

# **INITIAL STATEMENT OF REASONS**

## **SECTION 2241. "ENFORCEMENT"**

### **SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation will institute a formal administrative review process to the Department of Transportation's permitting, licensing and enforcement decisions for outdoor advertising.

### **NECESSITY.**

The proposed amendment to the regulation is necessary to reduce litigation expenses by resolving the issue at a low level of review. A formal review process will also result in more consistent determinations by the decisionmakers. Finally, the process ensures more efficient and expedited decisionmaking. The proposed amendment is also necessary to ensure due process requirements are met for all appeals.

### **TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

### **REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.**

No other alternatives were presented to or considered by the Department.

### **REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

### **EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

By instituting the informal administrative review process, the amended regulation will actually result in less cost to small businesses by reducing the costs of litigation to oppose the Department's decisions.

**SECTION 2242 (h). "DEFINITIONS"**

**SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation is a non-substantive change renaming Design Certification to Certificate of Sufficiency as used in the Department of Transportation's Outdoor Advertising Office.

**NECESSITY.**

The proposed amendment to the regulation is necessary to reflect a change in terminology used by the Department

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

**REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.**

No other alternatives were presented to or considered by the Department.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

Change in terminology does not create an economic impact on any businesses.

**SECTION 2243. "ON-PREMISE DISPLAY"**

**SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation is a technical change to delete section numbers of the Outdoor Advertising Act.

NECESSITY.

The proposed amendment to the regulation is necessary because the deleted sections of the code do not apply to on-premise displays so that they have no relevance to the existing regulation.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

The technical change in this regulation does not create an economic impact on any businesses.

**SECTION 2244. "ON-PREMISE DISPLAY WITHIN A REDEVELOPMENT PROJECT"**

SPECIFIC PURPOSE OF THE REGULATION.

The proposed amendment to the regulation clarifies the requirement that the Redevelopment Agency must confirm project boundaries and qualifying businesses for "Redevelopment Displays"..

NECESSITY.

The proposed amendment to the regulation is necessary to save considerable time in making these determinations and further ensures that there will be no confusion between the Redevelopment Agency and the Department.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

By allowing for this clarification, the amended regulation will actually result in less cost to small businesses by reducing the time and effort spent in making these determinations.

**SECTION 2245. "EXTENSION OF TIME LIMIT FOR AN ON-PREMISE DISPLAY WITHIN A REDEVELOPMENT PROJECT"**

SPECIFIC PURPOSE OF THE REGULATION.

The proposed amendment to the regulation clarify language on penalties for "Redevelopment Displays" where an extension was not obtained after the initial 10-year period.

NECESSITY.

The proposed amendment to the regulation is necessary to apprise those affected of the penalty using more specific language.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

By merely clarifying the penalty stated in the current regulation, this regulatory action has no economic impact on business.

**SECTION 2250. "LOCATION"**

SPECIFIC PURPOSE OF THE REGULATION.

The proposed amendment to the regulation is a non-substantive change renaming the Public Works to the Department of Transportation.

NECESSITY.

The proposed amendment to the regulation is necessary to reflect a change in the name of the Department that occurred in 1973.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

The name change does not create an economic impact on any businesses.

**SECTION 2270. "CUSTOMARY MAINTENANCE"**

**SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation will clarify the status of "tri-vision signs" as a changeable message sign.

**NECESSITY.**

The proposed amendment to the regulation is necessary to end years of changing and inconsistent enforcement.

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

**REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.**

No other alternatives were presented to or considered by the Department.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

This clarification in the amended regulation will result in greater stability and will not economically impact any businesses.

**SECTION 2250. "LOCATION"**

**SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation is a non-substantive change renaming the Public Works to the Department of Transportation.

**NECESSITY.**

The proposed amendment to the regulation is necessary to reflect a change in the name of the Department that occurred in 1973.

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

**REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.**

No other alternatives were presented to or considered by the Department.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

The name change does not create an economic impact on any businesses.

**SECTION 2270. "CUSTOMARY MAINTENANCE"**

**SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation will clarify the status of "tri-vision signs" as a changeable message sign.

**NECESSITY.**

The proposed amendment to the regulation is necessary to end years of changing and inconsistent enforcement.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

This clarification in the amended regulation will result in greater stability and will not economically impact any businesses.

•  
**SECTION 2250. "LOCATION"**

SPECIFIC PURPOSE OF THE REGULATION.

The proposed amendment to the regulation is a non-substantive change renaming the Public Works to the Department of Transportation.

NECESSITY.

The proposed amendment to the regulation is necessary to reflect a change in the name of the Department that occurred in 1973.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

The name change does not create an economic impact on any businesses.

**SECTION 2271. "DESTROYED NONCONFORMING DISPLAY"**

SPECIFIC PURPOSE OF THE REGULATION.

The proposed amendment to the regulation will specify that standards for destroyed or damaged displays apply to all, and not just nonconforming, displays. The proposed amendment will also apply the appeal provisions of section 2241 to such determinations.

NECESSITY.

The proposed amendment to the regulation is necessary to make the standards for all displays consistent and more readily enforceable. Moreover, the amendment allows for a formal review process that will result in more consistent determinations by the decisionmakers. By doing so, the appeals process will ensure more efficient and expedited decisionmaking.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

This standardization set forth in the amended regulation will result in greater stability and will not economically impact any businesses adversely. By subjecting determinations to the informal administrative review process, the amended regulation will actually result in less cost to small businesses by reducing the costs of litigation to oppose the Department's decisions.

**SECTION 2272. "ABANDONED NONCONFORMING DISPLAY"**

SPECIFIC PURPOSE OF THE REGULATION.

The proposed amendment to the regulation will specify that standards for abandoned displays apply to all, and not just nonconforming, displays. The proposed amendment will also apply the appeal provisions of section 2241 to such determinations.

NECESSITY.

The proposed amendment to the regulation is necessary to make the standards for all displays consistent and more readily enforceable. Moreover, the amendment allows for a formal review process that will result in more consistent determinations by the decisionmakers. By doing so, the appeals process will ensure more efficient and expedited decisionmaking.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

This standardization set forth in the amended regulation will result in greater stability and will not economically impact any businesses adversely. By subjecting determinations to the informal administrative review process, the amended regulation will actually result in less cost to small businesses by reducing the costs of litigation to oppose the Department's decisions.

**SECTION 2300. "SCOPE"**

**SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation will reflect changes in the Code of Federal Regulations and will incorporate the Code of Federal Regulations by reference whenever it is modified with respect to federal bonus segments.

**NECESSITY.**

The proposed amendment to the regulation is necessary to ensure compliance and consistency with federal law.

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

**REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.**

No other alternatives were presented to or considered by the Department.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

Ensuring compliance with federal law will not economically impact any businesses adversely.

**SECTION 2401. "MEASUREMENT OF DISTANCES FROM A COMMERCIAL OR INDUSTRIAL ACTIVITY"**

**SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation will add the requirement that an activity that does not have necessary state or local business licenses or permits will not qualify as a commercial or industrial activity for purposes of the Outdoor Advertising Act.

**NECESSITY.**

The proposed amendment to the regulation is necessary to make such determinations easier and more consistent.

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

**REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.**

No other alternatives were presented to or considered by the Department.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

This clarification in the amended regulation will result in greater stability and efficiency and will not economically impact any businesses adversely.

**SECTION 2422. "PERMIT APPLICATION PROCESS"**

**SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation will implement a new requirement that local agencies must approve outdoor advertising permits.

#### NECESSITY.

The proposed amendment to the regulation is necessary to ensure compliance with 2002 legislation (SB 1480), found at Section 5354 of the Business and Professions Code.

#### TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

#### REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

#### REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

#### EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

Ensuring compliance with state statutory law will not economically impact any businesses adversely.

### **SECTION 2424. "PERMIT RENEWAL PROCESS"**

#### SPECIFIC PURPOSE OF THE REGULATION.

The proposed amendment to the regulation will allow permit fees to be increased to reflect the Department's actual expense to \$100 per permit and specifies appeal rights for determinations revoking permits for non-compliance with this section. The proposed amendment will also cancel permits if a display has not been constructed and no local government approval is obtained.

#### NECESSITY.

The proposed amendment to the regulation is necessary to ensure compliance with 2002 legislation (SB 1480), found at Section 5354 of the Business and Professions Code. . Moreover, the amendment allows for a formal review process that will result in more consistent determinations by the decisionmakers. By doing so, the appeals process will ensure more efficient and expedited decisionmaking.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

Ensuring compliance with state statutory law will not result in a significant adverse economic impact on any businesses. Raising the administrative fees from \$75 to \$100 is small increase that is necessary for the Department to recoup its costs. By subjecting determinations to the informal administrative review process, the amended regulation will actually result in less cost to small businesses by reducing the costs of litigation to oppose the Department's decisions.

**SECTION 2425. "PERMIT TRANSFER PROCESS"**

SPECIFIC PURPOSE OF THE REGULATION.

The proposed amendment to the regulation will utilize the formal administrative review process established in Section 2241 to the Department of Transportation's permit transfer process decisions for outdoor advertising.

NECESSITY.

The proposed amendment to the regulation is necessary to reduce litigation expenses by resolving the issue at a low level of review. A formal review process will also result in more consistent determinations by the decisionmakers. Finally, the process ensures more efficient and expedited decisionmaking. The proposed amendment is also necessary to ensure due process requirements are met for all appeals.

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

**REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.**

No other alternatives were presented to or considered by the Department.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

By instituting the informal administrative review process, the amended regulation will actually result in less cost to small businesses by reducing the costs of litigation to oppose the Department's decisions.

**SECTION 2426. "BUSINESS ADDRESS OF PERMITTEE AND LICENSEE"**

**SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation will reduce the time for the retention of revocation notices from five years to one year.

**NECESSITY.**

The proposed amendment to the regulation is necessary to ease retention burdens in the Department..

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

**REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.**

No other alternatives were presented to or considered by the Department.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

Changing the retention schedules for these notices would have absolutely no adverse economic impact on any business.

**SECTION 2427. "PERMITS FOR RELOCATED DISPLAYS"**

**SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation will establish parameters for cities seeking permits for relocation of non-conforming billboards.

**NECESSITY.**

The proposed amendment to the regulation is necessary ensure compliance with the law and to ensure consistency on how these are handled throughout the Districts of the Department.

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

**REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.**

No other alternatives were presented to or considered by the Department.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

This clarification in the amended regulation will result in greater stability and efficiency and will not economically impact any businesses adversely.

**SECTION 2441. "VIOLATIONS FOR PERMANENT DISPLAYS"**

**SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation will add new penalty requirements and will specify appeal rights for violation notices.

**NECESSITY.**

The proposed amendment to the regulation is necessary to ensure compliance with 2002 legislation (SB 1480), found at Section 5354 of the Business and Professions Code. . Moreover, the amendment allows for a formal review process that will result in more consistent determinations by the decisionmakers. By doing so, the appeals process will ensure more efficient and expedited decisionmaking.

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

**REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.**

No other alternatives were presented to or considered by the Department.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

Ensuring compliance with state statutory law will not result in a significant adverse economic impact on any businesses. By subjecting determinations to the informal administrative review process, the amended regulation will actually result in less cost to small businesses by reducing the costs of litigation to oppose the Department's decisions.

## **SECTION 2442. "REVIEW OF VIOLATION NOTICE"**

### **SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation will specify appeal rights for violation notices.

### **NECESSITY.**

The amendment is necessary to allow for a formal review process that will result in more consistent determinations by the decisionmakers. By doing so, the appeals process will ensure more efficient and expedited decisionmaking.

### **TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

### **REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.**

No other alternatives were presented to or considered by the Department.

### **REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

### **EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

By subjecting determinations to the informal administrative review process, the amended regulation will actually result in less cost to small businesses by reducing the costs of litigation to oppose the Department's decisions.

## **SECTION 2443. "CAUSES FOR REVOCATION OF AN OUTDOOR ADVERTISING PERMIT"**

### **SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation will add references consistent with legislation regarding revocation of outdoor advertising permits and will specify appeal rights for determinations revoking permits for non-compliance with this section.

## NECESSITY.

The proposed amendment to the regulation is necessary to ensure compliance with 2002 legislation (SB 1480), found at Section 5354 of the Business and Professions Code with regard to revocation of outdoor advertising permits. Moreover, the amendment allows for a formal review process that will result in more consistent determinations by the decisionmakers. By doing so, the appeals process will ensure more efficient and expedited decisionmaking.

## TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

## REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

## REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

## EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

Ensuring compliance with state statutory law will not result in a significant adverse economic impact on any businesses. By subjecting determinations to the informal administrative review process, the amended regulation will actually result in less cost to small businesses by reducing the costs of litigation to oppose the Department's decisions.

## **SECTION 2444. "CAUSES FOR REVOCATION OF AN OUTDOOR ADVERTISING LICENSE"**

### SPECIFIC PURPOSE OF THE REGULATION.

The proposed amendment to the regulation will add guidelines for the revocation of a license.

#### NECESSITY.

The proposed amendment to the regulation is necessary apprise licensees of the causes for revocation of an outdoor advertising license. Since the 1930's the Department could revoke a license, but no regulatory standards were adopted..

#### TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

#### REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

#### REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

#### EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

The regulation merely states the causes for revocation of a license. It will have no significant adverse economic impact on any business.

#### **SECTION 2505. "CHANGE IN FREEWAY CHARACTER --PRELIMINARY LANDSCAPE DETERMINATION"**

#### SPECIFIC PURPOSE OF THE REGULATION.

The proposed amendment to the regulation will provide technical amendments to add current Departmental terminology. It also clarifies the time to commence plantings on a new segment and allows notices to be placed on Landscape Architect's web page.

#### NECESSITY.

The proposed amendment to the regulation is necessary to conform the regulations to current Department practices.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

Since the regulation merely reflects current practice, the regulation will have no significant adverse impact on any business.

**SECTION 2507. "LANDSCAPED FREEWAY--MINIMUM LENGTH"**

SPECIFIC PURPOSE OF THE REGULATION.

The proposed amendment to the regulation will add references consistent with legislation regarding median planting and will delete reference to the Glen Anderson Freeway.

NECESSITY.

The proposed amendment to the regulation is necessary to ensure compliance with 2002 legislation (SB 1480), found at Section 5354 of the Business and Professions Code with regard to median planting. Moreover, the amendment is necessary to delete reference to the Glen Anderson Freeway to conform to Court decision.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

Ensuring compliance with state statutory law will not result in a significant adverse economic impact on any businesses. Deleting the Glen Anderson Freeway in accordance with court decision will have no economic impact whatsoever on businesses.

**SECTION 2508. "CHANGE IN FREEWAY CHARACTER--CRITERIA AND INSPECTION"**

SPECIFIC PURPOSE OF THE REGULATION.

The proposed amendment to the regulation will add references consistent with legislation regarding median.

NECESSITY.

The proposed amendment to the regulation is necessary to ensure compliance with 2002 legislation (SB 1480), found at Section 5354 of the Business and Professions Code with regard to median planting.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Department.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

Ensuring compliance with state statutory law will not result in a significant adverse economic impact on any businesses.

**SECTION 2511. "TEMPORARY REMOVAL OF PLANT MATERIAL"**

**SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation will provide amendments to clarify the "two years" so as to refer to two "fiscal " years and adds provisions regarding "catastrophic event".

**NECESSITY.**

The proposed amendment to the regulation is necessary to conform the regulations to current Department practices and to reflect current diseases and blights which may result in wide-spread plant deaths that will overwhelm the capacity of the Department in replacement during a normal time frame.

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

**REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.**

No other alternatives were presented to or considered by the Department.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

Since the regulation merely reflects current practice, the regulation will have no significant adverse impact on any business. Moreover, identification of diseases will not result in any economic impact to businesses.

**SECTION 2512. "REQUEST FOR RECLASSIFICATION"**

**SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation will specify appeal rights for determinations involving reclassifications.

**NECESSITY.**

The amendment allows for a formal review process that will result in more consistent determinations by the decisionmakers. By doing so, the appeals process will ensure more efficient and expedited decisionmaking.

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

**REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.**

No other alternatives were presented to or considered by the Department.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

By subjecting determinations to the informal administrative review process, the amended regulation will actually result in less cost to small businesses by reducing the costs of litigation to oppose the Department's decisions.

**SECTION 2513. " DISPLAYS VIEWED PRIMARILY FROM LANDSCAPED FREEWAYS"**

**SPECIFIC PURPOSE OF THE REGULATION.**

The proposed amendment to the regulation is a technical change to correct a reference.

**NECESSITY.**

The proposed amendment to the regulation is necessary to enable persons impacted by regulatory change to have proper references.

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.**

The Department did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the amendment to this regulation.

**REASONABLE ALTERNATIVES TO THE REGULATION AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES.**

No other alternatives were presented to or considered by the Department.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESSES.**

The Department has not identified any alternatives that would lessen any adverse impact on small businesses.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.**

The technical change in this regulation does not create an economic impact on any businesses.