

SENATE AMENDMENTS

2nd Printing

By: Phillips

H.B. No. 3441

A BILL TO BE ENTITLED

AN ACT

relating to the erection and maintenance of tourist-oriented directional signs on eligible highways.

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

SECTION 1. Section 391.099(a)(2), Transportation Code, is amended to read as follows:

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

(A) has noncontrolled access; and

(B) along which a tourist-oriented directional sign may be located as determined by the commission through the adoption of rules that meet the requirements of all applicable federal laws, regulations, and guidelines [~~is outside the corporate limits of a municipality with a population of 5,000 or more~~].

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

ADOPTED

MAY 23 2007

Leta Spaw
Secretary of the Senate

By: Phillips/Estes

H.B. No. 3441

Substitute the following for H.B. No. 3441:

By: Watson

C.S.H.B. No. 3441

A BILL TO BE ENTITLED

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or more and qualifies for a maximum speed limit of 65 miles per hour under 23 U.S.C. Section 154 or, if that law is repealed, qualified for a maximum speed limit of 65 miles per hour on the day before the effective date of the repeal, or~~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.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 18, 2007

TO: Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3441 by Phillips (Relating to the eligibility of an establishment to be included on a specific information logo sign along a highway.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to include certain new categories of sites and attractions that may be eligible for inclusion on specific information logo signs and tourist-oriented directional signs and would require the Texas Transportation Commission to adopt rules in accordance with federal law, regulations, and guidelines for determining eligible highways along which such signs may be located.

Based on the analysis of the Texas Department of Transportation, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

The bill would take effect on September 1, 2007.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: JOB, KJG, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 17, 2007

TO: Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3441 by Phillips (Relating to the erection and maintenance of tourist-oriented directional signs on eligible highways.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code relating to the definition of an eligible highway for a Tourist Oriented Direction Sign.

Based on the analysis of the Texas Department of Transportation, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

The bill would take effect immediately upon receiving a vote of two-thirds of all members elected to each house or otherwise on September 1, 2007.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: JOB, KJG, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 18, 2007

TO: Honorable Mike Krusee, Chair, House Committee on Transportation

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3441 by Phillips (Relating to the erection and maintenance of tourist-oriented directional signs on eligible highways.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code relating to the definition of an eligible highway for a Tourist Oriented Direction Sign.

Based on the analysis of the Texas Department of Transportation, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

The bill would take effect immediately upon receiving a vote of two-thirds of all members elected to each house or otherwise on September 1, 2007.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: JOB, KJG, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 1, 2007

TO: Honorable Mike Krusee, Chair, House Committee on Transportation

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3441 by Phillips (Relating to the erection and maintenance of tourist-oriented directional signs on eligible highways.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code relating to the definition of an eligible highway for a Tourist Oriented Direction Sign.

Based on the analysis of the Texas Department of Transportation, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

The bill would take effect immediately upon receiving a vote of two-thirds of all members elected to each house or otherwise on September 1, 2007.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: JOB, KJG, TG