or County Line Sign Assembly:

Special designed city limit signs meeting department criteria may be attached to ARDOT city limit sign assembly by the City in lieu of standard department city limit signs

Signs must provide information or recognition specific to the City or County; advertising is prohibited

Signs advising of prohibited activity must have a City Ordinance or County Resolution in force prohibiting the specific activity

Signs cannot be of any type or size which is specifically not allowed by the Department

This policy does not apply to the interstate or other controlled access freeways

Signs installed on independent sign assembly:

Signs must be specific to the program of the government agency installing the sign; advertising is prohibited

Signs cannot be of any type or size which is specifically not allowed by the Department

This policy does not apply to the interstate or other controlled access freeways

2016-049 WHEREAS, the Department's current practice is to only allow standard welcome signs within the state highway right-of-way; and

WHEREAS, a standard welcome sign consists of white text on a green background, which simply states the name of the community and is compliant with the Manual on Uniform Traffic Control Devices; and

WHEREAS, a number of communities have expressed interest in installing decorative gateway signs and/or landscaping on state highway right-of-way th at welcome visitors to their community and express their sense of identity; and

WHEREAS , although it is not desirable from a traffic safety standpoint to distract motorists from their primary task of driving, an aesthetically pleasing decorative community gateway sign and/or landscaping can enhance the roadside setting while providing minimum distraction .

NOW THEREFORE, it has been determined that expanding the current practice to allow decorative gateway signs and/or landscaping on state highway right-of-way would be a positive addition.

FURTHERMORE, the Director is authorized to implement the attached City or County Welcome Sign Guidelines that define how, when and where it is appropriate to install such signing and landscaping, while ensuring a safe highway environment that adheres to both State and Federal laws and regulations."

27 CAR § 132-1001. General requirements for sign installation on the state highway system.

(a) All signs shall be erected and maintained by a public officer or agency.

(b) A city or county may authorize a group to erect and maintain the sign on its behalf.

(c) Signs shall not be installed on fully controlled access highways such as interstates and freeways.

(d) No more than one (1) sign per direction will be permitted on each route.

(e) No sign will be allowed to indicate when leaving the city or county.

(f) The sign cannot imitate or resemble traffic control devices governed by the MUTCD.

(g) The sign cannot contain any:

(1) Commercial message;

(2) Business name;

(3) Organization;

(4) Product identification;

(5) Civic group;

(6) Sponsor;

(7) Official; or

(8) Other identification that could be perceived as private advertising.

(h) Overhead signs/structures shall not be permitted.

(i) Sign requests originated by organizations or persons other than the local government will not be considered.

(j) Signs shall not be allowed in a roadway median.

(k) Signs for other governmental or quasi-governmental entities including, but not limited to, water management districts, school districts, voting districts, and fire districts shall not be permitted.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-1002. Standard signs.

(a) Sign information shall be limited to:

(1) The name of the municipality;

(2) The words "Welcome To"; and

(3)(A) If applicable, a pictograph approved by the Arkansas Department of Transportation.

(B) If used, the pictograph height shall not exceed two (2) times the uppercase letters of the principal legend on the sign.

(b) All signs shall be:

(1) Crashworthy as defined in the MUTCD if located in the clear zone, as defined in the AASHTO Roadside Design Guide; or

(2) Located entirely outside of the clear zone.

(c) Signs shall have a white legend on a green rectangular background.

(d) Signs shall:

(1) Be retroreflectorized; and

(2) Conform to MUTCD standards and specifications for guide signs and general information signs.

(e) The maximum sign size to be no larger than forty-eight inches by thirty inches (48" x 30").

(f) The principal legend should be a minimum of six inches (6") in height.

(g) The sign should be placed so the bottom of the sign is a minimum of seven feet (7') above the driving surface.

(h) No additional signs may be added or attached to the sign or post.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-1003. Decorative community gateway signs.

(a)(1) The preferred location of all gateway signs is off the state highway system right-of-way, where increased lateral clearance can be used.

(2) If this is not practical, these signs may be allowed on noncontrolled access highway facilities and on certain partially controlled access highways, provided that they abide by the conditions set forth in this subpart.

(3) Gateway signs shall not be installed on fully controlled access highways such as interstates and freeways.

(b) **Lateral offset.**

(1) Gateway signs within the highway right-of-way:

(A) Shall be placed so that any text message is viewable in one (1) direction only; and

(B) Shall not create an obstruction to sight distance for highway users.

(2) Such signs should also be placed at the furthest edge of the right-of-way when practical or at the furthest practical distance from the roadway.

(3) Generally, the latter would have a minimum lateral placement as follows:

(A)(i) Rural highways.

(ii) Outside the lesser of the prevailing cleared width or the clear zone width as specified in AASHTO Roadside Design Guide.

(iii) Outside the deflection distance of any guard rail or concrete median barrier as directed by the Arkansas Department of Transportation District Engineer; and

(B)(i) Urban highways.

(ii) Twelve feet (12') minimum from edge of roadway on highways with shoulders up to six feet (6').

(iii) Six feet (6') minimum from edge of shoulder on highways with a shoulder wider than six feet (6').

(iv) Two feet (2') minimum from face of curb on curbed road.

(v) Outside the deflection distance of any guard rail or concrete median barrier as directed by the department's District Engineer (installations via highway work permit), or as approved by the Design Engineer (installations via capital project).

(c) Design.

(1) The design should be simple and dignified and shall be devoid of any advertising or sponsorship on or near the signs.

(2) The sign and structure shall be of such design and color as to be:

(A) Of a reasonable size;

(B) In good taste; and

(C) Aesthetically pleasing.

(3) The sign should not be distracting to the motorist but enhance the roadside environment.

(4) Directional or destination type signing information shall not be included in the gateway sign.

(5) All gateway signs shall be reflective or suitably illuminated if the gateway sign serves as the primary means of denoting the municipal boundary.

(d) Mounting height.

(1) Height is the vertical distance between the near edge of the roadway and the bottom of the gateway sign.

(2) If the gateway sign serves as the primary means of denoting the municipal boundary, then the sign shall be mounted at a height of at least seven feet (7').

(3) At locations where it is considered unlikely that the sign will interfere with pedestrians, or be obscured by parked vehicles, the minimum height may be reduced to five feet (5').

(4) In instances where an official, MUTCD-compliant municipal boundary sign exists and the gateway sign is simply used as a supplemental sign, then the gateway sign may be mounted at a lesser height.

(5) However, it should be noted that even if the sign is beyond the clear zone and in an area unlikely to interfere with pedestrians, a mounting height that will place a potentially heavy sign near the windshield height should be discouraged.

(e) Letter height.

(1) Where practical, letter sizes specified in the MUTCD should be considered.

(2) For example, on state highways, letters should be a minimum of six inches (6") high to be readily legible to passing motorists.

(f) Sign size and lettering shall be appropriate for driver readability without decreasing speed in accordance with the MUTCD.

(g)(1) Sign information shall be limited to the name of the municipality, the words "Welcome To", and/or a short slogan, e.g., "A GREAT PLACE TO LIVE, WORK AND PLAY", and if applicable, a pictograph approved by the department.

(2) If used, the pictograph height shall not exceed two (2) times the uppercase letters of the principal legend on the sign.

(h) All signs shall be:

(1) Crashworthy as defined in the MUTCD if located in the clear zone, as defined in the AASHTO Roadside Design Guide; or

(2) Located entirely outside of the clear zone.

(i)(1) A gateway sign shall not resemble in shape and color any regulatory or warning sign.

(2) In addition, the sign shall be sized and located so that it does not obscure the view of any other sign.

(j)(1) Signs located on sculptures, brick masonry, and other obstructions must be installed outside of the clear recovery zone along the perimeter of the roadway.

(2) To avoid potential safety hazards, the requesting agency will be required to place the proposed gateway sign as far from the travel lane as practical and outside the clear recovery area.

(3) Clear zone and lateral object setbacks shall be determined using appropriate AASHTO standards from the most current edition of the AASHTO Roadside Design Guide.

(k) All costs associated with administration, design, fabrication, erection, inspection, relocation, and maintenance of any approved gateway sign will be the responsibility of the county/municipality/community.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-1004. LED panels.

If a gateway sign is proposed to include an LED panel, it must meet the following additional criteria:

(1) The LED panel shall remain fixed for at least one (1) hour, and each transitional change shall occur within two (2) seconds;

(2) The LED panel shall be programmed to automatically freeze in a single display in the event of a malfunction or computer error;

(3) The LED panel shall not cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with the safe operation of a motor vehicle;

(4) The LED panel shall not deploy any display which is flashing, intermittent, or moving when the sign is in a fixed position; and

(5) The LED panel of the sign cannot display any:

(A) Commercial message;

(B) Business name;

(C) Organization;

(D) Product identification;

(E) Civic group;

(F) Sponsor;

(G) Official; or

(H) Other identification that could be perceived as private advertising.

Authority. Arkansas Code § 27-65-107.

Codification Notes. "LED" means light-emitting diode.

27 CAR § 132-1005. Decorative community gateway landscaping.

(a)(1) The preferred option for gateway landscaping is for the municipality to find a location which is outside of the Arkansas Department of Transportation highway right-of-way.

(2) If this is not practical, gateway landscaping may be allowed on noncontrolled access highway facilities and on certain partially controlled access highways, provided that they abide by the conditions set forth in this subpart.

(3) Gateway landscaping shall not be installed on fully controlled access highways such as interstates and freeways.

(b)(1) The department is responsible for the control of vegetation growing along its highways for highway safety and operation reasons as well as for aesthetic reasons.

(2) Vegetation management is necessary:

(A) To maintain the visibility of highway signage;

(B) For adequate sight distance and safety clear zones;

(C) To keep drainage ways flowing; and

(D) For maintaining the visual appearance of the highway corridor.

(c) Focus should be on long-term management with minimal impact on human health and the environment through the use of cultural, physical, biological, or chemical methods to achieve established vegetation management objectives.

(d) The applicant shall work with the appropriate department personnel in order to ensure that any landscaping project located in the highway right-of-way meets departmental policies (see Appendix A – Non-Native Invasive Plants), plus any other state or federal beautification and environmental policies.

(e) **Size.**

(1) When gateway landscaping is used to supplement a gateway sign, the landscaping should not occupy an area footprint larger than one hundred forty-four square feet (144 ft²).

(2) When the landscaping imparts a message, e.g., "WELCOME" or the name of a municipality, then the gateway landscaping should not exceed a footprint of more than five hundred square feet (500 ft²).

(f) **Roadside obstacles and fixed objects.**

(1) Gateway landscaping should consist of crashworthy objects, preferably organic matter such as:

(A) Flowers or other herbaceous plants;

(B) Low-growing shrubbery; and

(C) Mulching material.

(2) Obstacles or fixed objects, including walls, boulders, trees, or other vegetation that will mature to over four inches (4") in diameter, signs, buildings, etc., shall not be allowed unprotected within the clear zone.

(3) Planting of trees or other vegetation that will mature to exceed four inches (4") in diameter may be considered only when they will be located outside the established clear zone or protected by a preexisting guard rail system.

(g)(1) As each site along the roadside has individual characteristics, all proposed plant material locations and species shall be reviewed and approved by the District Engineer in consultation with the Environmental Division.

(2) Potential historic features such as walls, fences, sidewalks, markers, monuments, or landscaping associated with an historic property/district shall not be removed without prior approval from the District Engineer.

(h) **Removal.** All decorative community landscape plantings should be capable of being readily removed as determined by the District Engineer.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-1006. Irrigation, landscaping, and lighting.

(a) Electric or water service meters, cabinets, meter pits, pressure reducers, or other items necessary to provide power and water to the sign site shall not be located within the highway right-of-way.

(b) Irrigation controllers must be located outside of the right-of-way.

(c) Valve boxes shall be locked or located outside of the right-of-way.

(d)(1) Sprinkler heads must be the pop-up type.

(2) Drip irrigation is not allowed.

(e) A shut-off valve at the meter connection, power and water, will be required for emergency purposes.

(f) The Arkansas Department of Transportation does not allow invasive species to be planted on the right-of-way (see Appendix A).

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-1007. Installation and maintenance.

(a)(1) Requests for gateway signs and/or landscaping should be directed to the appropriate District Engineer.

(2) Each request shall include a plan clearly showing requested sign/landscaping locations and messages (layouts), and sign support designs for each location included.

(3) The District Engineer will use this information when evaluating the request for gateway signs and/or landscaping and will determine whether the request is approved.

(4) All slogans, emblem designs, and any official seal to be displayed on any gateway sign shall be reviewed and approved by the District Engineer.

(b)(1) Upon approval of a gateway sign and/or landscaping request, the district will issue a permit allowing the city or county to install and maintain the sign and all landscaping associated with the installation.

(2) The permit will clearly indicate that the Arkansas Department of Transportation reserves the right to have the installation removed or modified.

(c) The department will not assume responsibility for any gateway signs and/or landscaping.

(d) If the department or its designated agent or agents notifies the city or county that its sign and/or landscaping needs repair, the repair work shall be done within thirty (30) days of the notice or the sign and/or landscaping may be removed at the owner's expense.

Authority. Arkansas Code § 27-65-107.

Subpart 11. Blue Star Memorial Highway Markers

Codification Notes. The Blue Star Memorial Highway Minute Order that was promulgated with this subpart prior to codification into the Code of Arkansas Rules provided as follows:

"Blue Star Memorial Highway Minute Order

2006-054 WHEREAS, the modern day Blue Star Memorial Highway program dates back to World War II; and
WHEREAS, the Blue Star Memorial Highway program is designed to pay tribute to the Armed Forces of the United States; and
WHEREAS, the National Garden Clubs, Inc. and the Arkansas Federation of Garden Clubs, Inc., have been instrumental in promoting the program nationally and in the State of Arkansas; and
WHEREAS, there has been renewed interest in the Blue Star Memorial Highways in our state by the Arkansas Federation of Garden Clubs, Inc. and their members and supporters.
NOW THEREFORE, the Commission adopts the attached policy for the support and management of the Blue Star Memorial Highway program."

27 CAR § 132-1101. Policy.

(a) The Arkansas Department of Transportation shall grant written permission to garden clubs for the installation of Blue Star Memorial Highway markers meeting these requirements.

(b) The garden club (permittee) shall:

- (1) Be a member of the Arkansas Federation of Garden Clubs, Inc.; and
- (2) Provide, install, and maintain the marker.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-1102. Design.

(a) The marker:

- (1) Shall be of a design meeting the approval of the National Garden Clubs, Inc., formerly the National Council of State Garden Clubs, Inc.; and
- (2) Shall not contain any advertising.

(b) Recognition may be given to the National Garden Clubs, Inc., the Arkansas Federation of Garden Clubs, Inc., the Arkansas Department of Transportation, and/or the permittee.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-1103. Placement.

(a)(1) On highway segments with facilities such as Welcome Centers or roadside rest areas, the marker shall be placed within these types of facilities at a location approved by the District Engineer.

(2) The location of the marker shall generally be adjacent to the passenger car parking area or near sidewalks where pedestrians may view the marker.

(b) On highway segments without Welcome Centers or rest areas, the marker may be placed within a scenic overlook, historical site, or other existing area where motorists can safely pull over and park to view the marker.

(c) The placement of the marker within any of these areas must not hinder routine roadside maintenance activities, normal traffic flow, or traffic flow during periodic maintenance of the marker.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-1104. Maintenance.

(a)(1) Plants or landscaping in a small area around the marker may be installed and maintained by the permittee, but other features such as signs or logos that are not symbolic of the memorial will not be permitted.

(2) All planting material shall be healthy and disease-free.

(3) To the extent possible and to minimize maintenance, plantings shall consist of primarily evergreens and perennials.

(4) If annual plants are incorporated, periodic renewal will be necessary to maintain the attractiveness of the area.

(5) Plants that obstruct sight distance shall not be permitted.

(6) In order to further minimize maintenance, the use of low-growing ground cover is encouraged.

(b) If the marker is vandalized, accidentally damaged, or deteriorates over time, the permittee shall be responsible for any repairs, restoration, or replacement.

Authority. Arkansas Code § 27-65-107.

Subpart 12. Traffic Fatality Memorials

27 CAR § 132-1201. Policy.

(a) While construction of roadside memorials within the state right-of-way is not allowed, the Arkansas Department of Transportation recognizes that, from time to time, persons who lose a loved one in a traffic accident want to memorialize the site where the fatal accident occurred.

(b)(1) The department will remove a memorial as soon as possible if it poses a safety concern.

(2) A memorial will be removed if it:

(A) Interferes with a maintenance operation or roadway safety features or vision;

(B) Negatively impacts the free flow of traffic; or

(C) Would be a hazard should it be hit.

(c)(1) Small, unobtrusive, nonstructural objects, such as small wreaths or flower arrangements, placed on the roadside may be left for a period of seven (7) days from when first noticed by department personnel.

(2) During this seven-day period, department personnel will attempt to make contact with those persons responsible for placing the monument and urge them to remove it from the highway right-of-way.

(3) After the seventh day, department personnel will move the monument to the nearest Maintenance Area Headquarters to be held for thirty to sixty (30 – 60) days or until the grieving party picks it up.

Authority. Arkansas Code § 27-65-107.

Subpart 13. Arkansas Wine Country Trail

27 CAR § 132-1301. Policy.

(a) By state law, wineries must be permitted by the Alcoholic Beverage Control Division and they must offer tours.

(b) For freeway signage, the winery must be within thirty (30) miles of the exit.

(c) In addition, the following criteria must also be met:

(1) Adequate parking accommodations;

(2) Modern sanitary facilities and drinking water;

(3) Must be open a minimum of:

(A) Four (4) hours a day;

(B) Five (5) days a week, one (1) of which is Saturday; and

(C) Six (6) months a year; and

(4) Qualification for inclusion in the Wine Country Trail will require the approval of the Department of Parks, Heritage, and Tourism.

(d) All materials and installation costs for this program are to be paid for by the Arkansas Wine Producers Council.

Authority. Arkansas Code § 27-65-107.

Subpart 14. Guidelines for the Issuance of Permits to Qualifying Applicants for Transportation Enhancement Projects Financed with Local Funding

Codification Notes. The Transportation Enhancements Minute Order that was promulgated with this subpart prior to codification into the Code of Arkansas Rules provided as follows:

"Transportation Enhancements

2008-053 WHEREAS, transportation enhancements to the highway system are of growing interest to cities, counties, state agencies/institutions, and federal agencies; and

WHEREAS, federal transportation enhancement funding, awarded through the highway commission, since the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, for projects to improve the aesthetics of the highway system and to provide other transportation enhancements has resulted in approximately \$56 million in assistance to these local sponsors, and

WHEREAS, cities, counties, state agencies/institutions and federal agencies may request to construct additional transportation enhancements on State Highway rights of way using local funds.

NOW THEREFORE, the Director is authorized to issue permits to qualifying applicants for the construction and/or installation of transportation enhancements on state highway rights of way in accordance with the attached guidelines."

27 CAR § 132-1401. Qualifying applicants.

Cities, counties, state agencies/institutions, or federal agencies.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-1402. Qualifying projects.

(a)(1) Those applicable transportation enhancement activities eligible under the Federal Transportation Enhancement Program.

(2) Other approved architectural enhancements, murals, banners, symbols, letters, statues, painting of structures, etc.

(b) Symbols and letters shall be limited to structures owned by an institution in the immediate vicinity of the institution and only with concurrence of the local jurisdiction.

(c) Any enhancement on the interstate system shall be approved by the Federal Highway Administration.

(d) No commercial advertisement or reference will be permitted on any of the above enhancements.

Authority. Arkansas Code § 27-65-107.

27 CAR § 132-1403. Permitting process.

(a)(1) The qualifying applicant shall submit a request, along with appropriate plans and details, to the Arkansas Department of Transportation's District Engineer.

(2) The District Engineer will:

(A) Review the application and, if satisfactory, issue a permit to the applicant; and

(B) Monitor construction of the project to determine substantial compliance.

(b) Upon satisfactory completion of the work, the District Engineer will release the permittee and authorize the return of any performance bond required by the District Engineer.

(c) All permitted work on highway right-of-way will be performed in accordance with the provisions of the permit.

Authority. Arkansas Code § 27-65-107.

Appendix A. Non-Native Invasive Plants

Link:

<https://CodeOfARRules.arkansas.gov/docs/CARCodeAppendices/Appendices/228/27CARpt.132Appendix.pdf>