Purpose
To define the Utah Department of Transportation (Department) process for placing Tourist Oriented Directional Signs (TODS) on state highways other than freeways or expressways in rural areas.

Policy
TODS are guide signs with one or more panels that display eligible facility identification and directional information for business, service, and activity facilities. They are for use only on rural conventional state highways in a county of the fourth, fifth, or sixth class. Freeways, expressways, and their associated interchanges are not eligible for TODS signing. Rural areas are defined as communities and unincorporated county not within the boundaries of urban clusters identified by the Department. Refer to Appendix A.

Design and install TODS in strict accordance with the Utah Manual of Uniform Traffic Control Devices (Utah MUTCD) when permitted. TODS is always considered secondary to other rural road signing. Department Standards exceeding or supplementing Utah MUTCD will take precedence.

The TODS Program is operated by a Program Manager under contract with the Department. Existing or planned TODS signing will be removed or relocated at Program Manager’s expense as directed by the Department if the Department determines that additional non-TODS signing is needed.

TODS signs will conform to the following when allowed:

1. A facility is eligible for TODS only if it derives its major portion of income or visitors during the normal business season from road users not residing within 20 miles of the facility.
   a. Examples of TODS Program acceptable sites include:
      1) Cultural – art/craft center; historic district, building, or cemetery; gallery; museum
      2) Recreational – amphitheater, auditorium, arena or stadium; amusement park; aquarium; arboretum; botanical garden; campground; concert hall; equestrian center; golf course; natural attraction; race track; boat landing/marina; privately owned park; ski resort; water-oriented business; zoo.
      3) Retail Tourism – agribusiness/farmer's market; antique business; auction house; brewery restaurant, distillery, or winery; flea market; bed and breakfast; farm market; nursery/greenhouse; regional retail facility;
4) Schools – colleges and universities (main campus or satellite campus facilities)
5) Other – conference center; visitor center

b. Examples of TODS Program excluded sites:
   1) Business/Commercial – adult entertainment facility; office park; funeral home; radio station; industrial park or plant; television station; media facility; truck terminal; movie theater
   2) Governmental – local jail; local police/sheriff's office; post office
   3) Medical – drug rehabilitation facility; fraternal home; extended care facility; hospital, sanitarium, or infirmary; humane facility; mental facility; nursing home; retirement home; treatment center; veterans facility
   4) Miscellaneous – Animal shelter; cemetery/columbarium; mobile home park; subdivision; veterinary facility
   5) Religious – cathedral; shrine; chapel; synagogue; church; temple; mosque; or other religious sites

c. Verification of Income
   1) An eligible facility must provide at the request of the Department or the Program Manager any available information or documentation to demonstrate that it derives the major portion of its income or visitors during the normal business season from motorists not residing in the immediate area. The eligible facility will keep, maintain, and make such information or documentation available for inspection and audit at any time, following reasonable notice. The records may include, but are not limited to, such items as guest books, attendance records, license plate numbers, tax receipts, and credit card receipts.

2. Eligibility criteria for TODS
   a. TODS facilities will be signed at a particular location in the following order of priority: commercial establishments; historic sites; cultural sites: recreational sites.
   b. Attractions must be within 10 miles of the initial point of turn on the state highway.
c. Applications will not be approved if the destination is visible from or is located on the state highway where TODS would be placed unless there is signing leading motorists to a similar eligible facility located off that same state highway. Signing in this case may be installed for the eligible facility located on the state highway, but only at intersections with signing for the similar facility located off the state highway.
   1) Eligible facilities located on the state highway where TODS would be placed, but which are located after the junction with another state highway, are eligible for TODS signing prior to the junction.

d. An applicant will be given first priority for TODS if an eligible facility does not have an on-premises advertising sign visible from the state highway, subject to that attraction’s position on the priority list.

e. Each eligible facility will give written assurance to the Department of its conformity with all applicable laws concerning the provisions of public accommodations without regard to race, color, sex, national origin, or handicap and not be in breach of the assurance.
   1) Each business must also comply with all disability access laws.

f. Eligible facilities will maintain regular hours and schedules and be open to the public at least five days each week, six hours per day, and a minimum of three months of the year.
   1) Signs for seasonal attractions open less than six months per year will be removed or covered during the off season.

3. Sign Location and Design
   a. General
      1) No more than four eligible facility panels for each turn direction will be allowed on each approach to an intersection.
      2) Normally, no more than two TODS sign assemblies with a maximum of four panels each will be permitted on each approach to an intersection.
         a) One sign assembly will be used exclusively for attractions requiring a right turn at the intersection.
         b) The second assembly will be used exclusively for attractions requiring a left turn at the intersection.
         c) A third sign assembly may be installed to provide signing for a facility in the ahead direction at intersections where signing is provided for a similar facility in the right or left direction.
3) **Advance Signing (“1/2 Mile” or “Next Right (Left)”)** may be installed in special circumstances where sight distance, intersection vehicle maneuvers, or other vehicle operating characteristics require advance notification of the eligible facility to reduce vehicle conflicts and improve highway safety.
   a) The Department determines whether advance signing will be allowed.

4) **Trailblazing signs** will be placed at each decision point along the route to the applicant's facility.
   a) The applicant/Program Manager must have written approval for trailblazing from each highway jurisdiction through which the route passes.
   b) The trailblazing plan is subject to the approval of the Department.
   c) All trailblazing signs will be erected before signs on the state highway are installed.
   d) The trailblazing signs will be maintained and kept in good repair by the petitioner/Program Manager or the signs on the state highway will be removed.

5) Trailblazing signs will be erected in the same order as TODS panels.

6) Trailblazing signs will use the standard Utah MUTCD TODS arrow.

7) Each eligible facility will be limited to one eligible facility plaque for each direction of travel to that eligible facility.

8) The Program Manager will obtain a permit from the Department’s Region office prior to installation of any TODS sign.

b. **Location**
1) The longitudinal location of intersection sign assemblies will be placed in accordance with the following standards:
   a) At least 300 feet from a traffic control sign or signal.
   b) At least 750 feet from a railroad crossing.
   c) At least 200 feet from another TODS sign.

2) Advance signing will be placed in accordance with the Utah MUTCD.

c. **Design**
1) **Colors**
   a) The background of TODS signs will be blue.
   b) All legends including lettering, border, mileage, and destination arrows will be white, except for logos.

2) Logos that resemble any traffic control device will not be used.
3) Legends, borders, and background sheeting will conform to current Department and Utah MUTCD Standards.
   a) Department Standards exceeding or supplementing the Utah MUTCD will take precedence.
4) Each panel’s legend content will be limited to the business identification and directional information for not more than one eligible business, service, or activity facility.
   a) The legends will not include promotional advertising.
5) Mounting
   a) No more than four directional sign panels can be mounted on a sign assembly.
   b) Sign panels for primary traveler's points of interest higher on the priority list receive priority over others.
   c) All supports will be in accordance with Department Standards.
6) All sign panels will be of the size conforming to current Department and Utah MUTCD Standards.
7) All TODS signs will be fabricated in accordance with Department Standards.
   a) The aluminum panels will be 0.080 inches thick.
8) The Division of Traffic and Safety will review and approve design and location prior to approval of TODS signs.
9) The Region Headquarters will control installation and monitor maintenance.

d. Order of Display
1) The order of TODS panels will be the following in the direction of traffic when approaching an intersection where more than one TODS panel is located:
   a) Eligible facilities signed for the left-turn direction.
   b) Eligible facilities signed for the right-turn direction.
   c) Eligible facilities signed for the ahead direction.
2) The eligible facility plaques to both the right and left may be combined on one TODS assembly when the total number of eligible facilities is 4 or less.
3) The order of the eligible facility plaques will be the following when they are attached to one TODS panel:
   a) Top – Eligible facilities signed for the left-turn direction.
   b) Bottom–Eligible facilities signed for the right-turn direction.
4) Seasonal plaques will occupy the bottom position in a multiple plaque installation to the extent that doing so is consistent with other requirements of this section.
   a) The plaque serving the business with the shorter business season will have the lower position in the event a TODS panel installation contains more than one seasonal plaque.
   b) The remaining plaques will be repositioned to prevent gaps in the TODS panel when a seasonal plaque is removed or remounted.

e. Seasonal Use
   1) The Program Manager will be responsible for covering or removing and subsequently reinstalling the eligible facility plaque for eligible facilities operated on a seasonal basis within five working days of the eligible facilities’ closure.
      a) The entire sign including posts will be removed or the entire sign panel covered in instances where all facilities on the TODS panel are closed.
      b) All trailblazer signs will also be removed or covered.
   2) Sign and panel covers will be constructed of opaque and reasonably substantial material, bearing no advertising or readable message, and be fastened in such a manner that wind and normal weather conditions will not dislodge, tear, or permit fluttering of the covering.
      a) Lost, torn, vandalized, or unsightly coverings will be replaced as soon as weather and road conditions permit.

4. Priority
   a. Eligible facilities meeting the criteria of this policy do not automatically qualify for TODS signs.
      1) Conditions such as insufficient longitudinal spacing or interference with necessary traffic control devices may make it impossible to permit placement of TODS signs at certain locations.
      2) Preference will always be given to standard traffic signs such as regulatory, warning, and guide signs in these instances.
   b. The first priority will be commercial attractions at intersections where insufficient space is available to accommodate all TODS applications.
   c. Any motorist services will have second priority according to sign type with preference shown in the following order:
      1) "Camping"
      2) "Lodging"
      3) "Food" and
4)  "Fuel"
   d. The next eligible facility priority will be year-round facilities.
   e. The next eligible facility priority will be seasonal facilities.
   f. The last prioritization factor will be the distance from the
      intersection with priority given to the applicant located farther away
      from the intersection.

5. Rotation
   a. A limited amount of space for TODS/business plaques is available
      at road intersections.
      1) The Department will not issue a permit unless or until there
         is space available at the requested road intersection.
   b. An annual rotation procedure for granting permits will start after all
      four eligible facility plaques have been on the TODS for one full
      year in order to issue permits in a fair manner where space is
      limited.
      1) Facilities will be rotated off TODS on an annual basis to the
         extent necessary to accommodate new eligible facilities in
         the order of application receipt when applications exceed
         plaque spaces.
      2) The Program Manager will assign each application a number
         according to the date and time of receipt.

6. Eligible Facility Closure
   a. The Program Manager will have the eligible facility plaque covered
      to prevent inconveniencing the traveling public if an eligible facility
      is closed due to fire, accident, remodeling, or other emergencies for
      more than seven, but not more than 90 days.
      1) The business will not lose its priority or be required to reapply prior
         to the normal expiration of its contract.
      2) Extensions of time beyond 90 days may be granted when
         insurance claims or financial arrangements require additional time.
      3) An owner however who, due to his or her own negligence, fails to
         open within the 90-day period may lose his or her right to occupy
         the TODS panel.

7. Program Manager
   a. The Program Manager will establish an application procedure for
      interested eligible facilities in conjunction with their marketing
      process.
      1) This procedure will be approved by the Department prior to
         implementation.
   b. Eligible facilities interested in participating in the TODS Program
      will apply directly to the Program Manager.
c. The Program Manager will document and maintain records of all eligible facilities that are contacted or that contact the Program Manager regarding participation in the TODS Program.

d. Fees assessed to eligible attractions for participating in the TODS Program will be as set forth in writing by the Program Manager and uniform for all eligible attractions.
   1) The initial fees will be approved by the Department.
   2) The Program Manager will not revise the fees charged to eligible attractions for participation in the TODS Program without prior approval of the Department.
   3) The fees will be based on the actual cost of establishing, operating, and administering the program, including processing applications for right-of-way permits and providing necessary services for installing, maintaining, repairing, removing, and replacing signs for one consecutive 12-month period.
   4) The fee will also include all direct and indirect costs which will include but not be limited to the cost of capital, insurance, directional signs, sign supports, design, removal or relocation of other signs, and off-season covering.
   5) The fee will also include reasonable profit for the Program Manager.

e. The fees will be established on a per sign basis.
   1) The fees for intersection and advance signs will be identical.
   2) The fee for trailblazing signs is in addition to the fee for intersection/advanced signs and will only be assessed to those eligible attractions requiring trailblazing signs.
   3) The fees for symbols and logos are in addition to the fees for intersection/advanced or trailblazing signs and will only be assessed to those eligible attractions requesting the display of their logo and/or symbol.
   4) The fee for each space on the TODS panel will be the same for all eligible facilities except seasonal activities.
   5) The annual fee paid by the seasonal eligible facility may be reduced by the ratio of the number of full or partial months that the facility is closed, but the resulting fee will be not less than 50 percent of the annual fee.
   6) Fees will not be reimbursed if a business closes during an annual term or if TODS sign panels are removed by the Department based on a violation of the provisions of this policy.

f. The operator of any participating attraction for which an advertising agreement is in effect must immediately notify the Program Manager for cancellation if the eligible attraction ceases to be such an attraction.
g. Seasonal eligible attractions will have a panel with the word “Closed” placed on their signs by the Program Manager at the end of their business season.

h. Eligible attractions for which no TODS are displayed on an intersection leg due to insufficient space will not have TODS displayed during the off-season of an eligible attraction for whom signs are displayed.

i. Eligible attractions are responsible for notifying the Program Manager to install the closed panel on their TODS at the beginning of a closed season and for removing the panel at the beginning of the open season.

j. A panel with the word “Closed” will be placed on the signs if an eligible attraction is closed for more than two weeks during the normal business season.
   1) Eligible attractions are responsible for notifying the Program Manager of any such closure.

k. Facilities that are closed one or two days per week will incorporate the messages of “CLOSED SUNDAYS” or other days as appropriate in the TODS panel.

l. The Program Manager is responsible for monitoring seasonal eligible attractions to make sure their signs are properly displayed.

m. Ownership of all in-place TODS signs will revert to the Department if the Department uses a Program Manager and the Program Manager terminates the contract or defaults prior to the expiration of the contract term.

n. The Program Manager will sell the in-place TODS signs and existing contracts to the Department at market value if the Department decides to operate the TODS sign program.

o. The Program Manager will sell the sign panels and existing contracts to a third party at market value if the contract is terminated and the Department directs the Program Manager to do so.

8. Oversight of the Program Manager by the Department
   a. The Department, through the Program Manager, will review all proposed TODS panel locations to determine whether there is a conflict with existing signs or future sign installations.
   b. The Department may make spot checks of the leases with the applicant, check eligible facilities for compliance with state statutes and this policy, and perform audits as necessary.

9. Loss of Business
   a. The Department will have no liability for any loss of business resulting because a TODS sign panel or assembly is temporarily absent on a state highway for any reason.
b. All TODS impacted by a construction project will be included in the scope of the project.
   1) This may include the reconstruction, relocation, or upgrade of signs or supports for the Logo Signs.

c. The signs will be temporarily relocated as necessary so that they will be displayed for the project duration when TODS are impacted due to construction projects.
   1) The project will be responsible for any fees that need to be refunded to individual business for the direction of travel the signs cannot be temporarily displayed when there is no available room for the temporary display of the logo signs, the exit ramp is closed, or interchange cross road is closed, thereby making the business inaccessible from one or both directions for more than one month.
   2) The fee structure is part of the TODS Program Contract.

10. Revocation of Participation in the TODS Program
   a. The Department may revoke the privilege of participation in the TODS program if it finds that any participating tourist-oriented business:
      1) Has made a false, deceptive, or fraudulent statement in its application or in any other information submitted to the Department.
      2) Engages in any deceptive or fraudulent business practice.
      3) Fails to pay any required fee on a timely basis.
      4) No longer meets the eligibility requirements set forth in this Chapter.
      5) Ceases to operate as a business on a continuing basis in accordance with the schedule submitted to the Department in its application.
      6) Alters or modifies any TODS sign or panel installed by the Department.

11. Existing Illegal Signs
   a. Any existing illegal advertising devices pertaining to the eligible facility will be removed before the facility is permitted to participate in the TODS Program.
   b. The Program Manager will contact in writing the Department’s Outdoor Advertising Control (OAC) Program State Office of the Statewide Permits Officer to determine the existence of illegal advertising devices.
   c) The Program Manager will assume there are no illegal advertising devices in place pertaining to an eligible facility if within 30 calendar days no answer is received from the Statewide Permits Officer.
12. TODS signs will incorporate the needed information from, and be used in place of, logo signs where both TODS and logo signs would be needed at the same intersection. Refer to Policy 06C-14, Logo Signing on Freeways, for Specific Service signs.

13. The Department’s Executive Director may authorize special signing where a special condition generates a clear need for signing not otherwise provided for in this policy and doing so is in motorists’ best interest.

Definitions

Urban Clusters
Areas of 5,000 or more population as defined in FHWA Document *Highway Functional Classification Concepts, Criteria and Procedures*, 2013 Edition-Table 6-2 FHWA Area Definition.
Appendix A

Tourist Oriented Destination Sign Program Utah

Fourth, fifth and sixth class county listing.


UDOT designated urban clusters located in fourth, fifth and sixth class counties.

Ephraim, Heber, Moab, Nephi, Price, Richfield, Roosevelt and Hildale/Colorado City.