

AMENDMENTS TO HOUSE BILL NO. 1985

Sponsor: REPRESENTATIVE LAWRENCE

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1 Amend Bill, page 1, line 9, by striking out the period after
2 "violation" and inserting
3 ; and imposing a duty on the Secretary of Transportation to
4 notify the Federal Highway Administration.

5 Amend Bill, page 1, lines 12 through 14, by striking out all
6 of said lines and inserting

7 Section 1. Section 3(1) of the act of December 15, 1971
8 (P.L.596, No.160), known as the Outdoor Advertising Control Act
9 of 1971, is amended and the section is amended by adding
10 clauses to read:

11 Section 3. Definitions.--As used in this act:

12 [(1) "Department" shall mean the Department of
13 Transportation of the Commonwealth of Pennsylvania and
14 "secretary" shall mean the Secretary of Transportation of the
15 Commonwealth of Pennsylvania.]

16 (1.1) "Charitable association" shall mean a not-for-profit
17 group or body of persons which is created and exists for the
18 purpose of performing a humane service; promoting the good and
19 welfare of the aged, poor, infirm or distressed; combating
20 juvenile delinquency; or advancing the spiritual, mental, social
21 and physical improvement of young individuals.

22 (1.2) "Department" shall mean the Department of
23 Transportation of the Commonwealth.

24 * * *

25 (6.1) "Religious service organization" shall mean a not-for-
26 profit group or body of persons that is created and exists for
27 the predominant purpose of regularly holding or conducting
28 religious activities or religious education, without pecuniary
29 benefit to an officer, member or shareholder, except as
30 reasonable compensation for actual services rendered to the
31 organization.

32 * * *

33 (7.1) "Secretary" shall mean the Secretary of Transportation
34 of the Commonwealth.

35 (7.2) "Service club" shall mean a not-for-profit club which
36 is created and exists for the purpose of performing a humane

1 service.

2 * * *

3 Section 2. Sections 4, 10 and 11 of the act are amended to
4 read:

5 Section 4. Control of Outdoor Advertising.--To effectively
6 control outdoor advertising, while recognizing it to be a
7 legitimate commercial use of property and an integral part of
8 the business and marketing function, no outdoor advertising
9 device shall be erected or maintained: (1) within six hundred
10 sixty feet of the nearest edge of the right-of-way if any part
11 of the advertising or informative contents is visible from the
12 main-traveled way of an interstate or primary highway, except:

13 (i) Official signs and notices which are required or
14 authorized by law and which shall conform to the national
15 standards promulgated by the Secretary of Transportation of the
16 United States pursuant to section 131 of Title 23, United States
17 Code.

18 (ii) Outdoor advertising devices advertising the sale or
19 lease of the real property upon which they are located.

20 (iii) Outdoor advertising devices advertising activities
21 conducted on the property on which they are located.

22 (iv) Outdoor advertising devices in zoned or unzoned
23 commercial or industrial areas along those portions of the
24 interstate system constructed on right-of-way, any part of the
25 width of which was acquired on or before July 1, 1956.

26 (v) Outdoor advertising devices in areas zoned commercial or
27 industrial along the interstate system and lying within the
28 boundaries of any incorporated municipality as such boundaries
29 existed on September 21, 1959, and devices located in any other
30 area which, as of September 21, 1959, was clearly established by
31 law as industrial or commercial.

32 (vi) Outdoor advertising devices in zoned or unzoned
33 commercial or industrial areas along the primary system.

34 (vii) Outdoor advertising devices in the specific interest
35 of the traveling public which are authorized to be erected or
36 maintained by the secretary and which are designed to give
37 information in the interest of the traveling public.

38 (viii) Directional signs, including but not limited to,
39 signs pertaining to natural wonders, scenic and historical
40 attractions, and other points of interest to the traveling
41 public which shall conform to the national standards promulgated
42 by the Secretary of Transportation of the United States pursuant
43 to section 131 of Title 23, United States Code.

44 (ix) Any other outdoor advertising devices permitted or
45 authorized along the interstate system by the official agreement
46 executed June 23, 1961, between the Commonwealth and the Federal
47 Government; provided such outdoor advertising devices do not
48 violate the provisions of Title 23, United States Code,
49 "Highways"[/; or].

50 (x) Outdoor advertising devices permitted under section 1425
51 of the Fixing America's Surface Transportation Act (Public Law

114-94 129 Stat. 1312); or

(2) More than six hundred sixty feet from the nearest edge of such a right-of-way and visible aforesaid, if located outside of urban areas and erected with the purpose of its message being read from such a main-traveled way, except:

(i) Official signs and notices which are required or authorized by law and which shall conform to the national standards promulgated by the Secretary of Transportation of the United States pursuant to section 131 of Title 23, United States Code.

(ii) Outdoor advertising devices advertising the sale or lease of the real property upon which they are located.

(iii) Outdoor advertising devices advertising activities conducted on the property on which they are located.

(iv) Directional signs, including but not limited to, signs pertaining to natural wonders, scenic and historical attractions, and other points of interest to the traveling public which shall conform to the national standards promulgated by the Secretary of Transportation of the United States pursuant to section 131 of Title 23, United States Code.

(v) Outdoor advertising devices permitted under section 1425 of the Fixing America's Surface Transportation Act.

Amend Bill, page 2, lines 9 and 10, by striking out "one hundred square feet with a maximum height of ten feet and maximum length of ten feet" and inserting
thirty-two square feet

Amend Bill, page 2, line 13, by striking out "religious" and inserting

service club, charitable association or religious service

Amend Bill, page 2, line 14, by inserting a period after "organization"

Amend Bill, page 2, lines 14 through 23, by striking out "that has not erected any other outdoor advertising" in line 14 and all of lines 15 through 23 and inserting

(3) The outdoor advertising device was erected on or before December 4, 2015, or was removed between December 4, 2012, and December 4, 2015.

Amend Bill, page 3, by inserting between lines 13 and 14

Section 3. The Secretary of Transportation of the Commonwealth shall notify the Federal Highway Administration

1 with 60 days of the effective date of this section that the
2 State has elected to exempt signs less than 32 square feet owned
3 by a service club, charitable association or religious service
4 organization as permitted by section 1425 of the Fixing
5 America's Surface Transportation Act (Public Law 114-94).

6 Amend Bill, page 3, line 14, by striking out "2" and
7 inserting

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