

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Substitute for Senate Bill No. 1298, Page 1, Section A, Line 3, by inserting after all
2 of said section and line the following:

3
4 "71.025. Beginning August 28, 2024, city populations shall be included on city limit signs
5 on state highways.

6 226.510. As used in sections 226.500 to 226.600, the following words or phrases mean:

7 (1) "Freeway primary highway", that part of a federal-aid primary highway system, as of
8 June 1, 1991, which has been constructed as divided, dual lane fully controlled access facilities with
9 no access to the throughways except the established interchanges. When existing two-lane
10 highways are being upgraded to four-lane limited access, the regulations for freeway primary
11 highways shall apply as of the date the state highways and transportation commission acquires all
12 access rights on the adjoining right-of-way;

13 (2) "Interstate system", that portion of the national system of interstate highways located
14 within the boundaries of Missouri, as officially designated or may be hereafter designated by the
15 state highways and transportation commission with the approval of the Secretary of Transportation,
16 pursuant to Title 23, United States Code, as amended;

17 (3) "Outdoor advertising", an outdoor sign, display, device, figure, painting, drawing,
18 message, plaque, poster, billboard, or other thing designed, intended or used to advertise or inform,
19 any part of the advertising or information contents of which is visible from any point of the traveled
20 ways of the interstate or primary systems; except that none of the preceding items shall be deemed
21 "outdoor advertising" when located on, attached to, or erected as part of, a fence, fences, or walls
22 that enclose, in whole or in part, an athletic field that is owned or leased by a school or an entity
23 described in section 501(c)(3) of the Internal Revenue Code, as amended. When the audience of
24 such signs is intended to be the patrons, participants, or attendees of an event occurring at the
25 athletic field, the signs shall not require permitting from the Missouri department of transportation;

26 (4) "Primary system", the federal-aid primary highways as of June 1, 1991, and all highways
27 designated as part of the National Highway System by the National Highway System Designation
28 Act of 1995 and those highways subsequently designated as part of the National Highway System;

29 (5) "Rest area", an area or site established and maintained within or adjacent to the highway
30 right-of-way under public supervision or control, for the convenience of the traveling public, except

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1 that the term shall not include automotive service stations, hotels, motels, restaurants or other
2 commerce facilities of like nature;

3 (6) "Urban area", an urban place as designated by the Bureau of the Census, having a
4 population of five thousand or more within boundaries to be fixed by the state highways and
5 transportation commission and local officials in cooperation with each other and approved by the
6 Secretary of Transportation, or an urbanized area as designated by the Bureau of the Census within
7 boundaries to be fixed by the state highways and transportation commission and local officials and
8 approved by the Secretary of Transportation. The boundary of the urban area shall, as a minimum,
9 encompass the entire urban place as designated by the Bureau of the Census.

10 226.540. Notwithstanding any other provisions of sections 226.500 to 226.600, outdoor
11 advertising shall be permitted within six hundred and sixty feet of the nearest edge of the right-of-
12 way of highways located on the interstate, federal-aid primary system as it existed on June 1, 1991,
13 or the national highway system as amended in areas zoned industrial, commercial or the like and in
14 unzoned commercial and industrial areas as defined in this section, subject to the following
15 regulations which are consistent with customary use in this state:

16 (1) Lighting:

17 (a) No revolving or rotating beam or beacon of light that simulates any emergency light or
18 device shall be permitted as part of any sign. No flashing, intermittent, or moving light or lights will
19 be permitted except scoreboards and other illuminated signs designating public service information,
20 such as time, date, or temperature, or similar information, will be allowed; tri-vision, projection, and
21 other changeable message signs shall be allowed subject to Missouri highways and transportation
22 commission regulations;

23 (b) External lighting, such as floodlights, thin line and gooseneck reflectors are permitted,
24 provided the light source is directed upon the face of the sign and is effectively shielded so as to
25 prevent beams or rays of light from being directed into any portion of the main traveled way of the
26 federal-aid primary highways as of June 1, 1991, and all highways designated as part of the National
27 Highway System by the National Highway System Designation Act of 1995 and those highways
28 subsequently designated as part of the National Highway System and the lights are not of such
29 intensity so as to cause glare, impair the vision of the driver of a motor vehicle, or otherwise
30 interfere with a driver's operation of a motor vehicle;

31 (c) No sign shall be so illuminated that it interferes with the effectiveness of, or obscures, an
32 official traffic sign, device, or signal;

33 (2) Size of signs:

34 (a) The maximum area for any one sign shall be eight hundred square feet with a maximum
35 height of thirty feet and a maximum length of seventy-two feet, inclusive of border and trim but
36 excluding the base or apron, supports, and other structural members. The area shall be measured as
37 established herein and in rules promulgated by the commission. In determining the size of a
38 conforming or nonconforming sign structure, temporary cutouts and extensions installed for the
39 length of a specific display contract shall not be considered a substantial increase to the size of the

1 permanent display; provided the actual square footage of such temporary cutouts or extensions may
2 not exceed thirty-three percent of the permanent display area. Signs erected in accordance with the
3 provisions of sections 226.500 to 226.600 prior to August 28, 2002, which fail to meet the
4 requirements of this provision shall be deemed legally nonconforming as defined herein;

5 (b) The maximum size limitations shall apply to each side of a sign structure, and signs may
6 be placed back to back, double faced, or in V-type construction with not more than two displays to
7 each facing, but such sign structure shall be considered as one sign;

8 (c) After August 28, 1999, no new sign structure shall be erected in which two or more
9 displays are stacked one above the other. Stacked structures existing on or before August 28, 1999,
10 in accordance with sections 226.500 to 226.600 shall be deemed legally nonconforming and may be
11 maintained in accordance with the provisions of sections 226.500 to 226.600. Structures displaying
12 more than one display on a horizontal basis shall be allowed, provided that total display areas do not
13 exceed the maximum allowed square footage for a sign structure pursuant to the provisions of
14 paragraph (a) of this subdivision;

15 (3) Spacing of signs:

16 (a) On all interstate highways, freeways, and nonfreeway federal-aid primary highways as
17 of June 1, 1991, and all highways designated as part of the National Highway System by the
18 National Highway System Designation Act of 1995 and those highways subsequently designated as
19 part of the National Highway System:

20 a. No sign structure shall be erected within one thousand four hundred feet of an existing
21 sign on the same side of the highway;

22 b. Outside of incorporated municipalities, no structure may be located adjacent to or within
23 five hundred feet of an interchange, intersection at grade, or safety rest area. Such five hundred feet
24 shall be measured from the beginning or ending of the pavement widening at the exit from or
25 entrance to the main traveled way. For purpose of this subparagraph, the term "incorporated
26 municipalities" shall include "urban areas", except that such "urban areas" shall not be considered
27 "incorporated municipalities" if it is finally determined that such would have the effect of making
28 Missouri be in noncompliance with the requirements of Title 23, United States Code, Section 131;

29 (b) The spacing between structure provisions of this subdivision do not apply to signs which
30 are separated by buildings, natural surroundings, or other obstructions in such manner that only one
31 sign facing located within such distance is visible at any one time. Directional or other official signs
32 or those advertising the sale or lease of the property on which they are located, or those which
33 advertise activities on the property on which they are located, including products sold, shall not be
34 counted, nor shall measurements be made from them for the purpose of compliance with spacing
35 provisions;

36 (c) No sign shall be located in such manner as to obstruct or otherwise physically interfere
37 with the effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere
38 with a motor vehicle operator's view of approaching, merging, or intersecting traffic;

1 (d) The measurements in this section shall be the minimum distances between outdoor
2 advertising sign structures measured along the nearest edge of the pavement between points directly
3 opposite the signs along each side of the highway and shall apply only to outdoor advertising sign
4 structures located on the same side of the highway involved;

5 (4) As used in this section, the words "unzoned commercial and industrial land" shall be
6 defined as follows: that area not zoned by state or local law or ordinance and on which there is
7 located one or more permanent structures used for a commercial business or industrial activity or on
8 which a commercial or industrial activity is actually conducted together with the area along the
9 highway extending outwardly seven hundred fifty feet from and beyond the edge of such activity.
10 All measurements shall be from the outer edges of the regularly used improvements, buildings,
11 parking lots, landscaped, storage or processing areas of the commercial or industrial activity and
12 along and parallel to the edge of the pavement of the highway. On nonfreeway primary highways
13 where there is an unzoned commercial or industrial area on one side of the road in accordance with
14 this section, the unzoned commercial or industrial area shall also include those lands located on the
15 opposite side of the highway to the extent of the same dimensions. Unzoned land shall not include:

16 (a) Land on the opposite side of the highway from an unzoned commercial or industrial area
17 as defined in this section and located adjacent to highways located on the interstate~~[-federal-aid~~
18 ~~primary system as it existed on June 1, 1991, or the national highway system as amended, unless the~~
19 ~~opposite side of the highway qualifies as a separate unzoned commercial or industrial area]~~ or
20 primary freeway highways; or

21 (b) Land zoned by a state or local law, regulation, or ordinance;

22 (5) "Commercial or industrial activities" as used in this section means those which are
23 generally recognized as commercial or industrial by zoning authorities in this state, except that none
24 of the following shall be considered commercial or industrial:

25 (a) Outdoor advertising structures;

26 (b) Agricultural, forestry, ranching, grazing, farming, and related activities, including
27 seasonal roadside fresh produce stands;

28 (c) Transient or temporary activities;

29 (d) Activities more than six hundred sixty feet from the nearest edge of the right-of-way or
30 not visible from the main traveled way;

31 (e) Activities conducted in a building principally used as a residence;

32 (f) Railroad tracks and minor sidings;

33 (6) The words "unzoned commercial or industrial land" shall also include all areas not
34 specified in this section which constitute an "unzoned commercial or industrial area" within the
35 meaning of the present Section 131 of Title 23 of the United States Code, or as such statute may be
36 amended. As used in this section, the words "zoned commercial or industrial area" shall refer to
37 those areas zoned commercial or industrial by the duly constituted zoning authority of a
38 municipality, county, or other lawfully established political subdivision of the state, or by the state

1 and which is within seven hundred fifty feet of one or more permanent commercial or industrial
2 activities. Commercial or industrial activities as used in this section are limited to those activities:

- 3 (a) In which the primary use of the property is commercial or industrial in nature;
- 4 (b) Which are clearly visible from the highway and recognizable as a commercial business;
- 5 (c) Which are permanent as opposed to temporary or transitory and of a nature that would
6 customarily be restricted to commercial or industrial zoning in areas comprehensively zoned; and
- 7 (d) In determining whether the primary use of the property is commercial or industrial
8 pursuant to paragraph (a) of this subdivision, the state highways and transportation commission shall
9 consider the following factors:

- 10 a. The presence of a permanent and substantial building;
- 11 b. The existence of utilities and local business licenses, if any, for the commercial activity;
- 12 c. On-premise signs or other identification;
- 13 d. The presence of an owner or employee on the premises for at least twenty hours per
14 week;

15 (7) In zoned commercial and industrial areas, whenever a state, county or municipal zoning
16 authority has adopted laws or ordinances which include regulations with respect to the size, lighting
17 and spacing of signs, which regulations are consistent with the intent of sections 226.500 to 226.600
18 and with customary use, then from and after the effective date of such regulations, and so long as
19 they shall continue in effect, the provisions of this section shall not apply to the erection of signs in
20 such areas. Notwithstanding any other provisions of this section, after August 28, 1992, with
21 respect to any outdoor advertising which is regulated by the provisions of subdivision (1), (3) or (4)
22 of section 226.520 or subsection 1 of section 226.527:

23 (a) No county or municipality shall issue a permit to allow a regulated sign to be newly
24 erected without a permit issued by the state highways and transportation commission;

25 (b) A county or municipality may charge a reasonable one-time permit or inspection fee to
26 assure compliance with local wind load and electrical requirements when the sign is first erected,
27 but a county or municipality may not charge a permit or inspection fee for such sign after such
28 initial fee. Changing the display face or performing routine maintenance shall not be considered as
29 erecting a new sign;

30 (8) The state highways and transportation commission on behalf of the state of Missouri,
31 may seek agreement with the Secretary of Transportation of the United States under Section 131 of
32 Title 23, United States Code, as amended, that sections 226.500 to 226.600 are in conformance with
33 that Section 131 and provides effective control of outdoor advertising signs as set forth therein. If
34 such agreement cannot be reached and the penalties under subsection (b) of Section 131 are
35 invoked, the attorney general of this state shall institute proceedings described in subsection (1) of
36 that Section 131.

37 226.550. 1. No outdoor advertising which is regulated by subdivision (1), (3) or (4) of
38 section 226.520 or subsection 1 of section 226.527 shall be erected or maintained on or after August
39 28, 1992, without a one-time permanent permit issued by the state highways and transportation

1 commission. Application for permits shall be made to the state highways and transportation
2 commission on forms furnished by the commission and shall be accompanied by a permit fee of two
3 hundred dollars for all signs; except that, tax-exempt religious organizations as defined in
4 subdivision (11) of section 313.005, service organizations as defined in subdivision (12) of section
5 313.005, veterans' organizations as defined in subdivision (14) of section 313.005, and fraternal
6 organizations as defined in subdivision (8) of section 313.005 shall be granted a permit for signs less
7 than seventy-six square feet without payment of the fee. The permit fee of two hundred dollars shall
8 be waived for landowners, provided that the landowner is the permit holder and owns both the land
9 upon which the outdoor advertising is placed and the business being advertised on the sign, so long
10 as the business being advertised is located within seven hundred fifty feet of the sign location. In
11 the event a permit holder fails to erect a sign structure within twenty-four months of issuance, said
12 permit shall expire and a new permit must be obtained prior to any construction.

13 2. No outdoor advertising which is regulated by subdivision (1), (3) or (4) of section
14 226.520 or subsection 1 of section 226.527 which was erected prior to August 28, 1992, shall be
15 maintained without a one-time permanent permit for outdoor advertising issued by the state
16 highways and transportation commission. If a one-time permanent permit was issued by the state
17 highways and transportation commission after March 30, 1972, and before August 28, 1992, it is not
18 necessary for a new permit to be issued. If a one-time permanent permit was not issued for a
19 lawfully erected and lawfully existing sign by the state highways and transportation commission
20 after March 30, 1972, and before August 28, 1992, a one-time permanent permit shall be issued by
21 the commission for each sign which is lawfully in existence on the day prior to August 28, 1992,
22 upon application and payment of a permit fee of two hundred dollars. All applications and fees due
23 pursuant to this subsection shall be submitted before December 31, 1992. The permit fee of two
24 hundred dollars shall be waived for landowners, provided that the landowner is the permit holder
25 and owns both the land upon which the outdoor advertising is placed and the business being
26 advertised on the sign, so long as the business being advertised is located within seven hundred fifty
27 feet of the sign location.

28 3. For purposes of sections 226.500 to 226.600, the terminology "structure lawfully in
29 existence" or "lawfully existing" sign or outdoor advertising shall, nevertheless, include the
30 following signs unless the signs violate the provisions of subdivisions (3) to (7) of subsection 1 of
31 section 226.580:

32 (1) All signs erected prior to January 1, 1968;

33 (2) All signs erected before March 30, 1972, but on or after January 1, 1968, which would
34 otherwise be lawful but for the failure to have a permit for such signs prior to March 30, 1972,
35 except that any sign or structure which was not in compliance with sizing, spacing, lighting, or
36 location requirements of sections 226.500 to 226.600 as the sections appeared in the revised statutes
37 of Missouri 1969, wheresoever located, shall not be considered a lawfully existing sign or structure;

38 (3) All signs erected after March 30, 1972, which are in conformity with sections 226.500 to
39 226.600;

1 (4) All signs erected in compliance with sections 226.500 to 226.600 prior to August 28,
2 2002.

3 4. On or after August 28, 1992, the state highways and transportation commission may, in
4 addition to the fees authorized by subsections 1 and 2 of this section, collect a biennial inspection
5 fee every two years after a state permit has been issued. Biennial inspection fees due after August
6 28, 2002, and prior to August 28, 2003, shall be fifty dollars. Biennial inspection fees due on or
7 after August 28, 2003, shall be seventy-five dollars. Biennial inspection fees due on or after August
8 28, 2004, shall be one hundred dollars; except that, tax-exempt religious organizations as defined in
9 subdivision (11) of section 313.005, service organizations as defined in subdivision (12) of section
10 313.005, veterans' organizations as defined in subdivision (14) of section 313.005, and fraternal
11 organizations as defined in subdivision (8) of section 313.005 shall not be required to pay such fee.
12 The biennial inspection fee shall be waived for landowners, provided that the landowner is the
13 permit holder and owns both the land upon which the outdoor advertising is placed and the business
14 being advertised on the sign, so long as the business being advertised is located within seven
15 hundred fifty feet of the sign location.

16 5. In order to effect the more efficient collection of biennial inspection fees, the state
17 highways and transportation commission is encouraged to adopt a renewal system in which all
18 permits in a particular county are renewed in the same month. In conjunction with the conversion to
19 this renewal system, the state highways and transportation commission is specifically authorized to
20 prorate renewal fees based on changes in renewal dates.

21 6. Sign owners or owners of the land on which signs are located must apply to the state
22 highways and transportation commission for biennial inspection and submit any fees as required by
23 this section on or before December 31, 1992. For a permitted sign which does not have a permit, a
24 permit shall be issued at the time of the next biennial inspection.

25 7. The state highways and transportation commission shall deposit all fees received for
26 outdoor advertising permits and inspection fees in the state road fund, keeping a separate record of
27 such fees, and the same may be expended by the commission in the administration of sections
28 226.500 to 226.600.

29 226.1170. The department of transportation, in consultation with the Ozark Highland
30 Distillers Guild, shall erect and maintain suitable markings and informational signs designating the
31 Ozark Highlands Spirits Region in accordance with the map produced pursuant to subsection 4 of
32 section 311.028. Signs shall be located along highways approaching or entering the region, with the
33 costs to be paid by private donation.

34 227.850. Notwithstanding any provision of law to the contrary, the department of
35 transportation shall not erect any sign designating a highway named for any person who has been
36 convicted of the killing of, or the attempted killing of, a law enforcement officer or permit any
37 signage in the convicted person's memory. Any such sign in place prior to August 28, 2024, shall be
38 removed.

1 227.855. 1. The department of transportation shall place a sign at the city limits, or other
2 suitable location as determined by the department of transportation, of the hometown of any
3 Missouri resident who is a recipient of the Medal of Honor, with the sign location based on available
4 right-of-way, coordination with existing traffic control devices, and impact on roadway safety. Such
5 signs shall be erected, maintained, and paid for by the department of transportation by appropriation
6 from the Missouri medal of honor recipient's fund, established under section 226.925.

7 2. The signs shall include the words "Medal of Honor Recipient", the name of the recipient,
8 and the year in which such person received the award. The overall design of the sign, including
9 size, color, and lettering, shall be designated by the department based on available space in the right-
10 of-way and to conform with the guidelines provided in the Department of Transportation Manual on
11 Uniform Traffic Control Devices.

12 3. For purposes of this section, "hometown" means the city, town, or village in which the
13 award recipient resided for a majority of his or her lifetime. Only one city, town, or village shall be
14 designated as a recipient's hometown and signs honoring such recipient shall be placed on only one
15 route through the recipient's hometown.

16 4. The department of transportation may promulgate rules and regulations to implement and
17 administer the provisions of this section. Any rule or portion of a rule, as that term is defined in
18 section 536.010, that is created under the authority delegated in this section shall become effective
19 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
20 section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested
21 with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to
22 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
23 authority and any rule proposed or adopted after August 28, 2024, shall be invalid and void."; and
24

25 Further amend said bill, Page 17, Section 307.010, Line 20, by inserting after all of said section and
26 line the following:

27
28 "Section 1. 1. The department of transportation shall limit the messages displayed on
29 roadside dynamic message signs to the fewest number of characters necessary to practically convey
30 the intended information. Messages displayed on roadside dynamic messages signs generally shall
31 be limited to information related to traffic conditions, weather, or emergency alerts, and shall not
32 contain commercial advertisements.

33 2. For purposes of this section, "dynamic message sign" means a changeable message traffic
34 control device used for traffic warning, regulation, routing, and management."; and
35

36 Further amend said bill by amending the title, enacting clause, and intersectional references
37 accordingly.