

House Bill 3441
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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].

No equivalent provision.

SENATE VERSION

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or more and qualifies for a maximum speed limit of 65 miles per hour under 23 U.S.C. Section 154 or, if that law is repealed, qualified for a maximum speed limit of 65 miles per hour on the day before the effective date of the repeal; or~~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," ~~[or]~~ "CAMPING," or "24 HOUR Rx," or with a combination of those words, and the specific brand names of commercial establishments offering those services.

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

CONFERENCE

House Bill 3441
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

follows:

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

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

No equivalent provision.

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

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

(b) The commission shall adopt rules regulating the content, composition, placement, erection, and maintenance of major shopping area guide signs and supports within eligible ~~urban~~ highway rights-of-way. The commission by rule shall establish criteria for determining if a geographic area contains a sufficient concentration of retail establishments to be considered a major shopping area. A major shopping area is entitled to have its name displayed on major shopping area guide signs if it meets the criteria established by the

House Bill 3441
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

commission and is located not farther than three miles from an interchange on an eligible [~~urban~~] highway.

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

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

No equivalent provision.

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

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.

SECTION 5. Same as House version.