

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1301 Session of
2015

INTRODUCED BY DINNIMAN, JUNE 6, 2016

REFERRED TO TRANSPORTATION, JUNE 6, 2016

AN ACT

1 Amending the act of December 15, 1971 (P.L.596, No.160),
2 entitled "An act providing for the control and regulation of
3 outdoor advertising adjacent to the interstate and primary
4 highway systems within this Commonwealth; providing for
5 administration by the Department of Transportation to comply
6 with Federal requirements as a condition to the receipt of
7 highway funds; fixing penalties and making appropriations,"
8 further providing for control criteria for size, spacing and
9 lighting.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 5(d) of the act of December 15, 1971
13 (P.L.596, No.160), known as the Outdoor Advertising Control Act
14 of 1971, is amended to read:

15 Section 5. Control Criteria for Size, Spacing and
16 Lighting.--* * *

17 (d) The Commonwealth and local political subdivisions shall
18 have full authority under their own zoning laws to zone areas
19 for commercial or industrial purposes and the action of the
20 Commonwealth and local political subdivisions in this regard
21 will be accepted for the purposes of this act. At any time, that
22 a political subdivision adopts regulations which include the

size, spacing and lighting of outdoor advertising devices the secretary may so certify to the Secretary of Transportation of the United States and control of outdoor advertising in commercial or industrial areas will transfer to subsection (b) under this section 5. The following apply:

(1) The applicant for a proposed outdoor advertising device shall meet with representatives from the department and the local political subdivision at the site designated for the proposed outdoor advertising device prior to the local political subdivision authorizing or prohibiting the erection of the outdoor advertising device.

(2) For a proposed conversion of an existing outdoor advertising device to an electronic digital sign, the applicant for the proposed conversion shall meet with representatives from the department and the local political subdivision at the site of the existing outdoor advertising device prior to the local political subdivision authorizing or prohibiting the conversion.

(3) Prior to the local political subdivision authorizing or prohibiting the erection or conversion of an outdoor advertising device, the local political subdivision shall conduct a public hearing to address the impact of the following:

(i) Current residents and future proposed developments, including the nuisance of the size, spacing and lighting of the outdoor advertising device.

(ii) Traffic and safety of motorists on the highway.

(iii) Safety of pedestrians.

(iv) Open space, including aesthetic beauty and historic character.

(v) Funds spent for open space and historic preservation, including funds from government and nonprofit land trusts that

1 were used to protect the land through purchase of the land or
2 historic structures and by the purchase of development rights,
3 conservation and agricultural easements and other types of
4 easements.

5 (4) The transcription of the public hearing under clause (3)
6 shall be sent to the department and the information used in the
7 authorizing or prohibiting of any needed permits and approvals
8 by both the department and local political subdivision.

9 (5) The cost to conduct the public hearing under clause (3)
10 shall be paid by the applicant.

11 Section 2. This act shall take effect in 60 days.