

CHAPTER 800

H.B. No. 1820

AN ACT

relating to authorizing the commissioners court of certain counties to erect, maintain, and regulate informational signs on toll roads regarding nearby businesses.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. DEFINITIONS. In this Act:

(1) "Business sign" means a sign that contains the brand, trademark, name, or logo of a qualified business.

(2) "Motorist information panel" means a rectangular panel placed on a highway before an exit sign that contains at least one business sign advertising a business available within a certain distance of that interchange.

(3) "Qualified business" means a business that meets the requirements of rules adopted by the commissioners court under this Act.

SECTION 2. LOCATION OF MOTORIST INFORMATION PANELS. (a) The commissioners court of a county in which the population exceeds two million according to the most recent federal census by order may provide for the erection and maintenance of motorist information panels in rights-of-way along toll roads within the county. The commissioners court may not provide for the erection of a motorist information panel in an area that does not have a qualified business.

(b) The county shall erect each panel on and below the exit identification sign preceding the exit direction sign at an interchange. The county may erect more than one panel for each interchange.

SECTION 3. REGULATION OF BUSINESS SIGNS. (a) The commissioners court in a county in which the population exceeds two million according to the most recent federal census shall adopt orders that provide spacing requirements between signs, height and face restrictions for total panel area, and size and face restrictions for each business sign on the motorist information panel.

(b) The commissioners court may adopt other orders for administration of this Act.

SECTION 4. ORDERS AND ANNUAL FEES. (a) The commissioners court in a county in which the population exceeds two million according to the most recent federal census shall adopt orders specifying:

(1) the time for and manner of applying for a sign on the panel, and the form of the application;

(2) the information that must be in an application; and

(3) a reasonable annual fee for each business sign on the panel.

(b) Any person who desires to advertise on a motorist information panel established by the commissioners court shall apply to the commissioners court and shall comply with the orders adopted by the commissioners court regarding business signs.

(c) Funds received by the commissioners court under this Act shall be deposited in a special account in the county general fund to be used solely for the erection, maintenance, and regulation of motorist information panels by the commissioners court and the administration of the system of panels.

(d) Chapter 834, Acts of the 68th Legislature, Regular Session, 1983 (Article 2372cc, Vernon's Texas Civil Statutes), does not apply to the placement of panels or signs to which this Act applies.

(e) Motorist information panels and business signs erected, maintained, and regulated under this Act are not subject to regulation by a toll road authority.

(f) Nothing in this Act shall be construed to authorize a commissioners court to issue any order or regulation in conflict with a city ordinance or state agency rule or state or federal law or regulation pertaining to the regulation of billboards or outdoor advertising.

An order or regulation issued in conflict with a city ordinance or state agency rule or regulation or state or federal law shall be null and void.

SECTION 5. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 8, 1987, by the following vote: Yeas 134, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1820 on May 27, 1987, by a non-record vote. Passed by the Senate, with amendments, on May 25, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 19, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.