

## **CHAPTER 39-13 TRAFFIC SIGNS**

**39-13-01. Uniform marking and erection of signs on highway.** Repealed by S.L. 1953, ch. 177, § 120.

**39-13-02. Local traffic signs.** Repealed by S.L. 1975, ch. 353, § 4.

**39-13-03. Local parking regulations not enforceable where sign illegible or not in proper position.** Local parking and other special regulations are not enforceable against an alleged violator if, at the time and place of the alleged violation, an appropriate sign giving notice thereof is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

**39-13-04. Traffic signs erected by unauthorized persons prohibited - Traffic signs containing advertising prohibited.** Repealed by S.L. 1975, ch. 347, § 25.

**39-13-05. Injuring signs prohibited.** No person may deface, injure, knock down, or remove any sign posted as provided in this chapter.

**39-13-06. Authority to adopt manual on uniform traffic-control devices.** The director shall adopt a manual and specifications for a uniform system of traffic-control devices, consistent with the provisions of law, for use upon all highways and streets in this state. Such uniform system must correlate with and so far as possible conform to the system set forth in the most recent edition of the manual promulgated as a national standard by the federal highway administrator.

**39-13-07. Uniform traffic-control devices on all streets and highways.** No traffic-control devices, including markings, signs, and signals, may be used on any street or highway which do not conform to the standards of design and location as prescribed in the manual and specifications for a uniform system of traffic-control devices. The director and local authorities, on streets and highways under their respective jurisdiction, shall place such devices as are deemed necessary to regulate, warn, and guide traffic.

**39-13-08. No traffic-control device to be manufactured or sold which does not conform.** No person, firm, corporation, or limited liability company may sell or offer for sale to street and highway authorities, and no such authorities may purchase or manufacture any traffic-control device which does not conform to the manual unless specifically approved by the director.

**39-13-09. Tourist-oriented directional signs.**

1. In this section:

- a. "Tourist-oriented directional sign" means a sign providing identification of and directional information for tourist-related businesses, services, or activities.
- b. "Tourist-related business, service, or activity" means rural agricultural business and tourism attractions, including recreation, historical sites, festival and cultural events, lodging and food services which are singularly and uniquely related to historical, cultural, or recreational tourist attractions, and guide services, but does not include any business operated under a franchise agreement. The term includes a business that derives a major portion of income or visitors from individuals who do not reside in the immediate area of the business. The immediate area of the business is within the city limits in which the business is located, or within one mile [1.61 kilometers] from the business if located outside city limits.

2. Notwithstanding section 24-01-12, the department shall establish by rule standards for the erection and maintenance of tourist-oriented directional signs. The rules must conform to federal standards for tourist-oriented directional signs adopted under 23 U.S.C. 131(q) as of July 1, 1991, and with the manual adopted by the department under section 39-13-06 except that the rules must provide that logos may not be used on tourist-oriented directional signs.
3. Upon the request of any person, a local authority that has adopted an ordinance permitting the erection of tourist-oriented directional signs may authorize their erection within the right of way of any highway under the jurisdiction of the local authority except that tourist-oriented directional signs may not be erected within the right of way of the interstate highway system. A tourist-oriented directional sign may not be erected unless it is erected in compliance with rules adopted by the department for such signs.
4. The permit applicant shall engage a qualified contractor for the erection, installation, and maintenance of tourist-oriented directional signs within the right of way of any highway under the jurisdiction of the department except that tourist-oriented directional signs may not be erected within the right of way of the interstate highway system. A tourist-oriented directional sign may not be erected unless it is erected in compliance with rules adopted by the department for such signs.