

DEPARTMENT OF TRANSPORTATION

Transportation Commission

RULES, GOVERNING SPECIFIC INFORMATION SIGNS (LOGO) AND TOURIST ORIENTED DIRECTIONAL SIGNS (TODS) ON STATE HIGHWAYS

2 CCR 601-7

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Statement of Basis, Purpose, and Statutory Authority

These Rules establish where and under what circumstances LOGO and TODS devices may be erected and maintained and require that no such device may be erected or maintained unless in full compliance with the MUTCD, § 43-1-420, C.R.S., the CDOT Sign Design Manual, and these Rules. These Rules enable the Colorado Department of Transportation to provide a uniform sign program for LOGO and TODS devices that provide directional information for qualified entities to the traveling public. The statutory authority for this rulemaking is vested in the Department by § 43-1-415(1) and 43-1-420(3), C.R.S. The Department has updated the rules to conform to mandates of HB12-1108, codified at § 43-1-420(1)(a) and (5) C.R.S., which expanded advertising options for small businesses to include all urban areas, and offered the traveling public additional information regarding specific off-highway services. Additionally, the Department sought to eliminate any information already set forth in the MUTCD and any other unnecessary or duplicative language.

1.00 Definitions

- 1.01 "Administrative and Maintenance Fees" shall mean reasonable fees based on the Highway average daily traffic and reflect the Highway right-of-way value and the Department's program administration costs pursuant to § 43-1-420(2) and § 43-1-1202(1)(a)(XI), C.R.S., pursuant to an agreement negotiated between the Department and Contractor.
- 1.02 "Business" shall mean an eligible business, service or activity.
- 1.03 "CDOT" or "Department" shall mean the Colorado Department of Transportation.
- 1.04 "Contractor" shall mean a vendor selected by the Department to implement and administer the LOGO and TODS sign programs on behalf of the Department.
- 1.05 "Expressway" shall mean a divided highway with partial control of access generally having grade separations at major intersections.
- 1.06 "Freeway" shall mean a divided Highway with full access control having grade separations at all intersections.
- 1.07 "Highway" shall mean any road on the state Highway system as defined in § 43-2-101(1), C.R.S.
- 1.08 "Highway Miles" shall mean the driving distance in miles.
- 1.09 "Intersection" shall mean the crossing of a conventional road and a Highway, excluding driveways, alleys, freeways, expressways, and the interstate system.
- 1.10 "Interstate" shall mean the system of highways as defined in § 43-2-101(2), C.R.S.

- 1.11 “LOGO Plaque” shall mean a flat rectangular information sign which is attached to a LOGO sign panel, either on the mainline, ramp or Trailblazer sign, and is limited to the name, brand name, trademark, logo or symbol for businesses providing motorist services for gas, food, lodging, camping, tourist attractions and/or twenty-four hour pharmacies.
- 1.12 “LOGO Sign” shall mean a blue guide sign which belongs to CDOT; to which plaques belonging to businesses are attached, located on an interstate, freeway or expressway interchange which provides the traveling public with business identification and directional information for eligible services and tourist attractions.
- 1.13 “Mainline Plaques” shall mean a sign along the main travelled way of a Roadway.
- 1.14 “MUTCD” shall refer to the 2009 edition of the FHWA Manual on Uniform Traffic Control Devices for Streets and Highways (including Revision 1 dated May 2012 and Revision 2 dated May 2012). Terms not defined in these Rules shall be in accordance with usage in the MUTCD.
- 1.15 “Official Traffic Control Device” shall mean all signs, signals, markings, and devices placed or displayed by the Department or others pursuant to authority of any public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.
- 1.16 “Permit” shall mean the document signed by both the Permittee and the Contractor, setting forth the terms and conditions for placement of a LOGO or TODS plaque on a LOGO or TODS sign panel.
- 1.17 “Permittee” shall mean an eligible entity which applies for and is granted a permission to display a plaque on a LOGOS or TODS sign.
- 1.18 “Ramp Plaques” shall mean a plaque installed on a ramp sign structure located along an off ramp from an interstate freeway or expressway.
- 1.19 “ROW” or “Right-of-Way” shall mean the entire width of land between the public boundaries or property lines of a Highway acquired for or devoted to a highway purpose.
- 1.20 “Roadway” shall mean that portion of a Highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event the highway includes two or more separate roadways, the term roadway refers to any such roadway separately but not to all such roadways collectively.
- 1.21 “Seasonal Closure” shall refer to a business that is not open to the public for more than fourteen (14) continuous days.
- 1.22 “Symbol” shall mean the standard design markings used in preference to word messages and are as shown in the MUTCD, Part 2.
- 1.23 “TODS” or “Tourist-Oriented Directional Sign” shall mean a blue guide sign which belongs to CDOT. Any attached plaques belong to the business associated with the plaque. TODS are installed at an at-grade intersection located along highways excluding interstates that provide the traveling public with business identification of and directional information for eligible tourist business, service, and activity facilities.
- 1.24 “TODS Plaque” shall mean a flat rectangular information sign which is attached to a TODS sign panel, either on the mainline, ramp, or Trailblazer sign, limited to the name, brand name, trademark, logo or symbol for tourist-oriented businesses for motorists not residing within fifty (50) miles of the business.

1.25 "Tourist Attraction" shall mean an attraction of regional interest whose primary purpose is to provide amusement, historical, cultural or leisure activities to the traveling public as further outlined in Section 2.00 below.

1.26 "Trailblazer Sign" shall mean a supplemental guide sign that provides the travelling public with directional information to a particular business that displays a directional arrow and may include the mileage to the business.

2.00 Sign Requirements

2.01 Tourist Attraction Requirements

- A. To be eligible as a Tourist Attraction of regional interest to the traveling public, a business must be one of the following:
1. Natural phenomena, which shall be limited to a features created by nature, including but not limited to unusual rock formations, caves, fossil beds, and waterfalls.
 2. Historic sites or districts of state and/or national significance and limited to structures or sites that are of definite historical significance as determined by the Colorado Historical Society (n/k/a History Colorado), or as a historic attraction in the National Register of Historic Places as published by the United States Park Service.
 3. Cultural sites, which shall be limited to a facilities for the performing arts, exhibits or concerts.
 4. Amusement parks, which shall be limited to permanent area which are open to the general public in season for three (3) or more of the following activities: picnicking, hiking, swimming, boating, entertainment rides, food services, and must be in operation for not less than 100 days per year.
 5. Arenas, which shall be limited to stadiums, sports complexes, auditoriums, fairgrounds, civic or convention centers or race tracks having a capacity of not less than five thousand (5,000) seats and open for normal business for not less than twenty-eight (28) events per year.
 6. Areas of natural or scenic beauty, which shall be limited to a naturally-occurring areas of outstanding interest to the general public, including state or national parks, wilderness areas, mountain ranges, lakes, rivers, canyons, and similar areas.
 7. Golf courses, which shall be limited to facilities open to the public and offering not less than nine (9) holes of play. Miniature golf courses, driving ranges, chip-and-putt courses and indoor golf shall not be eligible.
 8. Museums, which shall be limited to facilities, open to the public at least one hundred (100) days per year, where works of artistic, historical, or scientific value are cared for and exhibited to the general public.
 9. Recreational areas, which shall be limited to areas that provide for bicycling, boating, fishing, hiking, rafting, picnicking, snowmobiling or skiing.

10. Zoological or botanical parks shall be limited to facilities in which living animals, insects, or plants are kept and exhibited to the general public.
11. Wineries, distilleries or breweries shall be limited to sites licensed by the state that produce a minimum of one thousand (1,000) gallons of wine, beer or spirits per year.
12. Regionally-grown agricultural crops that are provided for sale within temporary structures for at least one hundred (100) days a year.
13. Casino attractions shall be limited to facilities holding gaming licenses.

2.02 Duties and Responsibilities.

- A. The Department will establish and maintain an effective contract monitoring process that ensures the Contractor for the TODs and Logo Program complies with the terms of its contract. The Department will monitor the Contractor by:
 - (1) Conducting annual fiscal reviews of the financial data required in the contract to determine if the revenue and program data reported by the contractor are accurate.
 - (2) Requesting that the contractor provide a copy of its financial data compiled annually.
 - (3) Establishing a regular field review process for the TODs and LOGO Program to determine if the Contractor is providing the services outlined in statute and established in the contract.
- B. The Department must approve all proposed sign locations and determine the location of all plaque placements on sign panels.
- C. The Department may relocate any sign for any Highway purpose.
- D. Neither the Department nor the Contractor shall be responsible for lost, stolen, defaced, deteriorated, damaged or destroyed plaques, regardless of the cause.
- E. The Contractor is the only entity authorized to perform erection, maintenance and removal of sign plaques and panels.
- F. Permittee shall provide all plaques to be displayed on Department sign structures.
- G. The Permittee shall be responsible for delivering a replacement or renovated plaque to the Contractor to replace any plaque which is lost, stolen, defaced, destroyed or which does not meet Department sign standards.

2.03 Provisions Pertaining to Plaques and Sign Panels

- A. All sign legends are subject to Department approval.
- B. Sign panels shall not block driver sight of an existing or planned official traffic control device.
- C. All plaques and sign panels shall be provided and constructed in accordance with the MUTCD, the CDOT Sign Design Manual, § 43-1-420, C.R.S., and these Rules.

- D. No plaque may resemble any official traffic control device.
- E. The sign panel size, composition, height, lateral clearance and location shall strictly adhere to the requirements of the MUTCD, the CDOT Sign Design Manual and these Rules.
- F. Neither a plaque design nor a logo or symbol shall contain contact information, including but not limited to directions, slogans, telephone numbers and internet addresses.
- G. Plaques denoting unavailable services shall only be covered or removed by the Contractor.
- H. Plaques for businesses no longer qualified to participate in either sign program shall be covered or removed by the Contractor.
- I. The Department may remove any plaque or sign if it is required for highway purposes or activities or if the condition of the plaque or sign endangers the health, safety or welfare of the public, or in the event the plaque has become inconsistent with or in violation of these Rules.
- J. For seasonal closures:
 - 1. Permittee shall notify the Contractor at least twenty (20) days prior to any anticipated change (closing, reopening, or unavailability of services) lasting more than fourteen (14) days.
 - 2. A fee may be assessed for any costs arising from seasonal closures.

3.00 LOGO

3.01 Plaque Requirements

- A. Eligible service categories shall be limited to gas, food, lodging, camping, tourist attractions and twenty-four hour pharmacies.
- B. Mainline Plaques shall be exactly forty-eight (48) inches wide and thirty-six (36) inches high.
- C. Ramp and Trailblazer plaques shall be exactly twenty-four (24) inches wide and eighteen (18) inches high.
- D. Only LOGO plaques shall be installed on LOGO sign panels.
- E. Sign panels shall display the exit number.

3.02 Location Requirements

- A. Sign panels shall be ground-mounted and located within the Department ROW at interchanges.
- B. Sign panels shall be located only on Interstate Highways, Freeways and Expressways.
- C. Ramp signs shall be installed along the ramp or at the end of the ramp.

- D. Sign panels shall not be located at the following locations, or under the following circumstances:
 - 1. At interchanges with other Interstates, Freeways or Expressways;
 - 2. Where a U-turn or any other illegal movement is required;
 - 3. In locations that conflict with legally permitted utilities;
 - 4. At an interchange where the motorist cannot conveniently re-enter the Highway continuing in the same direction of travel.
 - 5. Maximum driving distance from an interchange to:
 - a. Eligible gas, food, lodging and camping facilities shall not exceed three miles if within that three mile limit there are less than six participating services of the type being considered, the limit of eligibility may be extended to five miles.
 - b. An eligible twenty-four hour pharmacy shall not exceed three miles.
 - c. An eligible Tourist Attraction shall not exceed three miles within an urbanized area and ten miles outside of an urbanized area.
 - d. A casino attraction shall not exceed fifteen miles.

4.00 TODS

4.01 Design Requirements

- A. Plaques shall be exactly seventy-two (72) inches wide and eighteen (18) inches high.
- B. Signs shall not be located within Interstate Highway Right-of-Way.
- C. Only TODS plaques shall be installed on ground-mounted TODS sign panels.
- D. Business logos shall be reproduced in the colors and of a general shape consistent with customary use, and any integral legend shall be proportionate in size.
- E. Symbols for services as depicted within the MUTCD may be incorporated in lieu of or with word messages.
- F. When approaching an intersection with more than one plaque, the order of the plaques shall be first, for businesses signed for the left direction, and second, for businesses signed for the right direction.
- G. All plaques may be mounted on one sign panel when there are four or less plaques.
- H. When approved plaques are attached to one sign panel, the mounting order shall be: businesses on the left on top; and businesses on the right, on the bottom.
- I. Jurisdictional boundary changes that include locations where TODS signs have been approved and installed may necessitate the removal of any signs prohibited by § 43-1-420(3), C.R.S.

- J. Permittees shall maintain information and/or documentation for at least three years to demonstrate that the business or activity derives the major portion of income or visitors during the normal business season from motorists residing more than fifty (50) miles from the business or activity. The records may include, but are not limited to, guest books, attendance records, any means of determining the visitor residency.

4.02 Location

- A. For intersections within municipal boundaries, the maximum driving distance from the intersection to the business shall not exceed one mile.
- B. For intersections outside of municipal boundaries, the maximum driving distance from the intersection to the business shall not exceed fifteen (15) miles.
- C. A plaque shall be permitted only at the intersection nearest to the business.
- D. Each business shall be limited to one plaque for each direction of travel to that business on a given road.

4.03 Seasonal Plaques

- A. Seasonal plaques shall occupy the bottom position on a sign.
- B. The business that has the shorter business season during the calendar year shall have the lowest plaque position.
- C. All plaques shall be repositioned as needed due to seasonal plaque changes.

5.00 Trailblazer Signs

- A. Trailblazer Signs shall be installed at locations that require additional guide signs from the intersection to the eligible business, and must be furnished and paid for by the Permittee.
- B. Trailblazer Signs must:
 - 1. Use proportionate lettering on all symbols when lettering on symbols is required.
 - 2. Be located only along the shortest route from the Highway to the business on a public roadway.
 - 3. Include the distances and directional arrows in lieu of words.
 - 4. Be used only at every intersection requiring a turn until the business is visible.
 - 5. Be erected prior to the erection of any other ramp or mainline sign panels.
 - 6. Have local jurisdiction approval prior to erection, when not located on a state Highway.

6.00 Rotation Procedure

- A. Rotation shall be initiated when all plaques have been on a sign panel for one full year and additional businesses are awaiting display on the same sign panel.

- B. Permittees on a full panel will be rotated off the panel on the Permit renewal date to the extent needed to provide plaque space for those on the priority waiting list.
- C. Businesses rotated off the board are eligible to be included on the priority waiting list for the next rotation.
- D. Annual rotation procedures may require removal of any plaques.
- E. Display priority will be determined based upon the order in which the Contractor received the application for a plaque on a given sign panel.
- F. The Contractor shall maintain a list of initial application dates in order to establish a waiting list rotation order when necessary.

7.00 Permits Application, Renewal and Revocation

7.01 General Permit Requirements

- A. On behalf of CDOT, the Contractor shall issue Permits to eligible businesses. Plaques shall be installed on sign panels only after a Permit is issued.
- B. Granting of a Permit conveys no right, title or interest in the state Highway ROW or in the LOGO or TODS sign panel to the Permittee.
- C. Permit applications must comply with all requirements of the MUTCD, § 43-1-420, C.R.S., and these Rules.
- D. Permit applications or renewals shall be denied if granting the Permit or Permit renewal would endanger the health, safety or welfare of the traveling public.
- E. No Permit for a TODS plaque shall be issued unless the county, city and county, or municipality in which such sign is to be located has authorized it pursuant to § 43-1-420(3), C.R.S. Local jurisdiction approval is not required for LOGO signs.

7.02 Application Requirements

- A. The Contractor shall consider applications in the order of the effective date and time received, and shall act upon the Permit applications or renewals within thirty (30) days.
- B. The application shall be accompanied by a Certificate of Good Standing issued by the Colorado Secretary of State and all required fees.
- C. Permit applications and renewals shall be submitted to the address of the Contractor, which is available at https://www.coloradodot.info/programs/logos_tods.html.
- D. Notice of approval or denial shall be sent to the Permittee by First Class U.S. Mail.
- E. All sections of the application must be completed, including the route and milepost number and side of road (north, south, east or west), the nearest intersection or exit number, and the plaque(s) layout.
- F. Permittees may request any change to a plaque during the term of the Permit at Permittee's cost, provided that the change conforms to § 43-1-420, C.R.S., the MUTCD and these Rules.

- G. Plaque Permit renewals not received prior to expiration shall be subject to plaque removal.

7.03 Fees

- A. All fees shall be submitted with the Permit application or renewal in accordance with the fee schedule which is available on the CDOT website, located at https://www.coloradodot.info/programs/logos_tods.html.
- B. All fees shall be returned if the application is denied or if, after approval, the plaque is unable to be installed as a result of the Department's actions.

8.00 Permit Denial, Revocation, Suspension, and Appeal Process

- A. Pursuant to § 24-4-104, C.R.S., the Department may deny a Permit application or renewal or may revoke a Permit and remove a plaque, if:
 - 1. The Permittee has violated the terms or conditions of the Permit, the MUTCD, §43-1-420, C.R.S., or these Rules;
 - 2. Plaques or sign panels are erected or maintained at a location that has not been approved by the Department;
 - 3. The local jurisdiction approval has not been obtained or has been revoked for a TODS sign panel;
 - 4. The plaque or sign panel has been added to or altered in any way in violation of the MUTCD, § 43-1-420, C.R.S., or these Rules;
 - 5. The Permit application contains false or misleading information;
 - 6. The Permittee fails to maintain a Certificate of Good Standing with the Colorado Secretary of State; or
 - 7. For any other Highway purpose.
- B. If imperatively necessary to protect the health, safety or welfare of the public, the Department may take immediate action prior to notice and hearing, including removal or covering a plaque or sign panel if:
 - 1. The Department finds that the Permittee has been guilty of a violation of § 43-1-420, C.R.S., the MUTCD or these Rules; or
 - 2. The health, safety or welfare of the public requires emergency action.
- C. The Department shall provide written notice by certified mail on the next business day following any emergency action taken that affects the Permittee's plaque. Such notice shall set forth the basis for the required emergency action.
- D. The appeal provisions of § 24-4-104(4), C.R.S. shall apply.

- E. Within sixty days of the giving of notice of the Department's action, the Permittee may request a hearing before the Department as provided in § 24-4-105(9), C.R.S. The notice shall specify the grounds for such denial, revocation or suspension including which applicable requirements or criteria of § 43-1-420, C.R.S. the MUTCD or these Rules the Permittee or sign location has failed to meet. Requests must be sent to:

LOGO and TODS Program Manager
Colorado Department of Transportation
4201 E. Arkansas Avenue
Denver, CO 80222

9.00 Materials Incorporated by Reference

A copy of the Rules and of all other incorporated materials are available for public inspection during regular business hours at the Colorado Department of Transportation, from the Roadside Advertising Program Manager, Safety and Traffic Engineering Branch, 4201 E Arkansas Avenue, Denver, Colorado 80222. The following materials are incorporated by reference; such incorporation does not include later amendments or editions of any incorporated material: The Manual on Uniform Traffic Control Devices, 2009 edition, (MUTCD), including Revision 1 and 2 dated May 2012, and The CDOT Sign Design Manual (December 18, 2012). Both of these publications are available on the CDOT website located at https://www.coloradodot.info/programs/logos_tods.html. The following regulations are incorporated by reference; such incorporation does not include later amendments or editions of any incorporated material: 23 U.S.C. 109(d)(October 1, 2012) and 23 U.S.C. 131(f)(October 1, 2012). Incorporated materials are also maintained at the State Publications Depository and Distribution Center, 201 East Colfax Avenue, Denver, Colorado 80203, and may be examined at any other state publications library via inter-library loan.

Editor's Notes

History

Entire rule eff. 09/14/2011.

Entire rule eff. 07/30/2013.