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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

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DIGEST

SB 211 Original

2019 Regular Session

Appel

Present law provides that the legislature finds that outdoor advertising is a legitimate commercial use of private property and, for the purpose of promoting the public safety, health, welfare, convenience, and enjoyment of public travel, to protect the public investment in public highways, and to preserve and enhance the scenic beauty of lands bordering public highways, and declares that it is in the public interest to regulate and restrict the erection and maintenance of outdoor advertising in areas adjacent to the interstate and primary highway systems within this state.

Proposed law adds the following definitions to present law:

- (1) "Commercial advertising sign" means any off-premise display advertising a business that owns or operates a facility within a three-mile radius of the display and meets the structures and grounds criteria provided in the LAC 70:III.136(B)(3).
- (2) "Noncommercial advertising sign" means any off-premise display advertising a public or registered nonprofit entity in this state that also owns or operates a facility located in Louisiana that meets the structures and grounds criteria provided in the LAC 70:III.136(B)(3).
- (3) "Roadway" or "traveled way" means the portion of a highway improved, designed, or ordinarily used for vehicular traffic, exclusive of the berm or shoulder, or facilities such as frontage roads, turning roadways, or parking areas. In the case of a divided highway, the roadway or traveled way of each of the separate roadways for traffic in opposing directions is a main-traveled way.
- (4) "Off-Premise Outdoor Advertising Sign" means any outdoor advertising sign, display, figure, painting, drawing, message, plaque, poster, billboard, flag, or any other thing which is designed, intended, or used to advertise or inform, which is not sold, produced, manufactured, or furnished at the property on which said sign is located or which does not advertise the sale or lease of property upon which the sign is located.

Proposed law prohibits DOTD from adopting a policy or procedure, or issuing a project permit to remove trees, shrubs, vegetation, or traffic signs in order to improve the visibility of any off-premise outdoor advertising sign.

Proposed law, effective July 1, 2019, places a moratorium on the issuance of any new permit for an off-premise outdoor advertising sign, as provided in LAC 70:III, and prohibits renewal of any permit that expires, or the annual renewal fee is not received by DOTD on or before July 1, 2019. Further, prohibits DOTD from approving a request or petition for a reset on or after July 1, 2019, except for

a permit amendment to alter an off-premise outdoor advertising sign to comply with R.S. 48:461.4(A)(5)(h).

Proposed law adds to present law spacing of sign requirements that signs on highways on the interstate, federal-aid primary, and national highway system shall be located in accordance with the requirements of commercial advertising signs (within three miles of the advertised for profit business) or noncommercial advertising signs (public or registered nonprofit entities) that own or operate a facility located in this state that meet the structures and grounds criteria provided in the LAC 70:III.136(B)(3)).

Proposed law adds to present law that the following signs are not permitted:

- (1) An off-premise outdoor advertising sign where the advertisement appears on multiple sides of the structure, and one side of the structure that contains the advertisement does not face the roadway.
- (2) An off-premise outdoor advertising sign that has been retrofitted or converted to an off-premise changeable message sign.

Effective June 30, 2019.

(Adds R.S. 48:461.1(13), (14), (15), and (16), 461.3(D) and (E), and 461.4(A)(3)(e) and (5)(h) and (i))