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Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation Commission
Chapter 17—Supplemental Guide Sign Program

SECRETARY OF STATE
ADMINISTRATIVE RULES

PROPOSED AMENDMENT

7 CSR 10-17.030 Administration. The Missouri Highways and Transportation Commission is amending sections (5), (7), (10), subsections (7)(A) through (7)(C), (10)(A), (10)(B), adding a new section (13), paragraphs (10)(A)1. through (10)(A)3., subparagraphs (10)(A)3.a. through (10)(A)3.c., and deleting subsection (7)(D).

PURPOSE: This amendment includes editorial changes for clarification and adds additional detail regarding how signs for seasonal sites are addressed during their off season.

(5) No qualified entity may discriminate or be discriminated against with regard to race, color, religion, sex, age, handicap, or national origin. Each qualified entity identified by a Logo, TODS, or Traffic Generator sign shall have furnished written and notarized certification to the program manager of *[its conformity with]* **the entity's conformance** to all applicable federal, state, and local laws, ordinances, rules, and regulations, and not be in breach of that certification.

(7) *[Signs]* **A qualified entity's sign** may be removed *[after notification by certified mail a minimum of thirty (30) days in advance of permanent removal of a qualified entity's sign]* **no earlier than thirty (30) days after notification by the program administrator through written correspondence** for any of the following reasons:

(A) Failure to pay fee; **or**

(B) Failure to meet the minimum requirements set forth by these rules for each program type; **or**

(C) Delinquency as to any of the previous *[-/]*ly mentioned violations *[-/]* and *[-/]*.

[(D)] A sign removed for any of the reasons in subsections (7)(A)–(7)(C) will be charged a department-approved fee for reinstallation. All fees paid by the qualified entity are not subject to refund.

(10) At the end of their business season, a qualified entity not open year round will have their sign taken out of service *[with a "Closed" panel placed on their traffic generator sign(s), place a "Closed" panel and cover with a blue panel, or the program manager will have the authority to remove their TODS or Logo sign.]* **to convey to the public the site is not open.**

(A) *[A qualified entity which has not received a sign(s) due to insufficient space will not utilize the space made available by a qualified entity's sign which has been removed during the off-season.]* **A fee, approved by the commission, will be assessed to take a sign in and out of service in one of the following ways, depending on the signing program and the circumstances of the installation:**

1. For traffic generator signs - a CLOSED plaque will be placed on the sign(s)
2. For Logo signs - the Logo will be removed from the Logo sign(s)
3. For TODS sign(s):
 - a. The TODS sign(s) will be removed; or
 - b. A CLOSED plaque will be placed over the directional arrow/milage display on the sign(s); or

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By JCAR at 11:07 am, Sep 09, 2022

- c. If the season of operation can be defined by a term of months, then a supplemental panel(s) can be displayed below the TODS sign(s). Any given month will be displayed only if the site is open at least 50% of that month.

(B) *[A fee, approved by the commission, will be assessed to take a sign in and out of service.]* A qualified entity which has not received a sign(s) due to insufficient space will not be permitted to use the space made available by another qualified entity's sign which has been removed during the off-season.

(13) An appeal or other request for review any applicant may request regarding the decisions of the of the program manager must be submitted in writing to the department's State Highway Safety and Traffic Engineer, P.O. Box 270, Jefferson City, MO 65102.

AUTHORITY: Art. IV, section 29, Mo. Const., section 226.535, RSMo 2016 and 23 United States Code Section 131(f). Material in this rule originally filed as 7 CSR 10-9, 7 CSR 10-17, and 7 CSR 10-22. Original rule filed Nov. 14, 2014, effective June 30, 2015. Amended: Filed Oct. 6, 2017, effective May 30, 2018. Amended: Filed: September 9, 2022.*

**Original authority: 226.535, RSMo 1972.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*