

105TH CONGRESS
1ST SESSION

H. R. 1448

To improve the control of outdoor advertising in areas adjacent to the Interstate System, the National Highway System, and certain other federally assisted highways, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 1997

Mr. LEWIS of Georgia introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To improve the control of outdoor advertising in areas adjacent to the Interstate System, the National Highway System, and certain other federally assisted highways, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Visual Pollution Re-

5 duction Act”.

6 **SEC. 2. CONTROL OF OUTDOOR ADVERTISING.**

7 Section 131 of title 23, United States Code, is

8 amended—

1 (1) in subsection (d)—

2 (A) by striking “(d) In” and inserting the
3 following:

4 “(d) INDUSTRIAL AND COMMERCIAL AREAS.—

5 “(1) IN GENERAL.—In”;

6 (B) in the first sentence of paragraph (1)
7 (as so designated), by striking “, or in un-
8 zoned” and all that follows through “Sec-
9 retary”; and

10 (C) by adding at the end the following:

11 “(2) LIMITATION ON NEW SIGNS.—

12 “(A) IN GENERAL.—Subject to this para-
13 graph, no new sign, display, or device may be
14 erected under paragraph (1) after the date of
15 enactment of this paragraph.

16 “(B) APPLICABILITY OF JUST COMPENSA-
17 TION REQUIREMENTS.—Except as provided in
18 subparagraph (C), just compensation under
19 subsection (g) shall not be paid upon the re-
20 moval of any sign, display, or device lawfully
21 erected under State law after the date of enact-
22 ment of this paragraph.

23 “(C) EXCEPTION.—

24 “(i) IN GENERAL.—Subject to clause

25 (ii), a State may permit a person, at the

1 person's option, to erect in the State a
2 sign, display, or device in accordance with
3 the requirements of paragraph (1) upon
4 removal without payment of just com-
5 pensation under subsection (g) of a sign,
6 display, or device lawfully erected under
7 this subsection.

8 “(ii) STATEWIDE LIMITATION.—The
9 total number of signs, displays, and devices
10 erected and maintained under this sub-
11 section in a State shall not exceed the total
12 number of signs, displays, and devices law-
13 fully erected before the date of enactment
14 of this paragraph under this subsection in
15 the State and in existence on that date.”;

16 (2) in the first sentence of subsection (g), by
17 striking “and not permitted under subsection (e) of
18 this section, whether or not removed pursuant to or
19 because of this section” and inserting “and removed
20 under this section”;

21 (3) in subsection (k), by striking “Subject to
22 compliance with subsection (g) of this section for the
23 payment of just compensation, nothing” and insert-
24 ing “Nothing”;

1 (4) by redesignating subsection (t) as sub-
2 section (v); and

3 (5) by inserting after subsection (s) the follow-
4 ing:

5 “(t) STATE INVENTORY OF OUTDOOR ADVERTISING
6 SIGNS, DISPLAYS, AND DEVICES.—

7 “(1) REQUIREMENT.—For the purpose of sub-
8 section (b), a State shall not be considered to have
9 made provision for effective control of the erection
10 and maintenance of outdoor advertising signs, dis-
11 plays, and devices unless the State maintains, and
12 annually submits to the Secretary, an inventory of
13 all outdoor advertising signs, displays, and devices in
14 the State for which the effective control is required
15 under this section, including a specification of
16 whether each sign, display, or device is illegal, non-
17 conforming, or conforming under State law.

18 “(2) STATE SCENIC BYWAYS.—The State inven-
19 tory required by paragraph (1) shall identify each
20 sign, display, or device described in paragraph (1)
21 that is located along a highway on the Interstate
22 System or Federal-aid primary system designated as
23 a scenic byway under a program of the State de-
24 scribed in subsection (s).

1 “(3) USE OF STATE INVENTORIES.—The Sec-
2 retary shall use the State inventories submitted
3 under this subsection to ensure compliance with sub-
4 section (d)(2)(C)(ii) and to carry out this section.

5 “(u) LIMITATION ON VEGETATION REMOVAL.—For
6 the purpose of subsection (b), a State shall not be consid-
7 ered to have made provision for effective control of the
8 erection and maintenance of outdoor advertising signs,
9 displays, and devices if the State carries out or permits
10 the removal of vegetation in, or other alteration of, a right-
11 of-way referred to in subsection (b) for the purpose of im-
12 proving the visibility of any outdoor advertising sign, dis-
13 play, or device located outside the right-of-way.”.

○