

NOTICES OF FINAL RULEMAKING

The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those which have appeared in the *Register* first as proposed rules and have been through the formal rulemaking process including approval by the Governor's Regulatory Review Council or the Attorney General. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the *Register* after the final rules have been submitted for filing and publication.

NOTICE OF FINAL RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 11. STATE BOARD OF DENTAL EXAMINERS

PREAMBLE

1. Sections Affected

Article 2
R4-11-201
R4-11-202
R4-11-203
R4-11-204
R4-11-205

Rulemaking Action

New Article
New Section
New Section
New Section
New Section
New Section

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 32-1207(A)(1), (4), and (5)
Implementing statutes: A.R.S. §§ 32-1240 and 32-1292.01

3. The effective date of the rules:

November 8, 2003

4. A list of all previous notices appearing in the Register addressing the final rules:

Notice of Rulemaking Docket Opening: 9 A.A.R. 845, March 7, 2003
Notice of Proposed Rulemaking: 9 A.A.R. 1586, May 30, 2003

5. The name and address of agency personnel with whom persons may communicate regarding the rules:

Name: Julie N. Chapko, Executive Director
Address: Arizona State Board of Dental Examiners
5060 N. 19th Avenue, Suite 406
Phoenix, AZ 85015
Telephone: (602) 242-1492
Fax: (602) 242-1445
E-mail: jnchapko@azbodex.com

6. An explanation of the rules, including the agency's reasons for initiating the rules:

In April 2002, the legislature passed HB 2029 and established A.R.S. §§ 32-1240 Dental Licensure by Credential and 32-1292.01 Dental Hygienist Licensure by Credential. Both Sections establish the circumstances that allow the Board to waive Arizona examination requirements for dentists and dental hygienists under specific conditions. The rules create new Sections of administrative code to implement the statutory changes. The new rules will be placed in Article 2 under the heading Licensure by Credential. R4-11-201 establishes the clinical examination requirements for dental and dental hygienist licensure by credential. R4-11-202 establishes the application requirements for dental licensure by credential. R4-11-203 establishes the application requirements for dental hygienist licensure by credential. R4-11-204 establishes the qualifications of applicants for dental assistant radiography certification. R4-11-205 establishes the application requirements for dental assistant radiography certification. The Board requested the statutory changes for two reasons: (1) to increase the mobility of dentists, dental hygienists, and dental assistants across the country; and (2) to potentially increase patient's access to dental care services. Arizona is the only member of the Western Regional Examining Board (comprised of Alaska, Arizona, Idaho, Montana, New Mexico, Oklahoma, Oregon, Texas, Utah, and Washington) that does not have a licensure by credential program. By law, the Western Regional Examining Board (WREB) writes and administers the licensure examination for dentists and dental hygienists for its ten member states. Nationwide there are 34 states that offer licensure by credential programs.

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7. A reference to any study relevant to the rules that the agency reviewed and either relied on in its evaluation of or justification for the rules or did not rely on in its evaluation of or justification for the rules, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Board did not review any study relevant to the rules.

8. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. The summary of the economic, small business, and consumer impact:

The rules' impact on established Board of Dental Examiners' procedures and office-related costs is substantial. The Board's office-related costs will increase substantially to support the credentialing process established by the rules. As of September 13, 2002, the Board licensed 3,341 dentists (of which 2,586 reside in Arizona) and 2,576 dental hygienists (of which 2,162 reside in Arizona). The Board estimates that 30 dentists and 35 dental hygienists per year may apply for licensure by credential. The estimated increase in revenue if all 30 dentists and 35 dental hygienists obtain licensure by credential would be \$95,000 per year with \$85,500 going into the Dental Board fund and \$9,500 going into the general fund. The Board's estimated costs to process licensure by credential applicants, if the estimated 30 dentists and 35 dental hygienists apply, could be from \$38,837.41 (if none of the applicants require a formal hearing for eligibility) to \$175,879.51 (if all 65 applicants require a formal hearing for eligibility). The Board estimates no more than 20 percent of applicants would require a formal hearing for eligibility. Based on a 20 percent estimate, the Board's total estimated costs to process licensure by credential applicants is \$68,354.15. The rules net economic impact on the Board could be moderate to substantial.

The rules' economic impact on individual dentists will be moderate. To obtain licensure by credential, a dentist will pay a \$2,000 fee to the Board in addition to the existing prorated license fee and a \$300 jurisprudence fee that are paid by all licensure applicants. The three-year dental license fee is \$650. The initial dental license fee is prorated to the next June 30th date, which yields a maximum initial dental license fee of \$216.67. The total estimated costs of dental licensure by credential is \$2,516.67. In contrast, to obtain licensure by examination, a dentist pays, in addition to the license and jurisprudence fees, a clinical examination fee of \$990, a school facility user fee of from \$100 to \$250, and the additional expenses of providing a patient for the clinical examination. It is estimated that the costs of providing a patient, including travel, lodging, and food, can be as high as \$5,000. The total estimated costs of dental licensure by examination is between \$1,306.67 and \$6,456.67.

The rules' economic impact on individual dental hygienists will be moderate. To obtain licensure by credential, a dental hygienist will pay a \$1,000 fee to the Board in addition to the existing prorated license fee and a \$100 jurisprudence fee that are paid by all licensure applicants. The three-year dental hygienist license fee is \$325. The initial dental hygienist license fee is prorated to the next June 30th date, which yields a maximum initial dental hygienist license fee of \$108.34. The total estimated costs of dental hygienist licensure by credential is \$1,208.34. In contrast, to obtain licensure by examination, a dental hygienist pays, in addition to the license and jurisprudence fees, a clinical examination fee of \$580, a school facility user fee of from \$50 to \$100, and the additional expenses of providing a patient for the clinical examination. It is estimated that the costs of providing a patient, including travel, lodging, and food, can be as high as \$5,000. The total estimated costs of dental hygienist licensure by examination is between \$738.34 and \$5,788.34. If a dental hygienist applicant also seeks an anesthesia credential, the applicant pays an additional \$160 clinical examination fee and \$15 school facility user fee.

The Board, dentists, dental hygienists, and the public benefit from rules that are clear, concise, and understandable. The rules benefit the public health and safety by streamlining the licensure process while continuing to ensure the education, training, and monitoring of dental practitioners.

10. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):

Numerous technical and grammatical changes were made at the suggestion of G.R.R.C. staff. There are no substantive changes between the final rules and the proposed rules.

11. A summary of the comments made regarding the rules and the agency response to them:

No one attended the public hearing and the Board received no oral or written comments on the proposed rules.

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

13. Incorporations by reference and their location in the rules:

None

14. Were these rules previously approved as emergency rules?

No

15. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 11. STATE BOARD OF DENTAL EXAMINERS

ARTICLE 2. ~~EXPIRED~~ LICENSURE BY CREDENTIAL

Section

- R4-11-201. ~~Expired~~ Clinical Examination; Requirements
- R4-11-202. ~~Expired~~ Dental Licensure by Credential; Application
- R4-11-203. ~~Expired~~ Dental Hygienist Licensure by Credential; Application
- R4-11-204. ~~Repealed~~ Dental Assistant Radiography Certification by Credential
- R4-11-205. ~~Repealed~~ Application for Dental Assistant Radiography Certification by Credential

ARTICLE 2. ~~EXPIRED~~ LICENSURE BY CREDENTIAL

R4-11-201. ~~Expired~~ Clinical Examination; Requirements

A. The Board shall:

1. Consider an application for licensure at the next scheduled Board meeting after the application is administratively complete.
2. If an applicant is applying under A.R.S. §§ 32-1240(A) or 32-1292.01(A), ensure that the applicant has passed the clinical examination of another state or a regional testing agency that maintains a standard of licensure determined by the Board to be substantially equivalent to that of Arizona based on review of any one of the following forms of evidence that are satisfactory to the Board:
 - a. Certified documentation, sent directly from another state or a regional testing agency, that shows the clinical examination or multiple examinations the applicant passed are Board-approved and administered by the state or regional testing agency. The certified documentation shall contain the name of the applicant, date of examination or examinations, total score for each examination, name of any separately-scored component of the examination, and separate scores for each component;
 - b. Certified documentation sent directly from another state dental board that shows the applicant passed that state's clinical examination before that state's participation in a regional examination. The certified documentation shall contain the name of the applicant, date of examination or examinations, total score for each examination, name of any separately-scored component of the examination, and separate scores for each component; or
 - c. A detailed report prepared by a Board-recognized organization capable of assessing whether a clinical examination submitted maintains all of the following clinical examination elements in Arizona's standard of licensure:
 - i. The purposes, interpretations, and uses of the clinical examination are clearly stated in order to make appropriate pass or fail decisions.
 - ii. The knowledge, skills, and abilities that are important in the clinical practice of dentistry or dental hygiene are identified.
 - iii. Examination specifications provide a detailed description of the content of the examination and specify the scorable tasks that are used to evaluate each discipline. The specifications should include scoring weights associated with each content area.
 - iv. Policies and procedures are defined and published to standardize examination administration. This administrative protocol addresses legal issues and fair testing practices.
 - v. The state or testing agency provides candidates with clear and comprehensive information about the examination program, including application requirements, examination content, performance expectations, reporting of results, and an appeals process.
 - vi. Policies for examiner selection and retention are defined and published.
 - vii. An examiner-training program is established and implemented. The program introduces examiners to appropriate applications of the agency's evaluation criteria and assesses their ability to apply the criteria. The methodology of examiner standardization and its results are documented.
 - viii. Post-examination analyses are routinely conducted. Reliability and other factors affecting validity are investigated.
 - ix. A program is developed and implemented for ongoing evaluation of examiner ratings. The examining agency provides examiners with feedback on their individual rating performance. Policies and procedures are defined for remediation or discontinuance of examiners based on analyses of their performance.

- B.** An applicant shall meet the licensure requirements in R4-11-301 and R4-11-303. The applicant is exempt from complying with R4-11-301(A)(4).

R4-11-202. ~~Expired~~ Dental Licensure by Credential; Application

- A.** A dentist applying under A.R.S. § 32-1240(A) shall comply with all other applicable requirements in A.R.S. Title 32, Chapter 11 and this Article.

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- B.** A dentist applying under A.R.S. § 32-1240(A)(1) shall:
 1. Have a current dental license in another state, territory, or district of the United States;
 2. Submit a written affidavit affirming that the dentist has practiced dentistry for a minimum of 5000 hours during the five years immediately before applying for licensure by credential. For purposes of this subsection, dental practice includes experience as a dental educator at a dental program accredited by the American Dental Association Commission on Dental Accreditation or employment as a dentist in a public health setting;
 3. Submit a written affidavit affirming that the applicant has complied with the continuing dental education requirement of the state in which the applicant is currently licensed; and
 4. Provide evidence regarding the clinical examination by complying with one of the subsections in R4-11-201(A)(2).
- C.** A dentist applying under A.R.S. § 32-1240(A)(2) shall submit certified documentation sent directly from the applicable regional testing agency to the Board that contains the name of applicant, date of examination or examinations, total score for each examination, name of any separately-scored component of the examination, and separate scores for each component.
- D.** For any application submitted under A.R.S. § 32-1240(A), the Board may request additional clarifying evidence required under the applicable subsection in R4-11-201(A)(2).
- E.** An applicant for dental licensure by credential shall pay the fee prescribed in A.R.S. § 32-1240, except the fee is reduced by 50% for applicants who will be employed or working under contract in:
 1. Underserved areas, such as declared or eligible Health Professional Shortage Areas (HPSAs); or
 2. Other facilities caring for underserved populations, as recognized by the Arizona Department of Health Services and approved by the Board.
- F.** An applicant for dental licensure by credential who works in areas or facilities described in subsection (E) shall:
 1. Commit to a three-year, exclusive service period,
 2. File a copy of a contract or employment verification statement with the Board, and
 3. As a licensee, submit an annual contract or employment verification statement to the Board by December 31 of each year.
- G.** A licensee's failure to comply with the requirements in subsection (F) is considered unprofessional conduct and may result in disciplinary action based on the circumstances of the case.

R4-11-203. ~~Expired~~ Dental Hygienist Licensure by Credential; Application

- A.** A dental hygienist applying under A.R.S. § 32-1292.01(A) shall:
 1. Comply with all other applicable requirements in A.R.S. Title 32, Chapter 11 and this Article; and
 2. Not be the subject of final or pending disciplinary action in any state, territory, or district of the United States or have resigned or surrendered a license while under investigation by or while disciplinary action was pending before any professional licensing agency.
- B.** The Board shall:
 1. Suspend an application for licensure by credential if disciplinary action by a dental regulatory agency against the applicant is currently pending in another jurisdiction, and
 2. Not issue or deny licensure by credential to the applicant until the matter is resolved.
- C.** A dental hygienist applying under A.R.S. § 32-1292.01(A)(1) shall:
 1. Have a current dental hygienist license in another state, territory, or district of the United States;
 2. Submit a written affidavit affirming that the applicant has practiced as a dental hygienist for a minimum of 1000 hours during the two years immediately before applying for licensure by credential. For purposes of this subsection, dental hygienist practice includes experience as a dental hygienist educator at a dental program accredited by the American Dental Association Commission on Dental Accreditation or employment as a dental hygienist in a public health setting;
 3. Submit a written affidavit affirming that the applicant has complied with the continuing dental hygienist education requirement of the state in which the applicant is currently licensed; and
 4. Provide evidence regarding the clinical examination by complying with one of the subsections in R4-11-201(A)(2).
- D.** A dental hygienist applying under A.R.S. § 32-1292.01(A)(2) shall submit certified documentation sent directly from the applicable regional testing agency to the Board that contains the name of applicant, date of examination or examinations, total score for each examination, name of any separately-scored component of the examination, and separate scores for each component.
- E.** For any application submitted under A.R.S. § 32-1292.01(A), the Board may request additional clarifying evidence required under the applicable subsection in R4-11-201(A)(2).
- F.** An applicant for dental hygienist licensure by credential shall pay the fee prescribed in A.R.S. § 32-1292.01, except the fee is reduced by 50% for applicants who will be employed or working under contract in:
 1. Underserved areas, such as declared or eligible Health Professional Shortage Areas (HPSAs); or
 2. Other facilities caring for underserved populations, as recognized by the Arizona Department of Health Services and approved by the Board.

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- G.** An applicant for dental hygienist licensure by credential who works in areas or facilities described in subsection (F) shall:
1. Commit to a three-year, exclusive service period.
 2. File a copy of a contract or employment verification statement with the Board, and
 3. As a licensee, submit an annual contract or employment verification statement to the Board by December 31 of each year.
- H.** A licensee's failure to comply with the requirements in R4-11-203(G) is considered unprofessional conduct and may result in disciplinary action based on the circumstances of the case.

R4-11-204. ~~Repealed~~ Dental Assistant Radiography Certification by Credential

Eligibility. To be eligible for dental assistant radiography certification by credential, an applicant shall have a current certificate or other form of approval for taking dental radiographs, issued by a professional licensing agency in another jurisdiction of the United States that required successful completion of written and clinical dental radiography examinations or a single dental radiography examination with written and clinical components.

R4-11-205. ~~Repealed~~ Application for Dental Assistant Radiography Certification by Credential

- A.** An applicant for dental assistant radiography certification by credential shall provide to the Board a completed application, on a form furnished by the Board that contains the following information:
1. A sworn statement of the applicant's eligibility, and
 2. A letter of endorsement that verifies compliance with R4-11-204.
- B.** Based upon review of information provided under subsection (A), the Board or its designee shall request that an applicant for dental assistant radiography certification by credential provide a copy of a certified document that indicates the reason for a name change if the applicant's documentation contains different names.

NOTICE OF FINAL RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 11. STATE BOARD OF DENTAL EXAMINERS

PREAMBLE

- | <u>1. Sections Affected</u> | <u>Rulemaking Action</u> |
|------------------------------------|---------------------------------|
| R4-11-406 | Amend |
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
- Authorizing statute: A.R.S. § 32-1207(A)(1) and (15)
Implementing statute: A.R.S. § 32-1207(D)
- 3. The effective date of the rule:**
November 8, 2003
- 4. A list of all previous notices appearing in the Register addressing the proposed rule:**
Notice of Rulemaking Docket Opening: 9 A.A.R. 532, February 21, 2003
Notice of Proposed Rulemaking: 9 A.A.R. 501, February 21, 2003
- 5. The name and address of agency personnel with whom persons may communicate regarding the rule:**
- Name: Julie N. Chapko, Executive Director
Address: Arizona State Board of Dental Examiners
5060 N. 19th Avenue, Suite 406
Phoenix, AZ 85015
Telephone: (602) 242-1492
Fax: (602) 242-1445
E-mail: jnchapko@azbodex.com
- 6. An explanation of the rule, including the agency's reasons for initiating the rule:**
New rules for oral conscious sedation permits were approved by the Council effective May 2003. This amendment to R4-11-406 will establish the fee for the oral conscious sedation permit.
The rule change is necessary to comply with the statutory mandate in A.R.S. § 32-1207(D) that the Board establish and collect a fee for issuing an oral conscious sedation permit.

Notices of Final Rulemaking

- 7. A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

The Board did not review any study relevant to the rule.

- 8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

- 9. The summary of the economic, small business, and consumer impact:**

The rules' impact on established Board of Dental Examiners' procedures is minimal. The Board's office-related costs will increase moderately to support the oral conscious sedation permit. The Board estimates that it may issue a total of 80 permits, including some multiple permits issued to the same licensee for multiple practice sites. The estimated increase in Board revenue if all 80 permits are issued is \$8000 per year.

The rule will only affect dentists who do not already have a 1301 permit for general anesthesia and semi-conscious sedation or a 1302 permit for conscious sedation. The initial cost of obtaining a 1303 permit for oral conscious sedation is estimated at about \$3000 for necessary equipment with an ongoing annual cost of about \$100 for permit renewal.

The Board, dentists, and the public benefit from a rule that is clear, concise, and understandable. The rule fulfills a statutory mandate.

- 10. A description of the changes between the proposed rule, including supplemental notices, and final rule (if applicable):**

Minor technical and grammatical changes were made at the suggestion of G.R.R.C. staff. There are no substantive changes between the final rule and the proposed rule.

- 11. A summary of the comments made regarding the rule and the agency response to them:**

No one attended the public hearing and the Board received no oral or written comments on the proposed rule.

- 12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

Not applicable

- 13. Incorporations by reference and their location in the rule:**

None

- 14. Was this rule previously approved as an emergency rule?**

No

- 15. The full text of the rule follows:**

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 11. STATE BOARD OF DENTAL EXAMINERS

ARTICLE 4. FEES

Section

R4-11-406. Fees for Anesthesia and Sedation Permits

ARTICLE 4. FEES

R4-11-406. Fees for Anesthesia and Sedation Permits

- A.** Under A.R.S. § 32-1207(D), the fee for a Section 1301 permit to administer general anesthesia and semi-conscious sedation or a Section 1302 or Section 1303 permit to administer conscious or oral conscious sedation is \$300 per location.
- B.** Upon successful completion of the initial onsite evaluation and upon receipt of the required permit fee, the Board shall issue a separate Section 1301, ~~or 1302,~~ or 1303 permit to a dentist for each location requested by the dentist. A permit expires on December 31 of every third year.
- C.** The renewal fee for each Section 1301, ~~or 1302,~~ or 1303 permit is \$300 ~~per dentist,~~ per location.

Notices of Final Rulemaking

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TITLE 17. TRANSPORTATION

CHAPTER 3. DEPARTMENT OF TRANSPORTATION
HIGHWAYS

PREAMBLE

- 1. Sections Affected** **Rulemaking Action**
R17-3-904 Amend
- 2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rule is implementing (specific):**
Authorizing statute: A.R.S. § 28-366
Implementing statute: A.R.S. § 28-7311(C)
- 3. The effective date of the rule:**
September 9, 2003. The Arizona Department of Transportation requests an immediate effective date for this rulemaking under the provisions of A.R.S. § 41-1032(A)(4). This rulemaking provides a benefit to the public and no prescribed penalty for violation. This rulemaking informs the public and potential businesses of the urban area eligibility restriction for a logo sign.
- 4. A list of all previous notices appearing in the Register addressing the final rule:**
Notice of Rulemaking Docket Opening: 9 A.A.R. 1874, June 13, 2003
Notice of Proposed Rulemaking: 9 A.A.R. 1959, June 20, 2003
- 5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name:	Wendy S. LeStarge, Rules Analyst
Address:	Administrative Rules Unit Department of Transportation, Mail Drop 507M 3737 N. 7th Street, Suite 160 Phoenix, AZ 85014-5079
Telephone:	(602) 712-6007
Fax:	(602) 241-1624
E-mail:	wlestarge@dot.state.az.us

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at www.dot.state.az.us/about/rules/index.htm.
- 6. An explanation of the rule, including the agency's reasons for initiating the rulemaking:**
The Arizona Department of Transportation ("ADOT") is amending the urban limit for Tucson to include limits for Interstate 10 that were inadvertently omitted from the previous rulemaking that became effective February 7, 2003. Under A.R.S. § 28-7311(A), logo signs are allowed on certain portions of the interstate. Under the Manual of Uniform Traffic Control Devices ("MUTCD"), logo signs are intended for use primarily on areas rural in character. The MUTCD is a national standard for the design and application of signing, published by the U.S. Department of Transportation, Federal Highway Administration. ADOT uses the MUTCD as the standard for signing on Arizona streets and highways to comply with A.R.S. § 28-641. ADOT seeks to set the urbanized area boundaries for Tucson to allow for population growth.
- 7. A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
None
- 8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable
- 9. The summary of the economic, small business, and consumer impact:**
There should be no costs associated with this rulemaking, other than the costs of rulemaking. The urban limits are enforced by contract with the contractor who administers the logo sign program.

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10. A description of the changes between the proposed rule, including supplemental notices, and final rule (if applicable):

Typographical corrections made at the suggestion of the Governor's Regulatory Review Council's staff to the amended R17-6-904.

11. A summary of the comments made regarding the rule and the agency response to them:

No comments were received.

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

13. Incorporations by reference and their location in the rule:

None

14. Was this rule previously adopted as an emergency rule?

Not applicable

15. The full text of the rule follows:

TITLE 17. TRANSPORTATION

**CHAPTER 3. DEPARTMENT OF TRANSPORTATION
HIGHWAYS**

ARTICLE 9. HIGHWAY TRAFFIC CONTROL DEVICES

Section

R17-3-904. Logo Sign Requirements

ARTICLE 9. HIGHWAY TRAFFIC CONTROL DEVICES

R17-3-904. Logo Sign Requirements

A. Urban area. Except as prescribed in subsection (A)(4) or R17-3-903, the contractor shall not place a specific service information or directional sign on any highway in an urbanized area, which includes the following:

1. Phoenix:

Interstate 10, Agua Fria River bridge to Gila River Indian Reservation boundary (milepost 161.68);

Interstate 17, Skunk Creek bridge to junction Interstate 10;

State Route 51;

US 60, Beardsley Canal to Ellsworth Road (milepost 191.40);

State Route 85, 17th Avenue to 15th Avenue;

State Route 87, Chandler south city limit (milepost 162.82) to Salt River bridge;

State Route 88, US 60 to 200 feet north of Tomahawk Road (milepost 197.50);

State Route 101 loop;

State Route 143;

State Route 153;

State Route 202 loop; or

State Route 303 loop.

2. Tucson:

Interstate 10, from railroad overpass (milepost 243.33) to milepost 272.00 (between Kolb and Rita traffic interchanges);

State Business 19, milepost 59.00 (between Hughes Plant Road and Los Reales Road) to junction Interstate 10;

Interstate 19, San Xavier Indian Reservation boundary (milepost 57.96) to junction Interstate 10;

State Route 86, milepost 167.83 (between Century Road and Old Ajo Way) to State Business 19;

State Route 77, junction Interstate 10 to Oro Valley north city limit (milepost 84.16); or,

State Route 210; or

3. Any other urbanized area with a population of 100,000 or more.

4. Boundary changes. If the boundaries of an urbanized area, as identified in a subsequent decennial census, are relocated so that an intersection, interchange, or exit ramp is no longer eligible for the logo sign program, the Department shall allow the logo signs within the revised urbanized boundaries to remain until the minimum lease obligations between the contractor and a responsible operator have been fulfilled.

B. Number of signs allowed. Only one specific service information sign for each category of specific service is allowed on an interstate or rural state highway to the approach to an intersection, interchange, or exit ramp, as shown in Illustrations A and B. Each specific service information sign may contain a maximum of six logo signs.

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- C. Sign sequence and spacing.
 - 1. The contractor shall install successive specific service information signs in the direction of travel as shown in Illustrations A and B:
 - a. Camping,
 - b. Lodging,
 - c. Food, and
 - d. Gas.
 - 2. If the approach to an intersection, interchange, or exit ramp on an interstate or rural state highway has insufficient space in a single direction for four specific service information signs, priority shall be in the following order, as shown in Illustration A:
 - a. Gas,
 - b. Food,
 - c. Lodging, and
 - d. Camping.
- D. If a responsible operator operates on a seasonal basis, the contractor shall:
 - 1. Remove or cover the logo sign during the off-season, or
 - 2. Display the dates of operation, if additional information is not required under R17-3-902(E)(2).
- E. If the Department requires that a specific service information sign be moved due to construction or reconstruction of transportation facilities, or the placement of other signs or traffic control devices, the standards of the Manual on Uniform Traffic Control Devices shall apply as to new placement.
- F. Combination signs.
 - 1. The contractor may combine two categories of specific services on a specific service information sign, as shown in Illustration C, if:
 - a. The contractor does not reasonably expect that more than three businesses for each service will request a logo sign within five years from the time of installing the combination sign, or
 - b. The approach to an intersection, interchange, or exit ramp on an interstate or rural state highway has insufficient space in a single direction for four specific service information signs.
 - 2. A combination sign shall contain at least one logo sign for each category of specific service displayed.
 - 3. The contractor shall not display a logo sign on a combination sign if the specific service category advertised by the logo sign already exists on a specific service information sign on the approach to the intersection, interchange, or exit ramp.
- G. Trailblazing signs.
 - 1. The contractor shall install a trailblazing sign for a responsible operator along a highway if the responsible operator's business is not located on and is not visible from an intersection with the highway as directed from the specific service information sign.
 - 2. The contractor may locate a trailblazing sign near all intersections where the direction of the route changes or where a motorist may be uncertain as to which road to follow.
 - 3. A trailblazing sign is limited to six logo signs.
 - 4. The contractor shall obtain written approval from the local governing authority to install and maintain a trailblazing sign along a highway that is not under the Department's maintenance jurisdiction.
 - 5. The contractor shall not install a logo sign until all necessary trailblazing signs have been installed.
 - 6. A trailblazing sign shall indicate by arrow the direction to the responsible operator's business.
 - 7. A trailblazing sign may:
 - a. Duplicate the logo sign or specific service information sign, or both;
 - b. Consist of two lines of text; or
 - c. Include the category of specific service and distance to the responsible operator's business.
- H. A logo sign shall comply with A.R.S. § 28-648. Descriptive advertising words, phrases, or slogans are prohibited on a logo sign, except:
 - 1. If a responsible operator does not have an official trademark or logo, the responsible operator may display on its logo sign the name indicated in its partnership agreement, incorporation documents, or other documentation.
 - 2. Words to identify alternative fuel availability, including "diesel," "propane," "natural gas," and "alcohol" are allowed on a logo sign for a gas service business.