

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE SUBSTITUTE FOR

SENATE BILL NO. 607

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR STOUFFER.

Offered March 7, 2012.

Senate Substitute adopted, March 7, 2012.

Taken up for Perfection March 7, 2012. Bill declared Perfected and Ordered Printed.

TERRY L. SPIELER, Secretary.

4942S.04P

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;

18 (4) "Reset", movement of a sign structure from one location to
19 another location on the same or adjoining property, if the adjoining
20 property is zoned commercial or industrial or in an unzoned
21 commercial or industrial area and the owner of the sign has obtained
22 the legal right to erect a sign on the adjoining property from its owner,
23 as authorized by a sign permit amendment and the terms of an
24 executed written partial waiver and reset agreement between the
25 permit owner and the state highways and transportation commission;

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

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

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

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

52 5. Owners of existing signs who elect to reset qualifying signs
53 shall receive compensation representing the actual cost to reset the
54 existing sign. Signs which have been reset under these provisions must

55 be reconstructed of the same type materials and may not exceed the
56 square footage of the original sign structure.

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

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

65 8. Local zoning authorities may prohibit the resetting of
66 qualifying signs which fail to comply with local regulations.

67 9. All signs shall be subject to the biennial inspection fees under
68 section 226.550.

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Bill

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