

By: Carona

S.B. No. 731

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the eligibility of an establishment to be included on a  
3 specific information logo sign along a highway.

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

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

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

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13 ~~repealed, qualified for a maximum speed limit of 65 miles per hour~~  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

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

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

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

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

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 and major shopping area guide signs may be located. If  
10 permitted by federal law, regulations, or guidelines, the  
11 commission may establish different highway eligibility criteria  
12 for each type of sign.

13 (e) The commission by rule shall establish criteria for  
14 determining which sites are acceptable for or excluded from  
15 participation as an attraction on a specific information logo sign.  
16 For a commercial establishment to qualify as an attraction, the  
17 establishment must:

18 (1) be an acceptable site as determined by the  
19 commission;

20 (2) be of regional interest to the traveling public;

21 (3) have any required license or approval;

22 (4) provide adequate parking accommodations; and

23 (5) provide sanitary public restrooms.

24 SECTION 3. Section 391.093(a), Transportation Code, is  
25 amended to read as follows:

26 (a) A commercial establishment, to be eligible to have its  
27 name displayed on a specific information logo sign, must provide

1 gas, food, lodging, camping, or pharmacy services or qualify as an  
2 attraction as determined by the commission under Section 391.092(e)  
3 and be located not more than three miles from an interchange on an  
4 eligible highway. If no service or attraction participating or  
5 willing to participate in the specific information logo sign  
6 program is located within three miles of an interchange, the  
7 commission may grant permits for commercial establishments located  
8 not farther than:

9 (1) six miles from the interchange;

10 (2) nine miles from the interchange if no service or  
11 attraction participating or willing to participate in the program  
12 is located within six miles from the interchange;

13 (3) 12 miles from the interchange if no service or  
14 attraction participating or willing to participate in the program  
15 is located within nine miles of the interchange; or

16 (4) 15 miles from the interchange if no service or  
17 attraction participating or willing to participate in the program  
18 is located within 12 miles of the interchange.

19 SECTION 4. Sections 391.0935(a), (b), (d), and (f),  
20 Transportation Code, are amended to read as follows:

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

25 (b) The commission shall adopt rules regulating the  
26 content, composition, placement, erection, and maintenance of  
27 major shopping area guide signs and supports within eligible

1 ~~[urban]~~ highway rights-of-way. The commission by rule shall  
2 establish criteria for determining if a geographic area contains a  
3 sufficient concentration of retail establishments to be considered  
4 a major shopping area. A major shopping area is entitled to have  
5 its name displayed on major shopping area guide signs if it meets  
6 the criteria established by the commission and is located not  
7 farther than three miles from an interchange on an eligible ~~[urban]~~  
8 highway.

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

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

17 SECTION 5. Sections 391.095(a) and (c), Transportation  
18 Code, are amended to read as follows:

19 (a) The contractor installing a specific information logo  
20 sign shall place the sign so that:

21 (1) the sign is at least 800 feet from the previous  
22 interchange and at least 800 feet from the exit direction sign at  
23 the interchange from which the services or attraction facilities  
24 are available;

25 (2) two signs having the same legend are at least 800  
26 feet apart, but are not excessively spaced; and

27 (3) a motorist, after following the sign, can

1 conveniently reenter the highway and continue in the original  
2 direction of travel.

3 (c) If the service or attraction facilities are not visible  
4 from an interchange ramp terminal, additional signs may be placed  
5 along the ramp or at the ramp terminal.

6 SECTION 6. Section 391.099(a)(2), Transportation Code, is  
7 amended to read as follows:

8 (2) "Eligible highway" means a highway that:

9 (A) has noncontrolled access; and

10 (B) is outside the corporate limits of a  
11 municipality with a population of 50,000 [~~5,000~~] or more.

12 SECTION 7. Sections 391.001(3) and (8), Transportation  
13 Code, are repealed.

14 SECTION 8. This Act takes effect September 1, 2007.