

Limited Supplemental Guide Signs Program Information

HISTORY

With the ever increasing number of requests for interstate and parkway signs from various attractions, this program was created to allow the Transportation Cabinet the ability to set forth the administrative standards and procedures for the approval of applications for tourist signing. This program allows the Transportation Cabinet to create a process whereby the department could manage the locations, style, size & other aspects of installations of various signs for these tourist attractions.

When the administrative regulations detailing this program became effective, it provided a uniform method for providing tourist signing on the interstates. The placement of these type signs are controlled by state statutes and regulations and in accordance with the Manual on Uniform Traffic Control Devices. The administrative regulation sets forth the application procedure and standards for approval, erection, and maintenance of limited supplemental guide signs.

ELIGIBLE ATTRACTIONS:

- Cultural
- Historical
- Recreational
- Agricultural
- Educational
- Entertainment

QUALIFYING REQUIREMENTS:

- Applicable for Interstates & Parkways
- Approved through the TTIC Committee (see page 8-9)
- Must be within 50 miles of interchange
- Rural areas – 10,000 annual attendance
- Urban areas – 75,000 annual attendance
- Historical Sites – 5,000 annual attendance
- Must have physical space for the signs on the interstate or parkway.
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- **(KRS) Kentucky Revised Statutes** - See pages 2-4 of this document
- **(KAR) - Kentucky Administrative Regulations** - See pages 5-9 of this document
- **Fees & Costs:** \$200.00 non refundable application fee to cover administrative costs and the total cost of the sign(s) as per the KRS.
- **Contacts:** Permits Branch, Division of Maintenance
Kentucky Transportation Cabinet
(502) 564-4556
E-mail Donald.Smith@ky.gov



Kentucky Revised Statues

KRS 177.076 thru KRS 177.078

177.076 Definitions for KRS 177.076

As used in KRS 177.076 to 177.079, unless the context requires otherwise:

- (1) "Historical site" means a cultural or educational site that is officially listed in the National Register of Historical Places;
- (2) "Fully controlled access highway" means a limited access highway, an interstate highway, and a parkway;
- (3) "Limited supplemental guide sign" means an official highway guide sign that is erected by the Department of Highways to give directions, furnish advance notice, show mileage or exit indicators, and indicate access to historical sites or to scenic, cultural, and recreational tourist areas or attractions and that conforms to the design standards and requirements set forth in the Manual on Uniform Traffic Control Devices (MUTCD);
- (4) "Post-interchange guide sign" means an official highway sign that may be used in conjunction with a limited supplemental guide sign and lists the name of a tourist area or attraction or an historical site and the distance from an interstate to a tourist area or attraction or an historical site. A post-interchange guide sign shall conform to the design standards and requirements set forth in the Manual on Uniform Traffic Control Devices (MUTCD);
- (5) "Rural area" means an area that does not have sufficient population to be designated as an urban area;
- (6) "Tourist area or attraction" means a cultural, recreational, or entertainment facility, family entertainment center, or an area of natural phenomenon or scenic beauty that is suited for outdoor recreation that receives a major portion of its income or visitors during the normal business season from motorists not residing in the immediate area of the tourist area or attraction. "Tourist area or attraction" does not include any of the following:
 - (a) Lodging facilities; or
 - (b) Facilities that are primarily devoted to the retail sale of goods, unless the facilities are a family entertainment center or the goods are created by individuals at the tourist area or attraction or if the sale of goods is incidental to the tourist area or attraction; or
 - (c) Recreational facilities that do not serve as a likely destination where individuals who are not residents of the state would remain overnight in commercial lodging at or near the tourism area or attraction;
- (7) "Family entertainment center" means a facility, other than a stand alone shopping center, that meets all of the following criteria:
 - (a) Contains a minimum of fifty thousand (50,000) square feet of building space;
 - (b) Is located on property encompassing at least five (5) acres adjacent or complementary to a cultural, recreational, or entertainment facility, or natural recreational area;
 - (c) Provides a variety of entertainment and leisure options;
 - (d) Contains at least one (1) restaurant and at least two (2) additional venues, including, but not limited to, live entertainment, concert halls, museums, zoos, or other cultural, recreational or leisure activities; and
 - (e) Is at a location where sixty percent (60%) of the developed property is devoted to entertainment and food options.
- (8) "City" means an area with a population of one hundred thousand (100,000) or more designated by the United States Department of Commerce, Bureau of the Census.

177.077 Limited supplemental guide signs -- Administrative regulations -- Criteria for approval -- Hearings -- Effect on pre-existing signs.

- (1) No later than February 1, 1999, the commissioner of the Department of Highways shall establish standards, procedures, and forms for the making and approval of applications for a limited supplemental guide sign by the promulgation of administrative regulations in accordance with KRS Chapter 13A.
- (2) The criteria for the approval of a limited supplemental guide sign application for an historical site or for a tourist area or attraction shall be based upon average annual attendance and distance from a fully controlled access highway interchange.
- (3) At a fully controlled access highway interchange in a rural area, the standards for approval shall be the lesser of:
 - (a) Tourist areas and attractions that have an average annual attendance of ten thousand (10,000) visitors and are located within fifty (50) miles of a fully controlled access highway;
 - (b) Tourist areas and attractions that are located within fifty (50) miles of a fully controlled access interchange and have an annual visitation equal to or greater than the average annual daily traffic count of the fully controlled access highway at the interchange from which the attraction is served.
- (4) At a fully controlled access highway interchange in a city, the standards for approval shall be the lesser of:
 - (a) Tourist areas and attractions that have an average annual attendance of seventy-five thousand (75,000) visitors and are located within fifty (50) miles of a fully controlled access highway interchange;
 - (b) Tourist areas and attractions that are located within fifty (50) miles of a fully controlled access highway interchange and have an annual visitation equal to the average annual daily traffic count of the fully controlled access highway at the interchange from which the attraction is served.
- (5) Historical sites that are located in either a rural area or a city shall have an average annual attendance of five thousand (5,000) and shall be located within fifty (50) miles from a fully controlled access highway interchange.
- (6) The identification of a tourist area or attraction on a specific service sign pursuant to KRS 177.0736 shall not affect its eligibility for a limited supplemental guide sign.
- (7) Upon receipt of an application, the commissioner of the Department of Highways shall within thirty (30) days provide written notification to the applicant of any hearings pertaining to the application. The commissioner of the Department of Highways shall make a determination on whether to approve the erection of a limited supplemental guide sign within ninety (90) days after the receipt of an application and shall provide written notification to the applicant of his decision.
- (8) Supplemental guide signs, including but not limited to limited supplemental guide signs, erected prior to July 1, 1998, shall not be removed due to the site selection criteria contained in KRS 177.076 to 177.079.

177.078 Application – Fees

(1) An application from an historical site or from a tourist area or attraction for the erection of a limited supplemental guide sign shall be made to the commissioner of the Department of Highways. The application shall include, but not be limited to:

(a) Evidence that demonstrates the average annual attendance;

(b) Evidence that the tourist area or attraction is established as a permanent business; and

(c) Evidence that the tourist area or attraction has all necessary and proper licenses, that normal business hours shall be maintained, that it is open to the traveling public, and that it provides recreational or educational opportunities.

(2) An application fee of two hundred dollars (\$200) shall be paid to the Department of Highways by each applicant.

(3) Upon approval of the application, the applicant shall reimburse the Transportation Cabinet for the total cost of the sign and its installation. The applicant shall have the option to pay the reimbursement cost in full or amortize the reimbursement cost for a period not to exceed ten (10) years.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 30, sec. 1, effective July 15, 2010. -- Amended 2000 Ky. Acts ch. 353, sec. 3, effective July 14, 2000. -- Created 1998 Ky. Acts ch. 526, sec. 3, effective July 15, 1998.

Kentucky Administrative Regulations
603 KAR 4:050.
Limited Supplemental Guide Signs.

RELATES TO: KRS 177.076, 177.077, 177.078, 177.079

STATUTORY AUTHORITY: KRS 177.077(1)

NECESSITY, FUNCTION, AND CONFORMITY:

KRS 177.077(1) requires the Transportation Cabinet to prescribe by administrative regulation standards and procedures for approval of applications for limited supplemental guide signs. This administrative regulation sets forth the application procedure and standards for approval, erection, and maintenance of limited supplemental guide signs.

Section 1 -Definitions.

- (1) "Activity" means an historical site, tourist area or attraction, or family entertainment center.
- (2) "Cabinet" means the Transportation Cabinet.
- (3) "Clear zone" means the area between the edge of the driving-lane of a public road and an imaginary line running parallel to the road a certain distance from the edge of the traveled way.
- (4) "Eligibility distance" means the distance from the at-grade intersection of the state highway at the point where the directional sign is located to the entrance driveway to the activity.
- (5) "Family entertainment center" is defined in KRS 177.076(7).
- (6) "Interagency Committee" means the Transportation and Tourism Interagency Committee established by KRS 177.107.
- (7) "MUTCD" means the Federal Highway Administration's "Manual on Uniform Traffic Control Devices" incorporated by reference in 603 KAR 5:050.
- (8) "Ramp" means the on-or off-access road from an interstate highway or parkway to or from the first public road.
- (9) "Spacing" means the distance between the limited supplemental sign and all other traffic control devices or signs located within the right of way. This spacing shall be controlled by the MUTCD.
- (10) "TODS" means Tourist Oriented Directional Signing as used in the MUTCD.

Section 2 -General Provisions.

The Transportation Cabinet shall control the erection and maintenance of Limited Supplemental Guide Signs in accordance with the "Manual on Uniform Traffic Control Devices" (MUTCD) as incorporated by reference in 603 KAR 5:050 and with the provisions of this administrative regulation.

Section 3 -Application for Limited Supplemental Guide Signs.

- (1) An application from an historical site, tourist area or attraction, or family entertainment center for the erection of a limited supplemental guide sign shall be made to the Transportation Cabinet.
- (2) The application shall be processed as follows:
 - (a) The cabinet shall notify the applicant in writing of the date and time for any hearings regarding the application within thirty (30) days of receipt of an application;
 - (b) The Division of Traffic shall review proposed signing for compliance and review the proposed location to determine if there is an appropriate location for the erection of the sign;
 - (c) The cabinet shall consider recommendations from the Division of Traffic, the Interagency Committee, and local and regional comments, and approve or disapprove

- the erection of the limited supplemental guide sign within ninety (90) days after the receipt of an application; and
- (d) The cabinet shall notify the applicant whether the application has been approved or denied.
- (3) Upon approval of the application the applicant shall enter into a contractual agreement with the cabinet.
- (4) Any fees shall be paid by check made payable to the Kentucky State Treasurer.

Section 4 -Criteria for Approval.

The cabinet shall approve an application for a limited supplemental guide sign in accordance with the criteria set out in KRS 177.077(2). If multiple applications are received for the same location and lack of space prohibits approval of every application, the cabinet shall consider the following criteria to determine the favorable eligibility for the erection of a limited supplemental guide sign:

- (1) Activities between one (1) mile and fifteen (15) miles from the interchange with consideration given to number of visitors;
- (2) Activities between sixteen (16) miles and fifty (50) miles from the interchange with considerations;
- (3) Federal parks and recreation areas;
- (4) Historical sites;
- (5) Local and regional support; and
- (6) State parks and recreation areas.

Section 5 -Limited Supplemental Guide Signs.

- (1) General requirements for limited supplemental guide signs:
 - (a) A limited supplemental guide sign shall be located to:
 1. Take advantage of natural terrain;
 2. Have the least impact on the scenic environment; and
 3. Avoid visual conflict with the other signs within the highway right of way.
 - (b) A limited supplemental guide sign shall not be erected where there is insufficient space to locate both traffic control devices and the limited supplemental guide sign.
 - (c) Unprotected limited supplemental guide sign supports located within the clear zone shall be of a breakaway design.
 - (d) A limited supplemental guide sign may be located laterally outside the normal longitudinal alignment of other traffic control signs, but shall be erected within the highway right of way as long as the spacing requirements of the MUTCD are met.
 - (e) The location of any other traffic control device shall at all times take precedence over the location of a limited supplemental guide sign.
- (2) Before a limited supplemental guide sign may be erected for an activity that is not visible from the interchange ramp, a legal trailblazing sign shall be erected at each location where a turn is required to arrive at the activity site. This may be in the form of TODS, cultural or recreational signing or billboard advertising.

Section 6 -Limited Supplemental Guide Sign Eligibility.

An activity shall meet the following requirements to qualify for limited supplemental signing. A limited supplemental guide sign shall not be erected until the activity or site has been approved in accordance with this administrative regulation.

- (1) Each activity shall be of significant interest to the traveling public with at least one-third (1/3) of the income or one-third (1/3) of the visitors at the activity derived during the normal business season from visitors not residing within twenty (20) miles of the activity.

- (2) Each activity shall be open to the general public during regular and reasonable hours, and not by appointment or reservation only.
- (3) Each activity shall comply with all applicable local, state, and federal statutes and regulations including those prohibiting discrimination based on race, religion, color, sex, age, disability, or national origin.
- (4) Each activity identified on a limited supplemental sign shall provide assurance of its conformance with all applicable federal, state or local laws and regulations and have necessary and proper licenses.
- (5) If an activity is in violation of any federal, state, or local laws and regulations, it shall be considered ineligible for participation in this program and its signs removed.
- (6) The activity shall be conducted in a building or area that complies with state and local building code requirements for safety.
- (7) The activity shall not be conducted in a building principally used as a residence unless there is a convenient, separate, and well-marked entrance. The building or area shall be maintained in a manner consistent with standards generally accepted for that type of business or activity.
- (8) Any activity which operates on a seasonal basis shall make provisions with the cabinet for the removal of the activity's sign during the off season. The activity shall, in writing, notify the cabinet at least thirty (30) days before the opening or closing occurs.
- (9) The cabinet shall not be responsible for business lost due to signs or limited supplemental panels becoming temporarily out of service.
- (10) The display of the activity sign on the limited supplemental structure shall not be considered an endorsement or recommendation by the Commonwealth of Kentucky on behalf of the activity.

Section 7 -Review of Eligibility.

Subject to KRS 177.077(8), the cabinet may review the status of individual sign eligibility for continuance in the program.

Section 8 -Measurements.

A measurement taken to determine the qualifications of activities shall be from the juncture of the center line of the highway, measured between the center edges of the main traveled way of the route or routes on which travel is necessary to locate the activity.

Section 9 -Incorporation by Reference.

- (1) "Limited Supplemental Guide Signs Application", TC 99-200, (1/99 Edition), Transportation Cabinet, is incorporated by reference.
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Transportation Cabinet, Division of Traffic, First Floor, State Office Building, 501 High Street, Frankfort, Kentucky 40622, Monday through Friday, 8 a.m. to 4:30 p.m. (25 Ky.R. 1765; Am. 2419; 2568; eff. 6-1-99; 28 Ky.R. 925; 1385; eff. 12-19-2001.)

Transportation and Tourism Interagency Committee

603 KAR 4.050

177.107 Transportation and Tourism Interagency Committee -- Purpose.

The Transportation and Tourism Interagency Committee is established to foster close collaboration between the Commerce Cabinet and the Transportation Cabinet on policies that affect the tourism industry and to place strong emphasis on the coordination of mutual interests such as highway signage, scenic byways, highway safety, and concern for the Commonwealth's beauty and heritage.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 95, sec. 40, effective June 20, 2005. -- Created 1998 Ky. Acts ch. 334, sec. 1, effective July 15, 1998.

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177.108 Membership -- Compensation -- Officers -- Meetings -- Proxy voting.

(1) The Transportation and Tourism Interagency Committee shall be composed of thirteen (13) members or their official appointed designees, as follows:

- (a) Six (6) members appointed by the secretary of the Commerce Cabinet;
- (b) Six (6) members appointed by the secretary of the Transportation Cabinet; and
- (c) One (1) member appointed by the executive director of the Kentucky Heritage Council.

(2) Committee members shall receive no compensation for their services, but shall be entitled to reimbursement for all reasonable expenses necessarily incurred in connection with the performance of their duties and functions as committee members.

(3) The committee shall elect its chair and vice chair from representatives of the Commerce and Transportation Cabinets for a term of one (1) year. The vice chair shall succeed the chair. The chair shall alternately be a representative of the Commerce and Transportation Cabinets.

(4) The committee shall meet upon the call of the chair and upon the request of the secretary of the Commerce Cabinet or the secretary of the Transportation Cabinet.

(5) A committee member may appoint a proxy for an individual meeting, delegating to the proxy the privilege of voting on any issue. The proxy appointment shall be in writing.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 95, sec. 41, effective June 20, 2005. -- Created 1998 Ky. Acts ch. 334, sec. 2, effective July 15, 1998.

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77.109 Duties and responsibilities.

The Transportation and Tourism Interagency Committee shall have but not be limited to the following duties and responsibilities:

- (1) Review Kentucky's signage laws, administrative regulations, and policies implementing the federal "Manual on Uniform Traffic Control Devices" and submit any proposed revisions to the secretary of the Transportation Cabinet;
- (2) Seek public comment on Kentucky's signage laws, administrative regulations, and policies;
- (3) Advise the Transportation Cabinet on the scenic byways and highways program;
- (4) Review and make recommendations on requests for highway signage from tourism-related entities;
- (5) Coordinate development of the tourism information potential of welcome centers and rest areas through such means as interactive videos, information kiosks, and

highway advisory radio transmitters, as well as other innovative methods which may be identified by the committee;

(6) Monitor developments across the United States relating to billboards and official signs;

(7) Report to the secretary of the Transportation Cabinet and to the secretary of the Commerce Cabinet on issues of mutual interest to the cabinets;

(8) Serve as an advisory committee on issues identified by the secretary of the Transportation Cabinet and secretary of the Commerce Cabinet; and

(9) Report committee recommendations to the secretary of the Transportation Cabinet, the secretary of the Commerce Cabinet, the secretary of the Education Cabinet, and the secretary of the Executive Cabinet.

Effective: July 12, 2006

History: Amended 2006 Ky. Acts ch. 211, sec. 115, effective July 12, 2006. --

Amended 2005 Ky. Acts ch. 95, sec. 42, effective June 20, 2005. -- Created 1998 Ky. Acts ch. 334, sec. 3, effective July 15, 1998.

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Verification of Attendance

The following methods may be used to verify an attraction's attendance numbers.

Verification of the attraction's attendance numbers is an important part of the application process in accordance with KRS 177. All numbers must be accurate and verifiable.

- Annual ticket sales
- Annual attendance verified by turnstiles or hand count
- Annual tour participants verified by ticket sales or count
- Annual event(s) that bring in verifiable totals that are documented
- Attractions without ticket sales but with gift shops/stores can use the following formula to calculate annual visitation if not documented with one of the methods above:
- An attraction or historical site may submit another method of visitor verification, which it can verify. This method will be subject to the approval of the Transportation Tourism Interagency Committee.



TEMPORARY AGRITOURISM SITE APPLICATION

This application shall be approved by the Kentucky Department of Agriculture (KDA), pursuant to 302 KAR 39.010 in order for the Transportation Cabinet to permit signage for agritourism sites to be erected along Kentucky highways.

SECTION 1: APPLICANT INFORMATION

SITE NAME _____

LOCATION _____

OWNER NAME _____

OPERATOR NAME (If different from owner.) _____

ADDRESS _____ **CITY** _____ **STATE** _____ **ZIP** _____

PHONE _____ **FAX** _____ **EMAIL** _____

DATES & HOURS OF OPERATION _____

SECTION 2: DESCRIPTION OF PRODUCTS SOLD OR ACTIVITIES OFFERED

SECTION 3: DESCRIPTION OF SITE (Include information on parking, restrooms number & type), food service facilities, etc.)

INCLUDE PROOF OF LIABILITY INSURANCE WITH THIS APPLICATION.



SECTION 1: ATTRACTION INFORMATION

NAME OF ATTRACTION		ATTRACTION ID		
PHYSICAL ADDRESS		CITY	STATE	ZIP
MAILING ADDRESS (If different from above)		CITY	STATE	ZIP
CONTACT PERSON & TITLE		PHONE	EMAIL	

ELIGIBLE ATTRACTION CATEGORIES (Check all that apply.)

- Cultural Recreational Educational
 Historical Agricultural Entertainment

SECTION 2: DESCRIPTION OF ACTIVITIES

Explain how the project meets the eligibility criteria for each category checked above. List the project's significance. (awards, history, etc.) Include any impact the attraction may have on efforts to increase local and regional tourism.

VISITOR ATTENDANCE (Annual)	PARKING CAPACITY	HOURS OF OPERATION
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QUALIFIED FOR (Check, if yes.):

- Signing Incentives Program Temporary Agritourism Site (If checked, attach the Temporary Agritourism Site Application, TC 99-202 form, and proof of general liability insurance.)



SIGNING INCENTIVES PROGRAM APPLICATION

SECTION 1: APPLICANT INFORMATION

GOVERNMENT SPONSOR _____

ADDRESS _____

CITY _____ **STATE** _____ **ZIP** _____

PHONE _____ **EMAIL** _____

ATTRACTION _____ **CHECK ALL THAT APPLY:**

- Limited Supplemental
- Post-Interchange
- Cultural & Recreational

SECTION 2: TRANSPORTATION ENHANCEMENT ELIGIBILITY INFORMATION

If the attraction has ever received funds from any Transportation Enhancement project, answer A. If it has not, answer B, C, and D.

A. Provide the project title, year the project was approved for funds, scope of the project, location, etc. Additional information or documentation may be requested.

Answer B, C, and D only if the project has never been approved for Transportation Enhancement project

B. Establish the relationship between the attraction and surface transportation.

C. Eligible Signing Incentives Categories (check all that apply.)

- Acquisition of scenic or historic easements or sites -- include battlefields
- Landscaping & scenic beautification
- Pedestrian or bicycle safety & education
- Environmental mitigation
- Pedestrian or bicycle facilities -- include streetscapes
- Archaeological planning & research
- Historic preservation
- Rail corridor preservation
- Historic transportation buildings
- Scenic or historic highway programs
- Inventory, control, & removal or outdoor advertising
- Transportation museums

D. Explain how the attraction qualifies under the eligible categories checked above.

The undersigned hereby applies for participation in the Transportation Cabinet's official Signing Incentives Program. By applying, the undersigned accepts full responsibility and liability for initial and maintenance costs of associated signage, The applicant ensures the attraction will maintain eligibility as determined at the time of approval.

SIGNATURE _____

DATE _____



KENTUCKY TRANSPORTATION CABINET
LIMITED SUPPLEMENTAL GUIDE SIGN
APPLICATION

Attraction Name: _____

Owner/Operator: _____

Address: _____ **City:** _____ **State:** ____ **Zip:** _____

Phone #1: _____ **Phone #2:** _____ **E-Mail:** _____

Contact Person: _____ **Title:** _____

No.	ROAD NAME or ROUTE #	TRAVELLING	EXIT #	Intersecting Route	Direction of Turn to the Attraction
Ex.	Interstate 64	East	58	US 60 (Versailles Road)	Left
1.					
2.					
3.					
4.					

EXIT __

1st Preferred Message

EXIT __

2nd Preferred Message

THE UNDERSIGNED APPLICANT IS A DULY AUTHORIZED REPRESENTATIVE/OWNER OF THE PROPOSED ATTRACTION & REQUESTS THE MESSAGE AS SHOWN ABOVE TO BE INSTALLED ON THE PROPOSED SIGN(S). I ALSO UNDERSTAND THAT THE ESTIMATED COST AS SHOWN BELOW IS NOT A FINAL COST, BUT ONLY AN ESTIMATE.

Name: _____ **Signature:** _____
PRINT NAME CLEARLY SIGN HERE

Title: _____ **Date:** _____

APPLICATION CHECKLIST

REQUIRED

- \$200.00 check (Payable to: Kentucky State Treasurer)
- Attraction Eligibility Application
- Evidence/Letters of Community Support
- Verification of Visitor Attendance
- Map & Photos of the Attraction Area
- Federal Tax ID # _____

OPTIONAL AS NEEDED

- Signing Incentives Program Application

THIS PORTION BELOW IS TO BE FILLED OUT BY THE KENTUCKY TRANSPORTATION CABINET

Estimated Cost of Signage

\$ _____