

HOUSE BILL NO. 1052

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

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

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

4 **SECTION 1. AMENDMENT.** Section 39-13-09 of the North Dakota Century Code is
5 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 business
11 and tourism attractions, including recreation, historical sites, festival and cultural
12 events, lodging and food services which are singularly and uniquely related to
13 historical, cultural, or recreational tourist attractions, and guide services, but does
14 not include any business operated under a franchise agreement. The term
15 includes a business that derives a major portion of income or visitors from
16 individuals who do not reside in the immediate area of the business. The
17 immediate area of the business is ~~within the city limits in which the business is~~
18 ~~located, or within one mile [1.61 kilometers] from the business if located outside~~
19 ~~city limits.~~

20 2. Notwithstanding section 24-01-12, the department shall establish by rule standards for
21 the erection and maintenance of tourist-oriented directional signs. The rules must
22 conform to federal standards for tourist-oriented directional signs adopted under
23 23 U.S.C. 131(q) as of July 1, 1991, and with the manual adopted by the department

1 under section 39-13-06 except that the rules must provide that logos may not be used
2 on tourist-oriented directional signs.

3 3. Upon the request of any person, a local authority that has adopted an ordinance
4 permitting the erection of tourist-oriented directional signs may authorize their erection
5 within the right of way of any highway under the jurisdiction of the local authority
6 except that tourist-oriented directional signs may not be erected within the right of way
7 of the interstate highway system. A tourist-oriented directional sign may not be erected
8 unless it is erected in compliance with rules adopted by the department for such signs.

9 4. The permit applicant shall engage a qualified contractor for the erection, installation,
10 and maintenance of tourist-oriented directional signs within the right of way of any
11 highway under the jurisdiction of the department except that tourist-oriented directional
12 signs ~~may not~~must be erected limited to rural highways not within the right of way of
13 the interstate highway system. A tourist-oriented directional sign may not be erected
14 unless it is erected in compliance with rules adopted by the department for such signs.