

Bill as Introduced

HB 305 - AS INTRODUCED

2021 SESSION

21-0373
06/11

HOUSE BILL **305**
AN ACT relative to motorist service signs on limited access highways.
SPONSORS: Rep. Horrigan, Straf. 6
COMMITTEE: Public Works and Highways

ANALYSIS

This bill deletes a limitation on the placement of motorist service signs on limited access highways.

.....

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 305 - AS INTRODUCED

21-0373
06/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to motorist service signs on limited access highways.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Limited Access Highways; Placement of Motorist Service Signs. Amend RSA 230:49, I to read
2 as follows:

3 I. The location of essential motorist services, including food, fuel, lodging, camping, and
4 attractions, on connecting service roads within 3 miles of the intersection with the limited access
5 highway, within 5 miles for a campground, within 20 miles for an attraction, or within one mile of
6 the intersection in urban compact areas, may be indicated to users of the limited access facility by
7 appropriate signs, the specifications of which shall be determined by the commissioner of
8 transportation. The distance specified shall be measured by computing the travel length from the
9 terminal of an exit ramp to the nearest point along the public highway where the nearest existing
10 driveway entrance to the service is reached. Additional motorist service signs may be placed in
11 advance of intersections on limited access highways ~~[from the Massachusetts border to Concord and~~
12 ~~additional attraction signs may be placed north of Concord on I-93 and I-89].~~

13 2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 68
HB 305 - FINAL VERSION

2021 SESSION

21-0373
06/11

HOUSE BILL

305

AN ACT

relative to motorist service signs on limited access highways.

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Rep. Horrigan, Straf. 6

COMMITTEE:

Public Works and Highways

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CHAPTER 68
HB 305 - FINAL VERSION

21-0373
06/11

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12 ~~additional attraction signs may be placed north of Concord on I-93 and I-89].~~

68:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 10, 2021
Effective Date: August 09, 2021

Committee Minutes

SENATE CALENDAR NOTICE
Transportation

Sen Regina Birdsell, Chair
Sen David Watters, Vice Chair
Sen Denise Ricciardi, Member
Sen Ruth Ward, Member
Sen Tom Sherman, Member

Date: March 11, 2021

HEARINGS

Tuesday	03/16/2021	
(Day)	(Date)	
Transportation	REMOTE 000	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m.	HB 222-FN	relative to official cover plates.
1:15 p.m.	HB 298	adding a member to the aviation users advisory board.
1:30 p.m.	HB 305	relative to motorist service signs on limited access highways.
1:45 p.m.	HB 311	establishing a committee to study rail trail best management practices.
2:00 p.m.	HB 423	establishing a commission to study the implementation of enhanced automation of traffic lights.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/92298872492>
2. To listen via telephone: Dial(for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: 13126266799,,92298872492# or 19292056099,,92298872492#
4. Webinar ID: [922 9887 2492](https://www.zoom.us/j/92298872492)
5. To view/listen to this hearing on YouTube, use this link:
<https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:
<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 222-FN

Rep. Belanger

HB 298

Rep. Weyler

Rep. Jack

Sen. Bradley

HB 305

Rep. Horrigan

HB 311

Rep. Suzanne Smith

HB 423

Rep. Torosian

Rep. Gould

Rep. L. Ober

Sen. Birdsell

Rep. Weston

Rep. Janigian

Rep. R. Ober

Sen. Gannon

Rep. Gould

Rep. True

Rep. Torosian

Sen. Daniels

Rep. Spillane

Kirsten Koch 271-3266

Regina Birdsell
Chairman

Senate Transportation Committee

Kirsten Koch 271-3266

HB 305, relative to motorist service signs on limited access highways.

Hearing Date: March 16, 2021

Time Opened: 1:30 p.m.

Time Closed: 1:42 p.m.

Members of the Committee Present: Senators Birdsell, Watters, Ricciardi, Ward and Sherman

Members of the Committee Absent : None

Bill Analysis: This bill deletes a limitation on the placement of motorist service signs on limited access highways.

Sponsors:

Rep. Horrigan

Who supports the bill: Rep. Tim Horrigan, Strafford 6; Bill Lambert, NHDOT; Shari King, NHDOT; Henry Veilleux, NH Lodging & Restaurant Association; Kevin Daigle, NH Grocers Association; Robin Vogt.

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of Testimony Presented:

Senator Watters, District 4

- Senator Watters introduced the bill.
- Senator Watters said this bill extends placements.

Bill Lambert, NHDOT

- Mr. Lambert testified in support of the bill.
- Mr. Lambert referred members to his written testimony on background of the logo program.
- Mr. Lambert said, NH adopted sign logos in 1995. The four categories of logos at the time were gas, food, lodging, and camping. NH originally adopted this signage just for ramps; the cost of a sign on a ramp vs. the cost of a sign on a mainline was a significant consideration. Signs with the attractions category were later introduced in 2013.

- Mr. Lambert said, the NHDOT does not have the resources for the mainline signs. A private company does these signs.
- Mr. Lambert said, concerns have come up about having these blue signs in more rural parts of the state, so the bill was originally passed for only the areas south of Concord. However, this excludes towns such as Plymouth, Tilton, Woodstock which are places with a lot of services that would be interested in having these signs.
- Senator Sherman asked, is this limited to federal highways?
 - Mr. Lambert said, this is limited access to state highways. This would expand to 89 and 93.
- Senator Sherman asked, so it is already on 101 because it is south of Concord. Is this going to allow a significant increase in signage? Or just make it clearer?
 - Mr. Lambert said, there can be no more than 4 signs for each interchange exit. The number of signs is regulated. The program was originally initiated in the 1970s-1980s for gas services. I do not see us having a lot of full interchanges. Maybe the exit in Tilton would gain a few.

Henry Veilleux, NH Lodging & Restaurant Association

- Mr. Veilleux testified in support of the bill and he said the NH Lodging & Restaurant Association supports this bill.
- Mr. Veilleux said he worked with Bill Lambert on the original bill.
- Mr. Veilleux said, right now you can see logos coming down the divided highway south of Concord. It is helpful to see specific restaurants, for example Common Man on the signs. As of now, on signs north of Concord, there is just generic symbol for restaurants, such as a fork and spoon; you cannot see the restaurant name logos on the signs.

Speakers

Senate Remote Testify

Transportation Committee Testify List for Bill HB305 on 2021-03-16

Support: 4 Oppose: 0 Neutral: 0 Total to Testify: 2

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>§</u>
Lambert, Bill	william.r.lambert@dot.nh.gov	603-271-1679	State Agency Staff	Department of Transportation	Support	Yes	2
Veilleux, Henry	hveilleux@sheehan.com	16034961296	A Lobbyist	NH Lodging & Restaurant Association	Support	Yes	2
Daigle, Kevin	Not Given	Not Given	A Member of the Public	NH Grocers Association	Support	No	2
Vogt, Robin	robin.w.vogt@gmail.com	603.969.5720	A Member of the Public	Myself	Support	No	2

Testimony



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



Victoria F. Sheehan
Commissioner

William Cass, P.E.
Assistant Commissioner

March 16, 2021

The Honorable Regina Birdsell, Chair
Attn.: Ms. Kirsten Koch
Senate Transportation Committee
Legislative Office Building Room 103
107 North Main Street
Concord, NH 03301

Re: HB 305 relative to Motorist Service Signs on Limited Access Highways

Dear Sen. Birdsell:

I would like to submit the following testimony regarding the subject bill on behalf of the Department of Transportation. The Department of Transportation administers several highway signing programs for specific traffic generators through the Bureau of Traffic, Outdoor Advertising Control Section. As you sponsored the most recent changes to this subject statute, much of this information will be repetitive for you, but may be of interest to new members of the committee.

Background

- Motorist Specific Service Signs (Logo signs) were introduced by FHWA with the 1988 MUTCD for Gas, Food, Lodging, and Camping – Gas was the driving force as many drivers had brand specific credit cards at that time.
 - Administrative Rules were adopted in New Hampshire circa 1995 – the original administrative rules were developed by a task force that included elected officials of the General Court and the Department of Transportation. Concerns raised regarding the adoption of these signs included the proliferation of signing along some of our scenic highways and the cost of the signing to the locally owned “mom and pop” establishments.
 - Over the years, 46 states have adopted the logo program; New Hampshire is the only state to limit logos to ramps only, though at this time that restriction is only for highways “north of Concord” – Cost to locally owned businesses was a consideration – As was “proliferation of signs” – Several previous attempts to extend program to mainline failed.
- As many as 37 states outsource the logo program, several generate revenue for the agency. The New Hampshire DOT is currently limited to fees “sufficient to ensure that the motorist service sign program is self-supporting”.
- SB 519 Relative to Highway Signs (2016) This bill added mainline Motorist Service signs for gas, food, lodging, and camping from the MA state line to Concord on limited access highways.

- Sponsored by Sen. Birdsell – Co-sponsored by Sen. Carson, Sen. Stiles, Rep. Baldasaro, and Rep. Potucek • Screened by House Transportation • Signed into law May 19, 2016 • Effective date May 19, 2016.
- Passage of SB 519 provided for the addition of an undetermined number of mainline signs, each costing in excess of \$20,000. As the Department of Transportation did not have the resources to meet this demand, we issued a Request for Information (RFI), followed by a Request for Proposals (RFP) in order to solicit interest in a contract service to administer this program. Presumably, a contract administrator would be able to monetize the cost of the sign installation based on projected revenue. In addition, entities with experience in this area would be more capable of estimating the market and therefore determine a reasonable cost of participation accordingly. As a result of this process, the Department of Transportation entered into a contract with NH Logos, LLC, a subsidiary of Interstate Logos, LLC, effective April 1, 2019. NH Logos submitted the only proposal in response to the RFP. NH Logos has installed several new signs over the past several months and will continue to add more signs as part of their statewide business plan.

House Bill 305 proposes to extend the limit of mainline signing for the categories of gas, food, lodging, and camping to all limited access highways, effectively eliminating the current prohibition of such signing “north of Concord”. Implementation of the bill would expand the number of mainline signs that could be installed along divided highways “north of Concord”. As with SB 519, the Department of Transportation would not have the resources to install these signs and would need to amend the existing contract with NH Logos to include the additional highway interchanges.

I would note that the term “limited access highways” would seem to include those two-lane, limited access (and grade separated) highways, such as US 3/NH 11, Belmont to Gilford (Laconia Bypass), NH 16 north of Rochester (extension of the Spaulding Turnpike), and US 202/NH 9, Hopkinton to Hillsboro. These highways are not included in the Department of Transportation’s current administrative rules. The Department of Transportation would like to clarify if it is the intent to extend Motorist Specific Service Signing to those highways. Our recommendation would be to limit the Motorist Specific Service Signing to “multi-lane” limited access highways to be consistent with current practice.

I thank the committee for the opportunity to submit this testimony with respect to HB 305 and would be happy to answer any questions.

Sincerely,

William R. Lambert, PE
Traffic Engineer/Administrator

Cc: Kathleen Mulcahey-Hampson

March 16, 2021

Dear Members of the Senate Transportation Committee:

I apologize for not attending the hearing for HB 305 on March 16: I was testifying at a House Finance hearing instead. Even with modern technology, I have not yet figured out how to be in two places at one time.

HB 305 deals with those large blue signs which appear shortly before limited access highway exits which say things like "ATTRACTIONS — EXIT 32." The signs belong to the state, and the operators of attractions and motor services pay yearly fees to have their businesses advertised on the signs. Until a few years ago, the DOT operated the roadside signage program in-house. Those fees are currently paid to a private company which administers the program pursuant to a contract which expires in a few years. Both motorists and businesses find these signs very beneficial, and the program easily pays for itself.

Right now, under existing law, there are restrictions on how many signs can be erected "north of Concord on I-89 or I-93" as opposed to "from the Massachusetts border to Concord." South of Concord, the DOT can put up as many additional motorist services and attractions signs as they please if there is a demand for more signs. North of Concord, additional "Attractions" signs can be erected if needed, but only one set of "Motorist Services" signs is allowed, even if there is demand for more signs.

If this bill is passed there will be one set of regulations for these signs statewide, which is simpler and also makes the roadside signage program more profitable for everyone involved.

Thanks,
Rep. Timothy Horrigan

NH State Rep. Timothy Horrigan (Strafford #6)
7A Faculty Road; Durham, NH 03824
ph: (603) 868-3342
email: TimothyHorrigan@icloud.com

Voting Sheets

Senate Transportation Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # HB 305

Hearing Date: 3/16/21

Executive Session Date: 4/27/21

Motion of: OTP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Calendar Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Birdsell

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, April 28, 2021

THE COMMITTEE ON Transportation

to which was referred **HB 305**

AN ACT

relative to motorist service signs on limited access
highways.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Regina Birdsell
For the Committee

This bill deletes a limitation on the placement of motorist service signs on limited access highways. This bill permits signage north of Concord that identifies available services in the area. Under existing law, this signage already exists south of Concord. This change is beneficial to drivers as well as the tourism, lodging, and restaurant industries of New Hampshire.

Kirsten Koch 271-3266

FOR THE CONSENT CALENDAR

TRANSPORTATION

HB 305, relative to motorist service signs on limited access highways.

Ought to Pass, Vote 5-0.

Senator Regina Birdsell for the committee.

This bill deletes a limitation on the placement of motorist service signs on limited access highways. This bill permits signage north of Concord that identifies available services in the area. Under existing law, this signage already exists south of Concord. This change is beneficial to drivers as well as the tourism, lodging, and restaurant industries of New Hampshire.

Docket of hb305		
01/09/2021	H	Introduced (in recess of) 01/06/2021 and referred to Public Works and Highways HJ 2 P. 43
01/20/2021	H	Public Hearing: 01/28/2021 10:30 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/92864158967 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
02/03/2021	H	Committee Report: Ought to Pass (Vote 21-0; CC) HC 12 P. 11
02/24/2021	H	Ought to Pass: MA VV 02/24/2021 HJ 3 P. 15
03/04/2021	S	Introduced 03/04/2021 and Referred to Transportation; SJ 7
03/11/2021	S	Remote Hearing: 03/16/2021, 01:30 pm; Links to join the hearing can be found in the Senate Calendar; SC 15
04/28/2021	S	Committee Report: Ought to Pass, 05/06/2021; Vote 5-0; CC; SC 22
05/06/2021	S	Ought to Pass: RC 23Y-0N, MA; OT3rdg; 05/06/2021; SJ 14
06/02/2021	S	Enrolled Adopted, VV, (In recess 05/27/2021); SJ 18
06/03/2021	H	Enrolled (in recess of) 06/03/2021
06/14/2021	H	Signed by Governor Sununu 06/10/2021; Chapter 68; Eff: 08/09/2021

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 305

Senate Committee: Transportation

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: (Legislative Aides)

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office none

Committee Action Documents: (Legislative Aides)

All amendments considered in committee (including those not adopted): none

___ - amendment # ___ ___ - amendment # ___

___ - amendment # ___ ___ - amendment # ___

Executive Session Sheet

Committee Report

Floor Action Documents: (Clerk's Office)

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # ___ ___ - amendment # ___

___ - amendment # ___ ___ - amendment # ___

Post Floor Action: (if applicable) (Clerk's Office)

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: (Clerk's Office)

___ as amended by the senate ___ as amended by the house

___ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Kirsten Koch

Committee Aide

7/26/21

Date

Senate Clerk's Office _____