

Secretary of State
NOTICE OF PROPOSED RULEMAKING*
A Statement of Need and Fiscal Impact accompanies this form

FILED
4-15-16 2:50 PM
ARCHIVES DIVISION
SECRETARY OF STATE

Department of Transportation, Highway Division
Agency and Division

734
Administrative Rules Chapter Number

Lauri Kunze

(503) 986-3171

Rules Coordinator

Telephone

Department of Transportation, Highway Division, 355 Capitol St. NE, MS 51, Salem, OR 97301

Address

RULE CAPTION

Rest Area Sponsorship Acknowledgement Sign Program

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

RULEMAKING ACTION

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

ADOPT:

OAR 734-031-0001 to 734-031-0030

AMEND:

REPEAL:

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

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

Statutory Authority:

ORS 184.616, 184.619, 366.205

Other Authority:

Federal Policy 5160.1A

Statutes Implemented:

ORS 366.205

RULE SUMMARY

The Department of Transportation (ODOT) provides rest areas as part of the state highway system to offer a stopping place for travelers to take a short break from driving. Many of those rest areas are managed by the Oregon Travel Information Council (TIC). There is interest in seeking sponsorship contributions to support the development, maintenance, and operation of rest areas and to acknowledge those contributions with a sign either in the rest area or on the adjacent state highway. Federal regulations pertaining to state highways allow state transportation agencies to use signs to acknowledge sponsorships provided the state transportation agency has an acknowledgement sign program.

These rules outline the program developed by the Department of Transportation in compliance with Federal Policy 5160.1A, Sponsorship Acknowledgement and Agreements within the Highway Right of Way; and will provide citizens of Oregon an opportunity to contribute support for the development or ongoing operation and maintenance of Department of Transportation rest areas. Sponsorships will be solicited using a competitive process such as a request for proposal with the successful entity selected based on a net benefit for the public. Under these rules, an acknowledgement sign may be offered in exchange for the sponsor's contribution.

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 negative economic impact of the rule on business.

Last Day (*m/d/yyyy*) and Time
for public comment

Rules Coordinator Name

Email Address

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking accompanies this form.

FILED
4-15-16 2:50 PM
ARCHIVES DIVISION
SECRETARY OF STATE

Department of Transportation, Highway Division
Agency and Division

734
Administrative Rules Chapter Number

Rest Area Sponsorship Acknowledgement Sign Program

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

the adoption of OAR 734-031-0001 to 734-031-0030

Statutory Authority:

ORS 184.616, 184.619, 366.205

Other Authority:

Federal Policy 5160.1A

Statutes Implemented:

ORS 366.205

Need for the Rule(s):

The Department of Transportation (ODOT) provides rest areas as part of the state highway system to offer a stopping place for travelers to take a short break from driving. Many of those rest areas are managed by the Oregon Travel Information Council (TIC). There is interest in seeking sponsorship contributions to support the development, maintenance, and operation of rest areas and to acknowledge those contributions with a sign either in the rest area or on the adjacent state highway. Federal regulations pertaining to state highways allow state transportation agencies to use signs to acknowledge sponsorships provided the state transportation agency has an acknowledgement sign program.

These rules outline the program developed by the Department of Transportation in compliance with Federal Policy 5160.1A, Sponsorship Acknowledgement and Agreements within the Highway Right of Way; and will provide citizens of Oregon an opportunity to contribute support for the development or ongoing operation and maintenance of Department of Transportation rest areas. Sponsorships will be solicited using a competitive process such as a request for proposal with the successful entity selected based on a net benefit for the public. Under these rules, an acknowledgement sign may be offered in exchange for the sponsor's contribution.

Documents Relied Upon, and where they are available:

Federal Policy 5160.1A, available from the Federal Highway Division Administration at <https://www.fhwa.dot.gov/legregs/directives/orders/51601a.cfm>

Fiscal and Economic Impact:

See statements below.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

There is no fiscal or economic impact expected on state agencies, units of local government or the general public as a result of these rules. Any fiscal impact would be limited to individuals, businesses, or organizations that choose to respond to a sponsorship solicitation and are selected as a sponsor of a rest area.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

None

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

None

c. Equipment, supplies, labor and increased administration required for compliance:

None

How were small businesses involved in the development of this rule?

A notice of these proposed rules was sent to groups representing small businesses; no input was received.

Administrative Rule Advisory Committee consulted?:No

If not, why?:

An advisory committee was not formed for the drafting of these rules. This rulemaking simply establishes a program necessary to implement Federal Policy. It was developed in consultation with Federal Highway Administration and the Oregon Travel Information Council who manages many of the Department of Transportation rest areas.

<u>05-23-2016 Close of Business</u>	<u>Lauri Kunze</u>	<u>lauri.g.kunze@odot.state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address