

By: Nichols

S.B. No. 357

A BILL TO BE ENTITLED

AN ACT

relating to the height of outdoor advertising signs regulated by the Texas Department of Transportation.

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

SECTION 1. Sections 391.038(b) and (c), Transportation Code, are amended to read as follows:

(b) A sign [~~described by Subsection (a)~~] may not be higher than 42-1/2 [~~85~~] feet, excluding a cutout that extends above the rectangular border of the sign, measured:

(1) from the grade level of the centerline of the main-traveled way, not including a frontage road of a controlled access highway, closest to the sign at a point perpendicular to the sign location; or

(2) if the main-traveled way is below grade, from the base of the sign structure.

(c) A person may not rebuild a sign [~~described by Subsection (a) without obtaining a new or amended permit from the department, provided that the sign is rebuilt at the same location where the sign existed on March 1, 2017, and~~] at a height that exceeds 42-1/2 feet [~~does not exceed the height of the sign on that date~~].

SECTION 2. Section 391.038(a), Transportation Code, is repealed.

SECTION 3. (a) Section 391.038(b), Transportation Code, as amended by this Act, applies only to a sign subject to a permit

1 issued on or after the effective date of this Act.

2 (b) Section 391.038(c), Transportation Code, as amended by  
3 this Act, applies only to a sign for which rebuilding begins on or  
4 after the effective date of this Act.

5 SECTION 4. This Act takes effect September 1, 2019.