



General Assembly

February Session, 2008

**Raised Bill No. 5750**

LCO No. 2605

\*02605\_\_\_\_\_TRA\*

Referred to Committee on Transportation

Introduced by:  
(TRA)

**AN ACT CONCERNING OUTDOOR ADVERTISING.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21-50 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) No person, firm or corporation shall erect or maintain any  
4 outdoor advertising structure, device or display until a permit for the  
5 erection of such structure, device or display has been obtained from  
6 the Commissioner of Transportation. Application for such permit shall  
7 be in writing, signed by the applicant or his authorized agent, upon  
8 blanks furnished by the commissioner in such form and requiring such  
9 information as [he] the commissioner prescribes. Each application shall  
10 have attached thereto the written consent of the owners of the property  
11 on which such structure, device or display is to be erected or  
12 maintained. Each application shall be accompanied by a fee as  
13 provided in subsection (a) of section 21-52. The fee for such permit  
14 shall be as provided in subsection (b) of said section and shall be  
15 payable upon the granting of such permit and annually thereafter on  
16 the first day of August.

17 (b) Notwithstanding the provisions of section 13a-123 and  
18 subsection (a) of this section, all permits to erect or maintain any  
19 outdoor advertising structure, device or display located on state-  
20 owned property may be renewed upon their expiration.

21 (c) On or after June 1, 2008, the Commissioner of Transportation  
22 may issue permits for the erection of any outdoor advertising  
23 structure, device or display located on state property. The  
24 commissioner shall issue a permit unless the commissioner makes  
25 findings, in writing, of good cause for refusal if any structure, sign,  
26 display or device presents an immediate and imminent physical  
27 danger to the public.

28 (d) On or after June 1, 2008, the Commissioner of Transportation  
29 may issue permits for the erection of any outdoor advertising  
30 structure, device or display whose message periodically changes by  
31 electronic or mechanical process or by remote control. The  
32 commissioner shall issue a permit unless the commissioner makes  
33 findings, in writing, of good cause for refusal if any structure, sign,  
34 display or device presents an immediate and imminent physical  
35 danger to the public.

36 (e) The Commissioner of Transportation shall offer a lease under the  
37 same terms and conditions to lessees of any lease terminated by the  
38 Commissioner of Transportation on or after November 1, 2007,  
39 concerning any state property being utilized for the purpose of  
40 outdoor advertising, provided no structure, sign, display or device  
41 presents an imminent and immediate physical danger to the public.  
42 The commissioner shall not terminate, cancel or decline to renew any  
43 lease involving, relating to, or arising out of use of state property for  
44 outdoor advertising absent clear and convincing evidence that the  
45 lessee has materially breached the terms and conditions of the subject  
46 lease or that any structure, sign, display or device presents an  
47 immediate and imminent physical danger to the public, provided the  
48 commissioner may terminate an existing lease if the state has awarded

49 a contract for activities, including, but not limited to, building  
50 construction or road construction, reconstruction or expansion, that are  
51 incompatible with the continuing use of the property for outdoor  
52 advertising and such activities will commence within thirty days of the  
53 termination contract.

54 Sec. 2. Subsection (e) of section 13a-123 of the general statutes is  
55 repealed and the following is substituted in lieu thereof (*Effective from*  
56 *passage*):

57 (e) The following types of signs, displays and devices may, with the  
58 approval of and subject to regulations promulgated by the  
59 commissioner, be permitted within the six-hundred-sixty-foot area of  
60 interstate, primary and other limited access state highways, except as  
61 prohibited by state statute, local ordinance or zoning regulation: (1)  
62 Directional and other official signs or notices, which signs and notices  
63 shall include, but not be limited to, signs and notices pertaining to  
64 natural wonders and scenic and historical attractions which are  
65 required or authorized by law; (2) signs, displays and devices  
66 advertising the sale or lease of the property upon which they are  
67 located; (3) signs, displays and devices advertising activities conducted  
68 on the property on which they are located; and (4) signs, displays or  
69 advertising devices which are in place for sixty days or less. Subject to  
70 regulations promulgated by the commissioner and except as  
71 prohibited by state statute, local ordinance or zoning regulation signs,  
72 displays and devices may be erected and maintained within six  
73 hundred and sixty feet of primary and other limited access state  
74 highways in areas which are zoned for industrial or commercial use  
75 under authority of law or located in unzoned commercial or industrial  
76 areas which areas shall be determined from actual land uses and  
77 defined by regulations of the commissioner. The regulations of the  
78 commissioner in regard to size, spacing and lighting shall apply to any  
79 segments of the interstate system which traverse commercial or  
80 industrial zones wherein the use of real property adjacent to the  
81 interstate system is subject to municipal regulation or control, or which

82 traverse other areas where the land use, as of September 21, 1959, was  
83 clearly established under state law as industrial or commercial.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	21-50
Sec. 2	<i>from passage</i>	13a-123(e)

**Statement of Purpose:**

To regulate outdoor advertising.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*