

1-1 By: Phillips (Senate Sponsor - Estes) H.B. No. 3441
1-2 (In the Senate - Received from the House May 11, 2007;
1-3 May 15, 2007, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 18, 2007, reported
1-5 adversely, with favorable Committee Substitute by the following
1-6 vote: Yeas 5, Nays 0; May 18, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3441 By: Watson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the eligibility of an establishment to be included on a
1-11 specific information logo sign along a highway.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Sections 391.001(2), (9), and (12),
1-14 Transportation Code, are amended to read as follows:

1-15 (2) "Eligible highway" means a highway along which an
1-16 information logo sign may be located as determined by the
1-17 commission under Section 391.092(d) [that:

1-18 ~~[(A) is located outside an urbanized area with a~~
1-19 ~~population of 50,000 or more and qualifies for a maximum speed limit~~
1-20 ~~of 65 miles per hour under 23 U.S.C. Section 154 or, if that law is~~
1-21 ~~repealed, qualified for a maximum speed limit of 65 miles per hour~~
1-22 ~~on the day before the effective date of the repeal; or~~

1-23 ~~[(B) is a controlled-access highway located~~
1-24 ~~inside an urbanized area with a population of 50,000 or more].~~

1-25 (9) "Major shopping area guide sign" means a
1-26 rectangular guide sign panel imprinted with the name of a major
1-27 shopping area eligible to have its name displayed as determined by
1-28 the commission under Section 391.0935 [, as it is commonly known to
1-29 the public,] and containing directional information to the major
1-30 shopping area.

1-31 (12) "Specific information logo sign" means a
1-32 rectangular sign imprinted with the words "GAS," "FOOD," "LODGING,"
1-33 ~~[or]~~ "CAMPING," or "24 HOUR Rx," or with a combination of those
1-34 words, and the specific brand names of commercial establishments
1-35 offering those services.

1-36 SECTION 2. Section 391.092, Transportation Code, is amended
1-37 by adding Subsections (d) and (e) to read as follows:

1-38 (d) The commission shall adopt rules, in accordance with
1-39 applicable federal law, regulations, and guidelines, for
1-40 determining eligible highways along which specific information
1-41 logo signs, major shopping area guide signs, and tourist-oriented
1-42 directional signs may be located. If permitted by federal law,
1-43 regulations, or guidelines, the commission may establish different
1-44 highway eligibility criteria for each type of sign.

1-45 (e) In this section, "tourist-oriented directional signs"
1-46 has the meaning assigned by Section 391.099.

1-47 SECTION 3. Sections 391.0935(a), (b), (d), and (f),
1-48 Transportation Code, are amended to read as follows:

1-49 (a) Unless the commission determines there is a conflict
1-50 with federal law, the commission shall establish a program that
1-51 allows the erection and maintenance of major shopping area guide
1-52 signs at appropriate locations along eligible ~~[urban]~~ highways.

1-53 (b) The commission shall adopt rules regulating the
1-54 content, composition, placement, erection, and maintenance of
1-55 major shopping area guide signs and supports within eligible
1-56 ~~[urban]~~ highway rights-of-way. The commission by rule shall
1-57 establish criteria for determining if a geographic area contains a
1-58 sufficient concentration of retail establishments to be considered
1-59 a major shopping area. A major shopping area is entitled to have
1-60 its name displayed on major shopping area guide signs if it meets
1-61 the criteria established by the commission and is located not
1-62 farther than three miles from an interchange on an eligible ~~[urban]~~
1-63 highway.

2-1 (d) Major shopping area guide signs may be included as part
2-2 of exit direction signs, advance guide signs, and supplemental
2-3 guide signs and must include guide signs for both directions of
2-4 traffic on an eligible [~~urban~~] highway.

2-5 (f) The commission may contract with an individual, firm,
2-6 group, or association in this state to erect and maintain major
2-7 shopping area guide signs at appropriate locations along an
2-8 eligible [~~urban~~] highway.

2-9 SECTION 4. Sections 391.001(3) and (8) and 391.099(a)(2),
2-10 Transportation Code, are repealed.

2-11 SECTION 5. This Act takes effect immediately if it receives
2-12 a vote of two-thirds of all the members elected to each house, as
2-13 provided by Section 39, Article III, Texas Constitution. If this
2-14 Act does not receive the vote necessary for immediate effect, this
2-15 Act takes effect September 1, 2007.

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