

Exhibit A - Tourist Oriented Directional Signs (TODS) Policy

Purpose, Authority, and Authorization

Purpose

The purpose of this policy is to establish guidelines for the installation of Tourist Oriented Directional Signs (TODS) within State highway right-of-way to guide travelers to businesses, services, and Participants in which the traveling public would have reasonable interest. These guidelines include the eligibility, location, design, installation, cost, and maintenance of these signs.

Authority

The provisions of this chapter are promulgated under 75 Pa.C.S. §6125(d).

Authorization

Only Department or Pennsylvania Tourism Signing Trust (PTST) approved TODS may be installed within the State highway right-of-way. However, the authorization of TODS is not an endorsement of the applicant's facilities.

Definitions

The following words and terms, when used in this policy, have the following meanings, unless the context clearly indicates otherwise:

Administering Agent – Pennsylvania Tourism Signing Trust

Agreement – The document of agreement between the Participants in the Program and the Administering Agent, setting forth the terms and conditions of participation in the Program.

Conventional Road – Any free-access public highway other than a Freeway or Expressway.

Department – The Pennsylvania Department of Transportation.

Expressway – A divided arterial highway for through traffic with partial control of access and with interchanges at junctions with high-volume highways. For purposes of this policy, sections of Expressway with at-grade intersections will be considered as a "Conventional Road," and sections of Expressway with interchanges will be considered as "Freeway."

Freeway – A divided highway with full control of access to which the only means of ingress and egress is by interchange ramps.

General Public – The people of society who are not members of a particular organization or who do not belong to a particular group.

Local Authorities – County, municipal and other local boards or bodies having authority to enact laws relating to traffic. The term also includes airport authorities, except where those authorities are located within counties of the first class or counties of the second class.

Official Traffic Control Devices – Signs, signals, markings, and devices consistent with 75 Pa.C.S. (relating to *Vehicle Code*) and Department regulations, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

On-Premise Sign – A sign which is erected upon the same real property that the business, facility or point of interest is located. The signs shall only advertise the business, facility or point of interest located thereon.

Participant – An eligible business entity that is issued a contract by the Administering Agent for TODS.

PennDOT – Pennsylvania Department of Transportation.

Rural Area – Any geographic area which is not included in an Urban Area on the Department's County

Functional Classification Maps.

Rural Conventional Road– Any public Conventional Highway in a Rural Area.

Seasonal Business – Any business which is not operated on a year-round basis.

Secretary – The Secretary of Transportation.

Signing District – A geographical area for which a governmental sponsor has entered into an Agreement with the Department to coordinate, provide, install and maintain all signing authorized by and in conformance with this policy after approval by the Department, without bias to any businesses and at no cost to the Department.

Supplemental Guide Sign - A sign used to provide information regarding destinations and attractions accessible from an interchange other than places displayed on the standard interchange signing.

Tourist Oriented Directional Signs (TODS) – A 72"x24" or 48"x16" directional sign (D7-4) with white legend on blue or brown background that indicates the name of, and gives directional guidance to the Participant's location. These signs are located for individual Participant(s), following PennDOT's TODS Signing Policy, and are not part of a larger signing system.

TODS Assembly – A single TODS installation consisting of sign posts, anchor posts, and a maximum of three individual TODS.

Urban Area – Any geographic area with a population of 5,000 or more inhabitants, with boundaries fixed by State and local officials in cooperation with each other, approved by the Secretary, and designated as an Urban Area on the Department's County Functional Classification Maps. Urban Conventional Road– Any public conventional highway in an Urban Area.

General Eligibility Requirements

General

The Participant shall be open to all persons regardless of race, color, religion, ancestry, national origin, sex, age or handicap; be maintained in good repair; and comply with all Federal, State and local regulations and statutes for public accommodations concerning health, sanitation and safety. Pursuant to federal regulations promulgated under the authority of The Americans with Disabilities Act, 28 C.F.R. §35.101, et seq., the Participant understands and agrees that no individual with a disability shall, on the basis of the disability, be excluded from the Participant.

Distance to Services

Except as otherwise provided in this policy, on all Conventional Roads, the maximum distance from the intersection for which Participants can be trail blazed and qualify for TODS shall be 5.0 miles.

Local Ordinance

As a matter of policy in deference to local governments for this program, TODS shall not be installed when prohibited by local ordinance.

Admission Charges

If a general admission is charged, it shall be collected upon entry and any other charges shall be clearly displayed, at the place of entry.

Annual Attendance

There is no minimum annual attendance requirement. No Participant shall be excluded from the TODS Program based on attendance.

Hours of Operation

Participants other than arenas, schools, colleges/universities, campgrounds, cultural centers, fairgrounds, farm markets, religious sites, roadside farm markets, and military bases shall maintain regular hours and schedules

and be open to the General Public at least 6 days each week for at least 30 days per calendar year. In addition, farm markets and roadside farm markets shall maintain regular hours and schedules and be open to the General Public at least 2 days each week during the normal business season.

Other Signs

TODS will not be authorized if an illegal advertising sign exists along any State highway for that specific business, or if a legal advertising sign exists on the same highway approach as the request for a TODS. In addition, if the Participant has in place any other Department-approved signing, additional signing or redundant signing will not be authorized on the same highway approach.

Sufficient Space

Space must exist to install signs at all locations along the route to the Participant where a turn is required.

On-Premise Sign

The Participant shall have an On-Premise Sign identifying the name of the facility. If the facility or its on-premise signing is readily visible from the highway, a TODS shall not be placed immediately in advance of the business.

Parking Accommodations

The Participant shall have adequate on-premise or available on-street parking for patrons.

Road System

The location of the Participant shall not require motorists to perform any illegal movements or U-turns, and the roads shall be capable of handling the anticipated traffic volume and types of traffic. Motorists shall be able to readily return to the highway and proceed in the original direction of travel after visiting the Participant. This may result in the Participant being required to install signing to guide the motorist to their original direction of travel.

Route Continuity

TODS will be installed in advance of all necessary turns subsequent to the initial TODS installation. If a TODS is required on a local roadway between a State highway and the Participant, the Local Authorities must authorize the installation of the TODS on their roadway prior to the installation of TODS on any State highway that would direct motorists to that local roadway. The Pennsylvania Tourism Signing Trust will be responsible for the physical installation of the TODS after authorization by the Local Authorities.

Additional Eligibility Requirements

General

Additional eligibility requirements may apply depending on the type of highway and the type of area where the TODS are to be installed. The requirements are less restrictive for TODS installed along rural Conventional Roads than for TODS installed along Urban Conventional Roads.

Local Approval

TODS may be authorized along any Conventional Road either urban or rural for eligible types of Participants as defined below, which meet the general eligibility requirements, and are approved by the local municipalities within which the TODS are to be located. Local approval is required as a matter of policy in deference to local governments for this program. The approval of the Local Authorities is not required for a TODS installed to direct motorists to Participants operated by State or Federal agencies or TODS which trailblaze a Participant in the Logo program.

Eligible Types of Participants

Any facility meeting the requirements of the definitions listed below:

a) **Commercial**

Amusement Park: A permanent facility that may include structures and buildings, where there are multiple devices for entertainment, including rides, booths for the conduct of games and buildings for shows.

Brewery : A licensed site which shall be open to the General Public for tours, tasting and sales, a minimum of 1,500 hours per year, on-site brewing and provide an educational format for informing visitors about beer and beer processing.

Caverns and Other Unique Natural Areas: A naturally occurring area or site of interest to the General Public. May include caverns, waterfalls, caves, or special rock formations.

Commerce Park: A group of small business facilities, at least 25 acres in size, recognized and signed as a commerce park by Local Authorities.

Distillery: A licensed site which shall be open to the General Public for tours, tasting and sales, a minimum of 1,500 hours per year, on-site distillation and provide an educational format for informing visitors about liquor and liquor processing.

Drive-In Theatre: An outdoor facility for the public showing of movies projected onto at least one large screen for viewing by patrons from their vehicles. Facility shall operate at least 30 days per year, have a concession area open during show times and provide restrooms with running water and flush toilets.

Facility Tour: A facility such as a plant, factory or institution which conducts daily or weekly tours for the General Public on a regularly scheduled basis year round.

Gaming Entity: A facility licensed under Act 71-2004, Amending Title 4 (Amusements) Pa C.S. which authorizes certain gaming sites.

Off-Track Betting Facility: A facility which provides off-premise wagering as authorized by Act 1988-127.

Racetracks and Speedways: A permanent facility used for the primary purpose of presenting organized animal or vehicle racing events.

Roadside Farm Market: A stationary retail sales establishment operated by one or more farmers for the purpose of selling farm and food products directly to consumers. Operations by which the consumer harvests their own farm or food products shall be considered roadside farm markets. Roadside farm markets shall be open at least two days per week throughout the harvest season or year. On-premise or legal on-street parking shall be available.

Specialty Shop District:

Antique/Craft/Flea Market: An establishment or group of establishments comprised of shops/vendors that specialize in the sale of antiques, crafts, or flea market items. A group of 1 to 5 such establishments must have at least 2,400 square feet of cumulative retail space.

Shopping Center: A group of 30 or more retail stores in a traditional shopping center or mall.

Specialty Shops: A group of 5 or more specialty shops/vendors that offer goods or services of unique interest to tourists or whose structures have a prevalent architectural style of interest to tourists and which derives a major portion of its income during normal business season from motorists that do not reside in the immediate area as recommended by the Tourist Promotion Agency. The goods or services shall be readily available to tourists without the need for scheduling appointments or return visits.

Town Shopping Area: An area in a town or village, that includes 5 or more retail shops including at least one specialty shop and includes other public service facilities or destinations such as libraries, museums, courthouses, etc. The area should have prevalent architectural style of interest to tourists, or must be recommended by the local Tourist Promotion Agency as being representative of the tourism theme of the region.

Winery: A licensed site which produces a maximum of 200,000 gallons of wine per year. Sites shall maintain a minimum of 500 vines or 5 acres of vineyard in the Commonwealth.; be open to the General Public for tours, tasting, and sales, a minimum of 1,500 hours per year, and provide an educational format for informing visitors about wine and wine processing.

Zoos, Zoological Gardens and Animal Parks: A place where animals are kept, often in combination of indoor and outdoor spaces. Must have facilities which are open to the General Public.

b) Cultural/Institutional

Arena: A stadium, expo center, sports complex, auditorium, convention center, civic center or racetrack, which has a seating capacity of at least 5,000.

Business District: An area within a city or borough which is officially designated as a business district by the local officials.

CareerLink Center: A facility operated under the direction of the Pennsylvania Department of Labor and Industry for providing career services.

College or University: An institution which is approved by a nationally-recognized accreditation agency and which grants degrees.

Courthouse/Government Buildings: A public building , structure, or complex used by a Federal, County, State or municipal government for the purpose of convening official legal activities, excluding district magistrate offices.

Fairground: A commercially-operated tract of land where fairs or exhibitions are held, and which has permanent buildings included but not limited to livestock exhibition pens, exhibition halls, bandstands, etc.

Library: A repository for literary and artistic materials, such as books, periodicals, newspapers, recordings, films, and electronic media, kept and systemically arranged for use and reference.

Military Base: A facility operated by the State or federal government for training or support of military troops, or for inventorying and warehousing military equipment.

Museum: A facility that cares for and exhibits works of artistic, cultural, or scientific value that are cared for and exhibited to the General Public.

Observatory: A facility designed and equipped for making observations of astronomical, meteorological, or other natural phenomena.

Religious Site: A shrine, grotto or similar type site, which is of a unique religious nature. Facilities whose sole purpose is to host routine worship services are not eligible.

School: Any facility for education wherein a resident of the Commonwealth can legally fulfill compulsory school requirements for any one or more grades, including kindergarten through grade 12.

Theaters and Performing Arts Centers: A facility for the performing arts, exhibits, or concerts, which has a minimum occupancy capacity of 150 people.

c) Historical/Architectural

Historical Site: A designated National Historic Site or a structure or place of historical, archaeological or architectural significance listed on or eligible for listing on the National Register of Historic Places

maintained by the US Department of Interior or otherwise designated by the Pennsylvania Historical and Museum Commission (PHMC), or a County Historical Commission or Agency. The site must be accessible to the General Public and provide a place where visitors can obtain information about the historic site.

Historic Sites may include the following types, provided they meet the above criteria:

- Encampments and Battlefields
- Forts
- Houses
- Commercial Buildings
- Farms, Farmsteads, and Barns
- Religious Sites, Places of Worship, Cemeteries, and Monuments
- Mills and Factories
- Furnaces
- Coal Mines and Coke Ovens
- Bridges
- Tollhouses
- Canals
- Railroad Stations
- Cemeteries

Historic District: A district or zone listed on or eligible for listing on the National Register of Historic Places maintained by the U.S. Department of Interior or otherwise designated by the Pennsylvania Historical and Museum Commission (PHMC), or a County Historical Commission or Agency. Historic districts shall provide the General Public with a single, central location such as a self-service kiosk or welcome center, where visitors can obtain information concerning the historic district.

Historic Districts may include the following types, provided they meet the above criteria:

- Historic Residential Streets
- Shopping Streets and Districts
- Court Houses and Public Buildings
- Railroad lines
- Canals

b) Recreational

Boat Launch: A facility open to the General Public for docking or launching boats.

Campground: A facility with continuous operation for at least 6 months per year and a minimum of 20 overnight sites. An attendant shall be available during the hours of operation and restrooms with showers, running water and flush toilets shall be available. Accommodations sold on annual or time-sharing basis or otherwise not available for General Public use will not be counted toward the minimum requirements.

Canoeing and Rafting: Areas open to the General Public with established canoeing and rafting facilities.

Golf course: A facility opens to the General Public and offering at least nine (9) holes of play. Miniature golf courses, driving ranges, chip and putt courses, and indoor golf shall also be eligible.

Hiking and Biking Trails/Routes: Areas designated for recreational hiking, biking, walking, etc. which are publicly accessible, and owned and maintained by either the Local or County government or Pennsylvania Department of Conservation and Natural Resources (DCNR), or non-profit organizations. TODS will only be installed at locations that direct the motorist to an established trail head with parking facilities.

Horseback Riding Areas: Areas designated for horseback /ponyback riding for the General Public.

Hunting and Fishing Areas: Areas so designated and under jurisdiction of the Pennsylvania Game Commission or the Pennsylvania Fish and Boat Commission.

State and National Park, Recreation Area, Forest: An area so designated and under the jurisdiction of DCNR, Pennsylvania Historical and Museum Commission (PHMC), National Park Service, U.S. Department of Interior, County Government, or non-profit organization with facilities open to the General Public.

Ski Area: A downhill skiing area with equipment rentals, or a cross country ski area with equipment rentals and a minimum of 5 miles of marked and groomed trails.

Snowmobile Trails and Winter Sports Areas (excluding Ski Areas): Areas with marked snowmobile trails, ice skating rinks, snowboarding, sleigh rides, and toboggan runs, which are open to the General Public. TODS will only be installed at locations that direct the motorist to an established trail head with parking facilities.

Sports Facilities: Regional (multi-jurisdictional) facilities such as minor league and little league baseball fields, and school recreational fields.

Water Skiing: Areas designated for water skiing, jet skiing, or motorboats.

e) Tourist Services

Bed and Breakfasts: A private residence located in a Rural Area that contains ten (10) or fewer bedrooms used for providing overnight accommodations to the General Public, and which breakfast is the only meal served and is included in the charge for the room. Must be rated in accordance with national or state standards for bed and breakfasts; rating may be performed by the local Tourist Promotion Agency.

Country Inn: A facility located in a Rural Area that contains 25 or fewer rooms for providing overnight lodging accommodations to the General Public, and that at a minimum provides full service dining for morning and evening meals. Must be rated in accordance with a national or state standards for country inns; rating may be performed by the local Tourist Promotion Agency.

Historic Hotel: A facility which must be located within a building that is at least 50 years of age. And be listed on or eligible for listing on the National Register of Historic Places, or which is recognized by State, National or a County Historical Society as having historical significance; and currently holds itself out by any means, including advertising, license, registration with any innkeepers' group, convention listing association, travel publication or similar association or with any government agency, as being available to provide overnight lodging or use of facility space for considerations to persons seeking temporary accommodations.

Hospital : An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions. The facility must have 24-hour emergency care with a doctor on duty at all times

Resort: A facility with at least 75 rooms and those recreational amenities normally present at a resort, and which is the main focal point of a vacation.

Regional Restaurant: An establishment in a Rural Area where food and drink are prepared, served and consumed on premise and provided by full-table service. The facility must provide a minimum of twenty

(20) indoor seats. Must be a local operation uniquely associated to the region. Drive-through only establishments and franchised or corporate-owned chain restaurants are excluded from this type of eligible Participant.

Pennsylvania Visitor Information Centers: A facility where the primary purpose of its operation is to provide, information and tourist supportive services. Must be approved by the Department of Community and Economic Development.

f) Transportation

Airport: A public-use facility licensed by the Department for the landing and takeoff of aircraft, and for receiving and discharging passengers and cargo.

Heritage Roads, Historic Routes, Byways or Trails: a road, trail, or route designated by DCNR, PennDOT, U.S. Department of Interior, or other agency as being part of a national or state recognized historic or heritage park, trail system, or byway.

Railroad Trips: Scenic or historic railroad trips recognized by the local Chamber of Commerce, the regional Tourist Promotion Agency, DCNR, or Pennsylvania Historical and Museum Commission.

Railroad/Bus Stations: A passenger terminal utilized for discharging and picking up passengers and for ticketing.

Scenic Overlook: An area, usually at the side of the road, where persons can observe a scenic area such as significant geology, unique botanical resources, or expanses of land such as farmlands, woodlands, or across mountaintops or ridges.

Water Tours: A guided tour on a body of water using a passenger carrying vessel with access to a docking facility and adequate legal parking.

Waterfronts: Areas with access to and views of the rivers of the Commonwealth, which are recognized by the County or the State as having significant recreational or cultural value and are open a minimum of 30 days per calendar year.

Location, Spacing, and Design of TODS for Conventional Roads

General

TODS may be installed to direct traffic to each entrance of an eligible Participant beginning at the nearest intersection from a Conventional Road with an average of at least 2,000 vehicles per day. TODS shall not be authorized to direct motorists onto or off of any Freeway or Expressway. TODS with straight ahead arrows will not be authorized, except where the Department deems necessary to provide positive guidance.

Location

Install TODS in advance of the intersection where a motorist leaves the primary highway system and at all subsequent locations where the motorist is required to turn in order to travel to the Participant. When the Participant, or the Participant's On-Premise Sign, is readily visible from the highway, do not install a TODS immediately in advance of the Participant. All TODS should be on the right-hand side of the highway and where sufficient space is available. Applicants located on a Conventional Road with an average of at least 2,000 vehicles per day are not eligible for TODS.

TODS should be located to take advantage of natural terrain, to minimize the impact on the scenic environment, and to avoid visual conflict with other signs within the highway right-of-way. Department-approved breakaway sign supports shall be used. When an at-grade intersection on a primary highway is replaced with an interchange, the location shall no longer qualify for TODS and any TODS previously erected shall be removed.

TODS shall be located so as not to interfere with, obstruct, or divert driver's attention from any official traffic control device. Official Traffic Control Devices placed at intersection approaches subsequent to the placement

of TODS shall have precedence as to location and may require the relocation of TODS. In general, TODS shall be installed at least 200 feet from other official traffic control devices.

TODS shall be positioned in such a manner that does not restrict drivers' vision when entering the highway from side roads or driveways.

TODS shall not be displayed for any business which is readily visible and identifiable within 200 feet along the highway.

Spacing

TODS shall be located not less than 200 feet or more than 1,320 feet in advance of a location where a turn is required from the highway. At intersections where more than one TODS assembly is required, the minimum spacing between such assemblies should be 200 feet. The maximum number of TODS assemblies on any intersection approach shall be two.

Design of TODS on Conventional Roads

TODS layout shall be in accordance with D7-4 Attraction Sign in *Handbook of Approved Signs* (Pub. 236). Each TODS shall have one or two lines of legend which should generally be limited to the name of a single Participant or an abbreviation thereof. The names of multiple participants or businesses will not be included on a single TODS. A maximum of 16 letters and spaces shall be permitted on each line unless specific approval for an increased number of letters and spaces is granted by the Department. Legends shall not include promotional advertising, and no logos shall be permitted except for the symbols in [Exhibit 2-12](#).

Generally, a directional arrow shall be required. If the distance to the business is 1/4 mile or greater, the distance in miles should be included below the arrow. The distance may be 1/4, 1/2, 3/4, or the nearest whole mile. When necessary, the sign may have a full-width message without a directional arrow, with a second line message such as "DRIVEWAY ON LEFT," "LEFT 500 FEET," , etc.

The standard TODS size shall be 72"x24". Where insufficient right-of-way or roadside exists, smaller TODS measuring 48"x16" may be authorized. All TODS shall be of the same size where multiple TODS are installed on a single sign assembly.

TODS shall have white reflectorized legend and border on a blue reflectorized background. A brown reflectorized background may be authorized for State and National parks, recreational areas and historical sites. All TODS shall be fabricated by a Department-approved sign manufacturer through the Pennsylvania Tourism Signing Trust.

Generic symbols may be used on TODS at the beginning of the legend area. Any generic symbol included in [Exhibit 2-12](#), or included as a recreational or cultural interest area symbol in either the FHWA's *Standard Highway Signs and Markings* book or the *Manual on Uniform Traffic Control Devices* (MUTCD) is permitted for use.

Arrangement

TODS will normally be installed as independent sign assemblies. A maximum of six TODS shall be authorized for installation on any approach to an intersection.

When the number of TODS at an intersection approach is three or less, TODS shall be grouped together with signs displaying arrows pointing to the left above those pointing to the right. If any TODS with straight-ahead arrows (as is the case where the road turns and the access is straight-ahead) are authorized, the TODS for the straight-ahead Participant shall be installed above any TODS for Participants to the left or to the right; except that seasonal Participants shall be mounted below all other signs regardless of orientation of directional arrow.

If the number of TODS at an intersection approach is more than three, TODS shall be grouped as two separate TODS assemblies with a maximum of three TODS per assembly. The first TODS assembly should generally be limited to Participants with straight-ahead or left arrows, and the second TODS assembly will generally be limited to Participants with right arrows. Install Seasonal Businesses on the second assembly.

If more than one business exists in a given direction, the TODS for a closer business shall be mounted above the more distant business.

The top of the TODS assembly shall be a minimum of 9 feet above the ground. The bottom sign shall be a minimum of 5 feet above the near edge of roadway and 7 feet above the ground where pedestrian traffic may exist.

Sign Installation, Cost and Maintenance

Installation

The Pennsylvania Tourism Signing Trust will be responsible for the manufacturing and installation of all TODS (except for driver's license centers and signing districts which fall under the purview of the Department) in accordance with PennDOT standards and specifications. At locations where sidewalks exist, the Pennsylvania Tourism Signing Trust will obtain municipal authorization for installation of TODS. If TODS are required on a local highway for route continuity, the Pennsylvania Tourism Signing Trust shall obtain municipal authorization prior to the installation of any sign.

Costs

Each applicant shall be responsible for the costs established by the Pennsylvania Tourism Signing Trust for installation of each TODS. In addition, the applicant shall be responsible for all costs incurred due to the adjustment, relocation, covering or removal of TODS to comply with the requirements set forth in this policy.

With all new applications, the applicant is required to pay an application fee which must be included with the submission of the TODS application. The application fee will not be used to offset any portion of the costs for installation of each TODS. Participants requesting replacement TODS for an approved facility are not required to pay an application fee.

Maintenance

The Participant is responsible for all maintenance costs performed by the Pennsylvania Tourism Signing Trust. Such maintenance costs will not exceed the cost established at the time of maintenance of a new TODS. The Department reserves the right to maintain, and adjust all signs within its right-of-way. If a replacement TODS is necessary due to deterioration, traffic accident or vandalism, the Participant shall be responsible for the sign replacement costs.

The Pennsylvania Tourism Signing Trust Staff will notify Participants of any TODS in a state of disrepair, and the Participant will be responsible for costs associated with any maintenance. Any maintenance costs which are not paid by the Participant will result in removal of their TODS and termination from the program.

Existing TODS which were installed prior to the Pennsylvania Tourism Signing Trust assuming administrative responsibilities for TODS under this policy will only become the responsibility of the Pennsylvania Tourism Signing Trust once maintenance is required. At that time, the participant will be required to execute an agreement with the Pennsylvania Tourism Signing Trust and be subject to their fee structure as explained under the section entitled Costs above. The existing signs will be updated to comply with the current policy. This also applies to TODS which serve as trailblazers for supplemental guide signs. Geographic areas covered by Signing District Agreements will continue to be the responsibility of the sponsor for those agreements.

Missing Signs

It is the responsibility of the Participant to review their TODS and to advise the Pennsylvania Tourism Signing Trust of any missing signs as soon as the problem exists. The Participant will be responsible for costs associated with the replacement of missing TODS and any costs which are not paid will result in the removal of remaining TODS, if applicable, and termination from the program.

Seasonal Participants

Location of Seasonal TODS

The order of installation of TODS, whether seasonal or non-seasonal, shall be as prescribed under the section on arrangement.

Covering or Removing Signs

When TODS are approved for businesses that are not operated on a year-round basis, the Pennsylvania Tourism Signing Trust will cover or remove the TODS for any period of time greater than 15 days in which the business is not operating except for TODS with a "SEASONAL" supplemental message. The Participant shall be responsible for all associated costs including but not limited to removal, storage and reinstallation of the sign panel, and posts if required.

Removal of a TODS

General

The Pennsylvania Tourism Signing Trust and PennDOT reserve the right to remove TODS if space is needed for necessary official traffic-control devices or if PennDOT determines that the signing is not in the best interest of the Commonwealth or the traveling public. The Participant will not be reimbursed for the sign costs.

Removal of Signs

Except where otherwise provided in these guidelines, TODS may be removed by PennDOT or the Pennsylvania Tourism Signing Trust including but not limited to any of the following reasons:

- Failure to comply with eligibility requirements set forth in the guidelines.
- Because of fire, crash, facility renovation, or similar causes, which result in a qualified Participant becoming inoperable for a period of time exceeding 15 days.
- If the facility closes for an extended period without a scheduled reopening date, or if in the opinion of the Pennsylvania Tourism Signing Trust, the owner or responsible operator does not proceed with necessary repairs within a reasonable time, the Participant shall lose its right to continued placement of its TODS.
- If the facility ceases to operate in accordance with these guidelines.
- If a Signing District is established and existing TODS do not provide consistent guidance.
- Because the TODS conflicts with road modifications or safety concerns.

Application Procedure

Application

Participants desiring TODS shall request an application from the Pennsylvania Tourism Signing Trust or download one from its website (<https://palogo.org/>). Each applicant shall provide the following (for an airport contact PennDOT's Bureau of Aviation):

- A completed application form and fee. A separate application shall be submitted for each Participant's site where TODS are proposed.
- A map or neatly drawn sketch of the area to indicate the locations of the requested TODS and the location of the Participant.
- A notarized application attesting to the authenticity of the signatures. If TODS are installed and it is subsequently determined that the applicant was not truthful, the TODS shall be removed and the Participant shall be billed for the actual removal costs.

- Approval on the application from the local municipality(s) that the installation of TODS does not conflict with any local ordinances.

Excess Number of Eligible Participants

If applications are received for any one intersection for more than the allowable number of TODS, the order of priority shall be based on the date of receipt of a properly completed application and the required fee. Once approved for TODS, the Participant shall remain eligible for these signs unless it is declared in violation of these guidelines.

Applicant Appeals

A business may appeal a denial for TODS under Title 2, Pa. C.S., §§ 501-508 (relating to the Administrative Agency Law), by submitting a written request for a hearing within 30 days of the date of the denial notification. Businesses should submit appeals to:

Administrative Docket Clerk
Pennsylvania Department of Transportation
400 North Street-9th Floor
Harrisburg, PA 17120-0096

The written request shall include a filing fee made payable to the "Commonwealth of Pennsylvania" and a copy of the denial notification.

At the time of publication, filing fees are listed at 34 Pa.B. 4081 (see <http://www.pabulletin.com/secure/data/vol34/34-31/1410.html>). Filing fees for appealing a TODS decision is a Level II fee, and comes under the category of "motorist information sign matters."

The Administrative Docket will also accept electronic transmission of filings, including but not limited to, a request for a hearing, subsequent correspondence, briefs, pleadings, or other documents relating to a case. All administrative appeals and filings can be sent electronically to ra-pddotadmindocket@pa.gov.

Signing Districts

General

As opposed to signing individual facilities from the nearest access point from a Conventional Road with an average of at least 2,000 vehicles per day, the purpose of a Signing District is to provide an overall, uniform signing concept for various facilities located in a specific municipality. A cohesive signing concept may encourage traffic flow to general destinations including, but not limited to cultural Participant areas, recreational Participant areas, shopping areas, and universities, and may then direct motorists to specific Participant locations. Only participants eligible under the TODS program are eligible for inclusion in the Signing District.

Agreement

In order to establish a Signing District, a governmental sponsor shall submit an application to PennDOT (see [Exhibit 2-13](#)) and agree to enter into an Agreement with PennDOT to coordinate, obtain, erect and maintain all signs associated with the Signing District. The governmental sponsor must ensure that all facilities eligible for signing under the provisions of these guidelines are provided an opportunity to participate in the Signing District. A public meeting shall be held to provide Participants with an opportunity to become involved. The removal of existing "illegal" or permitted advertising signs shall be evaluated to avoid and reduce sign clutter on the highways. Existing TODS installed by the Department or the Pennsylvania Tourism Signing Trust shall be inventoried prior to removal. In the event the governmental sponsor or the Department terminates the agreement, the governmental sponsor shall reinstall the TODS that existed prior to the Signing District.

Installation

Department approval shall be obtained for the proposed sign locations. Governmental sponsor shall provide a map with all proposed sign locations. An Agreement shall be executed between the parties before the manufacture or installation of any signs. The governmental sponsor shall be responsible for manufacture, installation and maintenance of signs as outlined in the Agreement.

Design

Signs for Signing Districts shall comply with the following:

- Signs shall comply with Publication 408, Section 1103.
- Signs shall be manufactured by a Department approved sign manufacturer.
- Sign font shall be Highway Gothic.
- Sign posts shall be an approved breakaway device.
- Sign background colors shall not conflict with the colors of standard regulatory and warning signs.

Exhibit 2-12 Acceptable Symbols

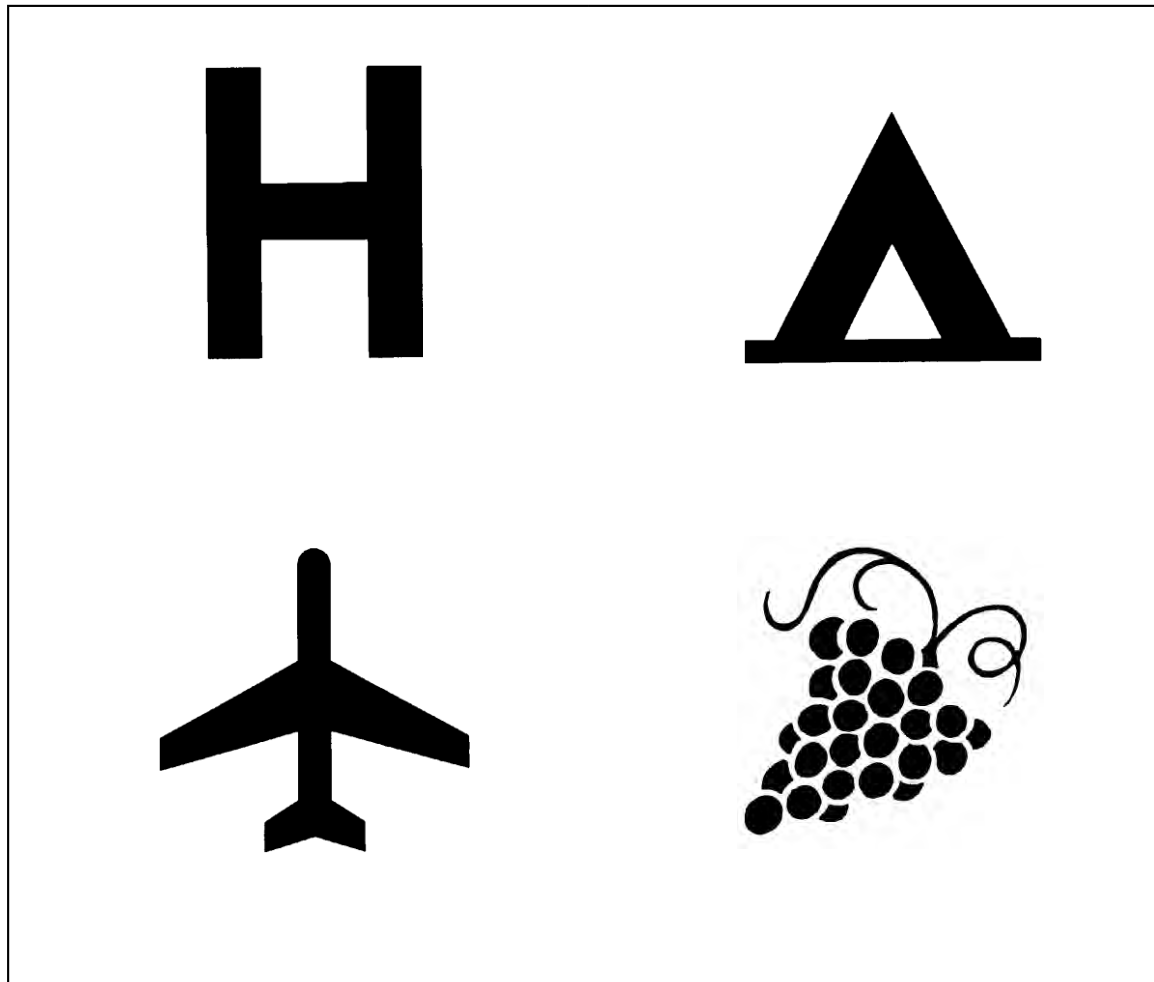


Exhibit 2-13 Application for Signing District

Please print or type the following information.

1. Name of Governmental Sponsor:
2. Mailing Address:
3. Name of contact person:
4. Phone number of contact person:
5. Has a map of the proposed signing district been included? _____
6. Name of Consultant:
7. Address of Consultant:
8. If consultant has not been hired, will the service of one be used? _____ If not, who will design the system?
9. Have all illegal signs been removed? _____
10. Has an inventory of existing permitted signs been completed? _____
11. Does the governmental sponsor understand that all businesses or facilities that participate in the signing district must meet one of the definitions and satisfy the General Eligibility Requirements set forth in this policy? Yes _____ No _____

12. Are there any plans contemplated to expand the signing district beyond its boundaries and become a signing region? If yes, is there a timetable (attach or explain)?

13. Note: Execution of an agreement between the governmental sponsor and the Commonwealth designating the signing district must be completed before construction of the signs begins.

14. Do you understand all costs will be borne by the governmental sponsor? Further, the governmental sponsor may recoup some or all of the administrative costs of the program by the establishment of a fee structure for applicants.

15. Indemnification. The Governmental Sponsor shall indemnify, save harmless, and defend the Department from any and all claims, actions, damages, injuries, and/or expenses arising out of the subject Signing District or on account of any act, omission, neglect, or misconduct by an applicant or a third party.

I hereby certify that the information provided on this application is true and correct and to the best of my knowledge, and

_____ (name of Governmental Sponsor) is fully prepared to move forward to completion of the signing district. It is also my understanding that if signs are installed, they may be removed by PennDOT or the Pennsylvania Tourism Signing Trust as detailed in these guidelines.

Sworn before me this _____ day of _____, 20_____.

Notary:

Signature of Representative: _____