

Signing Programs Administered by the State

Signing on State highway right-of-way is regulated by the Department as required by both State and Federal law. The placement of advertising on the right-of-way is strictly prohibited.

5-67-101. Advertising signs generally. (a) It is unlawful for any person, firm, or corporation to place any advertising sign on the highway right-of-way in this state, except for a sign placed under direction of the State Highway Commission.

The Commission has adopted rules governing three programs pertaining to tourist-oriented signing programs:

Outdoor Advertising

Specific Services Signs (Logos)

Tourist Oriented Directional Signs (TODS)

Outdoor Advertising

Any outdoor sign, display, figures, painting, drawing, message, plaque, poster, billboard, or other thing, herein after referred to as “device”, which is designated, intended, or used to advertise, any part of the advertising of which is visible from any place on the traveled way of the Interstate or Primary Highways must have a permit from the Department (except for the following):

Permits are not required when:

Devices are advertising activities that are conducted on the immediate business property on which they are located.

The permits regulate the size, lighting restrictions, spacing, and message content.

The Specific Service Signs (Logo) Program



The Specific Service Signs (Logo) Program

Upon request from a local jurisdiction, Specific Service Signs are allowed on the Interstate highway system and other fully-controlled access highways (freeways) where the maximum posted speed limit is greater than 55 miles per hour.

The types of services permitted are limited to “Attractions”, “Camping”, “Lodging”, “Food”, and “Gas”.

“Attractions” shall include or have:

- Attraction location shall be a maximum of 30 miles from the interchange.**
- Licensing or approval, where required**
- Adequate Parking**
- Modern sanitary facilities and drinking water**
- Continuous operation min. 8hrs. / day, 6 days / week. Seasonal businesses will have their signs either removed or covered during off-season months.**
- Regional significance**
- 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.**
- Qualification for placement on the “Attractions” sign panels will be determined by the Arkansas Department of Parks and Tourism.**

The Specific Service Signs (Logo) Program

Fees

Application Fee \$35.00

Installation Fee \$80.00 per Logo sign

Annual Maintenance Fee \$200.00 per Logo sign

Removal Fee \$100.00 per interchange

The manufacture and cost of the signs shall be the responsibility of the business. A ballpark estimate for a package of Logo signs (two main lane signs and two ramp signs) is \$1200.

Tourist Oriented Directional Signs (TODS) Program



Tourist Oriented Directional Signs (TODS) Program

TODS Signs may be placed on the National Highway System and the 5,250 miles of state highways subject to Federal and State Highway Beautification Acts as of June 1, 1991. This does not include the interstate or freeway highway systems, both of which are eligible for the Logo Signing Program.

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. Any one of the following may qualify the activity or site.

Motorist Service. It offers a motorist service such as gas, food, lodging, camping, or motor vehicle service or repair.

Tourist Attraction. It is of reasonable interest to tourists as a historic, cultural, scientific, educational, or entertainment site, or as a site of natural scenic beauty or naturally suited for outdoor recreation.

Commercial Interest. It is of reasonable commercial interest to the traveling public not residing in the immediate area of the business or activity.

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.

Tourist Oriented Directional Signs (TODS) Program

General Requirements

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.

The activity or site shall be open to the general public during regular and reasonable hours and not by appointment or reservation only.

- **Motorist Service.** An activity providing a motorist service must be open a minimum of eight (8) hours a day, five (5) days a week (one of which is Saturday), and six (6) months a year.
- **Tourist Attraction.** A tourist attraction must be open a minimum of four (4) hours a day, five (5) days a week (one of which is Saturday), and six (6) months a year.
- **Commercial Interest.** A commercial activity not covered by the above paragraphs must be open a minimum of eight (8) hours a day, five (5) days a week (one of which is Saturday), and six (6) months a year
- **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.

The activity shall be conducted in an appropriate building or area. 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.).

Tourist Oriented Directional Signs (TODS) Program

General Requirements (Continued)

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 5,000 or more people, except for Scenic Byways.

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-premise signing and driveway entrance are not readily visible from the state highway.

An activity or site will not qualify for TODS if the activity or site is identified by a Department directional sign that is within the right-of-way, if the activity or site is advertised by an off-premise sign that is illegal as defined by the Arkansas Highway Beautification Act, or if the activity or site is advertised by an off-premise sign that is visible from the location of the proposed TODS.

The activity or site shall comply with all applicable laws concerning public accommodations without regard to race, religion, color, age, sex, national origin, or disability, and shall comply with all applicable health and sanitation laws and must possess any required local permits or licenses.

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

Tourist Oriented Directional Signs (TODS) Program

Fees

Application Fee \$25.00 per application

Installation Fee \$50.00 per TODS sign

Annual Maintenance Fee \$50.00 per TODS sign

Removal or Covering Fee \$50.00 per TODS sign

Replacement Fee \$50.00 per TODS sign

The manufacture and cost of the signs shall be the responsibility of the business. A ballpark estimate for a TODS sign is \$200 per sign (\$400 for two signs).

FOR MORE INFORMATION

On the Web:

www.arkansashighways.com

<http://www.arkansashighways.com/environmental/beautification/beautification.aspx>

On the Phone:

Environmental Division – Beautification Section: (501) 569-2088

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