

Secretary of State
NOTICE OF PROPOSED RULEMAKING*

A Statement of Need and Fiscal Impact accompanies this form.

Department of Transportation, Highway Division

734

Agency and Division

Administrative Rules Chapter Number

Lauri Kunze

3930 Fairview Ind. Dr SE, Salem OR 97302

lauri.g.kunze@odot.state.or.us

(503) 986-3171

Rules Coordinator

Address

Telephone

RULE CAPTION

Outdoor advertising sign application process

Not more than 15 words that reasonably identify the subject matter of the agency's intended action.

RULEMAKING ACTION

ADOPT: 734-060-0007

AMEND: 734-060-0000, 734-060-0010, 734-065-0015, 734-065-0020, 734-065-0025

REPEAL: 734-060-0000(Temp), 734-060-0007(Temp)

RENUMBER: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND & RENUMBER: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ORS 184.616, 184.619, 377.710, 377.715, 377.725, 377.729, 377.753, Chapter 562, OL 2011

Stat. Auth..

None

Other Authority

ORS 377.710, 377.715, 377.720, 377.725, 377.750, 377.767

Stats. Implemented

RULE SUMMARY

OAR 734-060-0000 outlines the process for filing an application for an outdoor advertising sign. OAR 734-060-0007 outlines the process for filing an application for a digital billboard, which is a subset of outdoor advertising signs specifically authorized in SB 639. Temporary rules were filed in July 2011 implementing SB 639. These amendments revise the language of the temporary rules and permanently implement SB 639 provisions.

OAR 734-060-0010 outlines the process for requesting an outdoor advertising sign permit for a sign on a transit shelter. OAR 734-065-0015, 734-065-0020 and 734-065-0025 outline the process for requesting an outdoor advertising sign permit for a sign on a transit shelter. These amendments allow an easier process for applicants to request the permit and change the size to the industry standard for such signs.

Text of proposed and recently adopted ODOT rules can be found at web site <http://www.oregon.gov/ODOT/CS/RULES/>.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the *Oregon Bulletin* or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the *Oregon Bulletin* at least 14 days before the hearing.

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

February 21, 2012

Last Day for Public Comment

Last day to submit written comments to the Rules Coordinator

Signature

Lauri Kunze

Printed name

Date

* The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Department of Transportation, Highway Division
Agency and Division

734
Administrative Rules Chapter Number

In the Matter of the Adoption of 734-060-0007 and the Amendment of 734-060-0000, 734-060-0010, 734-065-0015, 734-065-0020 and 734-065-0025

Rule Caption: Outdoor advertising sign application process

Statutory Authority: ORS 184.616, 184.619, 377.729, Chapter 562, Oregon Laws 2011

Other Authority: None

Statutes Implemented: ORS 377.715, 377.725

Need for the Rule(s): OAR 734-060-0000 outlines the process for filing an application for an outdoor advertising sign. OAR 734-060-0007 outlines the process for filing an application for a digital billboard, which is a subset of outdoor advertising signs specifically authorized in SB 639. Temporary rules were filed in July 2011 implementing SB 639. These amendments revise the language of the temporary rules and permanently implement SB 639 provisions.

OAR 734-060-0010 outlines the process for requesting an outdoor advertising sign permit for a sign on a transit shelter. OAR 734-065-0015, 734-065-0020 and 734-065-0025 outline the process for requesting an outdoor advertising sign permit for a sign on a transit shelter. These amendments allow an easier process for applicants to request the permit and change the size to the industry standard for such signs.

Documents Relied Upon and where they are available: None

Fiscal and Economic Impact, including Statement of Cost of Compliance: No negative fiscal or economic impact is anticipated.

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): None
2. Cost of compliance effect on small business (ORS 183.336): None
 - a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: N/A
 - b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: N/A
 - c. Equipment, supplies, labor and increased administration required for compliance: None

How were small businesses involved in the development of this rule? The sign industry was consulted in developing this rule.

Administrative Rule Advisory Committee consulted?: Yes, a stakeholder committee composed of both small and large company sign owners was convened on October 19, 2011 to discuss these amendments. The group supported these proposed changes.

Authorized Signer

Lauri Kunze

Printed name

Date