

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1173

Introduced by

Representatives Rennerfeldt, Wardner, Brusegaard, Clark

Senators Grindberg, Solberg

1 A BILL for an Act to amend and reenact section 39-13-09 of the North Dakota Century Code,
2 relating to directional signs.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 39-13-09 of the 1995 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **39-13-09. Tourist-oriented directional signs.**

7 1. In this section:

8 a. "Tourist-oriented directional sign" means a sign providing identification of and
9 directional information for tourist-related businesses, services, or activities.

10 b. "Tourist-related business, service, or activity" means rural agricultural
11 business and tourism attractions, including recreation, historical sites, festival
12 and cultural events, vehicle service, camping, lodging, and food services
13 ~~which are singularly and uniquely related to historical, cultural, or recreational~~
14 ~~tourist attractions, and guide services, but does not include any business~~
15 ~~operated under a franchise agreement.~~

16 2. Notwithstanding section 24-01-12, the department shall establish by rule standards
17 for the erection and maintenance of tourist-oriented directional signs. The rules
18 must conform to federal standards for tourist-oriented directional signs adopted
19 under 23 U.S.C. 131(q) ~~as of July 1, 1994,~~ and with the manual of uniform
20 traffic-control devices adopted by the department under section 39-13-06 ~~except~~
21 ~~that the rules must provide that logos may not be used on tourist-oriented~~
22 ~~directional signs. The rules must require that each sign must be seventy two~~
23 ~~inches [182.88 centimeters] wide and sixteen inches [40.64 centimeters] high. The~~
24 rules must include all of the following:

- 1 a. Criteria for eligibility for signing.
- 2 b. Criteria for limiting or excluding businesses, services, and activities that
- 3 maintain signs that do not conform to requirements under 23 U.S.C. 131.
- 4 c. Provisions for fees to cover costs of administration of a permit system.
- 5 d. Provisions specifying sign design and composition.
- 6 e. Criteria for determining when to permit advance signing.
- 7 f. Criteria for determining when to permit signing for facilities that are not located
- 8 on a crossroad of a highway upon which tourist-oriented directional signs are
- 9 permitted.
- 10 g. Criteria for signing at at-grade intersections of expressways.
- 11 h. Provisions specifying conditions under which the time of operation of a
- 12 business, service, or activity is shown.
- 13 i. Provisions for covering or removing signs during off seasons for businesses,
- 14 services, and activities operated on a seasonal basis.
- 15 j. Provisions specifying the maximum number of signs permitted per
- 16 intersection.
- 17 k. Provisions for limiting the number of signs.
- 18 l. Provisions stating the qualifications of contractors.
- 19 3. Upon the request of any person, a local authority that has adopted an ordinance
- 20 permitting the erection of tourist-oriented directional signs may authorize their
- 21 erection within the right of way of any highway under the jurisdiction of the local
- 22 authority ~~except that tourist-oriented directional signs may not be erected within the~~
- 23 ~~right of way of the interstate highway system.~~ No tourist-oriented directional sign
- 24 may be erected unless it is erected in compliance with rules adopted by the
- 25 department for such signs.
- 26 4. The permit applicant shall engage a qualified contractor for the erection,
- 27 installation, and maintenance of tourist-oriented directional signs within the right of
- 28 way of any highway under the jurisdiction of the department ~~except that~~
- 29 ~~tourist-oriented directional signs may not be erected within the right of way of the~~
- 30 ~~interstate highway system.~~ No tourist-oriented directional sign may be erected

- 1 unless it is erected in compliance with rules adopted by the department for such
- 2 signs.