

SECOND REGULAR SESSION

SENATE BILL NO. 746

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GRIESHEIMER.

Read 1st time January 12, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

4394S.011

AN ACT

To amend chapter 226, RSMo, by adding thereto one new section relating to billboards.

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) "Reset", movement of a sign structure from one location to another location on the same property or on the 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 property from its owner, as authorized by a sign permit amendment and the terms of an executed written partial waiver and reset agreement between the permit owner and the state highways and

22 transportation commission;

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

26 2. Subject to the I-44/I-70 provisions under this section,
27 conforming out of standard signs shall be treated as conforming signs
28 under commission administrative rules, including new display
29 technologies, lighting, cutouts, and extensions, except that such signs
30 shall not be substantially rebuilt except in accordance with the
31 provisions of this section. New technologies, lighting, cutouts, and
32 extensions may be utilized on conforming and conforming out of
33 standard signs in accordance with Missouri department of
34 transportation and local zoning regulations.

35 3. On the date the commission approves funding for any phase
36 or portion of construction or reconstruction of Interstate 70 or
37 Interstate 44, the rules in effect for outdoor advertising on August 27,
38 1999, shall be reinstated for that section of highway scheduled for
39 construction and there shall immediately be a moratorium imposed on
40 the issuance of state sign permits for new sign structures.

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

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

54 6. Sign owners may elect to reset existing qualifying signs by
55 executing a partial waiver and reset agreement with the
56 commission. Such agreement shall specify the size, type, and location
57 of the rebuilt sign and the reset expenses to be paid the owner by the
58 commission. In the event the owner fails to execute such an agreement

59 within one hundred twenty days of receiving written notice the sign
60 will be displaced by construction, the commission shall have the right
61 at its sole discretion to initiate normal condemnation procedures for
62 the compensated removal of the sign.

63 7. Immediately upon the completion of construction on any
64 section of Interstate 70 or Interstate 44, the moratorium on new permits
65 shall be lifted and the rules for outdoor advertising in effect on the
66 date the construction is completed shall apply to such section of
67 highway.

68 8. Local zoning authorities may prohibit the resetting of
69 qualifying signs which fail to comply with local regulations, but local
70 authorities which choose to prohibit such resetting shall reimburse the
71 commission the cost to condemn such signs less the cost to reset the
72 sign under the provisions in this section.

73 9. All signs shall be subject to the biennial inspection fees
74 pursuant to section 226.550.

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Bill

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