

SECOND REGULAR SESSION

HOUSE BILL NO. 1612

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BURLISON (Sponsor), DENISON, WELLS,
MEADOWS AND KRATKY (Co-sponsors).

5182L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 226, RSMo, by adding thereto one new section relating to the regulation of outdoor advertising.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 226, RSMo, is amended by adding thereto one new section, to be known as section 226.541, to read as follows:

226.541. 1. As used in this section, the following words or phrases mean:

(1) "Conforming out of standard signs", signs that fail to meet the current statutory and administrative rule requirements for outdoor advertising but currently comply with the terms of the federal/state agreement and meet the August 27, 1999, statutory and administrative rule requirements that governed outdoor advertising and the highway beautification act of 1965;

(2) "Federal/state agreement", an agreement executed between the United States Department of Transportation and the state highways and transportation commission on February 22, 1972, for carrying out national policy relative to control of outdoor advertising in areas adjacent to the national system of interstate and defense highways and the federal-aid primary system;

(3) "Qualifying signs", signs which meet the requirements for outdoor advertising in effect on August 27, 1999, and the requirements of the federal/state agreement;

(4) "Reset", movement of a sign structure from one location to another location on the same or adjoining property, if the adjoining property is zoned commercial or industrial and the owner of the sign has obtained the legal right to erect a sign on the adjoining

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

17 property from its owner, as authorized by a sign permit amendment and the terms of an
18 executed written partial waiver and reset agreement between the permit owner and the
19 state highways and transportation commission;

20 (5) "Substantially rebuilt", any reconstruction or repair of a sign that requires the
21 replacement of fifty-one percent or more of the sign structure's support poles in a
22 twelve-month period.

23 2. Subject to the provisions of this section, and if allowed by applicable local
24 regulations, conforming out of standard signs shall be treated as conforming signs under
25 commission administrative rules, including new display technologies, lighting, cutouts, and
26 extensions, except that such signs shall not be substantially rebuilt except in accordance
27 with the provisions of this section. If allowed by applicable local regulations, new
28 technologies, lighting, cutouts, and extensions may be utilized on conforming and
29 conforming out of standard signs in accordance with Missouri department of
30 transportation regulations.

31 3. On the date the commission approves funding for any phase or portion of
32 construction or reconstruction of any street or highway, the rules in effect for outdoor
33 advertising on August 27, 1999, shall be reinstated for that section of highway scheduled
34 for construction and there shall immediately be a moratorium imposed on the issuance of
35 state sign permits for new sign structures.

36 4. Owners of existing signs which meet the requirements for outdoor advertising
37 in effect on August 27, 1999, and the requirements of the federal/state agreement and who
38 voluntarily execute a partial waiver and reset agreement may reset such signs on the same
39 or adjoining property. Such reset agreements shall be contingent upon obtaining any
40 required local approval to reset the sign structure. Any sign which has been reset must still
41 comply with the August 27, 1999, outdoor advertising regulations after it has been reset.

42 5. Owners of existing signs who elect to reset qualifying signs shall receive
43 compensation representing the actual cost to reset the existing sign. Signs which have been
44 reset under these provisions must be reconstructed of the same type materials and may not
45 exceed the square footage of the original sign structure.

46 6. Sign owners may elect to reset existing qualifying signs by executing a partial
47 waiver and reset agreement with the commission. Such agreement shall specify the size,
48 type, and location of the rebuilt sign and the reset expenses to be paid to the owner by the
49 commission. In the event the owner fails to execute such an agreement within one hundred
50 twenty days of receiving written notice the sign will be displaced by construction, the
51 commission shall have the right at its sole discretion to initiate normal condemnation
52 procedures for the compensated removal of the sign.

53 **7. Immediately upon the completion of construction on any section of highway, the**
54 **moratorium on new permits shall be lifted and the rules for outdoor advertising in effect**
55 **on the date the construction is completed shall apply to such section of highway.**

56 **8. Local zoning authorities may prohibit the resetting of qualifying signs which fail**
57 **to comply with local regulations.**

58 **9. All signs shall be subject to the biennial inspection fees under section 226.550.**

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