

HOUSE BILL 593

Introduced by Larson, et al.

2/04	Introduced
2/04	Referred to Highways & Transportation
2/04	First Reading
2/21	Hearing
2/21	Tabled in Committee

1 HOUSE BILL NO. 593
2 INTRODUCED BY Anthony G. Bergeson

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE OUTDOOR
5 ADVERTISING ACT TO ALLOW CERTAIN SIGNS ADJACENT TO A PRIMARY
6 HIGHWAY; AND AMENDING SECTION 75-15-111, MCA."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 **Section 1.** Section 75-15-111, MCA, is amended to read:

10 "75-15-111. Outdoor advertising prohibited in proximity
11 to highway -- exceptions. (1) Outdoor advertising may not be
12 erected or maintained ~~which~~ that is within 660 feet of the
13 nearest edge of the right-of-way and ~~which~~ that is visible
14 from any place on the main-traveled way of an interstate or
15 primary system except:

16 (a) ~~directional and other official signs and notices,~~
17 ~~which--signs-and-notices~~ that include but are not limited to
18 signs and notices pertaining to natural wonders and scenic
19 and historical attractions, as authorized or required by
20 law;

21 (b) signs, displays, and devices advertising the sale
22 or lease of:

- 23 (i) property upon which they are located; or
24 (ii) property within 600 feet of the intersection of a
25 highway designated in the primary system and the access

1 route to the property;

2 (c) signs, displays, and devices advertising activities
3 conducted on:

4 (i) the property upon which they are located; or

5 (ii) property within 600 feet of the intersection of a
6 highway designated in the primary system and the access
7 route to the property;

8 (d) signs, displays, and devices located in areas ~~which~~
9 ~~that~~ are zoned industrial or commercial by a bona fide
10 state, county, or local zoning authority;

11 (e) signs, displays, and devices located in unzoned
12 commercial or industrial areas, which ~~areas shall-be~~ are
13 determined from actual land uses and by agreement between
14 the department of highways and the secretary and defined by
15 rules adopted by the commission. The exception granted by
16 this subsection ~~shall~~ does not apply to signs, displays, and
17 devices located within an unzoned area in which the
18 commercial or industrial activity used in defining the area
19 has ceased for a period of 9 months.

20 (f) signs or displays advertising the cultural exhibits
21 of nonprofit historical or arts organizations if the signs
22 or displays conform with the standards provided in Title 23,
23 Code of Federal Regulations, section 750, subpart B; or

24 (g) signs that are consistent with the policy of this
25 state and with the national policy set forth in 23 U.S.C.

1 131 and the regulations promulgated thereunder under those
2 policies and that are designed to provide information in the
3 specific interest of the traveling public as provided in
4 60-5-504, 60-5-505, 60-5-511 through 60-5-513, and 60-5-519
5 through 60-5-521.

6 (2) Outdoor advertising authorized under subsections
7 (a), (d), and (e) of (1) ~~of this section shall~~ must conform
8 with standards contained in and ~~shall~~ must bear permits
9 required in rules ~~which~~ that are adopted by the commission
10 and this part.

11 (3) Outdoor advertising may not be erected or
12 maintained beyond 660 feet of the nearest edge of the
13 right-of-way of an interstate or primary highway outside of
14 an urban area if ~~such~~ the outdoor advertising is or was
15 erected with the purpose of its message being read from ~~such~~
16 the main-traveled way and visible from ~~such~~ the
17 main-traveled way unless ~~such~~ the outdoor advertising meets
18 the criteria of subsections (a), (b), or (c) of (1) ~~of this~~
19 ~~section. Should such~~ If the outdoor advertising ~~meet--said~~
20 meets the criteria, it ~~shall~~ must conform with standards
21 contained in rules ~~which~~ that are adopted by the commission
22 and this part."

-End-