

1 H.477

2 Introduced by Representatives Krowinski of Burlington and Mrowicki of

3 Putney

4 Referred to Committee on

5 Date:

6 Subject: Conservation and development; tourist information services; other

7 regulations applying to permitted signs; temporary signs; highway

8 and public rights-of-way; ban

9 Statement of purpose of bill as introduced: This bill proposes to ban temporary
10 signs from highway and public rights-of-way.

11 An act relating to banning temporary signs from highway and public
12 rights-of-way

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 10 V.S.A. § 495 is amended to read:

15 § 495. OTHER REGULATIONS APPLYING TO PERMITTED SIGNS

16 (a) No official business directional sign, on-premise sign, residential

17 directional sign, or exempt sign may be erected or maintained, along a

18 highway and visible from the highway, which:

1 (1) ~~Interferes~~ interferes with, imitates, or resembles any official traffic
2 control sign, signal, or device, or attempts or appears to attempt to direct the
3 movement of traffic;

4 (2) ~~Prevents~~ prevents the driver of a motor vehicle from having a clear
5 and unobstructed view of official traffic control signs and approaching or
6 merging traffic;

7 (3) ~~Contains~~ contains, includes or is illuminated by any flashing
8 intermittent or moving lights, or moves or has any animated or moving parts,
9 except that this restriction shall not apply to a traffic control sign, barber poles,
10 theatre marquees which are determined by the ~~travel information council~~
11 Travel Information Council to contribute to the historic significance of a
12 building listed, or eligible for listing, in the ~~national register of historic places~~
13 National Register of Historic Places and which are operated in accordance with
14 any conditions prescribed by the ~~travel information council~~ Travel Information
15 Council, or signs of a public service nature as determined by the ~~travel~~
16 ~~information council~~. Travel Information Council;

17 (4) ~~Has~~ has any lighting, unless such lighting is so effectively shielded
18 as to prevent beams or rays of light from being directed at any portion of the
19 main travelled way of a highway, or is of such low intensity or brilliance as not
20 to cause glare or to impair the vision of the driver of any motor vehicle or
21 otherwise to interfere with the operation thereof;

1 (5) ~~Is~~ is located upon a tree, or painted or drawn upon a rock or other
2 natural feature, except that this restriction shall not apply to residential
3 directional signs;

4 (6) ~~Advertises~~ advertises or calls attention to a business or other activity,
5 or a profession, commodity, product, service, or entertainment not carried on,
6 produced, sold, or offered in this ~~state~~ State, or to an activity of any kind which
7 has already occurred or has otherwise terminated;

8 (7) ~~Is~~ is in violation of or at variance with any federal law or regulation,
9 including one containing or providing for conditions to or affecting the
10 allocation of federal highway or other funds to or for the benefit of this ~~state~~
11 State or any subdivision thereof.

12 (b) No on-premise or exempt sign may be erected if it is so located as to be
13 readable primarily from a limited access facility.

14 (c) No on-premise sign, residential directional, or exempt sign may be
15 erected or maintained which:

16 (1) ~~Advertises~~ advertises activities which are illegal under any state or
17 federal law applicable at the location of the sign or of the activities;

18 (2) ~~Is~~ is not clean or in good repair;

19 (3) ~~Is~~ is not securely affixed to a substantial structure;

20 (4) ~~Is~~ is not consistent with the standards in this chapter or regulations of
21 the ~~travel information council~~ Travel Information Council.

1 (d) Notwithstanding any other provisions of this title, a person, firm, or
2 corporation shall not erect or maintain any outdoor advertising structure,
3 device, or display within the limits of the highway right-of-way; however, this
4 limitation shall not apply to ~~the~~ signs and devices referred to in subdivisions
5 494(1), (2), (3), (6), (7), (10), (14), and (17) of this title that are not prohibited
6 by subsection (f) of this section.

7 ~~(e) Except on those highways maintained exclusively by the agency of~~
8 ~~transportation and on limited access facilities, the limitation established by~~
9 ~~subsection (d) of this section shall not apply to the signs and devices referred~~
10 ~~to in subdivisions 494(9) and (11) of this title. [Repealed.]~~

11 (f) A person shall not erect or maintain a temporary sign other than a traffic
12 control or traffic safety advisory sign in a public right-of-way.

13 Sec. 2. EFFECTIVE DATE

14 This act shall take effect on July 1, 2013.