

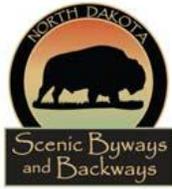
NORTH DAKOTA SCENIC BYWAY PROGRAM

De-designation Procedure

The North Dakota Scenic Byway program requires that each byway and backway uphold the following minimum requirements in order to maintain their status of state byway designation.

1. A byway/backway board meeting should be conducted at minimum, one time per year. The purpose is to confirm board members and stakeholders; set term limits for board members; confirm byway/backway officers; identify work plan for sustaining and/or enhancing byway/backway. **(meeting minutes for each meeting must be submitted to ND state byway coordinator within one month of meeting completion, list of officers should be provided after the first meeting of the year or submitted with the annual report)**
2. At minimum, one representative of each byway/backway should attend the annual state byway leader meeting hosted by the ND state byway coordinator.
3. At minimum, one marketing piece (something separate from the byway program's state information guide) for each byway/backway should be developed and distributed where appropriate. **(submit with annual report each year)**
4. Update partner-access website information for byway/backway attractions and events as requested via the North Dakota Tourism Department.
5. Complete and submit by deadline date the ND state byway coordinator's annual report.
6. Plan and coordinate with ND state byway coordinator to conduct one byway/backway inspection per year to ensure route is accessible and no major concerns exist.
7. State designated (bison logo) and nationally designated (America's Byway) signs and directional signage should be installed along your byway/backway. Signs should be properly maintained; signs that need to be replaced should be noted and replaced.

The aforementioned requirements are in effect as of October 8, 2010. Please see page two for de-designation protocol and procedure.



De-designation protocol

At any time a byway/backway does not maintain the minimum standards:

1. A letter will be emailed and mailed to the respective byway/backway leader to make him/her aware of the requirement that is not being upheld. The byway/backway leader and ND state byway coordinator will communicate and work together to reach an amicable solution and establish a completion date for compliance.
2. Failure to fulfill the agreed upon solution by the completion date established between the byway/backway and ND state byway coordinator, will result in notice of a one-year probationary period from the established date and an internal classification of, 'pending review'. The byway/backway can work to resolve matters during the probationary period. The byway/backway will have one-year from the failed established date to resolve the situation.
3. If the situation is resolved, state designated status will be maintained and the record of incident will be kept on file. **(note: a byway/backway can be classified as "pending review" a maximum of three times; a fourth time will lead to an immediate status of 'inactive')**
4. If the situation is not resolved, the byway/backway will be classified 'inactive'. The ND state byway coordinator and the Director's Task Force (DTF) will meet to discuss the inactive status and make a decision to de-designate or not de-designate.
 - a. A decision to de-designate will lead to removal of state signs and removal from state agency literature and websites and a five-year ban from the ND scenic byway program. If applicable, any project funding from scenic byway grants via FHWA or NDDOT will cease. **(re-designation of any byway/backway that was de-designated will require the byway/backway to complete the state designation process again)**
 - b. A decision to **NOT** de-designate will require the ND state byway coordinator and the DTF to develop a resolution. The ND state byway coordinator and byway/backway will work together to successfully carry out the resolution and report back to the DTF. Failure to reach a resolution in a timely manner will result in a recommendation to de-designate.

***Should a byway/backway reach step #4, the state byway coordinator will inform the other ND state byways of the situation. This is not done in an effort to denounce the byway/backway, rather to keep existing byways/backways adequately informed.

NOTE: Should a byway/backway organization or its leadership cease to exist (i.e. due to dissolution or turnover), the state coordinator will contact the local entity to determine if new leadership will be established to sustain the existing byway/backway. If the local entity decides to no longer participate in the state byway program, the state coordinator will meet with the DTF to assess the status of the respective byway/backway in an effort to develop an appropriate plan of action for continued inclusion or removal of the byway/backway from the state byway program.