

SECOND REGULAR SESSION

# HOUSE BILL NO. 1564

98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE LOVE.

4150H.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 226.520, RSMo, and to enact in lieu thereof one new section relating to outdoor advertising.

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

Section A. Section 226.520, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 226.520, to read as follows:

226.520. 1. On and after March 30, 1972, no outdoor advertising shall be erected or maintained within six hundred sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of any highway which is part of the federal-aid primary highways as of June 1, 1991, and all highways designated as part of the National Highway System by the National Highway System Designation Act of 1995 and those highways subsequently designated as part of the National Highway System in this state except the following:

(1) Directional and other official signs, including, but not limited to, signs pertaining to natural wonders, scenic, cultural (including agricultural activities or attractions), scientific, educational, religious sites, and historical attractions, which are required or authorized by law, and which comply with regulations which shall be promulgated by the department relative to their lighting, size, number, spacing and such other requirements as may be appropriate to implement sections 226.500 to 226.600, but such regulations shall not be inconsistent with, nor more restrictive than, such national standards as may be promulgated from time to time by the Secretary of the Department of Transportation of the United States, under subsection (c) of Section 131 of Title 23 of the United States Code;

(2) Signs, displays, and devices advertising activities conducted on the property upon which they are located, or services and products therein provided;

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.

18 (3) Outdoor advertising located in areas which are zoned industrial, commercial or the  
19 like as provided in sections 226.500 to 226.600 or under other authority of law;

20 (4) Outdoor advertising located in unzoned commercial or industrial areas as defined and  
21 determined pursuant to sections 226.500 to 226.600;

22 (5) Outdoor advertising for tourist-oriented businesses, and scoreboards used in sporting  
23 events or other electronic signs with changeable messages which are not prohibited by federal  
24 regulations or local zoning ordinances. Outdoor advertising which is authorized by this  
25 subdivision [(5)] shall only be allowed to the extent that such outdoor advertising is not  
26 prohibited by Title 23, United States Code, Section 131, as now or thereafter amended, and  
27 lawful regulations promulgated thereunder. The general assembly finds and declares it to be the  
28 policy of the state of Missouri that the tourism industry is of major and critical importance to the  
29 economic well-being of the state and that directional signs, displays and devices providing  
30 directional information about goods and services in the interest of the traveling public are  
31 essential to the economic welfare of the tourism industry. The general assembly further finds  
32 and declares that the removal of directional signs advertising tourist-oriented businesses is  
33 harmful to the tourism industry in Missouri and that the removal of directional signs within or  
34 near areas of the state where there is high concentration of tourist-oriented businesses would  
35 have a particularly harmful effect upon the economies within such areas. The state highways and  
36 transportation commission is authorized and directed to determine those specific areas of the  
37 state of Missouri in which there is high concentration of tourist-oriented businesses, and within  
38 such areas, no directional signs, displays and devices which are lawfully erected, which are  
39 maintained in good repair, which provide directional information about goods and services in  
40 the interest of the traveling public, and which would otherwise be required to be removed  
41 because they are not allowed to be maintained under the provisions of sections 226.500 through  
42 226.600 shall be required to be removed until such time as such removal has been finally ordered  
43 by the United States Secretary of Transportation;

44 (6) The provisions of this section shall not be construed to require removal of signs  
45 advertising churches or items of religious significance, items of native arts and crafts,  
46 woodworking in native products, or native items of artistic, historical, geologic significance, or  
47 hospitals or airports.

48 **2. Notwithstanding any other provision of law or any regulation to the contrary,**  
49 **for purposes of subdivision (2) of subsection 1 of this section any sign, display, or device**  
50 **located on land owned by the entity operating the advertised business shall qualify as an**  
51 **on-premise sign, display, or device, regardless of any intervening land use. "Intervening**  
52 **land use" means land used for a highway, another unrelated commercial activity, a**  
53 **residence, or an agricultural activity.**

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