

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1612
96TH GENERAL ASSEMBLY

5182L.03C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapters 226 and 227, RSMo, by adding thereto two new sections relating to roadway signs.

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

Section A. Chapters 226 and 227, RSMo, are amended by adding thereto two new sections, to be known as sections 226.541 and 227.675, to read as follows:

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

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

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

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

14 **(4) "Reset", movement of a sign structure from one location to another location on**
15 **the same or adjoining property, if the adjoining property is zoned commercial or industrial**
16 **or is in an unzoned commercial or industrial area and the owner of the sign has obtained**
17 **the legal right to erect a sign on the adjoining property from its owner, as authorized by**
18 **a sign permit amendment and the terms of an executed written partial waiver and reset**

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.

19 agreement between the permit owner and the state highways and transportation
20 commission;

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

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

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

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

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

47 6. Sign owners may elect to reset existing qualifying signs by executing a partial
48 waiver and reset agreement with the commission. Such agreement shall specify the size,
49 type, and location of the rebuilt sign and the reset expenses to be paid to the owner by the
50 commission.

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

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

56 **9. All signs shall be subject to the biennial inspection fees under section 226.550.**
 227.675. The department of transportation shall add the words "Thank You
2 **Troops" to the "Welcome to Missouri" signs located on interstate highways.**

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