SOS APA Form 003
Rev. 6/12

DELBERT HOSEMANN
Secretary of State

ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. An Economic Impact Statement must be attached to this Form and address the factors below. A PDF document containing this executed Form and the Economic Impact Statement must be filed with any proposed rule, if required by the aforementioned statute.

AGENCY NAME	CONTACT PERSON		TELEPHONE NUMBER
Mississippi Department of Transportation	Ray Goodman		601-359-7101
ADDRESS P.O. Box 1850	CITY Jackson	STATE MS	ZIP 39201
EMAIL rgoodman@mdot.ms.gov	DESCRIPTIVE TITLE OF PROPOSED RULE Control of Outdoor Advertising Adjacent to State Controlled Routes		

Specific Legal Authority Authorizing the promulgation of Rule:	Reference to Rules repealed, amended or suspended by the Proposed Rule:
Section § 65-1-8 (2)(c). et. seq. of the Mississippi Code of 1972 Annotated as amended	37.I.7501.09002

SIGNATURE	TITLE
	Deputy Executive Director
DATE 8-20-13	PROPOSED EFFECTIVE DATE OF RULE 30 days after filing

1. Describe the need for the proposed action: Pragmatic clarifications of various enforcement procedures of outdoor advertising were needed that had become relevant since the last rule revision had taken place. The industry expressed hardship for various requirements by the rule that were alleviated by this change.
2. Describe the benefits which will likely accrue as the result of the proposed action: There are minimal highway beautification and safety benefits that will result from this rule amendment. There are also economic benefits for the outdoor media industry resulting from these revisions.
3. Describe the effect the proposed action will have on the public health, safety, and welfare: Safety and welfare would have a minimal yet tangible benefit resulting from the clarified methods and procedures to the control of outdoor advertising.
4. Estimate the cost to the agency and to any other state or local government entities, of implementing and enforcing the proposed action, including the estimated amount of paperwork, and any anticipated effect on state or local revenues: There are no anticipated additional costs associated with this rule revision.
5. Estimate the cost or economic benefit to all persons directly affected by the proposed action: There is an estimated cost savings of $32,000 - $80,000 per year.
6. Provide an analysis of the impact of the proposed rule on small business:
   a. Identify and estimate the number of small businesses subject to the proposed regulation: Only small business that deal directly with outdoor media would be effected by this rule. There are roughly 200 small business enterprises that own a small amount of outdoor media. Outdoor media for businesses that meet the criteria for a "small business" have separate regulation that is not changed by this revision.
   b. Provide the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary

for preparation of the report or record: There are no anticipated additional administrative costs associated with this proposed regulation.

c. State the probable effect on impacted small businesses: There will be an overall moderate economic benefit to small businesses that are in the industry of outdoor media through various aspects of the regulations and enforcement procedures.

d. Describe any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation including the following regulatory flexibility analysis: Section 603 of the current regulation, which will remain unchanged by this proposed revision, contains less stringent compliance for Small Business Signs wherein it states that signs that meet said criteria are exempt from payment of any permitting fees set forth by the state. This would not apply to any fees required by a municipality that are not governed by this rule.

   i. The establishment of less stringent compliance or reporting requirements for small businesses;
   ii. The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
   iii. The consolidation or simplification of compliance or reporting requirements for small businesses;
   iv. The establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and
   v. The exemption of some or all small businesses from all or any part of the requirements contained in the proposed regulations:

7. Compare the costs and benefits of the proposed rule to the probable costs and benefits of not adopting the proposed rule or significantly amending an existing rule: The costs and benefits for amending the existing rule as proposed are moderately higher than if the revisions were not adopted.
8. Determine whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rule where reasonable alternative methods exist which are not precluded by law: There are no less costly or less intrusive methods of achieving the oversight as set forth by state law.
9. Describe reasonable alternative methods, where applicable, for achieving the purpose of the proposed action which were considered by the agency: There are no other reasonable alternatives other than state enforcement as prescribed by federal law.
10. State reasons for rejecting alternative methods that were described in #9 above: It would violate federal regulation.
11. Provide a detailed statement of the data and methodology used in making estimates required by this subsection: There are on average 80 to 100 new sign permits per year throughout the state. This rule revision removes the requirement, among other things, that an outdoor media sign permit application include a property plat produced by a licensed surveyor. These plats cost anywhere from $400 - $800 and up. This represents a conservative annual cost savings of $32,000 to $80,000 per year which does not include other intangible savings to the outdoor media industry.