

January 23, 1963.

House File 51

Roads and Highways.

*Committee given additional
time - ayes 37 4/3
nays 65 Lost
on calendar 4/4*

By HIRSCH, KNOWLES, DIETZ, PRINE,
FRAZIER, OLSON, VERMEER, LANGE,
PATTON, McELROY, KREAGER, HAN-
SON of Lyon, HANSON of Mitchell, TA-
BOR, DENMAN, HAKES, JOHNSON,
GRAHAM, SIGLIN, PALAS, PARKER,
CHALUPA, KLUEVER, ELY, STANLEY,
MILLEN, RILEY, HOUGEN, CARSTEN-
SEN, STEVENSON, FALVEY, VAN AL-
STINE, PETERSON of Dallas, HAGAN,
and NIELSEN of Emmet.

Passed House, Date..... Passed Senate, Date.....

Vote: Ayes..... Nays..... Vote: Ayes..... Nays.....

Approved.....

A BILL FOR

*Motion to
withdraw from
sifting committee
filed 5/3
Vote on withdrawal
aye 59 - nays 32
motion lost 5/10*

An Act relating to outdoor advertising along the national system
of interstate highways.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 Section 1. The general assembly hereby finds, determines and
- 2 declares that this Act is necessary to promote the safety,
- 3 comfort, security and welfare of the people of this state and
- 4 to conserve the natural beauty of areas adjacent to the
- 5 interstate highway system.

1 Sec. 2. For the purposes of this Act:

- 2 1. "Advertising device" means any outdoor sign, display,
- 3 device, figure, painting, drawing, message, placard, poster,
- 4 billboard or other thing designed, intended, or used to
- 5 advertise or inform, which has any part of its advertising or
- 6 informative contents visible from any place on the main-traveled
- 7 way of the interstate system.

- 8 2. "Interstate system" means all portions of the national
- 9 system of interstate and defense highways constructed upon
- 10 right-of-way acquired in whole or in part subsequent to July 1,
- 11 1956, except segments which traverse commercial or industrial

12 zones within the boundaries of incorporated municipalities, as
13 such boundaries existed on September 21, 1959, wherein the use
14 of real property adjacent to the interstate system is subject
15 to municipal regulation or control, or which traverse other
16 areas where the land use as of September 21, 1959 was clearly
17 established by state law as industrial or commercial.

1 Sec. 3. No advertising device shall be erected or main-
2 tained within six hundred sixty (660) feet of each edge of
3 right-of-way of the interstate system except the following:

4 1. Directional or other official signs or notices that are
5 required or authorized by law.

6 2. Advertising devices which indicate the sale or lease
7 of the property upon which they are located and not inconsistent
8 with the national policy and standards as adopted under Title
9 twenty-three (23), United States Code.

10 3. Advertising devices which advertise activities being
11 conducted at a location within twelve (12) miles of the point at
12 which signs are located, and not inconsistent with the policy
13 and standards adopted under Title twenty-three (23), United
14 States Code.

15 4. Advertising devices which are designed to give informa-
16 tion in the specific interest of the traveling public, and not
17 inconsistent with the national policy and standards adopted
18 under Title twenty-three (23), United States Code.

1 Sec. 4. Any advertising device erected or maintained in
2 violation of this Act, or rules and regulations promulgated by
3 the state highway commission under this Act, is hereby declared
4 to be a public nuisance and such device shall be abated and
5 ordered removed by the district court of the county in which

6 such advertising device is located upon complaint of the state
7 highway commission after a thirty-day notice by the
8 commission to the owner of the land on which the device is
9 located and a finding by the court that a violation of this Act,
10 or a violation of rules and regulations promulgated by the state
11 highway commission under this Act, exists.

1 Sec. 5. Advertising devices existing on the effective date
2 of this Act which violates the provisions of this Act or rules
3 and regulations promulgated by the state highway commission under
4 this Act are hereby declared to be nonconforming uses. Such
5 nonconforming uses are hereby declared to be public nuisances
6 and shall be discontinued and removed by the owners of the
7 lands on which they are located within one year from the
8 effective date of this Act.

9 The highway commission shall give notice thereafter to all
10 owners of land containing such nonconforming uses stating the
11 date by which such devices must be removed. If such devices are
12 not removed within thirty (30) days after such date, they shall
13 be abated and ordered removed by the district court of the
14 county in which such advertising device is located upon com-
15 plaint of the highway commission upon a finding by the court
16 that a violation of the Act, or rules and regulations promulgated
17 by the highway commission under this Act, exists.

1 Sec. 6. Whoever erects or maintains an advertising device
2 in violation of this Act or rules and regulations promulgated by
3 the highway commission under this Act shall be fined not less
4 than one hundred (100) dollars nor more than one thousand (1,000)
5 dollars.

1 Sec. 7. The state highway commission may enter into agreements

2 with the secretary of commerce of the United States as provided
3 by Title twenty-three (23), United States Code. Any expendi-
4 tures of money by the highway commission in connection with
5 agreements authorized by this section shall be payable from
6 the primary road fund.

1 Sec. 8. The state highway commission may accept any allotment
2 of funds by the United States or any department or agency
3 thereof appropriated under Title twenty-three (23), United
4 States Code.

1 Sec. 9. The state highway commission is hereby authorized
2 and directed to promulgate such rules and regulations as may be
3 necessary to comply with national standards for regulation of
4 outdoor advertising signs, displays and devices adjacent to
5 the national system of interstate and defense highways promul-
6 gated under Title twenty-three (23), United States Code.

1 Sec. 10. This Act, being deemed of immediate importance,
2 shall take effect and be in force after its publication in
3 The Daily Times, a newspaper published in Davenport, Iowa, and
4 Record-Herald & Indianola Tribune, a newspaper published in
5 Indianola, Iowa.

EXPLANATION OF HOUSE FILE 51

The purpose of this bill is to regulate billboards along the interstate system of high-ways in Iowa, outside municipalities. Section 3 of this bill lists the types of billboards which could be placed along these highways.

If this bill is enacted, the billboards which would be regulated could not be placed within 660 feet of each edge of the right of way. The highway commission would have the responsibility for initiating procedures to have any illegal billboards removed.

This bill if enacted would enable the State of Iowa to receive from the federal gov-ernment an additional one-half of one percent of the cost of any project on the inter-state system where billboards are regulated.