

AN ACT

relating to the eligibility of an establishment to be included on a specific information logo sign along a highway.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 391.001(2), (9), and (12), Transportation Code, are amended to read as follows:

(2) "Eligible highway" means a highway along which an information logo sign may be located as determined by the commission under Section 391.092(d) ~~[that:~~

~~[(A) is located outside an urbanized area with a population of 50,000 or more and qualifies for a maximum speed limit of 65 miles per hour under 23 U.S.C. Section 154 or, if that law is repealed, qualified for a maximum speed limit of 65 miles per hour on the day before the effective date of the repeal, or~~

~~[(B) is a controlled-access highway located inside an urbanized area with a population of 50,000 or more].~~

(9) "Major shopping area guide sign" means a rectangular guide sign panel imprinted with the name of a major shopping area eligible to have its name displayed as determined by the commission under Section 391.0935 ~~[, as it is commonly known to the public,~~] and containing directional information to the major shopping area.

(12) "Specific information logo sign" means a rectangular sign imprinted with the words "GAS," "FOOD," "LODGING,"

1 [~~or~~] "CAMPING," or "24 HOUR Rx," or with a combination of those
2 words, and the specific brand names of commercial establishments
3 offering those services.

4 SECTION 2. Section 391.092, Transportation Code, is amended
5 by adding Subsections (d) and (e) to read as follows:

6 (d) The commission shall adopt rules, in accordance with
7 applicable federal law, regulations, and guidelines, for
8 determining eligible highways along which specific information
9 logo signs, major shopping area guide signs, and tourist-oriented
10 directional signs may be located. If permitted by federal law,
11 regulations, or guidelines, the commission may establish different
12 highway eligibility criteria for each type of sign.

13 (e) In this section, "tourist-oriented directional signs"
14 has the meaning assigned by Section 391.099.

15 SECTION 3. Sections 391.0935(a), (b), (d), and (f),
16 Transportation Code, are amended to read as follows:

17 (a) Unless the commission determines there is a conflict
18 with federal law, the commission shall establish a program that
19 allows the erection and maintenance of major shopping area guide
20 signs at appropriate locations along eligible [~~urban~~] highways.

21 (b) The commission shall adopt rules regulating the
22 content, composition, placement, erection, and maintenance of
23 major shopping area guide signs and supports within eligible
24 [~~urban~~] highway rights-of-way. The commission by rule shall
25 establish criteria for determining if a geographic area contains a
26 sufficient concentration of retail establishments to be considered
27 a major shopping area. A major shopping area is entitled to have

1 its name displayed on major shopping area guide signs if it meets
2 the criteria established by the commission and is located not
3 farther than three miles from an interchange on an eligible [~~urban~~]
4 highway.

5 (d) Major shopping area guide signs may be included as part
6 of exit direction signs, advance guide signs, and supplemental
7 guide signs and must include guide signs for both directions of
8 traffic on an eligible [~~urban~~] highway.

9 (f) The commission may contract with an individual, firm,
10 group, or association in this state to erect and maintain major
11 shopping area guide signs at appropriate locations along an
12 eligible [~~urban~~] highway.

13 SECTION 4. Sections 391.001(3) and (8) and 391.099(a)(2),
14 Transportation Code, are repealed.

15 SECTION 5. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I certify that H.B. No. 3441 was passed by the House on May 10, 2007, by the following vote: Yeas 138, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3441 on May 25, 2007, by the following vote: Yeas 143, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3441 was passed by the Senate, with amendments, on May 23, 2007, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor