

SENATE BILL 351

Introduced by Towe, et al.

2/11	Introduced
2/12	Referred to Highways & Transportation
2/12	First Reading
2/21	Hearing
2/22	Committee Report--Bill Not Passed
2/22	Adverse Committee Report Adopted

1 *Senate* BILL NO. *351*  
 2 INTRODUCED BY *Gov. T. B. Reed*

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A  
 5 STATEWIDE INDUSTRIAL OR COMMERCIAL ZONE FOR PURPOSES OF  
 6 OUTDOOR ADVERTISING; AND AMENDING SECTION 75-15-111, MCA."

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 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 is within 660 feet of the  
 13 nearest edge of the right-of-way and which is visible from  
 14 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 include but are not limited to signs  
 18 and notices pertaining to natural wonders and scenic and  
 19 historical attractions, as authorized or required by law;

20 (b) signs, displays, and devices advertising the sale  
 21 or lease of property upon which they are located;

22 (c) signs, displays, and devices advertising activities  
 23 conducted on the property upon which they are located;

24 (d) signs, displays, and devices located in areas which  
 25 that are:

1 (i) zoned industrial or commercial by a bona fide  
 2 state, county, or local zoning authority; or  
 3 (ii) within a statewide industrial or commercial zone  
 4 that extends 2 miles beyond the limits of an incorporated  
 5 city or town or that lies within a radius of 2 miles of the  
 6 center of an unincorporated community and that advertise  
 7 businesses or activities within the incorporated city or  
 8 town or within the unincorporated community;

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

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

22 (g) signs that are consistent with the policy of this  
 23 state and with the national policy set forth in 23 U.S.C.  
 24 131 and the regulations promulgated thereunder and that are  
 25 designed to provide information in the specific interest of

1 the traveling public as provided in 60-5-504, 60-5-505,  
2 60-5-511 through 60-5-513, and 60-5-519 through 60-5-521.

3 (2) Outdoor advertising authorized under subsections  
4 (a), (d), and (e) of (1) of this section shall conform with  
5 standards contained in and shall bear permits required in  
6 rules which are adopted by the commission and this part.

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

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