COMMITTEE REPORT

April 28, 2009

**H. 3814**

Introduced by Reps. Allison, Cole, Forrester, Kelly and Parker

S. Printed 4/28/09--H.

Read the first time March 31, 2009.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Joint Resolution (H. 3814) to authorize the Department of Transportation to design and implement a highway beautification pilot project to reduce the number of nonconforming billboards throughout, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the joint resolution, as and if amended, by deleting SECTION 1, page two in its entirety and inserting:

/ SECTION 1. The Department of Transportation is authorized to develop and submit to the Federal Highway Administration an outdoor advertising control pilot project that permits qualified applicants to upgrade one nonconforming wooden or I‑beam sign adjacent to Interstate 26 or Interstate 95 in exchange for the applicant’s removal of at least two of his other nonconforming signs of similar or larger size on routes regulated by the Highway Control Act. /

Renumber sections to conform.

Amend title to conform.

PHILLIP D. OWENS for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**REVENUE IMPACT** 1/

We expect adoption of this joint resolution, as amended, would have no impact on state revenues in FY 2008-09. At such future time as the DOT gains approval from the Federal Highway Administration (FHA) for a pilot project to control outdoor advertising signs, adoption of this resolution permits revenue from applicable fees to be assessed for allocation to earmarked funds within the DOT.

**Explanation**

This joint resolution (JR), as amended, authorizes the DOT to develop and submit a proposal for a pilot project to control outdoor advertising signs along certain routes and interstate highways in this State to the Federal Highway Administration (FHA). The specific proposal would permit qualified applicants to upgrade an existing wooden or I-Beam sign adjacent to Interstate 26 or Interstate 95 in exchange for removal of at least two other nonconforming signs of similar or larger size on routes regulated by the Highway Control Act. This JR would take effect upon approval by the Governor.

If and when a project is approved by the FHA, program startup is then at the discretion of the Secretary of the DOT. The department is further authorized to charge application, annual, or other fees as necessary to defray administrative costs to implement and maintain a pilot program.

While this JR allows the DOT to initiate and submit a proposal, its approval is conditional and, if approved, a startup date is to be determined. Since we do not expect the DOT would receive any fee revenue in the near term, adoption of this JR would have no impact on state revenues in FY2008-09. Any fee revenue that could be applicable in FY 2009-10 cannot be determined until a fee schedule and startup date is set.

*Approved By:*

William C. Gillespie

Board of Economic Advisors

1/ This statement meets the requirement of Section 2-7-71 for a state revenue impact by the BEA, or Section 2-7-76 for a local revenue impact or Section 6-1-85(B) for an estimate of the shift in local property tax incidence by the Office of Economic Research.

**A** **JOINT RESOLUTION**

TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO DESIGN AND IMPLEMENT A HIGHWAY BEAUTIFICATION PILOT PROJECT TO REDUCE THE NUMBER OF NONCONFORMING BILLBOARDS THROUGHOUT THE STATE.

Whereas, the Highway Beautification Act of 1965 was enacted by Congress for the protection of the public investment in the controlled highways, the promotion of the safety and recreational value of public travel, and the preservation of natural beauty; and

Whereas, Congress has authorized the Federal Highway Administration to oversee the implementation of outdoor advertising control pilot projects throughout the country that promote the purposes of the Highway Beautification Act; and

Whereas, the Federal Highway Administration has identified the removal of nonconforming billboards as falling within the purposes of the Highway Beautification Act, yet few are removed; and

Whereas, nonconforming billboards can be seen along South Carolina’s roadways; and

Whereas, the removal of nonconforming signs will enhance the beauty of our State and reveal miles of picturesque rural scenery to those traveling within South Carolina. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The Department of Transportation is authorized to develop and submit to the Federal Highway Administration an outdoor advertising control pilot project that permits qualified applicants to upgrade one nonconforming wooden or I‑beam sign adjacent to an interstate highway in exchange for the applicant’s removal of at least two of his other nonconforming signs of similar or larger size on routes regulated by the Highway Control Act.

SECTION 2. The department may charge application, annual, or other reasonable fees necessary to defray the administrative costs of implementing and maintaining the outdoor advertising program.

SECTION 3. The department may implement the pilot program at any time at the discretion of the Secretary of Transportation upon approval by the Federal Highway Administration.

SECTION 4. This joint resolution takes effect upon approval by the Governor.

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