

House Concurrent Resolution No. 39

92ND GENERAL ASSEMBLY

5035L.011

Be it enacted by the General Assembly of the state of Missouri, as follows:

Whereas, 23 U.S.C. Section 131 includes provisions for the control of outdoor
2 advertising signs, displays, and devices in areas adjacent to the Interstate System and the primary
3 highway system; and
4

Whereas, currently, any state which does not have provisions in place for the
5 control of the erection and maintenance of outdoor advertising within 660 feet of the nearest
6 edge of the right-of-way and visible from the main traveled way of the Interstate System and
7 primary highway system is subject to a 10% annually reduction in federal-aid highway funds
8 which would otherwise be apportioned to a state under 23 U.S.C. Section 104; and
9
10

Whereas, the control measures currently in place for the State of Missouri do not
11 allow businesses in counties of the third and fourth classification to erect directional or on-
12 premises signs on property in the areas designated in 23 U.S.C. Section 131 which are adjacent
13 to the state highway system; and
14
15

Whereas, with the stated purpose of such controls being the protection of the
16 public investment in such highways, the promotion of the safety and recreational value of public
17 travel, and the preservation of natural beauty, a prohibition on outdoor advertising by businesses
18 in political subdivisions of the state unfairly discriminates and penalizes businesses located near
19 the state highway system; and
20
21

Whereas, permitting businesses in political subdivisions of the state to erect and
22 maintain directional or on-premises outdoor advertising signs indicating the location of the
23

24 business is not inconsistent with the stated purpose of the federal outdoor advertising controls
25 and can be achieved without unduly compromising the objectives of the federal outdoor
26 advertising controls:

27

28 **Now, therefore, be it resolved** that the members of the House of
29 Representatives of the Ninety-second General Assembly, Second Regular Session, the Senate
30 concurring therein, hereby encourage the United States Congress to amend 23 U.S.C. Section
31 131 and any federal regulations promulgated thereunder to permit businesses in political
32 subdivisions of the states to erect and maintain directional and on-premises signs on property
33 adjacent to the state highway system; and

34

35 **Be it further resolved** that the Chief Clerk of the Missouri House of
36 Representatives be instructed to prepare a properly inscribed copy of this resolution for Secretary
37 Norman Y. Mineta, United States Department of Transportation and each member of the
38 Missouri Congressional Delegation.