2018 AASHTO Committee on Right of Way, Utilities, and Outdoor Advertising Control

AND THE

National Alliance of Highway Beautification Agencies Conference

Sunday, April 22–Thursday, April 26
Sheraton Inner Harbor Hotel
Baltimore, Maryland
Directional Signs - Iowa
Program Requirements [Follow 23 CFR 750]

- Private Property Placement
- 150 sq. ft. size limit
- Message Limitations; no descriptive words or phrases, pictorials, etc.
- Cannot be within 2000 ft. of an interchange, park, or scenic area
- One-mile spacing; Max of 3 per route facing same direction of travel
- Attraction site must be within 50 air miles [primary] or 75 air miles [interstate]
Type of Sites Approved [follows 23 CFR 750]:
Public places owned or operated by federal, state or local governments or their agencies publicly or
privately owned natural phenomena or historical, cultural, scientific, educational, or religious sites; or
publicly or privately owned areas of natural scenic beauty or naturally suited for outdoor recreation.
Sites must be nationally or regionally known and of outstanding interest to the traveling public. For
interstate placement, that means a visitor count of at least 15,000/yr.
Cultural? Historic? Regionally known? Of significant interest?

Who Decides?
A Ten-Member Committee established in Iowa Code

- Iowa DOT OAC Manager
- Iowa DOT State Traffic Engineer
- Iowa DNR
- Iowa Department of Cultural Affairs / Historical Society
- Iowa’s Economic Development Authority
- Iowa Department of Agriculture
- Iowa Outdoor Advertising Association (OAAA)
- Western Iowa Tourism Member (Travel Federation of Iowa)
- Central Iowa Tourism Member (Travel Federation of Iowa)
- Eastern Iowa Tourism Member (Travel Federation of Iowa)
Advantages of a Committee

• Provides a balanced approach using stakeholders
• Collective opinions consider more factors
• Gives the DOT insulation from political pressures
23 CFR 750.154e –

*Descriptive words or phrases, and pictorial or photographic representations of the activity or its environs are prohibited.*
Artwork prohibited?
23 CFR 750.154e –

“The message for directional signs shall be limited to the identification of the attraction....” [emphasis added]
The action or process of identifying or recognizing someone or something.
Warbler Identification
Tail-Fin Identification
Personal Identification
Is this “identification”?
Identification Mark is used consistently in all marketing endeavors

On-Premise Signing

Stationary & Materials

Website

2018 CRUO Conference, Baltimore
Left on X47
23 miles
X47 to Hwy 38 South
5 Miles Southeast
of Monticello

CAMP
COURAGEOUS
OF IOWA
Limits on Identification*

• Just because you develop a logo doesn’t mean you get to use it
• Just because you register a trademark doesn’t mean we have to approve it
• Adding it to your website doesn’t cut it; anybody can do that in 10 seconds
• If approved, identification needs only to be served once. If a mark is customarily used to provide identification, apart from the name, then the name is not needed. If the name is customarily used without the mark, then the mark is not needed. If either one is customarily used without the other in general marketing efforts, then it is apparent that the “other” falls into the category of extraneous information prohibited by law. There may be times when the name and mark are generally inseparable and are used consistently in most, if not all marketing endeavors and can therefore serve as identification.

*This is Iowa’s approach. Consult your local FHWA.
MUTCD: Section 2J.03 [Logo Requirements] “...shall be either an identification symbol/trademark or a word message”

This logic is already in use with the Logo Signing Program in Iowa
What happens when the billboard company owns the sign and the participating business or site pulls out of the directional program?

- Remove it (usually the area will not conform to billboard regulations)
- Attempt to secure another “advertiser” (must qualify for the program - not easy to do)
- Allow landowner to project his/her own “free speech” opinion
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Directional Signs
CRS 43-1-403(4) “Directional Advertising Device”

Contain directional information to:

• Facilitate emergency vehicle access
• Public places owned by government
• Natural phenomena
• Historic, cultural, scientific, educational and religious sites
• Areas of natural scenic beauty naturally suited for outdoor recreation
Allowed within the Control Area
Permitting

No CDOT permit required if:

• No larger than 8 square feet
• Advertise farms, ranches, nonprofit educational, veterans’, religious, charitable, or civic organizations.