

SENATE BILL NO. 272
INTRODUCED BY KOEHNKE

IN THE SENATE

JANUARY 28, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.
"	FIRST READING.
FEBRUARY 5, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 6, 1993	PRINTING REPORT.
	SECOND READING, DO PASS.
FEBRUARY 8, 1993	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 49; NOES, 1.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 9, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.
	FIRST READING.
MARCH 9, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 11, 1993	SECOND READING, CONCURRED IN.
MARCH 15, 1993	THIRD READING, CONCURRED IN. AYES, 89; NOES, 9.
MARCH 16, 1993	RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

MARCH 18, 1993	RECEIVED FROM HOUSE.
	SECOND READING, AMENDMENTS CONCURRED IN.

MARCH 19, 1993

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 **SB 272** BILL NO. **272**
2 INTRODUCED BY H. J. J. J.
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE HIGHWAY
5 INFORMATION SIGNS LAWS; ALLOWING SIX BUSINESS SIGNS TO BE
6 DISPLAYED ON SPECIFIC INFORMATION SIGNS; ESTABLISHING A
7 PRIORITY FOR BUSINESSES IDENTIFIED ON A TOURIST-ORIENTED
8 DIRECTIONAL SIGN; AND AMENDING SECTIONS 60-5-512 AND
9 60-5-522, MCA."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 **Section 1.** Section 60-5-512, MCA, is amended to read:

13 "60-5-512. Specific information signs -- number of
14 business signs -- distances. (1) The number of specific
15 information signs permitted is limited to one for each type
16 of motorist service along an approach to an interchange or
17 intersection.

18 (2) ~~No more~~ More than six business signs may not be
19 displayed on a "GAS", ~~specific information sign, and no more~~
20 ~~than four business signs may be displayed on a~~ "FOOD",
21 "LODGING", or "CAMPING" specific information sign. Except as
22 provided in subsection (3), no a business may not be allowed
23 more than one business sign on the same specific information
24 sign.

25 (3) In areas where there are only one or two qualified

1 businesses available for each of two or more types of
2 motorist services, business signs for two types of services
3 may be displayed by a business on the same specific
4 information sign. ~~No more~~ More than two business signs for
5 each type of service may not be displayed in combination on
6 a specific information sign.

7 (4) To qualify for business identification on a
8 specific information sign, a motorist service facility shall
9 meet the eligibility criteria established in 60-5-514 and
10 may not be located more than 3 miles from the interstate
11 highway. However, if no eligible services are not located
12 within the 3-mile limit, the distance limits may be
13 increased in 3-mile increments until either an eligible
14 service or 15 miles is reached."

15 **Section 2.** Section 60-5-522, MCA, is amended to read:

16 "60-5-522. Business eligibility -- criteria --
17 restrictions. (1) To be eligible for business identification
18 on a tourist-oriented directional sign, a business
19 establishment shall meet the following standards for a
20 business, service, or activity:

21 (a) Gas, food, lodging, and camping services must:

22 (i) be licensed and approved by the state and local
23 agencies regulating the particular type of business;

24 (ii) provide an acceptable level of service to the
25 public;

(iii) be in continuous operation at least 8 hours a day, 5 days a week, including Saturday or Sunday; and

(iv) have a telephone and restroom facilities available for public use.

(b) Recreation services must:

(i) be licensed and approved by state and local agencies as required by law;

(ii) provide to families and the public activities of interest in which people participate for purposes of physical exercise, collective amusement, or enjoyment of nature. Such activities may include hiking, golfing, skiing, boating, swimming, picnicking, fishing, and horseback riding.

(c) Tourist services must:

(i) be licensed as required by law;

(ii) be open to the public at least 8 hours a day, 5 days a week, including Saturday or Sunday, during the normal tourist season; and

(iii) provide a natural, recreational, historical, cultural, educational, or entertainment activity or a unique or unusual commercial or nonprofit activity, from which the major portion of income or visitors is derived during normal business seasons from motorists not residing in the immediate area of the activity.

(2) Priority under subsection (1)(a) must be given to

businesses that are in continuous operation for 12 months a year.

~~(2)~~(3) (a) Each business identified on a tourist-oriented directional sign shall provide assurance of its conformity with all applicable laws concerning the provision of public accommodations without regard to race, color, sex, culture, social origin or condition, or political or religious ideas.

(b) If a business violates any of these laws, it loses eligibility for business identification on a tourist-oriented directional sign.

~~(3)~~(4) No A business that owns any outdoor advertising structure in violation of the provisions of Title 75, chapter 15, part 1, may not be eligible for business identification on a tourist-oriented directional sign for 1 year after the illegal outdoor advertising structure is removed unless the owner voluntarily removes it within 45 days of receiving notification under 75-15-131."

-End-

APPROVED BY COMMITTEE
ON HIGHWAYS & TRANSPORTATION

SENATE BILL NO. 272

INTRODUCED BY KOEHNKE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE HIGHWAY INFORMATION SIGNS LAWS; ALLOWING SIX BUSINESS SIGNS TO BE DISPLAYED ON SPECIFIC INFORMATION SIGNS; ESTABLISHING A PRIORITY FOR BUSINESSES IDENTIFIED ON A TOURIST-ORIENTED DIRECTIONAL SIGN; AND AMENDING SECTIONS 60-5-512 AND 60-5-522, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 60-5-512, MCA, is amended to read:

"60-5-512. Specific information signs -- number of business signs -- distances. (1) The number of specific information signs permitted is limited to one for each type of motorist service along an approach to an interchange or intersection.

(2) ~~No-more More~~ than six business signs may not be displayed on a "GAS", ~~specific-information-sign-and-no-more~~ ~~than--four--business--signs--may--be--displayed-on-a~~ "FOOD", "LODGING", or "CAMPING" specific information sign. Except as provided in subsection (3), ~~no a~~ business may not be allowed more than one business sign on the same specific information sign.

(3) In areas where there are only one or two qualified

businesses available for each of two or more types of motorist services, business signs for two types of services may be displayed by a business on the same specific information sign. ~~No-more~~ More than two business signs for each type of service may not be displayed in combination on a specific information sign.

(4) To qualify for business identification on a specific information sign, a motorist service facility shall meet the eligibility criteria established in 60-5-514 and may not be located more than 3 miles from the interstate highway. However, if no eligible services are not located within the 3-mile limit, the distance limits may be increased in 3-mile increments until either an eligible service or 15 miles is reached."

Section 2. Section 60-5-522, MCA, is amended to read:

"60-5-522. Business eligibility -- criteria -- restrictions. (1) To be eligible for business identification on a tourist-oriented directional sign, a business establishment shall meet the following standards for a business, service, or activity:

(a) Gas, food, lodging, and camping services must:

(i) be licensed and approved by the state and local agencies regulating the particular type of business;

(ii) provide an acceptable level of service to the public;

1 (iii) be in continuous operation at least 8 hours a day,
 2 5 days a week, including Saturday or Sunday; and
 3 (iv) have a telephone and restroom facilities available
 4 for public use.
 5 (b) Recreation services must:
 6 (i) be licensed and approved by state and local
 7 agencies as required by law;
 8 (ii) provide to families and the public activities of
 9 interest in which people participate for purposes of
 10 physical exercise, collective amusement, or enjoyment of
 11 nature. Such activities may include hiking, golfing, skiing,
 12 boating, swimming, picnicking, fishing, and horseback
 13 riding.
 14 (c) Tourist services must:
 15 (i) be licensed as required by law;
 16 (ii) be open to the public at least 8 hours a day, 5
 17 days a week, including Saturday or Sunday, during the normal
 18 tourist season; and
 19 (iii) provide a natural, recreational, historical,
 20 cultural, educational, or entertainment activity or a unique
 21 or unusual commercial or nonprofit activity, from which the
 22 major portion of income or visitors is derived during normal
 23 business seasons from motorists not residing in the
 24 immediate area of the activity.
 25 (2) Priority under subsection (1)(a) must be given to

1 businesses that are in continuous operation for 12 months a
 2 year.

3 ~~(2)~~(3) (a) Each business identified on a
 4 tourist-oriented directional sign shall provide assurance of
 5 its conformity with all applicable laws concerning the
 6 provision of public accommodations without regard to race,
 7 color, sex, culture, social origin or condition, or
 8 political or religious ideas.

9 (b) If a business violates any of these laws, it loses
 10 eligibility for business identification on a
 11 tourist-oriented directional sign.

12 ~~(3)~~(4) No A business that owns any outdoor advertising
 13 structure in violation of the provisions of Title 75,
 14 chapter 15, part 1, may not be eligible for business
 15 identification on a tourist-oriented directional sign for 1
 16 year after the illegal outdoor advertising structure is
 17 removed unless the owner voluntarily removes it within 45
 18 days of receiving notification under 75-15-131."

19 NEW SECTION. SECTION 3. EFFECTIVE DATE. [THIS ACT] IS
 20 EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

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9 60-5-522, MCA; AND PROVIDING AN EFFECTIVE DATE."

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19 displayed on a "GAS", ~~specific-information-sign-and-no-more~~
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22 provided in subsection (3), no a business may not be allowed
23 more than one business sign on the same specific information
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25 (3) In areas where there are only one or two qualified

1 businesses available for each of two or more types of
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7 (4) To qualify for business identification on a
8 specific information sign, a motorist service facility shall
9 meet the eligibility criteria established in 60-5-514 and
10 may not be located more than 3 miles from the interstate
11 highway. However, if no eligible services are not located
12 within the 3-mile limit, the distance limits may be
13 increased in 3-mile increments until either an eligible
14 service or 15 miles is reached."

15 Section 2. Section 60-5-522, MCA, is amended to read:

16 "60-5-522. Business eligibility -- criteria --
17 restrictions. (1) To be eligible for business identification
18 on a tourist-oriented directional sign, a business
19 establishment shall meet the following standards for a
20 business, service, or activity:

21 (a) Gas, food, lodging, and camping services must:

22 (i) be licensed and approved by the state and local
23 agencies regulating the particular type of business;

24 (ii) provide an acceptable level of service to the
25 public;

(iii) be in continuous operation at least 8 hours a day, 5 days a week, including Saturday or Sunday; and

(iv) have a telephone and restroom facilities available for public use.

(b) Recreation services must:

(i) be licensed and approved by state and local agencies as required by law;

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(2) Priority under subsection (1)(a) must be given to

businesses that are in continuous operation for 12 months a year.

~~(2)(3)~~ (a) Each business identified on a tourist-oriented directional sign shall provide assurance of its conformity with all applicable laws concerning the provision of public accommodations without regard to race, color, sex, culture, social origin or condition, or political or religious ideas.

(b) If a business violates any of these laws, it loses eligibility for business identification on a tourist-oriented directional sign.

~~(3)(4)~~ No A business that owns any outdoor advertising structure in violation of the provisions of Title 75, chapter 15, part 1, may not be eligible for business identification on a tourist-oriented directional sign for 1 year after the illegal outdoor advertising structure is removed unless the owner voluntarily removes it within 45 days of receiving notification under 75-15-131."

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-End-

HOUSE STANDING COMMITTEE REPORT

March 9, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 272 (third reading copy -- blue) be concurred in as amended .

Signed: Robert C. Clark
Robert C. Clark, Chair

And, that such amendments read:

Carried by: Rep. Clark

1. Title, line 9.
Following: "AN"
Insert: "IMMEDIATE"

-END-

HOUSE

Committee Vote:
Yes 14, No 1.

SB 272
530846SC.Hpf

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INTRODUCED BY KOEHNKE

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~~(3)(4)~~ No A business that owns any outdoor advertising structure in violation of the provisions of Title 75, chapter 15, part 1, may not be eligible for business identification on a tourist-oriented directional sign for 1 year after the illegal outdoor advertising structure is removed unless the owner voluntarily removes it within 45 days of receiving notification under 75-15-131."

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