

Secretary of State
NOTICE OF PROPOSED RULEMAKING*

A Statement of Need and Fiscal Impact accompanies this form.

Department of Transportation, Highway Division

734

Agency and Division

Administrative Rules Chapter Number

Lauri Kunze

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Rules Coordinator

Address

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RULE CAPTION

Advertising signs attached to transit shelters

Not more than 15 words that reasonably identify the subject matter of the agency's intended action.

RULEMAKING ACTION

ADOPT: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND: 734-065-0010, 734-065-0015, 734-065-0020, 734-065-0025, 734-065-0035, 734-065-0040, 734-065-0045, 734-065-0050

REPEAL: 734-065-0005, 734-065-0030

RENUMBER: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND & RENUMBER: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ORS 184.616, 184.619 and 377.729

Stat. Auth.

None

Other Authority

ORS 377.725

Stats. Implemented

RULE SUMMARY

General updating of rules, most of which have not been updated in over 20 years; deleting former fee rule that was superseded by ORS 377.729 and subsequent fee rule for all outdoor advertising signs in 734-059-0100.

Text of proposed and recently adopted ODOT rules can be found at web site <http://www.oregon.gov/ODOT/CS/RULES/>.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the *Oregon Bulletin* or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the *Oregon Bulletin* at least 14 days before the hearing.

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

October 21, 2009

Last Day for Public Comment

Last day to submit written comments to the Rules Coordinator

Signature

Lauri Kunze

Printed name

Date

*The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Department of Transportation, Highway Division

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In the Matter of the Amendment of 734-065-0010, 734-065-0015, 734-065-0020, 734-065-0025, 734-065-0035, 734-065-0040, 734-065-0045, 734-065-0050 and repeal of 734-065-0005, 734-065-0030

Rule Caption: Advertising signs attached to transit shelters

Statutory Authority: ORS 184.616, 184.619 and 377.729

Other Authority: None

Statutes Implemented: ORS 377.725

Need for the Rule(s): General updating of rules, most of which have not been updated in over 20 years; deleting former fee rule that was superseded by ORS 377.729 and subsequent fee rule for all outdoor advertising signs in 734-059-0100.

Documents Relied Upon and where they are available: None

Fiscal and Economic Impact, including Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): None

2. Cost of compliance effect on small business (ORS 183.336): Because these rule amendments repeal fees, there will be no costs for small business associated with reporting, recordkeeping and other administrative activities, professional services, equipment, supplies, labor or increased administration required for compliance.

How were small businesses involved in the development of this rule? Fourteen groups representing small businesses were notified of the proposed amendments and invited to comment. No comments were received.

Administrative Rule Advisory Committee consulted?: No.

If not, why?: Because this rulemaking includes only simple updates to the rules and the sign industry was consulted in the process of drafting the rules, the department determined that an advisory committee was not necessary.

Authorized Signer

Lauri Kunze

Printed name

Date