

Garman
Arnold
Huser

02317

HSB 526
TRANSPORTATION

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
TRANSPORTATION BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to restrictions on advertising devices placed
2 along interstate highways and providing a delayed effective
3 date.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 306B.2, subsection 4, Code 2001, is
2 amended to read as follows:

3 4. Advertising devices which that are located in
4 ~~commercial-or-industrial-zones-traversed-by-segments-of-the~~
5 ~~interstate-system-within-the-boundaries-of-incorporated~~
6 ~~municipalities-as-such-boundaries-existed-September-21, 1959,~~
7 ~~where-the-use-of-property-adjacent-to-the-interstate-system-is~~
8 ~~subject-to-municipal-regulation-and-control, or other areas~~
9 ~~where-the-land-on-September-21, 1959, was clearly established~~
10 ~~by-law-for-industrial-or-commercial-purposes~~ areas zoned and
11 used for commercial or industrial purposes under authority of
12 law, regulation, or ordinance of this state or a political
13 subdivision of this state. For purposes of this subsection,
14 "areas zoned and used for commercial or industrial purposes"
15 means an area zoned for commercial or industrial purposes in
16 accordance with chapter 414, in the case of city zoning, or in
17 accordance with chapter 335, in the case of county zoning, in
18 which one or more commercial or industrial activities, as
19 defined under the city or county zoning ordinance, are
20 located.

21 Sec. 2. EFFECTIVE DATE -- RULES. Section 1 of this Act,
22 amending Code section 306B.2, subsection 4, takes effect July
23 1, 2004. However, the state department of transportation
24 shall adopt rules prior to July 1, 2004, to be effective July
25 1, 2004, regarding approval by the department of the erection
26 or maintenance of advertising devices along interstate
27 highways pursuant to Code section 306B.2, subsection 4, as
28 amended by this Act. Such rules shall require that
29 advertising devices erected or maintained pursuant to section
30 306B.2, subsection 4, as amended by this Act, be in compliance
31 with the provisions of the federal Highway Beautification Act
32 of 1965, 23 U.S.C. § 131.

33 EXPLANATION

34 This bill amends Code section 306B.2, which prohibits the
35 placing of advertising devices along interstate highways

526

1 except in certain circumstances. The bill exempts from the
 2 prohibition advertising devices that are located in areas
 3 zoned and used for commercial or industrial purposes.
 4 Currently, Code section 306B.2 provides such an exemption for
 5 advertising devices located in commercial or industrial zones
 6 crossed by segments of an interstate highway located within
 7 the boundaries of incorporated municipalities as such
 8 boundaries existed September 21, 1959, where the use of
 9 property adjacent to the interstate highway is subject to
 10 municipal regulation and control, or other areas where the
 11 land on September 21, 1959, was clearly established by law for
 12 industrial or commercial purposes.

13 The bill defines an area zoned and used for commercial or
 14 industrial purposes as an area so zoned in accordance with the
 15 appropriate city or county zoning procedures, in which one or
 16 more commercial or industrial activities are located.

17 The bill also provides for a delayed effective date of July
 18 1, 2004. Prior to that time the state department of
 19 transportation is required to adopt rules regarding approval
 20 of the erection or maintenance of advertising devices governed
 21 by the bill. Such rules are to be in compliance with the
 22 federal Highway Beautification Act of 1965.

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HSB 526

IOWA DEPARTMENT OF TRANSPORTATION

DATE: January 14, 2002
TO: Members of the 2002 General Assembly
FROM: Iowa Department of Transportation
SUBJECT: Outdoor Advertising Bill

The department's outdoor advertising bill amends Iowa Code to allow outdoor advertising devices to be placed along Interstate highways in areas that are currently zoned and used for commercial or industrial purposes. Iowa law presently allows the placement of outdoor advertising devices only in areas that were zoned for commercial and industrial use as of September 21, 1959.

FEB 13 2002
Place On Calendar

S-2/19/02 Transportation
S-3/11/02 Do Pass
S-3/18/02 Motion to R/C
~~State~~ by Freeman
& Connally
3/18 motions W/D

HOUSE FILE 2317
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 526)

Passed House, Date ^(P. 395) 2/18/02 Passed Senate, ^(P. 643) Date 3/18/02
Vote: Ayes 87 Nays 10 Vote: Ayes 32 Nays 12
Approved April 4, 2002

A BILL FOR

1 An Act relating to restrictions on advertising devices placed
2 along interstate highways and providing a delayed effective
3 date.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2317

1 Section 1. Section 306B.2, subsection 4, Code 2001, is
2 amended to read as follows:

3 4. Advertising devices ~~which~~ that are located in
4 ~~commercial-or-industrial-zones-traversed-by-segments-of-the~~
5 ~~interstate-system-within-the-boundaries-of-incorporated~~
6 ~~municipalities-as-such-boundaries-existed-September-21,1959,~~
7 ~~where-the-use-of-property-adjacent-to-the-interstate-system-is~~
8 ~~subject-to-municipal-regulation-and-control,or-other-areas~~
9 ~~where-the-land-on-September-21,1959,was-clearly-established~~
10 ~~by-law-for-industrial-or-commercial-purposes~~ areas zoned and
11 used for commercial or industrial purposes under authority of
12 law, regulation, or ordinance of this state or a political
13 subdivision of this state. For purposes of this subsection,
14 "areas zoned and used for commercial or industrial purposes"
15 means an area zoned for commercial or industrial purposes in
16 accordance with chapter 414, in the case of city zoning, or in
17 accordance with chapter 335, in the case of county zoning, in
18 which one or more commercial or industrial activities, as
19 defined under the city or county zoning ordinance, are
20 located.

21 Sec. 2. EFFECTIVE DATE -- RULES. Section 1 of this Act,
22 amending Code section 306B.2, subsection 4, takes effect July
23 1, 2004. However, the state department of transportation
24 shall adopt rules prior to July 1, 2004, to be effective July
25 1, 2004, regarding approval by the department of the erection
26 or maintenance of advertising devices along interstate
27 highways pursuant to Code section 306B.2, subsection 4, as
28 amended by this Act. Such rules shall require that
29 advertising devices erected or maintained pursuant to section
30 306B.2, subsection 4, as amended by this Act, be in compliance
31 with the provisions of the federal Highway Beautification Act
32 of 1965, 23 U.S.C. § 131.

33 EXPLANATION

34 This bill amends Code section 306B.2, which prohibits the
35 placing of advertising devices along interstate highways

1 except in certain circumstances. The bill exempts from the
2 prohibition advertising devices that are located in areas
3 zoned and used for commercial or industrial purposes.
4 Currently, Code section 306B.2 provides such an exemption for
5 advertising devices located in commercial or industrial zones
6 crossed by segments of an interstate highway located within
7 the boundaries of incorporated municipalities as such
8 boundaries existed September 21, 1959, where the use of
9 property adjacent to the interstate highway is subject to
10 municipal regulation and control, or other areas where the
11 land on September 21, 1959, was clearly established by law for
12 industrial or commercial purposes.

13 The bill defines an area zoned and used for commercial or
14 industrial purposes as an area so zoned in accordance with the
15 appropriate city or county zoning procedures, in which one or
16 more commercial or industrial activities are located.

17 The bill also provides for a delayed effective date of July
18 1, 2004. Prior to that time the state department of
19 transportation is required to adopt rules regarding approval
20 of the erection or maintenance of advertising devices governed
21 by the bill. Such rules are to be in compliance with the
22 federal Highway Beautification Act of 1965.

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HOUSE FILE 2317

AN ACT

RELATING TO RESTRICTIONS ON ADVERTISING DEVICES PLACED ALONG INTERSTATE HIGHWAYS AND PROVIDING A DELAYED EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 306B.2, subsection 4, Code 2001, is amended to read as follows:

4. Advertising devices which that are located in ~~commercial or industrial zones traversed by segments of the interstate system within the boundaries of incorporated municipalities as such boundaries existed September 21, 1959, where the use of property adjacent to the interstate system is subject to municipal regulation and control, or other areas where the land on September 21, 1959, was clearly established by law for industrial or commercial purposes~~ areas zoned and used for commercial or industrial purposes under authority of law, regulation, or ordinance of this state or a political subdivision of this state. For purposes of this subsection, "areas zoned and used for commercial or industrial purposes" means an area zoned for commercial or industrial purposes in accordance with chapter 414, in the case of city zoning, or in accordance with chapter 335, in the case of county zoning, in which one or more commercial or industrial activities, as defined under the city or county zoning ordinance, are located.

Sec. 2. EFFECTIVE DATE -- RULES. Section 1 of this Act, amending Code section 306B.2, subsection 4, takes effect July 1, 2004. However, the state department of transportation shall adopt rules prior to July 1, 2004, to be effective July 1, 2004, regarding approval by the department of the erection or maintenance of advertising devices along interstate highways pursuant to Code section 306B.2, subsection 4, as

amended by this Act. Such rules shall require that advertising devices erected or maintained pursuant to section 306B.2, subsection 4, as amended by this Act, be in compliance with the provisions of the federal Highway Beautification Act of 1965, 23 U.S.C. § 131.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2317, Seventy-ninth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 4/4, 2002

THOMAS J. VILSACK
Governor