

COMMONWEALTH OF PENNSYLVANIA

HOUSE OF REPRESENTATIVES

COMMITTEE ON TRANSPORTATION

Verbatim Report of Hearing Held

in Bushkill, Pennsylvania

HOUSE BILL 504

Hon. Robert E. Bellomini, Chairman

Hon. Francis E. Gleeson, Jr., Chairman, Subcommittee on Highways

Hon. Joseph P. Kolter, Chairman, Subcommittee on Public Transportation

Hon. Jack R. Arthurs, Chairman, Subcommittee on Transportation Safety

Hon. Joseph A. Petrarca, Secretary

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Hon. Rudolph Dininni, Minority Chairman

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Hon. Joseph R. Pitts

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Hon. Roy W. Wilt

PUBLIC HEARINGS - HOUSE BILL 504

SCHEDULE OF TESTIMONY

THURSDAY, JUNE 16th:

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Stan Beiter, Assistant Director, Bureau of Tourist Development

William Reynolds, Roadside Business Association and R. H. Christiansen, National Advertising Company (3M)

Richard Moeller, Federal Highway Administration

John Hohenwarter, Michael Deckman and Robert Ross, PennDOT

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Opening Statement

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THURSDAY, JUNE 16, 1977

OPENING STATEMENT

CHAIRMAN BELLOMINI: Good afternoon. I am Representative Bob Bellomini, Chairman of the House Transportation Committee and I would like to take this opportunity to thank the members of the Committee for attending. As you will notice, there are very few members here this afternoon, but they will be coming in shortly. I want to apologize to some of the members, but it was cleared by the leadership to be here but some felt as though there were important issues on the calendar and stayed behind. But as I said, they will be joining us in a matter of an hour or two.

I would also like to thank the members of the tourist industry, Federal and State officials and the general public for attending these important hearings. What will be discussed today and tomorrow can shape the laws and regulations of the tourist industry in the Commonwealth of Pennsylvania. Before I go to the agenda, I would like to introduce the people at the head table. Rudolph Dininni, our Minority Chairman of Transportation. Also the staff of the Transportation Committee, Mrs. Becky Berrier, Mr. Rocco Pugliese and Mr. Thomas Usiadek. This afternoon we are going to discuss House Bill 504, which is essentially the vehicle to positively overhaul the Pennsylvania Beautification Act of 1971. This bill would establish a preference as to what type of signs would be removed. Thus, directional information signs will, in the foreseeable future, be removed which may result in a sizable loss to our tourist industry. It is now important that we proceed with the hearings on House Bill 504 and how we may possibly correct this bill and also the State Beautification Act that directly affects our tourist industry.

Our first speaker of the day will be Mr. Bob Uguccione, Executive Director of the Pocono Vacation Bureau.

BOB UGUCCIONI: I would like to say first, welcome to the Poconos to the Committee and members who will be testifying today. I would like to indicate that we picked this place very deliberately concerning the location of this particular hearing. I think if you traveled along Route 209 coming here, you saw a great number of signs. You've also seen probably the worst piece of highway we have in the Poconos. Since you've traveled it and the Department of Transportation and others who have traveled it, you can see the experience we have every day. There is a great amount of truck traffic that has been put upon us here on Route 209. I will now present my testimony, Mr. Chairman.

My name is Bob Uguccioni and I am the Executive Director of the Pocono Mountains Vacation Bureau which is the coordinating tourist association for the four Pocono Mountain counties of Pike, Wayne, Monroe and Carbon. We are the largest tourist association of our kind in the Commonwealth of Pennsylvania and one of the largest in the United States.

Tourism is the largest single industry in the Pocono Mountain counties with an impact of over 780 million dollars to the economy of our four Pocono Mountain counties. We can accommodate over 95 thousand people in one night in the Poconos and during the prime tourist season, our employment is estimated over 19 thousand with 10 thousand people being employed year round. It is estimated that we had over 6.5 million visitors to the Poconos in 1976.

The impact of tourism in the Poconos to the Commonwealth can be measured by one tax, the 6% hotel occupancy tax, which is a room tax charged for each accommodation rented per night. In 1971, the four Pocono counties collected 1.6 million dollars for this one tax. We feel it is safe to say, since the Department of Revenue no longer keeps separate records on this tax, taking into consideration inflation and the increase in our rooms and, in particular, luxury type accommodations, that the amount collected on this one tax in 1976 which is based on hotel occupancy, generated over 6 million dollars revenue to the general fund of the Commonwealth of Pennsylvania. It should be noted that the

Commonwealth of Pennsylvania in its entirety spent only a little over 2 million dollars (not including Bicentennial money) to promote the tourist industry throughout the State in 1976, so that the revenue of 6 million dollars from this one tax from the Poconos more than paid for the entire investment that the Commonwealth made in tourism promotion for 1976. Also, 65-70% of that revenue came from out-of-state visitors and this does not include the revenue generated by all of the other counties in this State and other major tourist destinations such as the Pennsylvania Dutch Country, Philadelphia, Pittsburgh, Laurel Highlands, Valley Forge, Gettysburg, etc. The reason I am pointing out these statistics is to show you the tremendous impact that tourism has on the Commonwealth and, of course, on this particular part of Northeastern Pennsylvania.

We are supportive of House Bill 504. We do have some reservations about the impact that it may have on future activity concerning highway traveler directional information systems. So as to not take too long with my presentation, I am providing to members of the Committee a proposal that we submitted concerning alternative information systems to the tourist traveler in the Poconos, a study of the commercial highway signing in Monroe County that was accomplished in September of 1972, and a copy of the recent January 20, 1977 action of the Virginia Highway and Transportation Commission. The Virginia Highway and Transportation Commission recently passed unanimously two resolutions. Resolution number one was that the Virginia Department of Highways and Transportation develop a uniform directional signing concept for existing off right-of-way signs. Resolution two was that the Virginia Department of Highways and Transportation petition the Federal Government to amend the guidelines of Subpart C, 750, Title 23, Section 2, Federal Code, to include additional directional signing for certain essential services in the specific interest of the motoring public. I think members of this Committee will find this action and the recommendations of this special advisory committee that the Commonwealth of Virginia set up very informative and relative to their deliberations on House Bill 504. Also, in the packet which I am making available to all members is information concerning the

New York State project initiated by the Finger Lakes Tourist Association, a similar type organization to the Pocono Mountain Vacation Bureau, with a Federally approved signing program for that region of New York State.

Of particular interest concerning the Highway Beautification Act itself are remarks by Congressman Jim Wright of Texas. As you know, Congressman Wright is now the majority leader of the United States House of Representatives. Congressman Wright also happened to be the principal author of the 1965 act concerning highway beautification which has become known as the Lady Bird Beautification Act. He did so at the urging of then President Lyndon B. Johnson, a close friend of Congressman Wright's. I would like to point out some comments made in his presentation at the Discover America Travel Organization's recent seminar in Lincoln, Nebraska, which I attended. Some of the comments concerning this bill, I think the committee will find particularly interesting coming from the principal author of the bill.

First, he indicates that it was not initially intended to be a billboard removal program and that the states were supposed to fashion their own programs. Instead, the Federal Highway Administration Administrator delegated to develop the programs handed regulations to the states and said, "Here is what you'll do if you expect to get Federal Funds". Quoting Congressman Wright, he says, "This was never intended by Congress, under any circumstances". Continuing the quotes of Congressman Wright, he says that, "The Federal Highway Administration's interpretations of the Congressional intent was 180% to the contrary". Regarding the beautification law, he quotes from the law, "The States shall have full authority under their own zoning laws to zone areas for commercial and industrial purposes and the actions of the states in this regard will be accepted for the purposes of this act". As Chairman of the Highway Beautification Commission in Washington, Congressman Wright asked the people to present their views concerning highway signing. The Commission conducted two nationwide polls in addition to regional hearings and hired the Sindlinger Organization and the Dekadt Research Firm to conduct separate surveys.

Congressman Wright also indicated on a direct question concerning the loss of Federal highway money with non-compliance of the bill, "You can't lose all of your highway money, but you can lose 10% of it. The law requires that the states conform to the Federal standards, but the Beautification Law does not require and did not intend that the Federal Administrators would write the states' laws on signing. The law was designed to give the states a considerable amount of flexibility in writing sign laws that would meet the requirements of their individual areas. Unfortunately, it has not been interpreted that way". The point is that the prime sponsor of this bill is very disappointed concerning how this beautification act is being administered and encourages the states to come up with their own alternative programs and to present them to the Federal Government.

That is what we would like to have happen. We would like to be able to present to the Federal Highway Administration a comprehensive directional signing program from the Commonwealth of Pennsylvania that would include all highways in Pennsylvania: interstate, primary, secondary or whatever. This plan could be developed by using a model area such as the four Pocono counties as we have proposed in the past on coming up with a comprehensive, workable plan that will direct the traveler to the facilities that 75% of them say nationwide they desire. The private sector of the Department of Commerce and PennDOT should institute a program of coming up with this plan for an alternative traveler information system for the tourist in Pennsylvania. We, representing the private sector in the Poconos and also deeply involved in the state tourist associations, are eager, willing and able to assist in this endeavor. We hope that with the passage of House Bill 504, it will give all of us time to implement and study this problem and come up with a plan for a Pennsylvania Traveler Service System and not a Federal plan for Pennsylvania signing. Thank you.

You do have a list of attachments, but one that I just received and did not have time to include in the attachment, Mr. Chairman, was the entire text of the speech by Congressman Wright at that particular seminar.

CHAIRMAN BELLOMINI: Thank you, Bob. I believe the panel might have some questions for you. I have a few questions that I would like to ask. From the Pennsylvania Outdoor Advertising Act of 1971, what effect has this had on the Pocono area?

BOB UGUCCIONI: Do you mean removal of signs? (Yes) In some cases, it provides a hardship to our people - the tourist people. One of the things that I think a lot of people don't realize is that although we utilize outdoor advertising companies, we cooperate with them extensively and many of the signs we are talking about are privately-owned. They are owned by the people that own the business and they make an arrangement with a farmer or a landowner to have their sign on their property so they aren't really coordinated by somebody representing the public. I think that PennDOT has been very cooperative in some ways, in many ways, in particular with letting us use the roadside rest areas for information centers and this new program with the Department of Commerce on directional highway sign use systems. But on the whole, we have some specific cases where it has provided a hardship, not only for the business, but to the traveler finding the facility. And frankly, we are not happy, Mr. Chairman, with the way some of our signs look. We would like to have a system to improve what some of those signs actually look like here in the Poconos.

CHAIRMAN BELLOMINI: What issues do you feel can be improved with the passage of House Bill 504?

BOB UGUCCIONI: I think it basically gives us time to hopefully start what I propose. We're not happy with the signs we have in the Poconos. We're not happy with the system we have now, but you can't take all the signs down. If you travel this road and there are four or five campers out there with those campers on the back trying to figure out how to find one of our campgrounds, and that's a very dangerous situation, trying to determine where they are going to turn in and where they are not going to turn in. So it isn't a question of business or loss of business, it is also a question of highway safety. I think we have all suffered the frustration of somebody being in front of us slowing down to

10 miles per hour trying to figure out where they are going to turn. I don't think there is anything more dangerous than that on the highway today. Our purpose is to come up with a better system, a Pennsylvania system, to direct the people to the facilities they want; and that can be done. This bill would give us time to do that.

REP. DININNI: I have no questions, but I totally agree with your statements because on the way up, this is my first trip to the Poconos, all I kept looking for was signs.

REP. FOSTER: I just have one question. You mentioned several types of signs that you have now. Have you got any signs in the area that are under contract from an advertising company that is on a yearly to five year basis?

BOB UGUCCIONI: We don't have any signs ourselves, that is our organization, but we are members of the Outdoor Advertising Council.

REP. FOSTER: Have any of these signs been taken down that was a great cost to the organization?

BOB UGUCCIONI: To the people? (Yes) I think there are members who will testify to that. The problems that have been brought to us have been basically individual signs. Not so much people from outdoor advertising, although I know that is a problem, also particularly in directional signs on the interstates.

REP. FOSTER: Of course coming from the area, I am very familiar with the problem, not only here in Monroe, but Wayne and Pike as well. This is certainly a subject of great concern and I was glad Representative Dininni said what he did because I was thinking of him. I know he was ahead of me on the road and he asked me how to get here and I did give him some direction. I thought that might happen; that someone would have difficulty in finding the place. If this resort wasn't so prominent, I'm sure they would have had trouble finding some of the other ones, so I think it is a good point that Mr. Dininni mentioned when you were coming from Harrisburg. That's all I have at this time, Mr. Chairman.

TOM USIADEK: You mentioned that you are not too pleased with the sign situation you now have. What is your organization doing to make a more uniform system of signs? Not only the type of sign, but the dangerous situation that you pointed out that can arise from too many signs along the road.

BOB UGUCCIONI: As I indicated, we have at our expense and with PennDoT's cooperation, been able to put information centers in the roadside rest areas along Interstate 80 and other spots in the Poconos. We estimate a tremendous expense on our part with total cooperation with PennDoT. We also have contacted the Department of Commerce regarding the parent program of signing resorts and campground attractions with directional signs that are put on the right-of-way. That is basically what we have done. We have also sent a survey of all the signs in this particular county and tried to encourage our members to upgrade their appearance. We've found in these surveys that we have a lot of signs for places that are no longer in business and haven't been for years; but we find they remain there and it looks absolutely terrible. We have tried to work through that way, but all of those endeavors are primarily for secondary roads, they are not primary interstates. At least the signing problem has not been resolved. We have also tried to encourage PennDoT to look into other activities like the logos in the Virginia Plan which has logos up on interstate marquees and that is basically it.

REP. GLEESON: I would like to make a comment. This is along those lines. It is really not about signs, but I noticed on the way up that the Fernwood doesn't seem to be on the State map. Maybe we would be able to help you in that way. I wonder how many other little places could be put on the map and aren't.

BOB UGUCCIONI: Some of our resorts are on the map such as Pocono Manor, Skytop, Buck Hill and a few others, but they have their own little post office. Tamiment has its own post office so consequently, it is actually a town. It is actually a location.

CHAIRMAN BELLOMINI: Is Fernwood a town?

BOB UGUCCIONI: No, Fernwood is not a town. Bushkill is the town and it is on the map.

REP. GLEESON: It is not incorporated so maybe it does not belong on the map.

BOB UGUCCIONI: Some of our resorts like Pocono Manor and others actually have post offices and that is why they appear on the State map as being a location.

CHAIRMAN BELLOMINI: Are there any other questions? Thank you very much Bob.

Our next witness is Mr. Stan Beiter, Assistant Director of the Bureau of Tourist Development.

STAN BEITER: The Pennsylvania Department of Commerce and Bureau of Travel Development are supportive of House Bill 504 as a means of extending the life of those outdoor advertising signs which provide the traveling public useful information about lodging and dining facilities, roadside services - such as fuel and automotive repairs - and tourist attractions. The economic impact of travel in Pennsylvania - nearly \$8 billion annually - dictates that the Commonwealth do all in its power to encourage travelers to and through Pennsylvania to extend their visits to the State and, as a result, spend more money within its borders. Traveler expenditures of nearly \$3.5 billion in 1975 generated payroll, jobs, associated business spending, State and local taxes, and personal income accounting for more than \$7.9 billion in Pennsylvania.

Immediate removal of outdoor advertising signs directing travelers to the facilities and services described above which are not in conformance with the Outdoor Advertising Control Act of 1971 and which are located along designated beautification sections, could reasonably be expected to have a sizable, negative effect on those private enterprises which, without proper signing, cannot be easily located by the traveler seeking their services or pleasurable visitor experiences.

In addition to the economic impact, deferred removal is desirable from a "service" point of view. That is, travelers on Pennsylvania roads, be they visitors or Commonwealth citizens, should be afforded knowledge of where they may refuel their automobiles, break up trips with a meal or rest stop, or detour to visit an interesting or entertaining tourist or historical attraction should they so desire.

Provision of this service is desirable either as a Commonwealth function or by the private sector travel industry which so greatly profits by it and, accordingly, absorbs the cost of providing it. Statistics given in this statement and many facts and figures given by Bob Uguccioni are generally available through private concern reports such as the Copeland Report. I am sure most of you are familiar with the Copeland Report. The latest version we have is the 1975 edition. We are expecting the 1976 figures next month. These figures, both the 1975 report and the 1976 report, are available upon request through the Bureau of Travel Development.

CHAIRMAN BELLOMINI: Thank you, Stan. I would like to ask you a question. What is the Department of Commerce's role with directional signs?

STAN BEITER: The Department of Commerce's role is basically as an inspection. The Bureau of Travel Development and the offices in the Department serve as an inspecting department. Campgrounds, attractions, really any signs which are put up by PennDOT affecting the commercial tourist business. We do have an individual who has done this for some years. He makes personal visitations to on-site attractions, campgrounds, etc., and he defines their value to the traveling public. Furthermore, he makes recommendations to PennDOT pro or con signing. Our reports are then, of course, turned over to PennDOT who really make the sign approval.

REP. FOSTER: I would like to have you clarify one thing; the figure of 7.9 billion. What is that again?

STAN BEITER: 7.9 billion is the 3.5 billion dollars multiplied by a factor, which involves the travel tourist dollars. In the Copeland Report, they are given a factor of 2. some odd percent which the actual dollar is worth after the tourist spends it.

REP. FOSTER: Where does that apply, just in the State of Pennsylvania?

STAN BEITER: Just in the State of Pennsylvania. This report was done specifically for us by Dr. Louis Copeland of the University of Tennessee and I would be very happy to see that you receive a copy.

REP. DININNI: Stan, just one question. Do we have any kind of a map that would indicate our resorts or tourist attractions in the State of Pennsylvania?

STAN BEITER: Yes, the attractions organization has such a map.

REP. DININNI: Does this indicate all of your resorts and where they are located?

STAN BEITER: Does it indicate members only, Bob? (Uguccioni)

BOB UGUCCIONI: Each region has a series of maps. The State doesn't really have a comprehensive directory of State facilities such as camping brochures, etc., but each area such as the Poconos and Philadelphia have their own individual resorts and their own brochures. There is nothing put out by the Commonwealth.

REP. DININNI: Do you think it would be helpful to the industry in the State, not just here in the Poconos, if we had such a map?

STAN BEITER: Yes, sir.

REP. DININNI: I know it costs dollars, but it is another way of looking to help the industry. Thank you, I have no further questions.

CHAIRMAN BELLOMINI: Are there any more questions? Thank you, Stan. Our next witness will be Mr. William V. Reynolds, Executive Director of the Roadside Business Association.

BILL REYNOLDS: Mr. Chairman and members of the Committee, my name is William Reynolds. I am the Executive Director of the Roadside Business Association, based in Fairfax, Virginia. RBA is a national Association representing over 5,000 businesses which many of you frequent during your travels over the Interstate system and primary highways of this nation. Our members include 1700 Holiday Inns, 1700 Best Western, 300 Ramada Inns, KOA Kampgrounds, resorts and major attractions. In addition, RBA represents the nation's sign operators who make advertising available to these businesses. It is indeed a pleasure to have this opportunity to appear before you in support of House Bill 504.

Since the passage of the Federal Highway Beautification Act in 1965, all states have been required to comply with the Federal Standards and regulations of the Act. As most everyone knows, the Act, as written, is not working well. More and more people are realizing, including Congress, that the Act went too far

for America's very mobile society. It is too restrictive and needs changes. Amending the Commonwealth of Pennsylvania's "Outdoor Advertising Control Act of 1971", as proposed, is a beginning.

Since the Beautification Act was enacted in 1965, RBA has been working to keep directional and tourist oriented signs up until all other non-conforming signs had been removed. It has been a long, hard, and costly battle. It wasn't until last year that the RBA reached a measure of success by getting Congress to amend the Act to the point where not only would these signs remain until all other signs were removed (Section 131 (q), Paragraph 2), but that certain signs could be exempt from removal if their removal would create an economic hardship upon that business so advertised (Section 131 (o).)

The proposed legislation we are addressing ourselves to today will make the overall program more, not less meaningful. 131 (q) paragraph 2 of the Federal Highway Beautification Act is a recommendation. This is another amendment that Congress has passed which is not mandatory, it is permissive.

This amendment recognizes the difference between the states where one state has an entirely different type of tourist oriented industry from another. Also, a state may have one large tourist area and no others, and so forth. It does provide the flexibility that was criticized in the first, second and third amendments to the Federal law.

The intent of this particular section of the law was to allow for the flexibility in the various state laws as those states had implemented over the years.

Passage of House Bill 504 recognizes the importance of retaining directional and tourist oriented signs until all other non-conforming signs are removed. The RBA would like this Committee to consider legislative action that could possibly amend House Bill 504 as it relates to Section 131 (o).

You heard testimony a few minutes ago from Bob Uguccione representing the Pocono area and the hardships that have been created upon them in this particular area because signs have been removed.

131 (o) in the Federal Highway Act of 1976 provides that a state may make submissions to the Secretary for the approval of the retention of certain specific non-conforming signs which provide directional information about goods and services in the interest of the traveling public within limited areas where it is demonstrated that removal would work a substantial economic hardship.

The Federal Highway Administration, the regulatory agency for the Beautification Act, issued a notice informing the states that (1) any exemption under Section 131 (o) must be consistent with the state law; (2) the signs proposed to be retained in an economically impacted area, continue to provide directional information to goods and services to the same enterprise as advertised on the sign on May 5, 1976; and (3) projects presently under agreement until the request for exemption under Section 131 (o) is made by the State and approved by the Secretary.

The Federal Highway Administration issued a directive on October 22, 1976 which stated: "If the State contemplates submitting a request for exemption, it is not relieved from complying with existing project agreements. Projects presently under agreement must be completed in accordance with the terms of the agreement until such time as a request for exemption under Section 131 (o) is made by the State and approved by the Secretary."

As we understand this portion of the directive, it encourages states to complete their removal programs before they have enacted legislation and defined their economic hardship areas. Thus, signs which should be defined as economic impact area signs, could be removed unless Pennsylvania enacts the proper legislation or amends House Bill 504.

Pennsylvania would not be charting new waters with this amendment. Five states have enacted it: New Mexico, Arkansas, Arizona, Idaho and Nevada. Other states with amendments in the hopper are: North Carolina, Wisconsin, Illinois, Florida and Louisiana, to name a few. RBA views the enactment as sincere efforts on the part of these states to preserve their tourist industry and allow these signs to serve the visitors to their states.

One of the key issues relating to this amendment is the determination of the criteria which the state will use to qualify "economic hardship" or economically impacted areas. The FHWA issued a proposed economic analysis as a guideline in assisting states to develop criteria. RBA has also prepared criteria we believe would be useful.

For example, New Mexico is in the process of determining their criteria. They have contracted with the New Mexico State University to conduct a complete economic analysis of some 33 communities and towns as well as tourist related facilities and attractions located in defined areas. In addition, they are utilizing the criteria the RBA has developed, so as to identify those specific areas outlined in Section 131 (o).

If I may digress from my testimony for a minute. I have worked very closely with the New Mexico State Highway Department and the Regional Federal Highway Administration in Fort Worth. What we are looking into is a good working relationship between the Highway Department, Federal Highway Administration and New Mexico State University and the industry itself. In the initial proposal that the University presented to the Highway Department, they failed to recognize defined areas such as we are located right now. The Fernwood area would be typical of the area and as the Representative pointed out, it is not a town. The proposal only addresses itself to communities and towns which truly could be defined as economic hardship areas, but also resort facilities such as you are in today. So we are looking very closely, and it is a good working relationship, and we are very pleased with the progress report. However, we won't know for a year the results of New Mexico. Arizona is presently involved in their established criteria to define their economic hardship areas. We are working very closely with the Arizona State Highway Department and also the Federal Highway Administration in Arizona. Now, many states who have said, "No, we do not want to get involved in this program because it is very expensive; we have limited funds and manpower to go out into our states and define these areas". I might point out that the New Mexico State Highway Department has awarded a contrac

of \$117,000 for the New Mexico State University to develop their criteria. In the State of Arizona, it is absolutely zero. Not one penny of Federal or State funds will be spent on this program and the RBA has volunteered to do all the work for them. In Georgia, we are running into a situation where they are looking to liberalize the whole act. I testified before the Senate Transportation Committee under Senator Reynolds in Havana, Georgia, a week ago last Wednesday, and he wants to come to Washington to try to change the old act.

The RBA is willing to work with the Pennsylvania Department of Transportation for the same purpose. It is our hope that once an ideal criteria program is developed, it can be useful for other states with minor adjustments to that state's specific needs, saving money and manpower.

The United States Travel Data Center's report in 1975 stated that \$34.4 billion was spent for auto vacation travel in that year and estimate that \$36.3 billion will be spent in 1977. So it looks like the traveling public will be visiting state attractions - providing they can be properly directed with signs.

Businesses which base their livelihood on meeting the public's travel needs face some harsh times ahead. I have just been to a series of Ways and Means Committee hearings in Washington dealing with energy. Energy legislation could cut back unnecessary travel; rationing, or week-end closing of service stations could all but stop travel for pleasure; limited lighting on both highway and on-premise signs to conserve energy can stop night-time travel. The person traveling is going to need all the reasonable assistance to direct him straight towards his goals and that is done by the signs we are discussing here today. We feel that Pennsylvania can aid many of its businesses and state tax dollars by passing the needed amendment to comply with the FHWA regulations.

Before I close, Mr. Chairman, I want to address myself to a remark that Bob Uguccioni made earlier and I totally concur with the gentleman in that we do need to develop a comprehensive sign program. We need a sign program that will work. Perhaps we'll hear testimony later today dealing with the logo program.

I was asked earlier here my concept of the logo program because I am from Virginia. I have been exposed to it a great many years. Twice a month I go to Richmond to see my daughters in college and I might say that I don't believe the logo program is the answer. I don't support the program. I feel it is too restrictive; the criteria for being eligible for your business for a logo to be on a sign is not flexible enough. I think by supporting the rest area program, the concept of putting advertising in rest areas, is not the answer either. I believe that there should be a third effective program to supplement the local system, if that is what the state decides to use, and the rest area program. I do feel that this is an area that perhaps we should get into a little further. That completes my testimony and I welcome questions. I think that Mr. Christiansen may have some testimony at this time.

RICHARD CHRISTIANSEN: My function in being here is to answer any questions that the Committee might have with relation to the companies that are in the outdoor advertising business. So if you have any questions along those lines, I would be pleased to answer them.

REP. FOSTER: Mr. Reynolds, do I understand you that House Bill 504 in its present form wouldn't actually do the job that we want it to?

BILL REYNOLDS: In my opinion, and I am not an attorney, I believe you already have the authority to retain your signs until all other directional signs are removed.

REP. FOSTER: Actually what I am getting at is it says, "after all nonconforming signs have been removed". Are there some areas of the State that all the nonconforming signs have been taken down and now the tourist informational signs would be next right away?

RICHARD CHRISTIANSEN: In the state of Oregon, all signs are down, all billboards. One problem is that our company more than likely has more permits in Pennsylvania than in any other state. We operate in all counties of Pennsylvania. In order to make this removal program workable, the Department of Transportation and myself entered into a big disagreement wherein over a five year period of time, all nonconforming signs in the Commonwealth would be removed.

And we, as a company, would make the determination each year of 20 percent essentially of our signs that would be coming down during that time period. Now our company is very concentrated in the tourist-oriented signing business as opposed to the people who are in the billboard poster business who deal heavily in product advertising. So what has happened is now we are in the third year of this program and we are running out of property-oriented signs and now we are being forced to go into the removal of the tourist-oriented signs at this point. If you look at the Commonwealth and the many counties, there are sections of the State where we are not heavily proportioned in the outdoor advertising as in other counties. So what is happening in an area such as the Poconos, where a lot of individuals have their own signs, we as a company in order to maintain our quota, are now being forced into taking down signs that aren't in the interest of the traveling public and our customers then who put their faith in us as an advertising company many years ago to take care of their advertising needs, are being deprived of their advertising signs simply because we have run out of the non-tourist signs. We at the company have no real argument with the Department. They have a law, they have a program; we have the signs and we must remove them. So, we have worked together and as the gentleman will testify, we are giving them lists every six months of signs that can be removed. We are getting now to a short straw. And we are now getting into the tourist-oriented end of the business and the tourist businesses have not been hurt yet. But now, they are going to begin to be hurt and when that happens, it is going to be a public relations problem to us. The State is going to be getting a lot of phone calls wondering what is going on and the industry, the tourist industry, will be hurt.

REP. FOSTER: Actually, that was the thrust of my question and you are fast approaching that at the present time. So in effect, now you tell me we do not need House Bill 504; or is it your opinion that we do not need it.

RICHARD CHRISTIANSEN: I only refer to the Federal regulations, the regulations that are already on the books and I think Mr. Moeller will address himself to that later on.

REP. FOSTER: But to get back to my original question, perhaps we do need an amendment in there to still preserve the tourist-oriented signs because this is what I was afraid of. Probably in some areas, all the other signs are down and now you are telling me this, your company at least, is going to be in the process very shortly of removing them.

RICHARD CHRISTIANSEN: An additional problem is that as the legal locations become fewer, then the highest and best use is going to be put to use to both locations and larger signs, more expensive signs, will go up and smaller businesses will, frankly, be in a difficult spot trying to economically support these larger ones. We've seen it develop in other states. Our company operates in all 48 continental states and we've seen it happen in Maine and Vermont where the removal program is far ahead of what it is here. We've seen these things happen and we, as a company, have no real answer to give to these people other than there is a law; where were you when it was passed? It's all we can say to people.

REP. FOSTER: Let me ask you this question. In your business, do you find that the law is being enforced in a uniform manner all over the State?

RICHARD CHRISTIANSEN: Yes. As far as our company is concerned, we find that the Department has been very realistic and very helpful in enforcing the statute. We have worked very closely with them over the years, but they and we are in the same boat. We're running over like a funnel. In the beginning, we had a lot of room, but now that funnel is getting down to the little round tube at the bottom and people are going to be squeezed as we get down to the bottom of that funnel. That's where we are now. We are getting very close to the bottom of that funnel.

CHAIRMAN BELLOMINI: Just to conclude with Mr. Reynolds, I would like to ask what you would say about an amendment to House Bill 504. Can you briefly explain what should be included?

BILL REYNOLDS: Yes, it would be model legislation recognizing Section 131 (o). In other words, an economic impact amendment which will bring the State into compliance with the Federal Act and allow the State to define those areas such

as the Poconos, that would be a good example; the turnpike area and perhaps some communities that may have been bypassed as a result of an interstate. If this is to be done, what you are doing is not only delaying the removal of signs with House Bill 504, you are also protecting and hopefully exempting signs from the removal period, which is what we are supporting. We feel that signs that may presently be in a profile that will be retained until all other signs are removed. We feel those signs should not only be retained, but be exempt from removal. I ran into the same things you folks did when my wife and I were driving up from Washington. We tried to find a Fernwood sign and we had no idea where the Fernwood was. There was a lovely sign on our own primary in Parkton saying, "nice quiet place to have lunch", and we were starved, but there was no sign on the interstate system telling us how to get to this lovely place to eat. We didn't know where to go and we ended up eating at a Howard Johnson's in York. We're talking about a lot of money and we're talking about a lot of investments. An economic impact amendment such as Section 131 (o). We have all the language and we would be more than happy to present it to the Committee for consideration.

CHAIRMAN BELLOMINI: What states have this policy?

BILL REYNOLDS: Five states: New Mexico, Arizona, Arkansas, Idaho and Nevada. And RBA is going into each state and working with the highway departments to help them develop a criteria using the FHWA guidelines and their own. Because they must first pass their own criteria and it must also be approved by the Federal Highway Administration, Mr. Moeller can enlighten us on that.

REP. DININNI: The only clarification I wanted was you said you are reaching the bottom of the funnel. Are you telling this Committee that PennDOT is taking a position company for company as to what is conforming and what is not? Rather than the overall sign picture?

RICHARD CHRISTIANSEN: The law is very specific as to what is conforming and what is not conforming and all the advertising companies in the State have the option to make an agreement with PennDOT for orderly removal of signs.

Our company is a little unique in that we have long-term contracts - three year contracts - as opposed to most companies who have one year contracts or even six month contracts. In order to make an orderly removal at contract expiration, we have to look into the future as to when a given nonconforming sign would be eligible for removal. Then you just tell the property owner and we tell the customer, "I'm sorry, but the Highway Beautification Act as implemented by the Commonwealth requires that nonconforming signs be removed at the end of the contract term". And that is all we can say. We have to have some eye toward the future. When this 20 percent reaches five years, they will be coming down. Other companies have not, some others have exercised this option and they have made arrangements with the Department for removal. Others have not and have allowed the Department to say, "O.K., these five are coming down during a certain time span". It essentially boils down to this. The Department has "X" number of dollars to spend during a fiscal year and this is 75-25 money from the Federal Government. They get these monies and they are forced to spend it. It goes out to districts and they say to the district, "all right, here's your share and take "X" number of dollars worth of signs". Now at this point, if all companies were like mine and say, "here are the units, here's our 20 percent for the year, take them down". If all companies did the same thing, it could be ordered, but what happens to an individual who has four signs, not company-owned signs, just four signs owned by a bona-fide motel. Are they to remove one every year for four years or are they to keep all of them till the last year? This is the dilemma the Department finds themselves in. It is not easy for them and it is not easy for the advertising company, but we are faced with the inevitability of a law that has to be implemented.

CHAIRMAN BELLOMINI: Are there any more questions? Thank you gentlemen. The next witness will be Mr. Richard Moeller of the Federal Highway Administration.

RICHARD MOELLER: Mr. Chairman, Members of the Committee, I am Richard Moeller and to understand just who I am and what I do, my organization within the Federal Highway Administration is responsible for the national administration of

the Highway Beautification Act and specifically, as far as your interest here today, concerns the control of and acquisition of outdoor advertising signs. I am the person responsible in the Federal Government for the program. What I would like to do is read to you a prepared statement which you have a copy of and following that, I would be happy to answer any questions you have. I will give you a little bit of an outline of the statement that I have prepared. It is basically a statement that briefly summarizes the Department's outdoor sign control of the Federal Beautification Act. I do get into specifics on the changes in the 1976 amendments. Then I will discuss briefly our observations with respect to the legislation we are considering.

The Highway Beautification Act, as amended, requires the States to control outdoor advertising signs adjacent to Interstate and primary highways. Under the law, on-premise advertising, certain directional and official signs, and off-premise signs located in commercial and industrial zones and areas are allowed within 660 feet of the edge of the highway right-of-way. Additionally, the Act prohibits the erection and maintenance of off-premise signs which are more than 660 feet from the edge of the right-of-way, outside of urban areas, visible from the main traveled way of the system, and erected with the purpose of their message being read from such highway. Signs lawfully existing prior to the passage of State law which now conflict with the law must be removed. Just compensation is authorized to be paid to the sign and site owners for such removal. States not electing to comply with the requirements of the Federal law are subject to a reduction of 10 percent of its highway apportionment.

Any state which had entered into agreement to control outdoor advertising under the 1958 Federal Act along the interstate system continues to be eligible to receive the Federal bonus payment of 1/2 of one percent of the construction cost of the Interstate System, if the state continues to maintain the control as required under those agreements or under the terms of the present laws, whichever control is stricter. Pennsylvania is one such State. The Act as presently constituted includes certain provisions to insure that motorist information will continue to be available.

Section 131 (c) enacted in 1965 established certain categories of signs which are exempt from the general control requirements of the law, for example, zoning requirements. One of the exempt categories of signs is "directional and official signs". Such signs must conform to the national standards authorized by the Act to be promulgated by the Secretary, In accordance with this mandate, proposed standards were reported by the Secretary to Congress on January 10, 1967, and then circulated for comment. On February 25, 1969, the standards were adopted.

Directional signs allowed under 131 (c) and national standards mean signs containing directional information about public places owned or operated by Federal, State or local governments or their agencies. Publicly or privately owned natural phenomena, historic, cultural, scientific, educational, and religious sites; and areas of natural beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public. The size, lighting, spacing and other general rules of the national standards apply to directional signs.

One general requirement is that the message content must be limited to that of identification of the attraction, such as mileage, route numbers or exit numbers. Descriptive words or phrases and pictorial or photographic representation of the activity or its environs are prohibited. The national standards also require the states to establish selection methods and criteria for privately owned attractions to qualify. However, the activity must be nationally and regionally known and of outstanding interest to the traveling public.

In addition, the 1965 Act allowed the erection of signs giving specific information in the interest of the traveling public within the highway right-of-way. This program commonly known as the logo program has had limited State acceptance to date. This program provides that individual signs for gas, food, camping and lodging including brand or trade names of commercial establishments offering such services may be erected prior to exits from the interstate system. There is a limitation on the display of six trade or brand names for gas and the

display of four such signs for food, camping and lodging. Where this program has been utilized, Virginia, Oregon and Iowa as examples, it has in fact been well received by both motorists and advertisers. This concept is not a panacea as far as the matter of signing is concerned for various reasons. One, the number of businesses that can be displayed is of course limited and two, the categories of services for signing is limited to gas, food, lodging and camping.

As I mentioned earlier, I did want to discuss, and I think this is very important and pertinent to the legislation that you as a committee are considering, and that is the amendments contained in the 1976 Act. The 1976 Highway Act did amend the original law to extend the use of such logo systems to the primary system. The FHWA is presently drafting regulations for issuance to effect this legislative mandate. It should be recognized that this system, while not all encompassing, can be utilized by the states as an integral part of a total motorist information system to compliment other available methods.

Section 131 (q) (1) of the Act, added in the 1976 Highway Act, encourages the Secretary of Transportation to assist the states in the development of programs to insure that necessary motorist information is continued to be made available. To this end, the Congress directed the Secretary to restudy and revise as appropriate the existing standards for both the directional and official signs and the existing regulations for the logo system. To initiate the study, the FHWA published in the Federal Register on October 26, 1976, an advance notice of proposed rulemaking requesting public comments on a study of such standards and the entire matter of motorist information. To undertake both the analyzation of all comments received and the direction of the overall study, there has been a task force designated within the FHWA. This task force involved various disciplines including Right-of-Way, Traffic Operations, Research, Public Affairs, Legal as well as others.

The task force will issue an interim report in the near future (July, 1977) with a final report later in the year. The study is encompassing the following areas:

- A. On Right-of-Way Signing
 - 1. logo signing
 - 2. motorist service signing
 - 3. recreational area signing
 - 4. rest areas signing
- B. Tourist information centers
- C. Directional and official signs outside the highway right-of-way
- D. Commercial outdoor advertising as allowed by law
- E. Other alternate systems - one example might be highway advisory radio

In amending the Act in 1976, Congress made three other changes. Section 131 (q) (2) requires the Secretary to encourage the states to adopt programs to assure the removal of signs providing directional information be deferred until other nonconforming signs are removed. Existing FHWA regulations at the time of passage of this amendment contained such policy. These regulations allow the states to set priorities for sign removal and recommend that nonconforming signs providing such information be the last priority. However, we reaffirmed this policy in a notice to all states last year. The recommended priorities and legislative changes, however, does not relieve the states from proceeding within the established priorities to complete the required removal of nonconforming signs.

Section 131 (i) of the existing statute was amended to provide Federal funds for the purpose of establishing information centers at rest areas and other travel information systems within the highway right-of-way. Such Federal participation in such centers and systems had heretofore been prohibited. It is hoped that the states will avail themselves of such funding to incorporate these functions in any overall information system that may be established.

Congress also provided in adding Section 131 (o) to the law that the Secretary may approve the request of a state for retention of nonconforming signs, in specific areas defined by the state, where it is clearly demonstrated that such signs (1) provide directional information about goods and services in the interest of the traveling public and (2) are such that the removal would work a substantial economic hardship in the defined area. There are presently interim regulations

in effect to implement this section of the law. These regulations afford, at the option of the state and consistent with state law, the opportunity to request such exemption. It is important to understand here that this is not a mandatory section of the Federal Law, it is an option.

To request such exemption the state must, in addition to having the legal authority to make such request, establish its requirements for the directional content of signs to qualify the signs as directional to goods and services in the defined area and the method of economic analysis demonstrating the removal of such signs would work a substantial economic hardship throughout the defined area. Such analysis shall include the limits of the defined area requested for exemption, a listing of the signs to be exempted, and the name of the enterprise advertised on May 5, 1976. Consistent with Federal law, the exempted signs must have been lawfully maintained and continue to provide the directional information to goods and services offered at the same enterprise in the defined area that was provided on May 5, 1976.

As of this date, there have been approximately five states which have enacted the necessary legislation in order to enable the state to make a request of the Secretary if in fact there is clear demonstration of substantial economic hardship in a defined area or areas. We have not yet received any formal requests for review by the Secretary.

It is clear that the amendments made to the Beautification Act over the years since the initial passage demonstrate concern in the area of providing motorist information which is so necessary. The law still requires that we achieve the initial objectives of controlling and removing signs to promote the aesthetic beauty of our Nation and its highway systems. It will take a comprehensive program by all the states to achieve these goals but with the tools available it can be accomplished.

Now just briefly, at the end of the statement I provided to you, there are comments as a result of a request from the State of Pennsylvania. We reviewed House Bill 504 and amendments and provided essentially what I include in my statement to our division office in Harrisburg. My statement is as follows:

In reviewing proposed House Bill 504 and amendments as we were aware of the same on May 9, 1976, we determined that it is not necessary for the State to amend its existing law in order to institute a priority system in accordance with Section 131 (q) (2) of Federal law. This can be accomplished administratively by the state in accordance with Federal regulations already established.

Additionally, the bill would not allow the State to purchase any "directional information signs" until all other nonconforming signs have been removed. This would preclude the State from acquiring any such signs even if the sign owner volunteered to sell his nonconforming sign to the State on a hardship or some other basis. The amendments proposed, if adopted, would permit the State to remove only nonconforming signs not providing directional information about goods and services in the interest of the traveling public pertaining to food services, lodging, gasoline and automotive services, resorts, attractions, campgrounds, truck stops, natural wonders, scenic and historical sites and areas for outdoor recreation. Many of these types of services, as proposed in the amendment, could be eligible for relief under other alternate provisions of the Federal law and regulations. If the amendment concerning the authority to remove signs were to pass the State would be out of compliance with the Federal law and subject to penalty action.

The balance of my comments relates to the House Bill and amendments pertaining to the junkyard statute and I don't think that is the subject so I will not read that section. I might make comment in terms of the amendments. Our legal counsel has reviewed the statute. It is his concern that the amendments to House Bill 504 would unnecessarily restrict the state's ability to require nonconforming signs to contain directional information which would not conform to Federal law. Of course, the idea being that the State must retain its authority to require all nonconforming signs to be removed. With that, I would be happy to answer any questions you might have.

REP. FOSTER: I found your testimony extremely interesting; if I understand you, it changes our whole direction here. As I understand it, this could be done without any legislation. PennDOT could actually do it under the administrative basis.

Is that correct?

RICHARD MOELLER: That would be my understanding and a number of states have done this simply by an administrative policy decision.

REP. FOSTER: Then this was just instituted as of last year, 1976?

RICHARD MOELLER: The Federal Highway Administration by the issuance of a federal regulation have for a number of years encouraged an establishment of priorities with respect to the acquisition of signs containing directional information that would be of interest to the motorist be acquired last even though they may cause additional expense to the states to do this. In other words, many states in terms of acquiring signs on a given segment of highway like to go in and program a project and buy all the signs on that project at once and be done with it. This means if you are using a system of priorities in your acquisition program, to go in and acquire product advertising first, with the idea of that later come back and acquire the directional signs.

REP. FOSTER: Does the Federal Government supply any funds for this; are there funds available to the State to do this?

RICHARD MOELLER: Yes, we pay 75 percent of the cost for the acquisition of the signs and we also supply 75 percent of the cost of incidental costs associated with salaries and equipment.

REP. FOSTER: You say in your testimony that we have not yet received any formal request for this review by the Secretary. Do you mean that the State has not made any formal request in this instance?

RICHARD MOELLER: My statement has reference to the 131 (o) exemption program. Let me summarize the two changes that were in the 1976 amendment to the Highway Beautification Act. One amendment said that, and that is 131 (o), that subsection says that a state, if they are so inclined, and if they believe that there is a potential detrimental affect as a result of the removal of directional type signs, they can pursue an analysis in a sense and submit an application for exemption of the signs in a given geographic area. That is the 131 (o) program. It is a temporary exemption from removal from the State's highway programs. The other section of the law that dealt with priorities is Section 131 (q) (2).

There the Congress encourages the Secretary of Transportation to acquire the directional type signs last. There are two elements. One is an exemption program which doesn't really have any stated period of time. And the other is a deferral program which means the signs would not be acquired until late in the acquisition program. In other words, the 131 (o) exemption program would tend to be a longer period of time.

REP. FOSTER: I don't have any further questions, but I would just make an observation that as a member of the Committee, I was never aware of that information. I don't know whether anyone else on the Committee was or not, but it seems that we have a new direction to go here that I would think would be easier than the route we were trying to go.

CHAIRMAN BELLOMINI: As Representative Zwikel came to the Committee and told us, the Department told him they needed this legislation. This throws a whole new light on it as far as I am concerned.

TOM USIADEK: This exemption, the 131 (o), has no time limit on it?

RICHARD MOELLER: There is no stated period of time. The regulations that we have issued do not have any time limit on them. The only thing bearing on the time limit would be the allocation of 10 years.

TOM USIADEK: Who determines whether it is a hardship area or not. Should PennDOT make this determination as to whether this will be a hardship area, such as the Poconos area where we are now?

RICHARD MOELLER: PennDOT could. I don't think it is necessary that they exempt the associations or businesses in the affected areas.

TOM USIADEK: You mean they could petition you for this exemption?

RICHARD MOELLER: Through PennDOT, yes.

TOM USIADEK: Do you think it would be a better idea that PennDOT institute this program so it would be uniform throughout the Commonwealth rather than having an association for the Poconos, Erie, Pittsburgh and so forth?

RICHARD MOELLER: Well, certainly I think, as Mr. Reynolds indicated, he is working with the State Highway Departments of several states regarding the exemption program. I would say regarding uniformity throughout the State, that PennDOT should be vocal.

In talking to Mr. Reynolds and in advising other states, I would suggest that there should be involvement with interstate agencies involved with economic development of tourism.

TOM USIADEK: Are you suggesting Commerce, too?

RICHARD MOELLER: Yes, I think that would be an excellent idea. I would encourage any state considering the 131 (o) exemption program to be certain that all professional departments be supported. I think that in terms of a 131 (o) exemption of the removal of signs in a given area, we have the ultimate approval of authority. I want to make one observation to the Committee and I don't want to mislead you in terms of whether we need legislation or not. It is my opinion that in terms of sheer desire to institute a program of deferring directional type signs, it is my opinion you do not need legislation for that. In most states, you do not. On the other hand, I think if you are interested in pursuing a 131 (o) exemption program, I would say in all probability that you would need enabling legislation. Most state laws give a list of categories of signs that are exempt from removal and doesn't include this category. All that needs to be done to pursue 131 (o) is to have an exemption category added to that statute.

TOM USIADEK: As long as we comply with all the regulations, then we are not penalized anything, correct?

RICHARD MOELLER: Yes.

ROCCO PUGLIESE: In relation to the hardship area, is that under 131 (o)?

RICHARD MOELLER: Yes, the hardship area is exempt in 131 (o).

ROCCO PUGLIESE: Would you be able to provide us with figures in terms of how much it would cost a state if they would follow through with determining economic hardship areas?

RICHARD MOELLER: No. I believe Mr. Reynolds mentioned that New Mexico was spending \$117,000 statewide. South Dakota is really the sixth state. I have a little trouble understanding South Dakota State law, but they have a grant of around \$30,000.

ROCCO PUGLIESE: So in your own opinion, if the Commonwealth of Pennsylvania does effectively implement the determination of an economic hardship area, then we would be in full compliance with the Federal law. That is one of the problems that

not just the Transportation Committee has found, but also the Department of Transportation in terms of how much it would cost and whether it would fully comply with the Federal regulations.

RICHARD MOELLER: Let me reiterate. As far as I know at this point and time, the State of Pennsylvania is fully in compliance with the Federal law regulating outdoor advertising signs. You were subject to a 10 percent penalty. Whether you get involved with the 131 (o) exemption program or not, it is not going to affect whether you are in compliance with the federal law or not because the 131 (o) is purely an optional program - it's like a bonus program. You are not going to be in or out of compliance with the enactment of 131 (o). It is a completely voluntary program. It is a matter of whether you feel the need for that type of program in your state, or if you feel it is justified in your state. There will be certain costs associated with 131 (o) because you are going to have to do some studies and this kind of thing that you would not otherwise have to do.

REP. DININNI: I would like to ask a question. Section 131 (c) of 1965 - am I correct that directional signs are permitted under Federal law?

RICHARD MOELLER: Yes, sir.

REP. DININNI: Supposing a state would just go ahead and remove directional signs. Are they in violation of Federal law? When you say they are in full compliance, what really does compliance mean? If they do not comply with that section, 131 (c) of 1976, are they in violation of Federal law or are they not?

RICHARD MOELLER: If the state of Pennsylvania would not proceed to acquire and remove nonconforming directional signs - is that the question?

REP. DININNI: No, my question is if they remove directional signs prior to any other signs, are they in violation of the Federal Act?

RICHARD MOELLER: No, we do not dictate to the state which signs you shall acquire first. Section 131 (q) (2), that's the one that the Secretary shall encourage the states to defer the acquisition of directional signs until all other signs have been acquired. That is a permissive section of the law and it is my job, and Congress has told me, to urge states to acquire product advertising signs first and the directional type signs last because the directional signs are of interest

to the motorist. If you want to reverse that, there isn't anything I can do about it. I can say to the State of Pennsylvania that I would like you to do it this way, but this is one of the areas where the State can do whatever they want.

REP. DININNI: Now I am led to believe that they are not doing that. I believe in your statement that you said House Bill 504, in your opinion, would prevent the Commonwealth from purchasing any signs. Where in that language do you read that

RICHARD MOELLER: In the amendment.

REP. DININNI: What amendment? I have heard this two or three times today. All I know is I have a bill 504 before me, I know absolutely nothing about an amendment.

RICHARD MOELLER: I have an amendment.

REP. DININNI: You do sir, but I do not. All I have is House Bill 504. Is there anything wrong, in your opinion, with House Bill 504 as is?

RICHARD MOELLER: When you look at this amendment.....

REP. DININNI: Unless I have a copy of it, if someone would see that I got a copy maybe I could see what you are talking about.

RICHARD MOELLER: We have no problems with 504 - the basic bill.

REP. DININNI: But where did this amendment come from? Whose amendment is it?

REP. FOSTER: Read the amendment. I think there is confusion here.

REP. DININNI: He has a separate amendment to 504 and I know nothing about it and I'd like to know where it came from. Who proposed the amendment? How is the committee supposed to know about this when it was never proposed?

JOHN HOHENWARTER (PennDoT): We received a copy of this amendment from the staff. It was proposed by someone to the Transportation Committee. It was sent to us and we reviewed that amendment.

REP. DININNI: But it was never introduced to our committee. Am I right or wrong?

JOHN HOHENWARTER: No sir. They had a meeting and the bill was reported out, there was reference made to it and by in large, the committee ignored it and reported the bill out as it was drafted.

REP. DININNI: I don't like what is transpiring here. We have a House Bill 504 and there could be 10 million amendments proposed, but they were not submitted and I don't know why he has a copy of a so-called amendment commenting on before this committee and the general public. And to me, I just think it is a little unfair and it caused a lot of confusion here. I said right along that I did not think as a member of this Committee that there was anything wrong with 504. It would only give us a little security that nothing would happen to these directional signs. I think he is explaining to me how these amendments came about. Am I correct? Why don't you explain because I certainly did not know anything about it.

ROCCO PUGLIESE: They were drafted by the staff of the Committee. But the problem was we called Attorney Cussey from your Federal Highway Administration office and he informed us that the amendments would not effectively do what we wanted them to do so we never introduced them. So my question to you is where did you receive these amendments since they were never introduced? That is the question I have personally.

RICHARD MOELLER: Apparently, they were referred to Attorney Cussey and he commented on the amendments along with House Bill 504.

ROCCO PUGLIESE: I believe the Department of Transportation did send them, correct?

JOHN HOHENWARTER: That's right, because originally a question was raised as to what these amendments would do to the bill. As a result, we reviewed them and in addition, we contacted the Federal Highway Administration as well and asked them for their review and their comments on the proposed amendments. You went to Attorney Cussey and we went through the local highway office.

REP. DININNI: But still, I am a little disturbed because, John, right before we started this testimony here today, you even said the same thing about 504. And this bill was reported out and there were not even any amendments offered in committee and you were there. To me, I don't understand. You made the comment right here this afternoon to me that it could tie your hands from purchasing other signs. Again, if the amendment was in there. But we are not

talking about an amendment being in this bill. We are talking about the bill as it was reported out to the floor. I have no further questions. You answered mine very clearly that this would not jeopardize anything as far as 504 is concerned the way it stands right now without the amendments or anything.

RICHARD MOELLER: There is one comment with respect to 504 in a sense that it could conceivably as written, and as my testimony had indicated, put a hardship on the sign owners in a sense that many times a sign owner will come to the State and ask that their sign be acquired. They may be going out of business or whatever the reason for wanting to sell the sign may be, they come to the State and say "We know you are going to acquire my sign and I'd like to sell it". The problem is that 504, as written, may not afford the State to proceed to acquire a sign in that category specifically if that sign has directional information on it. Because we've made a special category over here which basically says you can't part with signs under any circumstances. My only point is that you may have a situation where you would want a little flexibility in the case where an owner came to you and wanted to sell the sign.

REP. DININNI: In other words, what you are suggesting may be an amendment to this bill to specify unless agreed to by. But again, is that really helping the little guy? The big sign owners, they are making money on selling the signs in the first place. What about the poor little guy that has the sign already up on a directional sign and out of the clear blue sky, decides to sell it. The poor motel owner or resort owner is left without a sign because the owner decided to sell it to the Commonwealth. So, there is a two way street here. I don't think this would create any hardships on them to defer the directional signs. We have one of the larger companies here and he could probably answer that.

RICHARD MOELLER: I was thinking of a case where you had a businessman who owned his own sign and let's say the motel burned down and he was elderly and wanted to retire. He has a sign up worth a couple thousand dollars. It doesn't serve him any purpose so he might want to sell it to the State.

REP. DININNI: Well, that's true, but I think there would be very few that would

fall into this category number one; number two, when must this be totally implemented; how long do we have to go? Another two or three years on the removal of signs? When do you anticipate that all signs will be removed?

RICHARD MOELLER: I don't have any firm data on that, but I think nationally we are talking about a program that will take probably 10 years yet.

REP. DININNI: 10 years yet?

RICHARD MOELLER: How fast a given state moves is something else again.

REP. DININNI: In the case of Pennsylvania, how fast do they move?

RICHARD MOELLER: I think Pennsylvania will take all of the 10 years.

REP. DININNI: I have no further questions, thank you.

CHAIRMAN BELLOMINI: Will you please give me a clarification on what you mean by a bonus state and why is our Commonwealth considered a bonus state?

RICHARD MOELLER: In 1958, there was a Federal law that afforded states an opportunity to receive one half of one percent bonus. This was calculated on a total construction cost of the interstate system in that state, if the state would voluntarily control outdoor advertising signs along the interstate system which Pennsylvania did do. They are one of the 23 bonus states in the United States that participate in this program. The State received 7 million dollars and I assume the State has received an additional sum under that program.

REP. KOLTER: It is my understanding that some time in August the Federal Government is coming to Pennsylvania to take an inventory of the signs. What is the full impact of this inventory?

RICHARD MOELLER: Periodically, representatives of my staff visit and review the sign control and acquisition programs in the states. We come into a state probably on an average of every two years and basically review what kind of a job the state is doing. Whether they are doing a good job, that simply is the purpose of this review.

REP. KOLTER: Is it the intent of the Federal Government to have a time set on so many signs being taken care of at one time or during any period of time? Is there a deadline?

RICHARD MOELLER: Congress has established no deadline for the completion of this program and we haven't mainly because we have no assurance of any given amount of funding for this program. The Congress has not said that you will complete this program in 10 or 15 years. It said, "Here's the amount of money to do it". Each year we go to Congress and through budget proposals press Congress to administer the program and provide money to states to acquire non-conforming signs. As a result of the lack of assurance as to what level the program will be funded in any given year, we cannot establish any date for the completion of the program.

REP. KOLTER: If your team comes here in August, could you give me an example of what would make them most unhappy with the program?

RICHARD MOELLER: I think probably it would be if the State is not controlling the direction of illegal signs. I believe you have a system of signs in the State that are issued, I would assume, only through a State permit. PennDOT performs surveillance of the control throughout the State to insure that signs are not erected illegally without these permits. I think the most serious problem would be to allow any type of sign to go up.

REP. KOLTER: Say for example, PennDOT sees something they don't like as far as signs go and they advise the owner to correct or remedy the situation. Does the Federal Government have much concern as to how long it takes PennDOT to have their particular problem solved?

RICHARD MOELLER: Do you mean the removal of illegal directional signs? (Yes) We don't have any set regulations, but we do expect the State to expeditiously act to remove them. Under the legal remedies available to you, we expect the State of Pennsylvania to want to discover the signs and once they are discovered, proceed to first write the owner of the sign a letter and say this is an illegal sign.

REP. KOLTER: What I am driving at is this; a statement was made that it is going to take about 10 years for the program to be fully resolved. For example, it is a hardship for businesses in their estimation and it may take longer than two or three years to resolve the problem. Would you step in to move them more expeditiousl

or let PennDoT resolve the problem?

RICHARD MOELLER: Is this where the sign owner is petitioning to have his sign left up for a period of time?

REP. KOLTER: Right, would you help PennDoT or would you just stand by and let PennDoT resolve the problem?

RICHARD MOELLER: Generally, we would let PennDoT solve their own problem. Again, when you have a situation of the type you mentioned, then we may have cases where you are treating someone differently than somebody else. Someone might ask why you are letting this guy keep his sign while taking mine. Then we might get involved. Generally speaking, we'd probably leave to the states how they administer their programs and assume that they will do it fairly. With regard to how long it would take Pennsylvania to complete their program, the latest estimate in nonconforming signs, and it is going to decrease, is about 20,000, so they have quite a job to be done. You will have one of the largest programs in the United States. I didn't mean that in a sense that PennDoT will move slowly, we think PennDoT is doing a good job. It is just that they have a big sign program, much bigger than most states.

REP. KOLTER: I missed the first part of the meeting and this question might have been asked. Several years ago when we passed this law, we were told that it was most necessary because if we did not, we would lose "X" number of millions of dollars from the Federal Government. Is this true or not true?

RICHARD MOELLER: In 1974, there was an amendment that had a very substantial change in the Federal law. The old law in 1965 that passed controlled signs out to 660 feet. In 1974, that rule changed from 660 feet to being visible. That was a mandatory requirement for the states all over to obtain enabling legislation to comply with that and I think that's probably what you made reference to. Saying that states must enact legislation under the 131 (o) the exemption of nonconforming signs. It is a completely voluntary program. We're not going to be happy or unhappy with you whatever you do. We'll work with you on whatever program you want to develop.

REP. KOLTER: Back in 1974, we were in Harrisburg working on this particular legislation. We were advised by PennDOT and Mr. John Hohenwarter can advise me. John, if we had not passed it as we did in 1974, would we have lost money from the Federal Government?

JOHN HOHENWARTER: Yes, 10 percent in Federal funds. But since we did pass this legislation, we came into compliance with Federal law, therefore, there wasn't any problem.

REP. GLEESON: Could you tell us what progress Pennsylvania is making in the sign department in terms of the estimate of 20,000 signs you mentioned? If it is going to take 10 years, can we expect that by next year, 2,000 of those will be down and another 2,000 every year? Is there somebody out there actually counting them?

RICHARD MOELLER: I have some general statistics. As of December 31, 1976, we asked for an updated report on the progress in the State. At that point and time, Pennsylvania had acquired 6,000 nonconforming signs and they had remaining an estimated 17,000. There is another change that will probably significantly increase the 17,000 estimate. It may be increased to 20,000 plus.

REP. GLEESON: What does this mean?

RICHARD MOELLER: It was a system of realignment that was entertained whereby a number of secondary highways were reclassified as primary highways. I think it was a substantial net mileage increase to the primary highway system in Pennsylvania which then causes signs on these new roads to come under control.

REP. GLEESON: Is there any problem with new nonconforming signs being put up?

RICHARD MOELLER: No, when a person goes out and puts up a sign, it could not be nonconforming. If it doesn't have a State permit, it is an illegal sign. The only way a nonconforming sign can come into existence is prior to the date the State law was enacted, or come about as a change in position like a change of the secondary because of the law. When you change a section of road from secondary to primary, the signs are limited.

REP. GLEESON: That is understandable, but suppose a farmer decides to put up a sign?

RICHARD MOELLER: He would not have a permit and it would be an illegal sign.

CHAIRMAN BELLOMINI: Thank you very much, Mr. Moeller.

REP. DININNI: Representative Bellomini informed me that he'd be a little late in getting back, so I'll take over the meeting in the mean time. I want to announce that we have two other members that came in. Immediately to my right, Ben Wilson, and next to Ben is Roy Wilt. So with that we'll proceed and the next gentlemen we have on the agenda would be from the Department, John Hohenwarter, Michael Deckman and Robert Ross.

JOHN HOHENWARTER: Thank you very much, Mr. Chairman. We did not prepare our remarks in written testimony today. We have primarily come to listen to the comments made by others here today and also to reply to them, and perhaps to tell the Committee what the Department has been doing and is doing. We would like to state that we do sympathize with the problems involving businesses that people are having, we recognize the need for directional signs that relate to their activities and we hope that we can come up with an acceptable solution. There were a number of points made here today, in fact many, many points and I'm not so sure that we can address ourselves to all of them, but there had been one point made as to the need for House Bill 504 and I think the statement was made that we do not need it. Last year, the year 1976, the Chief Engineer for the Department of Transportation, Deputy Secretary of Highways issued a policy memorandum indicating that the tourist-oriented directional signs would be the ones that would be removed last, they would have the lowest priority, and that the other signs would be removed first. Again, this was recognizing the need for said signs and would be consistent with the Federal requirements. Now that policy is in effect now in the Department throughout the State. Prior to that, the Department would identify a beautification project and then see to the removal of all signs along that project regardless whether they were tourist directional or not - they all came out. And again, that has been changed; it is no longer being done. We have established priorities and they are being removed on a priority basis. Now in this instance, we establish a highway beautification project. We pick a highway and then we begin to remove the signs along that

project in accordance with the priorities. Now, and again we would also point out that we're now talking, the entire issue really, of nonconforming signs. There are many conforming signs out there that are tourist-oriented and tourist directional that will continue to remain. There was a point made earlier by Mr. Moeller about the hardship situation in House Bill 504 and we agree with that. We have another problem, however, with House Bill 504, Printer's No. 548 regarding the removal system. This would tend to really blanket all those signs in and prohibit their removal even though they do not have an annual permit issued by the Department. If they refuse to take one we still do not remove these signs. We feel that the language in it is broad, sufficiently broad to be faced with this kind of administrative problem, that so long as there were one nonconforming sign other than the tourist-oriented signs standing in the Commonwealth then we could not proceed with the removal of any of these signs. As long as there is one, this says that they shall all be removed, period, and we're talking statewide. And that does give us a problem as well from an administrative standpoint. I think that Representative Dininni made mention of amendments earlier as to where they were and where they came from. And we did point out that there were amendments, although I have no idea who had proposed them, we do suggest them to the Transportation Committee. A copy of those amendments have been provided to us and as a routine we usually have our legal staff look at them and refer a copy to the Federal Government for their reaction as well. And that is how Mr. Moeller happened to have it.

MICHAEL DECKMAN: In addition to what John mentioned, there is a part in the original 1971 Act that allows certain signs to be located within six months of the passing of the Act, if they were put on areas that had already been leased by a sign company prior to the passage of the Act. Now under that section primarily one sign company erected close to two hundred signs in spaces that the Department does not believe are legitimate spaces. And we have been attempting since that time, that's five years, to get those signs down in a manner that would not cost us

any money, because we don't believe they were properly raised. The effect that this act has drawn, this bill has drawn, with it's June 1, 1972 date, would be to legitimize all those signs because those signs were erected within that very period. And it is the period between December 15th when the law was passed and six months later, which would be June 15th, and I know that virtually all of them were up by June 1st. So at an average of \$3,000.00 a sign we're talking about one-half million dollars worth of signs. And this bill of course has to pay for them. And I would think the law will take it's course and let the courts determine whether they are legal or not.

REP. DININNI: Sir, you say they were built though, excuse me for interrupting, on that point, without or questionable in the areas that PennDOT questioned.

MICHAEL DECKMAN: There is a legitimate disagreement, and I don't ever maintain that we're always right and somebody else is always wrong, but our interpretation of this provision that allowed these signs to be put up is that they had to be put in what would be otherwise proper areas except for spacing or lighting or size of the sign. Those, in our opinion, are the only three exceptions in the original act. The company that owns these signs believes that the act should be interpreted to allow these signs within that six month permitted period in any places where they put them. And so if we came out with 180 signs, as I said that's roughly \$3,000.00 a piece.

REP. DININNI: Now, but if the court rules in their favor, wouldn't you be obligated to pay for them?

MICHAEL DECKMAN: Oh no, we don't have to pay them anything. We don't think that the court is going to rule here. But if it is, that would kind of take the ball out of our hands.

REP. DININNI: Do you want to continue, John, on something else?

JOHN HOHENWARTER: Well, I was just going to point out that we do agree with the statement that from the standpoint of the priorities of the removal, that House Bill 504 is not needed and that we are in fact implementing it. Now, however,

there may be some dissatisfaction with the way we would administer and the way we are administering by applying the beautification project. In those instances, the signs located along that project would be affected earlier, probably in another area depending on that project.

REP. DININNI: How many signs, really directional signs, have been taken down since the year 1971?

ROBERT ROSS: I don't think we have a figure on that really. Not to my knowledge they haven't classified those, in their acquisition. So I couldn't answer that question.

REP. DININNI: You mean you didn't keep them separate even though the Federal Act had provisions in the Act itself pertaining to directional signs? I would think that the Department would keep such a record.

ROBERT ROSS: I don't believe we have that information - as to what was classified as directional and what the message content was on the signs which we did acquire. On an individual analysis we could probably determine that, but it wasn't required that we determine that at the time we created the Pennsylvania Acquisition Program. Actually, this might be of interest to you. We didn't really acquire some of our first signs until 1973 when we did receive Federal funds to go into this program. And we received no Federal funds or no expenditures in outdoor advertising control, other than the administration, until 1972. So, in effect, it's a relatively young program from that standpoint.

REP. DININNI: Now, John, you said that the Department has changed their policy as to setting priorities. When has this change been implemented?

JOHN HOHENWARTER: This change occurred back in 1976 - July 13, 1976.

REP. DININNI: In other words you are telling me that no directional signs have been taken down since that date.

JOHN HOHENWARTER: No, we've established - no - I can't say that. We've again re-established our priorities and the tourist-oriented directional signs will be the last to be removed. And as I indicated that's July 13, 1976. Now, I

would suspect that with those signs, tourist directional signs which we had entered into agreement, we would continue to pursue those, to remove those signs. We had condemned them until we continued our efforts on this. But all new signs, all new projects followed that policy.

REP. DININNI: John, you were quoted as saying that the Commonwealth would lose 26.3 million dollars. Where did you get this amount? Where did you get that information?

JOHN HOHENWARTER: It's ten per cent of the Federal funds which are apportioned to the Commonwealth. It goes beyond twenty-three. We usually have an apportionment of about 300 or 250 million, and we have safety funds. And those are going to be affected also.

REP. DININNI: They would be affected if you were in total violation of the Federal Act.

JOHN HOHENWARTER: Not total, but if we were in violation.

REP. DININNI: Now what makes you think that this House Bill 504 would put you in violation?

JOHN HOHENWARTER: House Bill 504 as it's constituted would not put us in violation. House Bill 504 with the proposed amendments would then put us in violation. When 504 originally came out there was another question to which we had to address ourselves. We were concerned that 504 was an effort to bring us into, or let's put it this way, to have us conform with Section 131(o) of the 1976 Federal Highway Act. And we were concerned there because one, we did not have any criteria to determine the economically depressed area and again we dealt statewide, we did not deal geographically. And that was the question too that we had to resolve. But that was our first reaction because of the way it was written and because of the date.

REP. DININNI: The only other question I have now, you made the statement also on the nonconforming signs, that the very last one would have to be removed. What would be wrong with that? Before these signs would come down.

JOHN HOHENWARTER: Well, essentially from our standpoint it would give us, obviously, an administration problem.

REP. DININNI: Why?

ROBERT ROSS: Basically, determining if we really had the last one removed. Because there could be some circumstances probably where there would be another one found in some area of the State that could be identified as we have not removed all nonconforming signs. That's just really what I think it would boil down to.

MICHAEL DECKMAN: We would have to switch personnel from one area of the State to another area of the State as each district used up all the signs in its' area. Then the personnel would have to be moved somewhere else to help with the signing there. One law suit could hold up that last sign for three or four years.

REP. DININNI: Supposing you went over the so-called Federal deadline, if there is such a thing. Maybe I should point the question to the last person who was there. Has anyone lost any Federal funds because of any violations?

RICHARD MOELLER: Yes, there have. Two states have been penalized. I think they were South Dakota and Vermont.

REP. DININNI: On what grounds?

RICHARD MOELLER: On the grounds that the State did not comply with the Federal law.

REP. DININNI: Such as enacting legislation?

RICHARD MOELLER: Yes, yes sir, the legislation that was distributed did not comply with the Federal law.

REP. DININNI: Now supposing we have legislation, my point is just this. And you have let's say a ten year program. Supposing that ten year program runs out and they're still not all down but we do have legislation governing here in the State of Pennsylvania. In your opinion, would there be any funds lost? If we went beyond the so-called red light?

RICHARD MOELLER: Well, if that's the question, if there is any deadline.....

REP. DININNI: This is my point.

RICHARD MOELLER: Assuming that there was a deadline and assuming that Federal funds were available to the State completely programed by that deadline, the answer to that theoretical question is yes, in my opinion the State would be out of compliance with the Federal law. Because they have not acted expeditiously to control and acquire the nonconforming signs.

REP. DININNI: But you did in your testimony say that Pennsylvania was one of the states that were complying. In fact, even to the extent of receiving bonus money. Because of their requirements and so forth.

RICHARD MOELLER: Well, they are consistent along with the program. I think that, it is my opinion that, the State of Pennsylvania has made active progress in terms of acquiring signs during the program.

REP. DININNI: And the funds that have been allocated to the State of Pennsylvania, you said that it would take approximately ten years to remove all signs, is that not correct?

RICHARD MOELLER: You asked me what I thought in terms of a management program and my answer to that was that I thought, generally speaking and based on our current rate nationally, we should be able to complete this program in ten years. That's not to say that some states will finish in two and it might take others longer. But, I think we would have to take into consideration the circumstances in any given state before we actually say that they were out of compliance because they weren't completed by a given date.

REP. DININNI: Well you do know the number of signs that are involved here in the Commonwealth. And you also, I'm sure, know exactly what you're sending or very close to what you're sending into the Commonwealth to remove signs on an annual basis. In your opinion, would a few years either way on such a thing as House Bill 504, would that disturb anything? In your opinion, as far as the Federal Government is concerned?

RICHARD MOELLER: In terms of whether the State would finish in eleven years as opposed to ten?

REP. DININNI: You know the rate that they're going with the funds that you're sending into the Commonwealth and how many more years it would require to do it and I think, myself, I know what I think, and I'm asking what you think.

RICHARD MOELLER: I guess I'm not very disturbed by the fact that it might take eleven years as opposed to ten as a result of the possible enactment of House Bill 504.

REP. DININNI: Well, I'm only saying if this solved the program for let's say two years, we certainly are not jeopardizing the program. This is my opinion. You should know first hand how much money you are sending into Pennsylvania and you already heard the testimony here given by the Department - they average about \$3,000.00 per sign. Now you know how many signs are outstanding and if you multiply that by three thousand you're the only one that has the figures, I do not, and I'm sure that the Department has. But I do not have in front of me as to how much they're receiving on an annual basis for removal of signs.

ROBERT ROSS: The observation I make is that I don't think House Bill 504 would necessarily prolong the program in Pennsylvania. All it does, legislatively, is establish the priorities. But it doesn't say that it's going to take longer to complete it.

REP. DININNI: But we were led to believe that we would lose some funds. At least I was, I was one member that was led to believe that. I don't know how many other ones were.

RICHARD MOELLER: From my knowledge, House Bill 504, aside from any proposed amendments, does not require the State of Pennsylvania to go out of compliance and therefore lose any money. I think there are two problems associated with it, one that I just explained that entails the case of the hardship - the owner of a sign is experiencing hardship; he just can't sell it to the State. And the other observations made here seem to be illogical that in view of the Directional Sign Acquisition Program, the very last of the nondirectional signs

in the State coming down is going to cause Mr. Ross and his people substantial administrative problems, because who's to say when the last sign is down.

RICHARD MOELLER: In this program, you have signs becoming nonconforming, into the nonconforming status daily through changing conditions, and there is no way you can control this and I think that the concern is that the State may be frustrated in their attempt to move from the product advertising into the acquisition of directional signs by disagreeing over when the last nondirectional sign has been acquired. I think that maybe the language would be more general in terms of acquiring the nondirectional signs to be used.

REP. DININNI: Well, there is only one difference. It is a matter of opinion as to whether it is going to create problems administratively and I do not think so. This Commonwealth is divided up pretty equal in districts and if these district engineers and the people out in the field can't do their job then there is something wrong with the Department. But, I think it's divided into districts that are really put into a relatively small area, I call them small areas in comparison to the whole Commonwealth, and in my opinion it could be controlled and done administratively. So, I have no further questions and supposing we start to the left of me.....Did you want to reply to me, John?

JOHN HOHENWARTER: Yes, you asked a question earlier, Representative Dininni, concerning the time frame. The original act and the original agreement between the Commonwealth and the Federal Government provided for a six year period. But, this was also dependent upon the availability of funds. And it specifically stated six years.....for the removal of them.

REP. DININNI: You're passed that right now, are you not?

JOHN HOHENWARTER: That's right.

REP. DININNI: And have you lost any Federal funds?

JOHN HOHENWARTER: No, again the availability of funds.....

MICHAEL DECKMAN: You can blame it on that.

REP. FOSTER: I have a few questions. I want to cite a specific case.

As you probably know, this is my legislative district and mainly today, we've been talking about large signs, big resorts and everything of that nature. Now, we've got a lot of smaller resorts in the area also. Some of them are restaurant, some of them are hotels, they are fishing lodges and so forth. I'm getting called almost on a daily basis as to what these people can do to identify their establishment. I'll give you one case for example. Up here in Wayne County by Lake Wallenpallpak, there is a hotel that is built back by the lake. There is a primary road, as I would understand it, where the people travel but then you have to turn off on a side road. Now, there is absolutely no identification that this place is back on this other side road. It's probably two and one half or three miles back and this man spent approximately \$750,000.00 to build a new restaurant there. And yet, he has no way at all to establish that it is back there. That is what I would like to have answered. How we can help somebody like him to put a sign out there on this primary highway - a directional sign - indicating that there is a hotel and an eating place back this road. This is not an isolated area, believe me. There is a gentleman here today that will testify tomorrow, who will have some data to substantiate this, and this is a tremendous economic loss to these people. It's not in the millions, but it is in the thousands of dollars. And they're just not going to exist if they don't get some relief and some method, be it standardized or what have you, to identify a place of this type. I'm not talking about a big billboard. All I'm talking about probably would be a sign maybe three by two or something, with an arrow pointing in this direction that a hotel or whatever is back here with lodging and food. That is one of our biggest problems. And I mean it is a big one because in Wayne, Pike and Monroe there are just hundreds of those places and these people have been made to take down their signs. Most of their signs were homemade. They didn't go to any advertising company or anywhere, instead they made the signs and they were respectable looking signs. And they have to put something back up. It is a real serious problem, there's no

question about it. If we could at least answer that or at least give a direction to go. I'm also told by these same people that they've contacted the Department and are told as many as three or four different ways they've got to go and they're all different. Now we have to establish some kind of a criteria and I think give these people some relief. They're the backbone of the community. Can anybody help me on that?

ROBERT ROSS: The directional sign which the Bureau of Traffic is implementing, I think you're familiar with. And all of that criteria is evaluated by the Department of Commerce and recommendations made to PennDOT whether to approve or disapprove. But that is the only outlet that I know for some signing on those primary systems that is legitimate and legal. There are other easier ways that a sign could be erected, but it would be by the establishment of a business activity. And within 800 feet of this business activity certain signs could be erected.

REP. FOSTER: In many instances, they couldn't erect them within 800 feet.

ROBERT ROSS: That isn't the answer to your question. I don't have the answer to your question other than present criteria on signing and through the highway rules and regulations.

REP. FOSTER: As a legislator, it doesn't make much sense to me. We appropriate millions of dollars now to promote our tourist business and travel industry in the State of Pennsylvania. We get them in here and they still don't know where to go. The big places, certainly they can find them, but these people will house maybe thirty or forty people and I think they do a good job. They've got all kinds of brochures, but when you're travelling.....

MICHAEL DECKMAN: There is the Federal law that we have to comply with if you order us to comply with it. That Federal law is too tight.

REP. FOSTER: Let me ask you this, John. You said that the Department has established a new program back in 1976 to re-set the guidelines and so forth. Is that correct?

JOHN HOHENWARTER: Yes.

REP. FOSTER: Has the Department ever taken an economic study of these conditions that I am stating here now, the impact on a various community, what it has done to them?

JOHN HOHENWARTER: Not to my knowledge.

REP. FOSTER: Am I right when I heard Mr. Moeller say that if such an impact study was made that there would be some.....

JOHN HOHENWARTER: He was referring to Section 131(o) which allows the designation of an economic hardship area.

REP. FOSTER: Would that permit us after we have done that, to erect a sign like I speak of?

ROBERT ROSS: No. That only permits the retention of the sign of directional nature which now exists to remain until all other signs are removed.

REP. FOSTER: Okay. Let me give you another example then. Let's say a fellow has a hotel and he had signs up and his place burned down. And maybe he was a year getting it rebuilt. But the same owner rebuilt it. In the meantime, they come along and take his signs down because there wasn't any place there. Now he's rebuilt the place; he tries to get permission to put a sign up and he can't. Or at least he's not allowed to.

ROBERT ROSS: If he rebuilds, he'd have an on-premise sign.

REP. FOSTER: On-premise, but that's not the problem. I mean once you get on this road, certainly you'd see it. But I'm talking about going down a highway that is remote, but it would be a primary highway. And you're going to go back two miles or three miles and there is this place. How are you going to know where it is? I live here and I have to really look when I'm going down there to find it. Now somehow Mr. Chairman, this is the type of help we've got to get for these people. I don't know how we're going to do it, but we have to really investigate it and come up with something because this is what's hurting. Again, I want to just restate that we do appropriate millions of dollars for tourism,

we're going to do it again this year and that's to bring people in. We certainly have to let them know where they're going to go and how to get there. I have nothing else to say, I don't know what else to say, but I wish I could get some answers to help out a little bit. I really do.

ROBERT ROSS: Relative to dispersing information as Mr. Uguccioni mentioned, we naturally do encourage that. There are brochures and literature that can be distributed from roadside rests and tourist information centers; we certainly encourage that. But that is in lieu of some other more definitive signs that you are talking about.

REP. FOSTER: Well, I see lots of those signs around certain areas. As a matter of fact, I watched real close coming up here today on I-80 and I-81. I saw a lot of signs along those roads and they weren't big billboards either. There were some signs built on a little platform and stuck at an intersection. They are still there advertising campgrounds and so forth. If you didn't see them, you wouldn't know where to go either. I know they're all not taken down, but it's a heck of a law and that's all I can say. Because a man can't go into business and advertise his place with just some small respectable looking sign. I don't like a lot of signs along the road, and it couldn't be more prominent, and I wanted to ask this gentleman from the Federal Government before. If you go down I-95 in North Carolina, there's a sign about every six inches and they're as big as this building hand painted. And they look terrible. They really look bad and they ought to be made to come down. But when a respectable businessman spends the kind of money that they're spending around here today to get thirty or forty people into his restaurant some night and he can't identify it, I think its a darn shame. And I for one, would like to be able to come up with some remedy to help.

MICHAEL DECKMAN: In 1976, the Federal Highway Act had permitted portions in it that would allow for signs of a directional type. But unfortunately, that didn't last the whole way through the legislative process.

REP. FOSTER: Well then I must misunderstand this thing entirely that we can't have a directional sign, even if we get an economic impact study. Can we or can't we?

RICHARD MOELLER: Well, to begin dialogue on the situation, we talked about where you have a hotel or a business from a tax exemption, and I assume that this business does not have a sign now and did not exist in May of 1976.

REP. FOSTER: Well now I'm not one hundred per cent sure, but I would assume that's right.

RICHARD MOELLER: Well let's just assume that. Basically, then, there would be no eligibility for exemption under the Section 131(o) exemption on a hardship case. The alternative as I see it for this type of business is one, he may have eligibility under the Pennsylvania Regulations for a motorist service spot on the right-of-way directing a motorist to a restaurant. Not the logo-type motorist service, in other words, a symbol indicating there is a restaurant right around that town or highway.

ROBERT ROSS: Are you talking about an interstate highway now with the logo-type symbol?

RICHARD MOELLER: They're used both on the interstate and the primary. They refer to tourist information signs. They have the knives, forks, etc.

ROBERT ROSS: We don't have that on the primary system. We only have that on the interstate systems.

RICHARD MOELLER: That is one alternative. The other alternative, he could purchase the conforming outdoor advertising signs from one of the sign companies and advertise his restaurant in that manner.

REP. FOSTER: What could he put on that sign?

RICHARD MOELLER: He could put anything he wanted to on that sign. Outdoor advertising signs that have to be located in either a zoned or unzoned commercial area. We are not going to remove all the billboards. The billboards that remain or are not required to be removed generally are referred to as conforming signs,

as opposed to one that is not conforming, and the business can purchase a conforming advertising sign.

REP. FOSTER: Could he erect that on this primary highway adjacent to this road that goes into this place?

RICHARD MOELLER: Assuming the area qualified for erecting such a sign, yes he could erect it.

MICHAEL DECKMAN: But not right out in the middle of the boulevard. He wouldn't qualify because of commercial and industrial areas. But assuming it is strictly out in an agricultural area, he could not erect it at that point.

REP. FOSTER: This is woods, nothing but woods.

RICHARD MOELLER: I didn't guarantee I could solve the problem.....You wanted to know what could be done under the Federal Rules. The third thing I mentioned in my testimony, we're underway with a re-study of the Federal regulations such as the logo signing alternative. And as well, the standard, or what we call directional signs in Section 131(o). It is conceivable that a liberalization of these standards would afford relief in terms of the situation you mentioned. This is under study and we are hopeful to have a report out on this later this year. It is conceivable that a relaxation of the Federal standards here affecting on right-of-way signing or off right-of-way directional signing would help the current situation. There is one other possibility, and that is, some of the states have come to us and applied for approval of an experimental signing program, with new and innovative methods of providing directional signs.

REP. FOSTER: I think that could very well be the answer to our problem. If the state or somebody would design a standard sign, everybody could use the same thing. But certain information would have to be contained on that so it could identify a place and where to go. And I don't think anybody would object to that, would they Bob? That's exactly what you want, isn't it? Have we ever gone in that direction, John? What he suggested, a standardized sign?

RICHARD MOELLER: There are a number of states now who have had approval of experimental projects, they are experimental, which is just what the name implies. They are not consistent with the current Federal regulations, In terms of the re-review of the Federal standards, we're going to be looking at what Vermont has done, what New York has done with their experimental projects. These are on right-of-way, they are not off right-of-way, such as billboard signs. They are on right-of-way adjacent to the road. Vermont, for example, has expanded theirs and they name very briefly the name of the restaurant, the name of the hotel, etc.

REP. FOSTER: If that could be done I think that would be the answer right there.

RICHARD MOELLER: This is one of the things that the task force that I'm on is considering in terms of a modification of the amendments. I think the idea that Congress had when it passed the 1976 Act, they encouraged deferment of directional type signs through simply changing priorities and they encouraged this Section 131(o) on the economic hardship area. At the same time, they asked us to re-study the system standards during the time the acquisition of signs are being deferred.

REP. FOSTER: Let me just ask you one question. How would we go about getting started on something like that?

RICHARD MOELLER: Through PennDOT.

REP. FOSTER: This Committee sit down with PennDOT and try to get something ironed out? Right?

ROBERT ROSS: Sure, we would entertain such a project. We're, in fact, looking for new ideas in terms of outdoor advertising.

REP. FOSTER: We'll start in the 139th Legislative District.

RICHARD MOELLER: I hope I have helped.

REP. FOSTER: I think you have really helped. This is what I was trying to get at. I think this is what Bob was referring to in his opening remarks. And if we get nothing more than this out of this hearing, I'm certainly satisfied. And I'm sure everybody else is too. That's all the questions I have.

REP. GLEESON: We're running overtime, but I would just like to ask a couple of

of questions. John, do you have people out there looking for signs?

JOHN HOHENWARTER: In all the districts.

REP. GLEESON: What happens if a person puts up a sign - just plain puts up a nonconforming sign?

ROBERT ROSS: Approximately every thirty days, they make a surveillance check of the highways, interstates and primaries, and if they see a violation they notify the property owner of the violation and he's given a certain period of time to correct the violation.

REP. GLEESON: What if he just absolutely refuses to remove the sign?

ROBERT ROSS: He's given a certain period of time and if he does not comply with the removal then the State removes the sign and bills him for the cost of the removal.

REP. GLEESON: Do these sign rules apply to the big cities like Philadelphia?

ROBERT ROSS: Philadelphia is certified to administer their own sign program.

REP. GLEESON: Is the state in the business of putting up signs - commercial signs?

ROBERT ROSS: No, I really don't grasp what you are trying to say.

REP. GLEESON: I had a conversation with someone during the break and he told me that they put up Texaco signs and Exxon signs.

ROBERT ROSS: You're talking about a different subject. You're talking about programs that we are trying to institute on Interstate 84 identified as the logo program which has been experimented with in Virginia on Interstate 95, and that's what we are trying to institute on I-84. This hopefully will relieve some of the problems.

MICHAEL DECKMAN: They're not billboards. They're like fuel and food signs.

REP. GLEESON: Are the signs really coming down? Are there less signs now than there were a few years ago?

ROBERT ROSS: I'm sure there are.

REP. FOSTER: Ask some of the people who have little resorts if they're coming down. They'll tell you.

CHAIRMAN BELLOMINI: Thomas Ricks, President of Family Recreations, Inc.

JACKIE BURRIE: I am not Tom Ricks, but I do want to say that camping is one of the few remaining activities in the modern society which promotes family togetherness. My name is Jackie Burrie and I represent the Recreational Vehicle and Camping Industry. Today we're going to speak primarily about camping because there is a problem with campground signs and the removal of these signs in the Commonwealth of Pennsylvania. As I was driving up here the last few hours, we couldn't help but realize the number of cars that were along the roads. There were quite a few signs that pertain to campgrounds, however, this is not true throughout the State. We find in many areas there are more campground signs being taken down causing a tremendous problem of which I have written to you before when you had a committee meeting on House Bill 504 previously, and you probably have that information with you today. I will not go over that information at this time. I primarily work with philosophies and theories regarding this matter, therefore, I will not really expound upon the experience because I have somebody else here with me today to do just that. He is affiliated with the campground because he owns a campground. The individual is the owner of the Circle M. Camping Ranch which is located just outside of Lancaster, and may I present Tom Ricks.

THOMAS RICKS: Gentlemen on the committee, I'm pleased to have this opportunity to represent the Pennsylvania Recreational Vehicle and Camping Association and present our views on the bill that you are now considering.

The issue of highway signing is a critical one to all campground owners and operators. To prepare myself for my meeting with your committee I asked PRVCA to send out a questionnaire. The replies that we received from campground owners were most interesting and I was gratified that so many took the chance to reply even though they are at the peak of their work load just prior to the peak of the camping season. In his reply to our questionnaire, one of the campground owners told me that our signing situation in Pennsylvania is like having a party, inviting the guests, and not telling them where the party is located.

One of the most frequent complaints received by campground owners at

their registration desks is "I had a terrible time finding you, why don't you have some signs." As a matter of fact, one of the replies that I received from a campground owner prior to preparing this testimony, had a campers written statement at the bottom of his questionnaire saying Mr. So and So's campground needs better signs. And it was signed with the lady's name and home address. The guy wanted to be emphatic. The travelling public does not realize the many barriers the campground owner faces in erecting directional signs. Without exception, the campground owners are willing to erect the signs if permitted to do so by PennDOT and/or local municipalities zoning regulations. Many campground owners have had signing removed by PennDOT and that too is a source of considerable irritation. In the case of House Bill 504, those campground owners whose signs have not already been removed, it appears to me at least they will have a reprieve.

I'm sure that you're all aware of the vast impact that tourism has on the economy of the State of Pennsylvania and I'm not going to dwell on that except to say that tourism in general has become a highly competitive business. And to deviate a little here, I hear that the gentleman from the Federal Highway Administration talking about Vermont and the other states and the travelling family in their camping experience has an awful lot to find in Pennsylvania. We have a variety of camping experiences because of our variety of terrain and climate. There are not too many other states that have facilities comparable to Pennsylvania. Possibly Florida and California have more campgrounds, more total investments in recreational vehicle parks than we do. But we compete with virtually every state in the union, some more than others. And if the family camping experience is not a pleasant one, if that experience is marred because the camping family has difficulty finding the park they set out to reach or difficulty finding any park at all, as happens in many cases, Pennsylvania stands to lose. And I can cite a specific example of a family coming to my park which is not too hard to find. They got lost and ultimately spent the night in a shopping center parking lot. They packed up and went to the shore the next day. That kind of a situation hurts us all.

I mentioned the family camping experience and I feel that I should dwell for just a moment on that phrase "Family Camping Experience." At today's inflated prices, family travel has become almost prohibitively expensive for all except those families in the upper income bracket. Families in the middle and lower middle income bracket look to camping as a good form of family recreation and to paraphrase the National Council of Churches slogan, "a family that camps together, stays together." Camping is truly a "Family Experience." I think that if statistics were available, you would find that very few camping families have delinquent children and that family problems in general are far fewer than they are with the population as a whole. From a highway signing point of view, that doesn't mean much, but my point is that anything we as a State can do to help promote tourism in general and camping in particular, I think is going to improve our way of life as well as our economy.

Now to get back to highway signing in particular. One of the frequent comments from campground owners is that the triangle or tent sign, which conforms to Federal standards as used by PennDOT, is inadequate particularly on interstate highways. It doesn't seem to be very effective. Another problem centering around that sign is the fact that current regulations only permit it to be erected at those intersections for those parks which are located within five miles of the intersection. The very nature of the campground is such that they may be located much further from that intersection and still derive the bulk of their income from that intersection. Camping is an activity that depends an awful lot on that terrain, the scenic beauty of the campground. And if you drive across the interstate, there are very few intersections on interstates that you will find a campground right at the intersection. As a matter of fact, if you go across I-80, I would say that most of the intersections don't have a campground within five miles. Because there are an awful lot of intersections that don't qualify for one of those camping tent signs and there are an awful lot of campground owners who don't get the opportunity to sell a

nights camping to the family that is travelling on that interstate. Another frequent complaint that we hear from campground owners is that the State Parks and campgrounds operated by public utilities which are supported either through taxes or utility rates sustained by the public seemed to have unlimited signing. I can't really substantiate that statement except to say that it was a comment that came in a number of responses that I received to the questionnaire that we sent out. I don't know whether or not State Parks have different signing regulations than do privately owned parks, but if they do, I should think they should have to compete on the same basis that we do. In other words, the campground owner feels that government is acting against him and against his best interests.

House Bill 504 will not solve that specific problem, however, it is an indication that State Government is interested in seeing that the campground owner has a fair chance to compete for the tourist dollar, and that the State is interested in promoting tourism in general and therefore helping him recover his investment and hopefully make a decent living.

In conclusion, I'd like to ask again for your favorable consideration of House Bill 504. It is at best an interim solution. With regard to the remarks made just previously, I agree it would be helpful to all of us. Some kind of an experimental program I think would be great. Hopefully we will in time be able to come up with a signing program which meets the Federal criteria and makes it easy for all travellers to find all the campgrounds in the State. By helping us move towards the goal of further developing camping in Pennsylvania you'll not only be enhancing the tourist industry in your state by attracting outside travellers but you'll also be enhancing the employment of students and minorities that might not otherwise be able to find part-time employment and of course you will be generating those additional tax revenues that are necessary to keep the Commonwealth afloat.

Thank you for the opportunity to appear.

REP. WILT: Are most of your campgrounds members of the association that publishes brochures with directories in them?

TOM RICKS: A large number of them are. Even though a campground is listed in a brochure or directory, and the camper knows what his destination is, he still has to be able to find his way there. Many times that is a problem.

REP. WILT: Do the smaller reduced maps help at all?

TOM RICKS: If you are driving into a strange community, no matter what the class of road is, it is difficult to follow one of those little reduced things if you are pulling a trailer. You want to be very conscience of your driving any how so it is a difficult situation. The signing is really critical for the campgrounds.

REP. ARTHURS: First of all, I do think that uniform signs are much better than having individual signs up; but at least the person knows what they are looking for. I really don't know how concerned your own people are about this. I tried to get the campers to get behind this and get a project out and they just don't seem to care. They're great to give you lip service if they want something done; but when you ask them to have a meeting with you or ask them to get behind you, the interest isn't there. So I think your problem is getting a lot of lip service complaining about something, when if you'll go out and do it for them, then it will be all right. If you don't, well, they don't really care. I think what I am saying to you is anything that you people can do in your own industry to see that the people get on their high horse enough to write to us and write to the people in Washington D. C. Are they really concerned or do they just want to gripe about it? So anything you can do with your own people, and I don't mean the people that own the campgrounds. But maybe a little insert on your receipt or anything like that to make sure the people are contacting us with this problem and especially the Federal people because this is where the big problem is. I think it would help a lot.

CHAIRMAN BELLOMINI: What you are saying, Mr. Arthurs, is that there is a lack of communication?

REP. ARTHURS: Right. Mr. Ross, is there by any chance a different set of standards for State parks that have camping facilities?

MR. ROSS: Not that I know of, but there could be that some of the State camping grounds have been there for a long period of time while some of the new campgrounds might have been relatively new and maybe didn't qualify under that kind of criteria.

REP. ARTHURS: There shouldn't be, though, right?

MR. ROSS: Not to my knowledge, but we do have designated signs on interstates where State parks exist.

REP. ARTHURS: Even though they are five miles away? (Sure) If there is a State park sign, one of the 4' x 8' signs or whatever they are, that designates a State park, and say that State park is 15 miles off the interstate, will there be a camping sign also designated there even if it is over 5 miles away?

MR. ROSS: I am thinking right now of a situation on Route 322 near State College and signs of a directional nature to go back and that is considerably over 15 miles. But there is that directional sign. They also have camping there, but is basically indicating the State park.

REP. FOSTER: I have no questions, but I think this just emphasises the point that I made before about we need either an experimental program here in the State to identify the campgrounds as well as the smaller resorts or some standardized sign be improved. I am sure you have a problem; I know you do.

JACKIE BURRIE: Mr. Chairman, before we go any further and have any more questions, I do have somebody else who can answer to Representative Arthur's question. We have along with us also somebody from the opposite side. We have a campground owner and we also have a gentleman who belongs to the National Campers and Hikers Association and is the State representative for that national association. This is Mr. Bill Clugh.

BILL CLUGH: My name is William Clugh and I reside at RD#2, Mifflintown, Pennsylvania. I am presently the Pennsylvania State Director and National Executive Board Representative of the National Campers and Hikers Association. I am also a past National President of this same organization which is a national family organization consisting of over 200,000 individuals residing in all 50 states and Canada.

I wish to thank everyone for making it possible to appear at this public hearing and speak briefly on support of House Bill 504, which provides for deferred

removal of directional information signs about facilities in the interest of the traveling public. These signs are of great importance to all persons who travel our highway system. As a family camper, the highways are a vital means of being able to participate in family recreation and vacations by visiting historical and scenic areas throughout Pennsylvania. To the traveling public from other states, the directional information signs give great aid and comfort as well as a feeling of security. After traveling for hours, getting tired and weary, a sign indicating camping, lodging, food, etc. allows the traveler to know there is a place to rest in the locality. He immediately has a feeling of relief his spirits are brighter and as a result, any tired feeling is temporarily gone because he knows there is a brief or overnight stop close by.

Without directional information signs, it is extremely difficult to judge your stopping time. You have a tendency to keep traveling hoping the next mile will bring some sign of camping, lodging, food or other information. As a result the traveling time gets longer, the driver becomes more tired and irritable and the chance of an accident greater.

When looking for an overnight camp site, place of lodging, food, gas, etc., the directional information signs allow the traveler to devote his attention to driving, knowing the signs are located at certain areas. Directional information signs are like a road map that gives specific information and guidance. Without the signs, traveling is more tedious and trying. The traveling public definitely require these signs.

I have traveled as a family camper for over 30 years and have actively used the highway system in 45 of the 50 states as well as Canada. During these years the use of directional information signs has progressed tremendously and has made traveling easier. Many states, and Canada, have camping signs and other information signs at frequent intervals. They are to be complimented on their use. Pennsylvania must keep up with the needs of the traveling public. Informational direction signs should become a permanent part of our highway system. Until such permanency is provided, the National Campers and Hikers Association definitely supports House Bill 504 which provides for deferred removal

of directional information signs, with such signs to be removed only after all other nonconforming signs are removed. Thank you. I would be happy to answer any questions with regard to the camper's view point on signing.

REP. ARTHURS: I would only reiterate that I would hope that you would stress to your people through your organization that they individually contact the State Legislature and the Federal Legislature as well, spelling out their problem. Whether we like to admit it or not ,we do work under pressure and the more pressure we get, the more we are going to listen.

CHAIRMAN BELLOMINI: I guess there are no further questions, thank you for your testimony this afternoon. Our next witness will be Mrs. Trudy Trautman, Travel Pennsylvania Association.

TRUDY TRAUTMAN: My name is Mrs. Trudy Trautman. I am the Executive Director of the Travel Pennsylvania Association, Inc. with offices at 240 North Third Street, Harrisburg, Pennsylvania. The Travel Pennsylvania Association deals directly with tourism in Pennsylvania. It also has a representative in each of the 67 counties in Pennsylvania. Many of the facilities that these various tourist promotion agencies represent are off the main highways, and the only possible way for tourists to have direction to these facilities is through business signs guiding travellers to these various facilities.

Since tourism is one of the largest industries in the State of Pennsylvania which contributes over 800 million dollars in revenues to the Commonwealth, the Travel Pennsylvania Association feels very strongly that if these directional signs were to be removed, there would be a great loss of revenue to Pennsylvania, with the ripple action following into the employment picture and would prove to be a tremendous hardship to the owners of these various vacation land facilities. The question I ask is, who will make the decisions about which signs will be allowed and which be removed? What basis will be established to decide a hardship case? Tourists should be prepared with directions before they leave home, but very few are. The secondary roads are not as easy to follow as the main roads and directional signboards both reassure the out-of-state traveller that he is near his destination and gives him specific information on directions off the main

highways. All tourists are not bound to specific places - some travellers like to stop at places of interest that they find along the way, and owners of sight seeing facilities such as caves and historical sites would lose drop-in business generated by sign boards.

The Highway Beautification Provision of the Federal-Aid Highway Act of 1976 (P.L. 94-280) which is attached to my report for your indulgence, permits the Secretary of Transportation to allow signs and displays giving specific traveller information on primary system routes as well as on the interstate system. It also calls upon the Secretary of Transportation to encourage each state to defer removal of signs that include necessary directional information until all other nonconforming signs are removed. I have talked with several of our members and asked them to contact their members to see just what input they would have in this area. I have three letters I would like to read to you. The first one is from the General Washington in Audubon, Pennsylvania. "I couldn't agree with you more in your concern about PennDOT's attempt to remove billboards, etc. As usual, PennDOT is undertaking a project half-wittedly and without proper time to examine details. I guess you cannot expect a long mismanaged organization such as PennDOT to change its operating procedure. Most definitely, this ruling would have an adverse effect on business in our area. We have several directional signs(no where near billboard proximity)that if removed would only serve to confuse our guests, the Pennsylvania taxpayer, and consequently cripple our business intake. Most important to our Pennsylvania government officials, this would also lessen the amount of sales tax also taken in by us and other similar facilities. Go get 'em!"

Another one comes from the Dilworthtown Inn, Old Wilmington Pike and Britton Bridge Road in West Chester: "I have a historic inn that has been completely restored to its original elegance. Its located 1/4 mile off Route 202 South, between West Chester Pike, Route 3 and Baltimore Pike, Route 1. I have a lighted sign on Route 202 telling the motorist of my location. Also that I have both food and beverages for the traveler. If I have to remove this sign after spending almost one million dollars on this restaurant, I will surely go bankrupt and have

to close my doors. A highway sign is the only way I have to tell the people about my location." Here's another one from Valley Forge Tours: "Just a brief note of reply regarding the pending highway signage bill now before the State Legislature. As a small, seasonal tourist attraction providing the only bus tour at Valley Forge, the elimination of highway signs for tourist information purposes, would produce an economic hardship on our business. As you know, the tourist industry is made up of many small businesses who provide a lot of jobs in this State. Also, impulse buying is frequently involved in family decisions regarding attractions and a highway sign is often the only means to reach traveling families."

This one is from Frank's Folly and he is having quite a time. "Lot's of luck with PennDot. I have been fighting with them for ten years. As you know, campground signs are O.K. and can be installed on numbered routes in the State installed by PennDOT at \$40 each by owner. My problem is that I would like to have two installed on the turnpike at Exit 23. They would read 'Frank's Folly Campground'. Now the problem is they are approved but cannot be installed until PennDOT puts the signs on the numbered route, in my case, Route 100. They claim they cannot install them because I am located on Route 282. I have gone to Harrisburg about this and of course, no one of authority in PennDOT was on the job, (Mr. Robert Doughty's office). I presented this case to an office clerk who would relay my message to him. So far, this is over five weeks ago and have received no response. Two weeks ago I wrote to Mr. Doughty - no response. The season will be over before I will hear from them. Meanwhile, campers become irked when they drive all the way to Exit 24 or even to Philadelphia, find no camping and must return to us."

Anyone who has pulled a travel trailer on the Schuylkill Expressway or any highway and has to turn around and come back - you can understand how they would be very perturbed about it. We ask that you give great favorable consideration to House Bill 504 and might suggest that Pennsylvania follow the guidelines that New York has established and use Pennsylvania as a pilot project along the same lines as New York experimental program. Thank you for your time and for allowing

me to present this bit of testimony, and again, I urge you to give House Bill 504 favorable consideration.

REP. ARTHURS: The last letter you read, is there any chance that you followed up with PennDOT and tried to get an answer?

TRUDY TRAUTMAN: I just got it the day before and I have not had a chance to; but I intend to.

REP. ARTHURS: I would be interested in knowing what you find out.

TRUDY TRAUTMAN: This is an example of what people have to go through. Is this the problem we are going to have throughout the whole State?

REP. ARTHURS: I'm only going to say one other thing. I haven't heard from one camper or one traveler in Pennsylvania on 504. I have heard from you people. I've heard from an owner of an establishment or two, but until you get the people concerned about this and you people in here are the ones who are going to have to get them concerned. I haven't had one letter from any of my constituents and I have a lot of campers in my county. I haven't even heard from your representative in my area.

REP. GLEESON: Regarding the last letter, isn't it true that he does have a sign on the turnpike and it has been there all along?

TRUDY TRAUTMAN: The way he has written here, he needs another sign. People miss the exit. He has a sign at Exit 24 but he needs the sign at Exit 23 because they'll miss and go through to Exit 24 and have to go back to Exit 23 or go the whole way into Philadelphia. So they do not have it where he can get the most out of it. He has permission for this sign, he's been approved for this sign. He's just waiting for PennDOT to put it up. He's got the approval from all the local people and everyone around him to get the sign up.

CHAIRMAN BELLOMINI: Thank you for your testimony. Our next witness will be Mr. James Cole, Executive Director of the Gettysburg Travel Council.

JAMES COLE: Good afternoon, gentlemen, I will try to be very brief but also try to explain the great concern in Gettysburg and the Tourist Council on this issue. Most people believe that Gettysburg and the battlefields are just a few fields.

But this is not true. When they come into Gettysburg, they find the battlefield completely surrounds the town of Gettysburg and there is 35 miles to the park alone. Then around this entire town are not only parks, but commercial interests. On top of that, there are 10 main highways to get to Gettysburg so commercial billboards are not luxuries to the tourist industry; we've found them to be a necessity not only to the Gettysburg Travel Council which I represent, but also there are studies being done by the Department of the Interior who of course, are a branch of the National Park Service that operates Gettysburg.

The impact is important not only to the Commonwealth but to communities and counties like Gettysburg in Adams County. In our borough alone, 30 percent of all our revenues are based upon this important industry. This is very important. It is an 8 billion dollar industry to the State bringing in 336,000 people who are employed in the industry. We also note in studies and information that we think is reliable that many visitors who come through the State are going on disgressionary vacations. Not many people plan exactly where they are going to go. They might go by the turnpike area in Harrisburg and see the informational billboard and in response to that come to Gettysburg. So we are very concerned with the loss of these informational signs.

Specifically, I would like to mention a situation which we felt is illogical. Last year, the PennDoT people ordered the Gettysburg Travel Council to remove our informational signs on Route 34 from the North. Our purpose is solely to provide information to visitors so if the commercial billboards are taken down, the restaurants and hotels have to be able to rely on an agency like the Gettysburg Travel Council to at least explain to people what there is to see and do and where to go for these services. We were ordered to take these billboards down and as you know, the Pennsylvania Government supplies funds to agencies like ours to promote industry. So on one hand the State Government is trying to help and on the other hand, we have this problem where we have to take down our billboards. So this is a very illogical situation and most of the fates like this can be at least postponed with House Bill 504. So the people of

Gettysburg and the tourist industry of Adams County wholeheartedly solicit your support of the bill. It is good not only for us, but revenues needed by the State to maintain the economy. Thank you very much.

CHAIRMAN BELLOMINI: Are there any questions? Thank you for your testimony.

FRED MORGAN: Mr. Chairman, may I be recognized? I'm Fred Morgan, the Executive Director of the Pennsylvania Recreational Vehicle and Camping Association. I would like to comment on the letter from Frank's Folly. I would like the Committee to know that Bob Doughty's office has worked very closely with my association and any correspondence that we have had from his office has all been responded to. He has not always told us what we wanted to hear, but he always gave us an answer and I want to clear the record in response to that letter.

CHAIRMAN BELLOMINI: Thank you and thank everyone for their testimony and the Committee who attended today's hearings. I hope you will attend tomorrow morning's hearings which will begin at 10:00 a.m. Again, thank you and this hearing is adjourned.

FRIDAY, JUNE 17, 1977 - 10:00 a.m.

CHAIRMAN BELLOMINI: Good morning everyone, welcome to the second day of the House Transportation Committee hearings on House Bill 504. Our first witness this morning will be Mr. Henry D. Harral, representing the Pennsylvania Roadside Council. Following Mr. Harral's testimony, there will be a panel discussion.

HENRY HARRAL: My name is Henry D. Harral. I reside at 112 Vine Street, Honey Brook, in Chester County. I have long been interested as a citizen and as a state official in roadside protection that would insure beauty, safety and convenience for those who travel the highways of Pennsylvania. A long time member of the Pennsylvania Roadside Council, I have served terms as its President, and I am presently that Council's Vice President for the eastern region.

The Pennsylvania Roadside Council has had a long record of working with and not against the former Department of Highways and the present Department of Transportation to give Pennsylvania an adequate, efficient, safe and attractive highway system. I am intimately concerned with the design, construction and maintenance of the highways of Pennsylvania through service as Chief Deputy Secretary under Highway Secretary Lewis Stevens and Governor George Leader, and as Secretary of Highways during the four years of Governor William Scranton's administration. Now, as a citizen, retired, I join the millions who travel the highways of Pennsylvania. I want travelers information but, in common with most travellers I don't want that information delivered in a way that threatens my safety or destroys the beauty that I travel to enjoy.

I was not here for yesterday's presentation, but I read several of them and to the Travel Pennsylvania Association and to our our Department of Commerce, let me just say that a billboard along the highway is no invitation to travel - scenic beauty along the highways is. We in the Pennsylvania Roadside Council are beginning a questionnaire survey to determine the response of travelers who need information. We hope we will have that available by the fall and hope that House Bill 504 will not be concluded before we give you the benefit of that information.

House Bill 504 will threaten my safety as I drive, and destroy in some measure the beauty that I travel Pennsylvania's highways to enjoy. As a responsible federal highway official comments, the original wording of House Bill 504 is neither necessary nor desirable. Handled administratively, the last nonconforming signs to be removed from a section of highway could be those that give legitimate information regarding facilities useful to travelers. I have underlined sections of highway because roadside cleanup, due to cost and other matters, will necessarily be accomplished on a section by section basis. As originally written in House Bill 504, not one nonconforming sign that advertised any facility that served a traveler could be removed until every other nonconforming throughout the Commonwealth was down.

With the present legislation and funding, that would mean not one within the lifetime of the youngest person in this room. To make any billboard that mentions directional information to facilities that may serve the travelers needs, practically exempt from removal is to say, at the least, most unfortunate. We're not just talking about legitimate traveler information signs. The billboard industry would still find cheap but legal loopholes to keep many of the nonconforming signs up throughout the life of everybody here.

Can't you just picture a billboard glorifying in pictures and words a glass of "Old Grandpappy Beer". After the word "Beer", there is an asterisk. Below in small print is an asterisk and the words "Old Grandpappy Beer is served in Ye Old Taverne, 1 mile north, next interchange." Or "Old Glory Soap*"; below is an asterisk "Old Glory Soap is used in Jim's Motel, south at Exit 7." I'm not kidding. Such signs will be created or invented and will remain in perpetuity under the proposed bill.

My suggestion is, naturally, complete refusal of House Bill 504. We who are interested in both beauty and convenience feel there are better ways to give needed information to the traveling public; official signs, together with logos for brand information making travelers aware of coming facilities, and signs and informational brochures at roadside rests, toll booths, information centers and traveler service facilities.

I note from the testimony yesterday that the Federal Bureau is working hard on improving the quality of traveler information and material. They are working very hard on the long series that was mentioned to you in their report which is due this summer. I think we should be following that type of activity for traveler information rather than trying to perpetuate existing nonconforming signs.

If it is necessary to award some priority to nonconforming signs giving tourist information, much to be preferred would be amending House Bill 504 to add a definition of "tourist-oriented signs", a removal section to read "Legally erected nonconforming signs that are tourist-oriented signs shall not be required to be removed until all non-tourist-oriented signs on the same highway beautification

section have been removed". Let me at least verbally underline "the same highway beautification section" to satisfy a practical step-by-step sign removal requirement. And, finally, to protect any on-going work, the "taking effect section" should be worded to make the act effective "in 60 days, and shall apply only to signs as to which acquisition procedures have not been commenced".

In conclusion, passage of House Bill 504 would quite effectively destroy the present and weak controls of the Outdoor Advertising Control Act of 1971, and would begin to endanger future federal contributions for roadside protections. There are better ways to give needed information to travelers than the almost unrestricted use of billboards which House Bill 504 would encourage. And, if some priority is desirable for tourist-oriented signs, that could be accomplished as I indicated toward the end of my presentation. My earnest suggestion, however, if we are to keep alive our slow progress toward better roadsides, is for you to administer a quick death blow to House Bill 504 in any form.

REP. ZWIKL: One question, you mention the word from Washington is that the language of the amendments to House Bill 504 will render our whole legislation out of compliance with Federal law. What is the word out of Washington? Maybe this is what I missed as I was not here yesterday.

CHAIRMAN BELLOMINI: Let me clarify that for just a moment. First of all, there are no amendments to the bill. There was some consideration for amendments, but we have not discussed any amendments at this time. You pointed this out at the beginning of your testimony and if you want to answer Representative Zwikel, you are more than welcome.

HENRY HARRAL: Somebody showed me a copy of a letter from Washington in which the statement was made that if the amendments were before you that they would render the legislation in noncompliance. They are not before you and I omitted that from my presentation.

REP. ZWIKL: I didn't know if there were any amendments and I thought you had some information that would be helpful.

HENRY HARRAL: They were unofficial and I did not know that.

REP. ARTHURS: Has your group studied any of the experimental marking signs that are being done in other states?

HENRY HARRAL: Yes, we have a committee that is actively working on this. They have assembled the information. We thought we ought to before we made any final recommendation to try to get some expression of travelers' opinions about them and that is what we are doing. All of us have been doing some traveling in other states and there is a possibility by a good combination such as the Federal Bureau talked about with the signing. Making official traveler information signs and so on. I would like to see results of their study which will soon become available to you before I give it any consideration.

REP. ARTHURS: Could this information be made available to us immediately?

HENRY HARRAL: I will put together what we have and send it to Mr. Pugliese.

REP. MUSTO: In your remarks, you have indicated that there are better ways to get needed information to travelers than the almost unrestricted use of billboards which House Bill 504 would encourage. But at the same time, you don't have any concrete proposals.

HENRY HARRAL: Not at the present. We have investigated the signing with logos the ones at each interchange that present you with a choice of eating places, gasoline facilities, hotels and inns. It is not the perfect answer because they are limited - the number that you can take care of. But the combination of that and the distribution of promotional literature at roadside rests and phone booths and information centers would be helpful. In other words, you can always get a good deal of information where are you staying that night or at a restaurant about what is ahead of you. Both of them are a part of a system of communication that I think is a great deal more practical.

REP. MUSTO: But don't you think that this would be putting the traveler at a disadvantage to be relying on information as he stops at places or areas?

HENRY HARRAL: I have traveled both ways, with complete information and following a route where I had reservations where I wanted to be. But I have also traveled the other way too. Deliberately, just to have fun never knowing where I was going

to stop and I never seem to have any problem finding the kind of places that I want to use for both lodging or eating facilities and I find that I make out pretty well.

REP. MUSTO: I honestly believe that House Bill 504 would give us the breather we need until such time that people like yourself or your organization could give us some good proposals.

HENRY HARRAL: Let me remind you, the way House Bill 504 is, not one nonconforming sign could come down that gives traveler information until every other nonconforming sign throughout the State is taken down. That is the way I see the bill. So I would think that there would have to be some changes that we talked about so you could clear one section, if that is the section to be cleared, then it is only right that you take your travel information signs down last within that section; but not last over the entire State.

REP. MUSTO: You're not suggesting that they take them down first, are you?

HENRY HARRAL: No, I'm saying that the way House Bill 504 is written, necessary directional information about facilities in the interest of the traveling public shall be removed only after all other nonconforming signs are removed. That means that if you are working on a 10 mile stretch, to get the nonconforming signs down, you couldn't touch the travel information signs on that 10 mile stretch until every other nonconforming sign in the State was down. You have to work with highways section by section and if you were to bend this to make it possible to work section by section, then the tourist-oriented signs would come down last. That is preferable and would be a working way and I could not find much wrong with that. But if you make it only after every other nonconforming sign in the State is down, our children wouldn't see any one of those signs come down.

REP. MUSTO: Well, I know presently if the directional information signs were to be removed, that traveling public and the business in that area would be at a tremendous disadvantage and I don't agree with removing those signs until we do have some solution as to inform the public how they would be getting around an area such as the Pocono Mountains.

HENRY HARRAL: They're not going to come down fast under any circumstances.

REP. MUSTO: But they could come down very fast because I've had a couple of problems with the Federal people.

REP. GLEESON: I have no questions, but there must be some middle ground. First of all, the signs do ruin the highways. There's do doubt about that and that is what people think. Secondly, there has to be some way the people can find their way from one place to another. So we've got to find some kind of in between solution and maybe what these other States are working on is the answer.

REP. KOLTER: I don't wish to interrogate Mr. Harral, or do I wish to debate with him. However, I'd like to make an observation. Mr. Harral, on Page 1 you say that House Bill 504 threatens your safety, however, you don't tell me how it threatens your safety. On Page 2, you mention that possibly signs will be invented and will remain in perpetuity, yet for years and years I haven't seen this type of sign on the highways. I think this testimony is without merit and really is quite useless because it is like saying perhaps the whole world is going to fall apart and we'll all die from it. That is why I feel your testimony is definitely without merit.

HENRY HARRAL: I think on the narrow two lane highway, sign after sign, after sign is getting your attention and it has to take your eyes off the road. Obviously, we do not have a situation where everyone is hitting everyone else, but I do think there is a danger of over-signing on the highways drawing the attention of the driver to the roadside instead of to what is ahead.

REP. KOLTER: I can understand that, but can you take our Committee to any highway where you see sign after sign that really is a safety factor? Can you show me that?

HENRY HARRAL: Yes, I think I could.

REP. KOLTER: You say you think you can, yet you say that it is a definite safety factor. Now you're saying you think it is a safety factor.

HENRY HARRAL: I think it is dangerous and it does threaten my safety. If I'm out driving and somebody says, "Oh, look at that sign", I'm not going to sit there and worry about it as I drive, but I am conscious of it and I try to stay a safe distance behind people so that I don't run into them looking at a sign.

I do believe there is a danger factor.

REP. KOLTER: I wish you would do a favor for me. Forward to me in Harrisburg some examples of highways where I can drive and see where it really is a safety factor. I'd like to see it with my own two eyes. I would appreciate it.

HENRY HARRAL: Thank you, I will try to do that.

REP. FOSTER: Have you as a former high official in State Government, or your organization, given any consideration to the economic impact this is going to have on the communities such as we are in right now if all the directional signs are removed?

HENRY HARRAL: I think so. We'll have to build this out of our own experiences and I've known the Pocono region for many years through vacations. But lately it has gotten a little too much sign crazy and resort crazy to please me any more. There are other places that I would rather see. I think there can be attractions and there can be distractions. I think the Pocono area would be a much better place to come to and drive through if they had some control over their advertising. I say maybe 10 signs advertising Bushkill Falls - great big billboards. I know where Bushkill Falls is; I saw it as a young man, I've seen it within the last four years and I like it. People know more about the country they are traveling than I think they are given credit for.

REP. FOSTER: As you said earlier, you were not here yesterday to hear the testimony and when you use an example like Bushkill Falls, I think that is almost what Mr. Kolter said, it has no merit whatsoever because that is almost nationally known. But I'd like to reiterate that some of our smaller resorts in this area are experiencing great difficulty because they are unable to put up a small directional sign. And I'm going to go over that just a little bit. And then I would like you to give me some reasonable way where these people can still survive and conform with the signs. But you take a primary highway like we have in this area that is well traveled and then we have a side road that leads off of that primary highway maybe two or three miles and along that road we have a fine resort that may be smaller than some of them, but it is a good reputable establishment.

There's been a lot of money invested, but the man is not allowed to put up a sign along the primary highway directing the traveling public in that road to indicate that there is a hotel or an eating place on that road. What are these people supposed to do? There are established businesses and you're almost telling us that we should control the business here in the Poconos and let a person build here or build there, but in some areas they can't. The people today like to get off the beaten path. They like to go back in the woods and you'd be surprized, even as many times as you've been to the Poconos, if you were to travel some of our back roads so to speak, and see some of the places that are back there. You can go up Route 402 or Route 590, you don't see much along the road, but once you take one of these side roads, you come into quite a little community sometimes. I am the Representative of this area, so I feel that I know what I am talking about because I've been contacted, not on a daily basis, but at least on a weekly basis by people that are experiencing tremendous economic conditions that hurts their business because they are not properly signed. Yesterday we talked about an experimental program and Representative Arthurs mentioned this. This could be a way out. If you have any other suggestions, we would certainly welcome them because there are people sitting in this room right now that have resorts that need the type of thing I am talking about. And I am not referring to huge billboards. I'm only talking about a sign maybe 3 feet by 2 feet merely stating the name of the place, restaurant, hotel, maybe an arrow that points down this road two miles. We can get to the intersection and we can get off the interstate, but where do we go after we get off of them? That's our problem.

HENRY HARRAL: One answer is that along the roads that are leading to this more likely used roads are business areas. There is no restriction against signs in business areas. I suppose most business areas also have vacant lots. Our billboard control legislation or outdoor advertising legislation, is very weak in a sense and it provides lots of places where signs can legally be and locations where these places can be advertised. But I don't think that the problem is not knowing what is there; its that the people now tend to flock along certain highways and they just can't drive them off. If I could develop a way to get them off, that's what I'd like to have.

But I think the use of logo signs and the use of information centers where the brochures can be passed out, people can stop by and look at them and say, "I'm going to turn off here and go up to that nice place up there". I think that's more to the point than a lot of signs just confusing people. I doubt unless they do something about that particular nice place that you talk about, that just one sign is going to get them there.

REP. FOSTER: It is going to get them there because let me explain. Now this particular place that I am referring to is about 30 miles from the city of Scranton which is a pretty big city and it is a restaurant. A lot of people go out to dinner at night and if they like it, they'll tell somebody else about it. If you're living in Scranton and I've been to this place and I like it, they'll tell somebody else about it. So I'm going to tell my friend that there is a good place over in Wayne County to eat. You go down such and such a road, you'll see a sign and you turn in there. I can get him almost there, but I can't get him on that side road. Now if there was a simple sign there, I'd say go down highway so and so that is numbered, its a route, when you see the sign, you turn. That's a simple thing, but if that sign is not there, he's not going to know where to go. Signs are extremely important. When you're going up 81 and 81 says North Hazleton and 78 is West to Allentown, if those two signs weren't there and I wasn't familiar with it, I wouldn't know which way to go, because they are both the same kind of road. But they've got the signs there. Now if a hotel or restaurant could erect a respectable small directional sign, be it standardized or whatever, that's all they need, and I'm telling you that we have hundreds and hundreds of places like that in this area.

HENRY HARRAL: I think it is Vermont that has a little standardized sign, and I think this could be an answer.

REP. FOSTER: Would your organization back such a thing as that if the Department of Transportation would undertake such a thing?

HENRY HARRAL: Do you mean they would erect the signs or that they would permit signs to be erected?

REP. FOSTER: That we would have a standardized sign with certain information on it.

HENRY HARRAL: That would be covered by legislation and then they would have to obey it. We would accept that kind of signing, yes.

REP. FOSTER: I just wanted to go over that with you because a man of your experience being a former Secretary, certainly, is knowledgeable about things that our State is concerned with and this is an extremely important thing, particularly in this area, and I'm sure in other areas, but this is our big business up here. I have no further questions.

PANEL DISCUSSION

CHAIRMAN BELLOMINI: Will everyone who testified yesterday, please come to the witness table for our panel discussion. I would like to ask Mr. William Reynolds his opinion of the testimony that was given yesterday and this morning.

BILL REYNOLDS: I was impressed with the quality of the witnesses yesterday and the quality of the testimony. I felt that the data that these people came with and presented to your Committee was beneficial. I reaffirm my support of House Bill 504 - we need 504. I am a bit puzzled about one area and I've asked Mr. Dick Christiansen from a national advertising company (3M) to be here today because I think this is a State issue and perhaps myself on the national level can help. Yesterday, PennDOT officials indicated that they had issued a directive in July of 1976 which in effect would slow down the removal of directional or tourist-oriented signs.

But yet many of the members of the Roadside Business Association are with us this morning and they are experiencing receiving notice of sign removal of directional and tourist-related signs. And I question the validity of the directive. Before PennDOT responds, I would like to have Frank cite specific cases so that we can zero in on the problem of signs that are still being removed even though the directive has been in effect almost a year. Then I have a question as to what can be done to prevent future removal until 504 becomes law.

FRANK KEENAN: Gentleman, as Mr. Reynolds said, I am a representative of White Advertising. Our primary business is outdoor advertising. My name is Frank Keenan. I am regional manager of our Eastern region office and that is located in Carlisle, Pennsylvania. It covers, besides the state of Pennsylvania, also Maryland, New York, Delaware, New Jersey and New England. In looking at the statement that was made yesterday by the PennDOT officials, and I'm going to paraphrase this, they said that on July 15, 1976, they had re-established their priorities as it related to the removal of tourist-oriented outdoor advertising structures. And further stated that as they had evaluated their priority as related to this removal program, they had decided that those signs that are tourist related would be left until last for removal.

I have spoken with my office today and checked a couple of files and I find that going back, I found that in October of 1976, we got our first notice of removal of a board coming out of Lancaster that advertised one of the major industries telling people how to get there. On February 23 of this year, we received the first notice of another unit in the immediate Harrisburg area that advertised a restaurant and also a Quality Inn. This was in February of this year. This particular unit was programmed in February and they came to my office; generally they send a letter to my office. I send it to my home office, they get the information for the State, they send the State the information so they can make the appraisal and so forth. In this instance they came to me directly in person, handed me their letter; in fact, they handed me their offer saying this is what we are proposing. On this particular unit, you will accept it, and the sign will come down as soon as we can get it down. That is one incident. Another case, May 5, 1977, barely a month ago, the first notice of removal of this board for tourist related program. Some of these boards are for Gettysburg and that area and the National Battlefield, campgrounds and so forth. District 5, May 6, 1977, the first notice of removal and the letter states, "This board has been programmed for removal under the Beautification Act", and so forth. It requests the information we have on the lease, so they proceed in appraising the board and making us an offer. May 6, 1977, again in District 5 for a property in Allentown. Another case in District 1. This is not a complete list, I have about 12 of them here. District 6 again on January 6, 1977, first notice of removal of the

board. Those are a few that I could get in a hurry to present to you. There is a discrepancy here. They tell us this isn't happening and it is happening on a weekly basis as far as these tourist-related boards are concerned. This list I have, I've probably given you 8 of them in different districts going all the way from District 1 in the western part of the State out to District 8 in the Harrisburg area. There are probably 25 or more since the first of the year, or October of last year, that were not programmed prior to this directive. The first notices we have received have been in October, November, December, January, February, March, April and up to three or four weeks ago. We felt that this should be brought before the Committee. This is quite an impact as far as we are concerned. We have been working in all the districts on volunteer signing for several years. We've tried to work with them in an orderly, volunteer fashion in removal of signs. In some cases, the signs that are removed are removed at our expense and we volunteer the signs because they require the 20 percent this year, 20 percent next year. If there are too many signs in one district, we may have to tell the customer, "I'm sorry, your sign is the next one to be volunteered to the State", and the board is removed. We do try to work with the State in all our districts. I, personally, and my predecessor, established a good working relationship with all the outdoor managers and representatives at each district. There has to be an orderly way of removing these boards, hopefully in a voluntary manner, hopefully, the tourist-related last. There is also an environmental problem here cluttering the highways with one sign after another. That's the black eye of the industry and has been for a long time. However, my main purpose in being here before you was to present these removal notices to you. Thank you.

CHAIRMAN BELLOMINI: Would the gentlemen from PennDOT like to respond to any of the remarks made?

JOHN HOHENWARTER: First of all, he brought out specific signs in a number of our districts and obviously we'd have to check why notices were sent to those people. But, Mr. Ross is familiar with methods of operation and he may throw some light on this.

MR. ROSS: The question might be, did we receive a listing from you people immediately after our directive on the 15th of July last year. I believe some of the districts

did send out requests for some information on signs that would be lifted or so-called sacrificed. Some companies did respond, some did not. I don't know the particulars of your response or whether we did get a response and a list. But you can realize that an awful lot of deductions have been made before July of 1976, and work started on them before this policy was in effect. So I would assume that there are a lot of signs that would still be in this category and a lot of signs that might not have much of changes of a tourist information nature to getting into this kind of program of second class list.

CHAIRMAN BELLOMINI: Mr. Moeller, do you have any rebuttal or comments to make?

MR. MOELLER: I'm not really familiar with the specifics of the Pennsylvania system of sign removal priorities. I understand that the directive in July of 1976 establishes a priority take down with respect to the nonconforming signs and this system of priority removal would be consistent with the Federal suggested guidelines. Again, based on my experience in terms of what the problem is here, is that it may be several things. As Mr. Ross indicated, some of these signs might have been in a pipeline, so to speak, with respect to their acquisition at the time the policy was changed. In order to protect State funds that were invested in terms of phasing and negotiating for the signs, they proceeded to consummate the acquisition of those signs. You might have a situation where the message changed between the time the State issued this. It may have been a product advertising at the time the action was initiated and ended up the type that has directional information on it.

REP. ARTHURS: I would like to see a list of these locations furnished to us so we can then get some specifics on it, if you would.

FRANK KEENAN: I would be happy to supply you with a list.

BOB UGUCCIONI: What I am curious about is this. Do we have the opportunity to cite specific problems to the Committee concerning signing? I don't think I have a lot of problems throughout the State and they range not so much relative to the bill itself, House Bill 504, but particularly relative to some of the facilities. We understood that this might be specifically a panel discussion about these problems today. What kind of a system we would like, etc. In other words, can you present some specific problems to PennDOT and the Federal Highway Administration?

CHAIRMAN BELLOMINI: Yes we can. We can discuss those problems.

BOB UGUCCIONI: There's been a little confusion because of the ins and outs of this hearing, as you know, whether we were going to be here or not. So consequently, we didn't have the opportunity to survey all of our facilities in the Poconos about highway signing. We have some specifics that I'd like to have discussed and particularly if we could present them to PennDOT and the Federal Highway Administration as to what kind of system can result. Would that be acceptable? (Yes) I have here today Mr. Moreno who is from the Lake Wallenpaupack area up in Pike and Wayne Counties in cooperation with the Tourist Association and he has a particular case. A campground operator up there has been working with the Lake Wallenpaupack Association on a highway signing problem in that area. Why I think this is a good example is because we're talking here not about the large billboard, but the outdoor advertising business in general. But in our rural area, where we are talking about a small businessman and his establishment and some of the difficulties they're having in getting a highway sign up, the little people are suffering which is exactly what Mr. Foster indicated.

TONY MORENO: We have several specific problems one which Representative Foster kept hitting on for two days. The establishment that he picked on was Capri. It was built in 1928, burned down and was rebuilt this year and opened in May. The State removed their only entrance sign. They're located on the Lake Shore Road approximately two miles off of Route 590. That was their only original sign which the State removed. House Bill 504 would have kept this sign in existence today. They've appealed to the State with no help.

CHAIRMAN BELLOMINI: Are you saying that they have applied for a permit to put this sign up. Is this what you mean by an appeal?

TONY MORENO: Yes. The criteria is established, like PennDOT said, that you have to be within 800 feet of an establishment or business in order to erect a sign or directional sign. At this particular intersection you have to travel approximately 4 miles in an easterly or westerly direction before you find a business. We're talking about a rural area here. The area here in the Poconos is basically all rural, it is all small family resorts, restaurants and campgrounds and we do not qualify

under this criteria that has been established by PennDOT. In other words, their directional sign policy for recreational activities and attractions on conventional highways and expressways, most of our members up here do not qualify. As a matter of fact, 90 percent of our members do not qualify under this criteria. What can be done to help this particular individual? I would like to read a letter that was presented to PennDOT from a stable in my area. "On May 11, 1977, we received two notices informing us that if we didn't remove our signs, a 500 dollar per day sign fine would be imposed. Approximately May 18, 1977, I phoned the Department of Transportation inquiring as to the proper placing of such signs. On the same day, I was told to remove the signs until I obtained a permit. On June 12, I tore down the signs. On June 13, I obtained an application for a permit. On June 14, I called the Department of Transportation, but it was Flag Day. On June 15, I called again, but nothing. All during the course of my correspondence with PennDOT, I received various versions of the proper procedure for the placing of signs. One man said 30 feet from the center line, another 40, another 50. In other words, no one in PennDOT seems to know what's happening. In the meantime, I lost a large amount of business. My signs had been torn down for approximately five days and for five days I incurred a great loss. I am suffering financially as a result of losing touch with advertising end". That's another particular problem. Mine, which qualifies under the criteria to satisfy PennDOT was inspected by Mr. Dick Firestone of the Department of Commerce who qualified me for directional signing. And in the infinite wisdom of PennDOT, they sought to qualify me for two signs on my entrance road to the campground which is useless. I'm one and a half miles off the junction of Route 6 and 590. 95 percent of my traffic approaches from Route 6 off the interstate of 84. I've also heard testimony here yesterday about so-called logo signing on the highway. In this particular area, logo signing would in inadequate - totally inadequate.

First of all, if we were to get off as a campground with this logo signing, many of the campgrounds in the area would turn you away if you were traveling with a pet. Also mentioned yesterday was the preferential treatment, as one of the Members directed to PennDOT, asking whether State Parks receive preferential treatment on our highways. Of course, PennDOT says "no" and that's an untruthful statement.

As you approach 390 on Interstate 84 and there are others around - you don't have to travel too many miles to see another sign, there is a big sign that says STATE PARK. For three years, I have been waiting to see one appear that says Safari Campgrounds so that I can compete with PennDOT. These are some of the small problems that have hit our area, 90 percent of which are businessmen who are not able to meet the criteria of PennDOT. What can be done to help our establishments up in that area?

BOB UGUCCIONI: Just to reiterate what Mr. Moreno is talking about as we proposed initially in the beginning of this hearing, it is becoming apparent that if we're going to take the signs down, there has to be another system. We have to develop a system of directing the people to the facilities. My job is dealing with the traveling public. We have 5.6 million visitors to the Poconos every year. Seventy-five percent of the polls show that people want these kinds of signs. They want some kind of system to find a place like his campground. They want some kind of system to find restaurants. But you're never going to be able to find these places because you won't know where to turn off that road to get down to that restaurant. He's invested \$750,000 of his money, not grant money, not any type of money, to build that place and he can't even have a little sign up. And PennDOT says he doesn't fit the criteria. This has nothing to do with the Federal Government's situation. This is something that PennDOT, who have been very cooperative, could review that criteria and loosen it up so that it wouldn't affect areas like ourselves. That's one of the recommendations.

TONY MORENO: Mr. Chairman, I'd like to read a letter that was left by one of my campers. "Dear Mr. Moreno: We enjoyed staying at your campground on our vacation. There was only one problem we had and we thought you should know about it. We left Atlantic City at approximately 8:30 a.m. and arrived at your campground at 4:00 p.m. After we left the turnpike, we circled around for hours looking for a campground. We stopped at filling stations, stores, etc., and some people sent us to places where there were no campground. Others sent us on wild goose chases. I think if your business is to be successful, you should try to advertise more

and have better signs. I am only suggesting this because your campground was so nice and pleasant, I thought others would not be able to enjoy it as we had because they will not know it is there. The Poconos is a great place and camping to me is a great way of really enjoying that. Hope your business is a success and we'll be sure to refer anyone we know going your way. Maybe they will have better luck in finding their way." That's just one letter and the comment was made yesterday that the campers are not reacting to the State Legislature as to their problem. They react to us so we have to solve the problem - the people who run the establishments - not the campers because if they can't find us, they're not going to come to us. There are some interesting statistics on camping. Life Magazine reported that in 1972, 45 million Americans spent one night on National, State or private grounds. The Bureau of Outdoor Recreation in the Department of Interior reported that in a 1965 survey, there were 97 million people who went camping that summer. Based on that survey, they projected that there would be 173 million camping locations by 1980 and 328 million camping locations by the year 2000. So signing is necessary in Pennsylvania and we, as part of the industry, are looking for your help to give us this support to get proper signing up there.

REP. ZWIKL: I just want to substantiate what the gentleman from White Advertising said. I met with Mr. Ross and Mr. O'Brien from PennDOT back in May of 1976. I have a letter here dated June 8, 1976, from Mr. O'Brien. I raised the question regarding tourist oriented signs and asked what the Department policy was. This letter is June 8 of 1976, before the directive became effective. I'll quote Mr. O'Brien's letter here; "Removal of sign advertising as opposed to other advertising remains our primary objective and all districts have been deferring the removal of these devices as top priority. There is no conflict with Department policy in this area. The last priority sign for acquisition is or has been direction signs - tourist oriented." Yet, sign companies in my district, the Lehigh Valley area, have experienced letters or directives from the Department saying that some signs must come down. If you had made a decision before this particular date or before the July date that those signs were to come down, I think this should be established. Companies don't know, you're telling us one thing that you are doing

this, yet they are being told that their signs must come down. Perhaps there is a communication gap, but I think we want to establish this if this is the case.

MR. ROSS: I'd like to address that question. Actually, a lot of signs were probably in the pipeline as Mr. Moeller mentioned to you before. We had expended negotiations of appraising and selection on before this policy was adopted.

REP. ZWIKL: I understand that, but I want that to be made clear as the gentleman from White Advertising said. I also have experienced that in my area.

MR. ROSS: That is a problem and the principal problem is instituted involving these hearings. We are having problems with those signs that were selected heretofore and are now in the pipeline. We have expended considerable funds on negotiating appraisals. And they are collected physically or being removed or acquired physically at this time as opposed to our selection of July 15, 1976 which is going to take a little while to get into the pipeline again.

FRANK KEENAN: I would like to take that one step further. In my own estimation, every nonconforming sign in the State of Pennsylvania is in the pipeline. It is their objective to remove every nonconforming sign so therefore, it is in effect the fog rolling in on all signs. How do we know until we are notified which ones they are. They're saying right now they can say, "We've decided that this board was programmed six months prior to July 15, 1976". We have absolutely no where to go. I'm not disputing that they are going out and physically acting on appraising them. But we have no idea, they could be telling us this on any sign.

REP. LINCOLN: Mr. Keenan, one of the questions in direct relationship to House Bill 504. You cited an example where a sign would be affected by House Bill 504 had been removed even though there had been the directive of July 15, 1976 by PennDoT saying they wanted to do that. Those areas you cited, were the other signs already removed as 504 directs?

FRANK KEENAN: As far as our company is concerned with our particular signs or all the signs in that district?

REP. LINCOLN: All the signs that were supposed to be removed prior to the removal of signs with relationship to your industry as directed by the board, were they removed prior to that?

FRANK KEENAN: Not physically going out there and looking or taking an inventory on every sign from every company, I can't say. I really don't know.

REP. LINCOLN: Just in relationship to 504, I think this is a pretty important point, Mr. Ross. You have repeatedly referred to the pipeline or something is already in the pipeline. If PennDOT felt on July 15 of 1976 that it was appropriate to issue a directive stating that what we are proposing in House Bill 504 would be a regulation by PennDOT, what would keep PennDOT from re-evaluating all the prior decisions concerning those signs which would be protected by 504 and putting a hold on them? I don't think it would cost any money and I don't think it would be any inconvenience other than to some of your staff people or your clerks at PennDOT. I just can't understand why that type of action wouldn't have been taken.

MR. ROSS: We've analyzed that situation and that part of the bill. There is a problem right now at our last counting, about \$3 million a year is being expended on appraising and negotiating. Naturally, this is a wave action type of a program. In other words, put in this administrative cost before you get to the actual cost of acquisition and pay for the sign per se. There is a tremendous investment into this preliminary work that would go down the drain.

REP. LINCOLN: I've seen so much waste in preliminary investigations by PennDOT, I don't see how you could be so concerned over this amount of money. They've been talking about building a bridge over the Youghiogheny River in my area for the last 10 years. I'd love to have the money they spent for that proposal and we haven't got one foot of bridge. I can't understand how you could be spending any more money other than what you already have invested in that area prior to July 15. If you would put a hold on it, the money wouldn't have been spent, it could be held.

MR. ROSS: The value of the signs that have been appraised, or are being appraised now, or have been appraised and put a hold on them? Those signs may or may not be devaluated and chances are they are going to devaluate because of natural deterioration. If we put a two year hold on them and go back two years later, naturally, we're going to have to re-appraise them at that point.

REP. LINCOLN: The only thing I can say is 504 is a direct response to that lack of action by PennDOT and whether you feel its a lack of action or not, that's what brought this about. If we pass 504, and the Senate does and the Governor signs it, you're going to be in the same situation anyway, only with a lot more hassle before it's over. I would say that from my little bit of experience with House Bill 504, it won't have too much trouble passing the House. What would keep you from doing this right now rather than us going through the legislative process right now as far as removal of signs?

MR. ROSS: Mr. Deckman might make some comment on this. We were discussing this last night. We thought maybe an agreement would be arrived at whereby the sign owner and the Department would mutually agree that in years hence, we would pay for that sign at an agreed price as of today. But when you look at the intricacies of it, the sign would have to be maintained in firm state or the value would not be a true value. I can see an awful lot of administrative problems, but I can't really add any more to that.

MIKE DECKMAN: I think we should consider this proposition because as he said, the saving we are trying to protect, that is the money we have already spent on appraisals, would go right down again if this bill passes and we might as well consider it.

TRUDY TRAUTMAN: In relation to what Mr. Deckman said, if you would make a study of the money Pennsylvania has lost through signs being removed in relation to what PennDOT has said, you might find that you are losing more by taking these signs down than what you are saving.

REP. ZWIKL: If I may, it looks like we are spending money to lose money.

REP. O'BRIEN: Bob, (Uguccioni) would your association be in favor of a uniform sign if PennDOT would design maybe one or two or three different signs; one for motels or resorts. Would you be in favor of something like that?

BOB UGUCCIONI: I think we should have a system something like that. It wouldn't be expensive and we would like to have that system liberated in some cases. Particularly where there is a nonconforming sign taken down, we would like to have it replaced with a directional information sign that would suit that purpose in nonconforming areas.

I think that would be an admirable system that we could use. There are a lot of other things that we could do also. Frankly, I agree with some of the members of this Committee. I don't know how many pieces of mail you've gotten about these signs, but it is one of the most controversial subjects, not only in the Pennsylvania tourist industry, but all over the United States. When you take a survey of what affects tourism has on the United States and the problems we have, highway signing comes up - it is a very involved issue. But yes, we would be in favor of this.

REP. O'BRIEN: How would the Federal Government accept this?

RICHARD MOELLER: As I mentioned yesterday, we are well aware of the problems presented here. As I testified yesterday, there is without question recognition of the problem you are grappling with here by the Congress of the United States when they considered amendments to the 1976 Highway Act wherein they encouraged the establishment of sign acquisition priority. They mandated the Secretary of Transportation to study the matter of motorist information which we are doing. As I indicated yesterday, we're well aware of the problem being created by the sign control program and the acquisition of nonconforming signs.

REP. O'BRIEN: You keep saying that you are aware of it and Congress is doing this or that. Would they or wouldn't they accept it? If PennDOT goes to the trouble and expense of designing a couple uniform signs, would the Federal Government agree to it?

RICHARD MOELLER: As we have done in other states, we have approved and we welcome an application from Pennsylvania for one of the experimental programs. As we mentioned before, the on right-of-way signing that Vermont has experimented with statewide. It has been very well accepted. It is my suggestion that you might consider this and we would very much like to see you do this, this is what we want, for you to approach us with a proposal for an experimental signing project.

REP. O'BRIEN: Why doesn't PennDOT go this route then. This has been a problem for the last 8 or 10 years, that I know of, and you've said you've spent a couple million dollars. Why wouldn't you go this route?

MIKE DECKMAN: Just recently, we have begun to go this route.

REP. O'BRIEN: When, after you spend a couple million dollars studying things?

MIKE DECKMAN: Back in July, traffic engineering people who are not in charge of the billboard advertising control program, but who are in charge of signs on vehicle right-of-way, set up a program in conjunction with the Commerce Department to on the right-of-way show where different kinds of activities are. This would involve cultural centers, camping areas, scenic attractions, educational centers, religious sites, resort areas and so forth. It doesn't say rest stops, motels, etc. The problem is that we have begun, but it is not broad enough to satisfy everybody. I think this needs to be looked at.

REP. O'BRIEN: I think the responsibility lies with PennDOT. If you're going to insist that they take signs down and it is going to lose money for tourists in Pennsylvania, then you should have something to replace it. Why wouldn't PennDOT come up with something?

MIKE DECKMAN: As I said in the beginning, it is unfortunate that the people involved with that aren't here before the Committee because we thought this was strictly an outdoor advertising meeting and those are the people we would call on. That is handled by a different bureau in PennDOT.

REP. O'CONNELL: I don't understand why we always get ourselves in a bag before we straighten anything out. There is a table full of brain power there, we should be able to sit down and rationally come up with a solution. We can't penalize "X" amount of people and demand the signs be taken down without any uniform policy. It starts a terrible controversy.

REP. FOSTER: I'd like to direct a question to Mr. Ross and ask him, in your opinion, do you think that all the districts in the Commonwealth are enforcing this Act in a uniform manner? I'm talking about the Act regarding removal of signs.

MR. ROSS: I would say that there are differences in degrees. I think that basically they are working on the same premise and trying to enforce the Act in the same way.

REP. FOSTER: We have two PennDOT districts in my legislative district and it doesn't seem to me that they are doing it exactly the same.

MR. ROSS: Do you have some particular cases that you could enlighten me?

REP. FOSTER: I think I could. I won't do it at this time, but I think I could. What I am getting at is I think this is wrong if you take a particular stretch of highway and go down that and clean the whole thing out, that is imposing a hardship on a certain area exceptionally hard all at one time. I don't say you can go down the road the leave this one and then go a mile and take this one. I do think you have to use [✓]come common sense. In other words, apply the rule or reason a little bit, which many times we don't do. I think this has happened in some areas. I think it has happened in my area.

MR. ROSS: I believe that before our directive came out, this was common to a degree and this is one reason why we put this directive out in July to establish priorities.

REP. FOSTER: I'm not saying that you shouldn't do your job or anybody working with the Department shouldn't do their job, but there are extenuating circumstances some-
times and you would have no alternate route. Mr. Chairman, I'd like to make a motion before this Committee and I'd like to have this Committee send a letter to the Secretary of PennDOT declaring a moratorium on the removal of all nonconforming signs until a satisfactory alternative is reached. I'd like to put that in the form of a motion.

REP. O'BRIEN: I'll second that motion.

REP. ARTHURS: I would suggest that we wait until we can make this motion before the full Committee in our next committee meeting in Harrisburg.

REP. GLEESON: What we will do, since we do not have a quorum present, is consider it at the next full committee meeting and the staff has made a note of that.

REP. FOSTER: I think we have 2 phases to this meeting actually. We have the big billboards and as I see them, we have the small signs. I think we have two distinct problems. I think they have to be attacked in different ways, and this is why I would like to at least have a letter written to the Secretary to see if we couldn't stop this until the legislation is enacted. They've almost suggested that. They said they were starting to do it. I can see no harm in this Committee using what power we do have with the Secretary to try to stop this till we get our feet on the ground. I'm pleased with this meeting and I think we're going to get some place with it.

I have no further questions but again, I want to say I think we have two distinct problems. We've got the big signs, we've got the little signs. In my estimation, I think the little signs are hurting as much as the big signs.

MIKE DECKMAN: We actually have two different bureaus in charge of the two different signs. Signs in the right-of-way are part of Traffic Engineering. Signs beyond the right-of-way such as billboards are a different Bureau.

REP. FOSTER: You're almost getting to the same thing. I also serve on the Agriculture Committee and for years, we've pushed the little farmer out of business and today we're hurting for that. Now you are doing the same thing in the tourist industry. You're trying to push the little fellow out and he's the guy that's keeping things going. We can't survive with bigness all the time. We've got to have that little guy and it's a parallel. Now we recognize the fact that with our rules and regulations and governmental regulations and paperwork and so forth, we've crowded the small guy out. Now here we go again with the tourist industry and we're practically doing the same thing. I think this is an extremely important part of this business, to look out for the little guy and not ignore the big fellow either. I'm not saying that. But it is critical because those little fellows can get hurt. Like Tony said, four or five days of not advertising at this time of the year is critical to their business.

ROCCO PUGLIESE: Mike, would you clarify something? You mentioned that if House Bill 504 is passed, the Department of Transportation would lose money. Is that correct Is that Federal money or State money?

MIKE DECKMAN: It does not affect the Federal funds. The money that the State would lose would be the money already invested in appraising signs - that's several million dollars. Other money would be permit money. We have a system of permits. Non-conforming informational signs of this type are supposed to get permits. The way you enforce permits is if you don't get a permit, we'll take down your sign.

REP. ARTHURS: I think it more of a statement than anything. Something that I've always found successful, and I don't think that it has happened in this particular case. I think it would be very advantageous if we had people of those different departments of PennDOT, the Federal people, our business and commerce people in Harrisburg, representatives from the different groups here, to sit down just nose to

nose and talk this out. Get away from the letter writing and this type of thing where we can have breakdowns. I would like to see everybody involved, and I'm probably talking about 10 different people, chaired by the Chairman of the Transportation Committee and the Chairman of the Business and Commerce Committee, just to get everybody together and start banging some of these things out head to head. I think there is a lot of these things that could be solved if they could just be talked out right in a day or two of meetings such as we are having here. I think we're talking about different problems and I don't really think that there is still going to have to be a lot of communicating back and forth. I know PennDOT will try to do something that might not conform to what you people are thinking and vice versa. So I would like to see that particular type of meeting carried further where it would be a meeting of the interested people and the people that are being affected by this.

REP. GLEESON: I think he is right. I think most of this could be worked out.

REP. O'CONNELL: I am a camper and I travel extensively. I've been all over the states in the last couple of years. I know the advantages of this kind of signing and its availability because when you are moving a rig around like I move around, you don't want to get on a side or country road and get lost. There are information and tourist booths that have been established, not only in Pennsylvania but across the country, and they find that they are voluntarily staffed by the Chamber of Commerce or tourist groups. You drive into a gas station and get a lot of lip information. You're traveling late at night and you're tired and you are looking for a particular location, site or campground and you can't find it. It is very distressing and disturbing. In spite of the fact that you say what the general public ought to be doing, I can tell you what the general public does in the traveling situation because I am with them on a daily basis. I think this signing is important. I think there are two distinct problems. I think the interstate is one problem and the big highways. The big boys can handle it, they can move that 600 feet and put them in the sky. The little guy has a tremendous problem. On the secondary roads where you are coming into a location is another separate and distinct problem and it needs separate treatment. I think we

can take into consideration what other states are doing. We can observe, we can learn, we can be educated by them. I believe Pennsylvania has a unique situation. I, too, would suggest that we sit down and get nose to nose and resolve a lot of our differences and present something concrete to the Legislature and PennDOT.

MR. REYNOLDS: I fully agree with Mr. Foster. I think that until 504 works its way through the legislative process, there must be some kind of holding pattern. New Mexico has developed a moratorium on all sign removals of directional tourist oriented signs. Arizona did the same thing because they had economic impact amendments to their state beautification act and they are able to carry on a nice, quiet, well organized program. There are no signs coming down and I think this is what it is here in Pennsylvania. Obviously, from the past two days, there is an irregularity in the system and 504 will rescue that program. But in the meantime, you've got to declare a moratorium on removing these signs. Yesterday, I spoke of amending House Bill 504 with the 131 (o) and I'd like to see that considered and I strongly agree with the gentleman on a future meeting. Remember gentlemen, we find ourselves in a situation where keeping in mind that FHWA is a regulatory body, there is the legislative process and you have three Congressmen on the House Committee on Public Works who will review all the outdoor advertising controls. One program that I would like to throw out is that there is a solution to the problem and its what we refer to as the old Class 3 Program. Dick Christiansen of the 3M Company is aware of the Class 3 Program and I think he could explain it later before we adjourn.

RICHARD MOELLER: Just to add to the comments that were made before, I think the Committee should understand that PennDOT is an agency of the State of Pennsylvania. It is limited in terms of what they can now do with respect to alternative information systems throughout the State on Federally aided highways. I think it is important to understand that our regulations presently are such that it puts on the State of Pennsylvania some very real restraints in terms of what they can do with alternate systems. As I testified yesterday, our agency is currently underway with a re-study of those standards which presently provide the parameters which the State is now operating under.

We are looking at these standards with the idea of revising them to afford more flexibility in terms of alternate information systems. We anticipate that this study will be completed later this year or early next year. I think it is important that you understand that we are underway with the examination of these standards. We are also employing consultants to look at them in terms of insuring the objectives. I think the main thrust of this is that there is definite concern for motorist information, particularly food, fuel, lodging and campgrounds. There isn't any question but what our existing standards are causing problems in conjunction with the signing program that is happening all over the United States. The only other point I would like to make is, two points actually, I, or representatives of my organization would be very happy to meet with you in the future if you have such a meeting. The only thing that I would suggest you give consideration to is not to go to some type of complete moratorium on sign acquisition. I think a program of priority sign acquisition - the directional type signs that are of value to the motoring public up till last is fine. I would certainly hope that you would not adopt a wholesale moratorium on sign removal. By doing so, you may conceivably go out of compliance with the Federal department. That is all I have, thank you very much.

REP. LINCOLN: One question, I was not here yesterday, but I understand from your testimony yesterday that you stated 504 would not put Pennsylvania out of compliance with Federal regulations and there would be no penalty. What do I understand you to be saying right now? What did you mean when you said a complete moratorium would not be required?

RICHARD MOELLER: If the State of Pennsylvania adopts a policy legislatively or simply administratively saying we're not going to acquire any more signs in the State - directional type or product advertising - that would risk or shut our program down. It would be my understanding that you would be out of compliance with the Federal law which basically requires the State to expeditiously acquire those nonconforming signs throughout the State.

REP. LINCOLN: If PennDoT would by regulations, accept the words exactly as they are in 504, they would be in compliance?

RICHARD MOELLER: They would be in compliance, yes. Yesterday, I testified with regard to the potential administrative problems with respect to 504 that would cause possibly some hardship in one case to sign owners throughout the State and the other instance is possible administrative problems for PennDoT in administering the program. Aside from those, the Bill 504 would not put the State out of compliance.

REP. LINCOLN: One last question. What would be the penalty for being out of compliance?

RICHARD MOELLER: If the State of Pennsylvania would go out of compliance with the Federal law, they would lose 10 percent of their annual apportioned highway funds.

REP. LINCOLN: All funds, not just funds from this Department?

RICHARD MOELLER: It would be the entire funds coming to the State and it would be each year indefinitely, as long as the State remained out of compliance. I understand that the 10 percent of the Pennsylvania apportionment would be in excess of \$20 million per year.

DICK CHRISTIANSEN: The Class 3 program mentioned a moment ago is no longer in existence, but this was a program that had uniform side signs at the right-of-way line which advertised tourist-oriented businesses within 12 air miles of that location. We have, as a company, prepared an experimental program and uniform sign program for the Finger Lakes in New York which, in many instances, is similar to the Poconos. What we we are saying is basically the logo program or the current PennDoT directional program is too restrictive. It does not give the opportunity to tell anything about a business. This is what the businessman wants and needs. He wants to have something to make his business distinctive to the traveling public and something he can tie in with. The Class 3 or the Right-of-Way Directional Information Program is a concept that could be adopted and could be very helpful in areas such as these.

There are many proposals available, we are not dealing with one or two alternatives. A future meeting where all of these could be exposed, where pictures of the whole thing could be shown would be important.

BOB UGUCCIONI: First, I would like to thank the Committee for coming to the Poconos and meeting here so that we could give you the insight into some of our problems on highway signing. I really thank the Committee for coming here and initiating this Bill. In Virginia, as Frank O'Connell said, they set up an "advisory committee" on outdoor advertising and signing on public highways which was comprised of people similar to those sitting at this table. This committee meets periodically with State and Federal officials. We're not too happy with advisory committees because we have a lot of them in Harrisburg, but they have done that and this is a resolution that they have presented in Virginia - a very tourist-oriented State. One other thing I mentioned yesterday, and for some of you Representatives that were not here, I would like to really point this out. Congressman Jim Wright was prime sponsor of the Highway Beautification Act. I'm sure that anyone of the Legislators sitting at this table who has had this experience says that the Act is not being interpreted as Congress intended. How many pieces of legislation have you people supported and voted for which has gone through the various bureaucracies of this State and were not administered as you intended them to be. House Bill 504 would probably give us some time to perhaps have a gentleman like Congressman Wright, who is now Majority Leader of the Congress, and other congressmen and other people in Washington get back to their intent of what the National Beautification Act was. And that was not a billboard removal program initially, but a highway beautification project and a highway beautification project means to beautify highways of this Country - but not to take all the directional signs down to beautify it. Consequently, that's the end of my statement. I thank the Committee very much for coming and hopefully we can set up - whether it is an advisory committee or whatever it is - and we can apply for this special experimental project grant which the Federal Highway Administration has given to other areas of the United States and could be available to Pennsylvania. Thank you.

CHAIRMAN BELLOMINI: I would like to thank everyone who has appeared before this Committee. I would like to say that these hearings are a step in the right direction, but you know this will not end here and we should continue getting together and we would appreciate interested persons to write to PennDOT and to our House Transportation Committee so we can get together again in the future. On behalf of the Committee and myself, thank you all very much for appearing. This hearing is adjourned.