

IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

**39.03.41, 39.03.60, 39.03.61, 39.03.62, 39.03.63, 39.03.64:
TRAFFIC SIGNS AND RIGHT-OF-WAY RULES**

DOCKET NO. 39-0300-1902OM

NOTICE OF INTENT TO PROMULGATE RULES – OMNIBUS NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 40-312 & 49-201, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held as follows in the information below.

The meeting site will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Participation in-person is available in-person or via the following methods:

Monday, July 29, 2019 – 3:30pm to 6:00pm (MDT)
LIVE MEETING
ITD Headquarters 3311 W. State Street Boise, ID 83703
Join Webex Meeting
Meeting Number (Access Code): 806 932 787 Event Password: 12345
Join by Phone at:
1-844-740-1264 USA Toll Free 1-415-655-0003 US Toll

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

This rulemaking will consolidate rules involving traffic signs, advertising and memorials within Department right-of-ways. This rule consolidation effort should streamline six (6) existing rules into two (2). It will align with Idaho Code and current practices, eliminate outdated and redundant language and provide clarification. The changes to these rules will be focused on consolidation, clean-up and combining rule chapters that address the Manual on Uniform Traffic Control Devices (MUTCD). These changes will reduce confusion and make it easier for stakeholders and customers. This consolidation effort is in alignment with the Governor’s **Red Tape Reduction Act**.

The following rule chapters are germane to this rulemaking:

- 39.03.41**, Rules Governing Traffic Control Devices
- 39.03.60**, Rules Governing Outdoor Advertising
- 39.03.61**, Rules Governing Directional and Other Official Signs and Notices

- 39.03.62, Rules Governing Logo Signs
- 39.03.63, Rules Governing Traffic Accident Memorials
- 39.03.64, Rules Governing Tourist Oriented Directional Signs (TODS)

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text (if available), please contact Kevin Sablan, Traffic Manager, at (208) 334-8558 or Justin Pond, Right-of-Way Manager, at (208) 334-8832. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Transportation Department's website at the following web address: <https://itd.idaho.gov/rulemaking/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before Wednesday, July 31, 2019.

Dated this 7th day of June, 2019.

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