



STATE INFORMATION FORM- JANUARY 2010

SYSTEM OVERVIEW

Name of state **TENNESSEE**

Are you a bonus state Yes No

Total number of road miles in state highway system *13,870 Miles (taken from the 2009 Tennessee Highway Performance Monitoring System Report)*

Total number of road miles regulated in ODA program *Mileage Listed Below*

On Interstate system: *Approximately 1,104*

On NHS system: *Approximately 2,458 (This excludes the Interstate System)*

On FAP (6/1/91) system: *Approximately 6,195 miles
(Some of the mileage includes the NHS)*

Other Scenic Highway and TN Parkway Routes:
(Most of these routes are on the FAP System)

Does your State have FAP routes that have been transferred to local government control:
Yes No *We have only found one route reclassified from a FAP route to a local collector route. The local collector route later was reclassified as a National Highway System route.*

If yes, how many miles are still under HBA control:
Please see above mileages.

Names of the routes still under HBA control?
There are numerous routes designated on the Federal Aid Primary System but not designated on the National Highway System. There are too many to name.

AND HEIGHT SIZE

Current maximum size per side: *Effective 1983: 775 square feet per sign face and 1200 square feet in the four major cities, Nashville, Memphis, Chattanooga and Knoxville*

Current minimum size per side allowed before permit is required: *All signs require outdoor advertising permits except for on-premise signs and 8 square feet signs for civic organizations and church signs.*

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How many sign faces are allowed in each direction? *Generally only one sign face for each direction except for a stack device (which are not allowed anymore effective July 2001) or sign faces side by side on the same device (metal frame connection). The air space is included in the size measurements in the square feet.*

Do you allow temporary extension/cutouts on conforming signs: Yes No *Sign Faces with permits are allowed to be altered with extensions/cutouts at conforming locations without any restrictions provided the sign face dimensions do not exceed the square feet requirement and the issuance of the permit predates the revision of the Rules December 2008. After December 2008, the State Rules require the permit holder to build whatever is stated on the face of the application. If the permit holder of an existing permit (permitted after the passing of the State Rules) wishes to change the sign face dimensions, the permit holder is required to cancel the existing permit and make new application with the new sign dimensions on the face of the application, which would include any extension. A raised figure or cutout of the sign face is not a factor.*

Current maximum size of extension/cutouts on conforming signs:
Extensions are included in the sign face dimensions on the face of the application if permitted after December 2010.

Do you allow temporary extension/cutouts on nonconforming signs: Yes No
The square footage can decrease but not increase in square footage. The Department has allowed a permit holder to add something to the front of the sign face but not outside the limitation of the square footage. If the Nonconforming Sign does not have lights, then no lights can be added.

Current maximum size of extension/cutouts on nonconforming signs: *None*

What is the maximum height of a sign ~~structure~~-face? *The sign face cannot exceed 30 feet in height. There is not an existing limitation on the HAGL measurement. However if it is a nonconforming sign location, the sign face cannot be enlarged nor the HAGL increased in measurement.*

How do you measure height of the sign structure face? *Nonconforming Signs
Early Years: Our seasoned staff can measure the sign face dimensions by a visual view or by counting the panels. The poster panels are required to be a standard size. The standard size limit is a 48x16. The standard measurement stack unit is a 44x27. The TDOT personnel measured the nonconforming sign face dimensions by using a ladder and a tape measure in the early years. A leveling rod (range rod) was also used to verify the accuracy of the sign face measurements.*

We also have a working relationship with some of the Counties and Cities, which provide pertinent information regarding sign face dimensions. The Counties and Cities that issue building permits are often required to verify the sign face dimensions and the HAGL

measurement.

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There are some Counties and Cities supply the sign face measurements to TDOT. Most of the Counties and Cities actually measure the sign face and the HAGL (height above ground level).

Effective December 2008: The sign face dimensions are required to be listed on the face of the TDOT outdoor advertising permit application.

What is the maximum height of a sign face? *60 Feet*

How do you measure height of a sign face?

The maximum can be 30 feet sign face height & 60 feet sign face width, but not both to equal 775 square feet. No HAGL Requirement. The HAGL of a nonconforming sign cannot be raised.

FEE STRUCTURE

Application Fee:	\$ 200.00
Annual Permit Fee:	\$
Renewal Fee:	\$ 70.00 Annually
Permit Investigation Fee:	\$ N/A
Administration Fee:	\$ N/A
Transfer Fee:	\$ 10.00
Other Fees \$ Replacement Tag:	\$ 25.00

INVENTORY

Total number of sign permits statewide as of January 1, 2010: *Approximately 10,500*

Number of conforming signs statewide as of January 1, 2010: *Approximately 7,709*

Number of nonconforming signs statewide as of January 1, 2010: *Approximately 2,791*

Do you permit sign faces: Yes No

However there is one permit issued for a Stack Device and one permit for a side by side device connected by a medal frame.

Do you permit sign locations Yes No

Do you permit sign structures Yes No

ADMINISTRATION

Under what department and division is your ODA program administered?

Department of Transportation/Environmental Division, Beautification Office

Is your ODA program centralized: Yes No *The Beautification Office has been centralized since 2004.*

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Is your state ODA program divided into districts / regions: Yes No *Regions*

If yes, total number of districts/ regions: *4 Regions*

Total number of employees in ODA/Vegetation/Junkyard:

Number of ODA employees in Central office: *3 Employees*

Number of ODA employees in district / regional office:

(See below for Regional Staff filled positions)

Region 1: *4 Employees*

Region 2: *4 Employees*

Region 3: *2 Employees*

Region 4: *3 Employees*

Number of certified cities in ODA program: *N/A*

Names of the cities certified: *See documents regarding cities*

Is your ODA program privatized: Yes No

If yes, with whom do you have a contract:

When was the program privatized:

How many years does the privatization contract run:

SPACING

When permitting in an unzoned commercial or industrial area, what is the maximum distance allowed between the qualifying business and sign site? *There is a 600 feet maximum requirement from the business activity or the integral usage of the business.*

How many businesses are required to qualify a sign site: *1 Business*

What is the minimum spacing on:

Interstate and Full Access Controlled Routes: –

1,000 Feet between signs on the same side of the road

Interstate and Fully Access Controlled Routes with Digital Displays – 2,000 Feet on the same side of the road.

Non-Access Controlled Routes Inside incorporated municipalities - 100 Feet

Non-Access Controlled Routes Outside incorporated municipalities - 500 Feet

Non-Access Controlled Routes with Digital Display do not have a different spacing requirement.

ON-PREMISE

Does your program regulate on-premise signs: Yes No

Does your state have on-premise animated/video sign regulation: Yes No

If yes, how do you regulate on-premise signs for brightness:

CEVMS – *No Statute or Rule is in place regarding brightness at this time.*
Does your state allow electronic sign: Yes No

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Regarding electronic signs, what is the:

Static rate: *8 Seconds* Rotation rate: *2 Seconds*

Additional fee: *\$200.00 Addendum to the Existing Permit for a Digital Display Applicant applying for a new outdoor advertising location only pays the \$200.00 application fee and marks Digital Display on the face of the application.*

Did it require new legislation: Yes No *Digital Displays*

How do you measure brightness issues: *We do not have anything in place at this time.*

Is spacing different for CEVMS signs: Yes No *Between Digital Displays*

If yes, what is spacing on CEVMS signs: *2,000 Feet for Interstates & Fully Access Controlled Routes on the same side of the highway*

VEGETATION

Do you have a vegetation removal program: Yes No

Is there a participation fee: Yes No

Please explain:

The Permit Holder of the sign applies for an Initial/Original Vegetation Permit to cut/trim and remove vegetation from the right of way. A Vegetation Maintenance Control Permit can be applied for annually after the issuance of the Initial Vegetation Permit. The Permit Holder is responsible for hiring a contractor to remove the vegetation from the right of way. The State does not handle any part of hiring the contractor or performing the removal of vegetation.

Vegetation removal fee structure:

Vegetation Original/Initial Permit Process:

a. Original/Initial Application Fee \$100.00

b. Work Supervision of Field Inspection Fee \$150.00

After the field inspection is conducted and approved, the Permit Holder makes a request for the vegetation permit to be issued. (The Regional Office conducts a field check of the issued vegetation permit location to make sure the Applicant/Contractor has the permit in hand while cutting the vegetation area).

c. The Permit Holder/Contractor removes the vegetation area according to the permit within the 45 day period.

d. The Beautification Office ODA inspector conducts a final field inspection of the site

to be sure the vegetation was cut according to the permit.

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e. *The Release of the Bond is required after the approved final field inspection.*

Vegetation Maintenance Control Permit Process

a. *Application Fee: \$50 for Vegetation Maintenance Control (no more fees are required).*

b. *The application for the VMC has to be consistent with the Original Vegetation Control Permit.*

c. *The same process is conducted.*

Is the program performed by: ODA Maintenance Other

What are the penalties for illegal vegetation removal:

a. *The State has suspended vegetation permits from being issued at a particular sign location due to an illegal vegetation cut. The suspension lasted for approximately 5 to 10 years for the illegal cutting.*

Have you been successful in revoking a permit for illegal vegetation removal: Yes No

Have you been successful in collecting penalties for illegal vegetation removal: Yes No

Other Fees: \$

STAKEHOLDER INVOLVEMENT

Does your state have a task force or focus group comprised of state, federal, environmental, and industry representatives that meet on a regular basis to discuss ODA / Junkyard/Vegetation issues: Yes No

If yes, is the group legislatively mandated: Yes No

FEDERAL / STATE AGREEMENT / REGULATIONS

Has your Federal / State Agreement been updated: Yes No *Revised 1983*

Is your Federal / State Agreement available online: Yes No

Provide the direct web link:

Are your statutes available on-line: Yes No

Provide the direct web link: Tennessee Code Annotated 54-21

<http://www.michie.com/tennessee/lpext.dll?f=templates&fn=main-h.htm&cp=tncode>

Are your regulations available on-line: Yes No

Provide the direct web link:

<http://www.tdot.state.tn.us/environment/beautification/outdooradvertising.htm>

What year were your state statutes last revised? *A few revisions were made in 2009.*

What year were your administrative (*State*) rules last revised? ***December 2008***

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APPEAL PROCESS

What type of appeal process does your state utilize: (check all that apply)

- Internal / DOT hearing officer:
 Administrative law judge: **ODA or Vegetation**
 Judicial review by circuit / district court: **Junkyard**
 Other:

Any Sign built illegally after September 14, 2007, the Department does not give the Sign Owner a right to an administrative hearing.

JUNKYARDS

Do you regulate junkyards on non-interstate (FAP) route: Yes No

Number of permitted junkyards, within 1,000 feet of an interstate or FAP: *Approximately 70 Junkyards*

Application Fee: \$50.00

Administration Fee: \$

Renewal Fee: \$50.00

INTERNET

Official state website: <http://state.tn.us/>

State ODA website: <http://www.tdot.state.tn.us/environment/beautification/outdooradvertising.htm>

State Vegetation website: <http://www.tdot.state.tn.us/environment/beautification/vegetation.htm>

State Junkyard website: <http://www.tdot.state.tn.us/environment/beautification/junkyard.htm>

DOT website: <http://www.tdot.state.tn.us/>

Other links of interest: <http://www.tennesseeanytime.org/government/index.html>

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