

Outdoor Advertising Association of Connecticut

Testimony of John E. Barrett
President of the Outdoor Advertising Association of Connecticut
Environment Committee
Senate Bill 311
March 7, 2014

Good afternoon Senator Meyer, Representative Gentile, Senator Chapin, Representative Shabin and members of the Environment Committee, my name is John Barrett and I am testifying on behalf of the Outdoor Advertising Association of Connecticut (OAAC). I am also the chief operating officer of Barrett Outdoor Communications, Inc. of West Haven. I appreciate you giving me this opportunity to submit testimony on Senate Bill 311, "**AN ACT CONCERNING CERTAIN FARM RELATED DESIGNATIONS ON HIGHWAY SIGNS.**"

This bill seeks to expand the "Connecticut Grown Signage Program" to include expressways and highways.

The Outdoor Advertising Association applauds and is fully supportive of this legislation. However, we respectfully request an amendment to this legislation. This bill seeks to amend the wrong statute to achieve this goal. This bill seeks to amend section 13a-123. This section was passed in order to comply with the federal Highway Beautification Act of 1965 and it pertains to privately owned signs located on private property up to 660' from the center of the right-of-way, a.k.a. billboards and on-premise signage. It has nothing to do with signs erected by the state or signs located within the state right-of-way. The distinction is made in the first sentence of the section,

"(a) The erection of outdoor advertising structures, signs, displays or devices within six hundred sixty feet of the edge of the right-of-way, the advertising message of which is visible from the main traveled way of any portion of the National System of Interstate and Defense Highways, hereinafter referred to as interstate highways, the primary system of federal-aid highways or other limited access state highways, is prohibited except as otherwise provided in or pursuant to this section,.."

The correct section for this language is 13a-124, which deals with informational signage located on the right-of-way.

This is not the first time that confusion between 13a-123 and 13a-124 has impacted legislation. In 2011 the General Assembly amended this same section to create a Beer Trail. The resulting language statute instructs the commissioner of transportation to erect signage on property that is outside the right of way, possibly private property, and requires the brewery to pay for it.

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Around 2004, Governor Rell created the Connecticut Wine Trail, complete with signage, without any legislation or executive order.

The Outdoor Advertising Association respectfully request an amendment to have farm, beer and wine signage moved to the appropriate section of the in Sec. 13a-124.

I sincerely appreciate this opportunity to testify and would be glad to answer any questions.

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Proposed Amendment to SB 311:

Section 1. Subsection (e) of section 13a-124a of the 2014 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Sec. 13a-124a. [Specific] Information signs on limited access highways. Regulations. (a) As used in this section, “specific information sign” means a rectangular sign with the word GAS, FOOD, LODGING, or CAMPING and exit directional information pertaining to the designated motorist service placed at the top of the sign and upon which is mounted separately attached business signs showing the brand, symbol, trademark or name, or any combination of these, for the designated service available on a crossroad at or near an interchange or intersection.

“Connecticut business sign” means directional and other official signs or notices pertaining to facilities in this state where Connecticut-made beer is manufactured or sold, including, but not limited to, signs or notices containing the words “Connecticut Brewery Trail”; (2) directional and other official signs or notices pertaining to facilities in this state where Connecticut-made wine is manufactured or sold, including, but not limited to, signs or notices containing the words “Connecticut Wine Trail” and (3) directional and other official signs or notices pertaining to farming that is part of the state’s agriculture tourism.

(b) The Commissioner of Transportation may issue permits for the erection and maintenance of specific information signs and Connecticut business signs within the rights-of-way of any portion of a state-maintained limited access highway, except a parkway. The commissioner shall not issue any such permit to any person or company until such person or company files with the commissioner a bond or recognizance to the state, satisfactory to the commissioner and in such amount as the commissioner determines, subject to forfeiture upon failure to comply with (1) the requirements of this section, (2) regulations adopted pursuant to this section, or (3) any orders of the commissioner relating to the erection and maintenance of specific information signs and business signs. Any such bond or recognizance shall remain in full force and effect as long as such person or company is subject to any such requirements, regulations or orders as provided in this section.

(c) Any person or company issued a permit in accordance with subsection (b) of this section shall be reimbursed, by subsequent permittees on the same sign, the costs associated with said sign divided by the number of other permittees on said sign.

(d) The commissioner shall adopt regulations in accordance with chapter 54 to carry out the purposes of this section. Such regulations shall include, but not be limited to, establishment of (1) fees for the permits issued under subsection (b) of this section, (2) reimbursements issued pursuant to subsection (c) of this section, and (3) standards for the location, size and maintenance of specific information signs and business signs.

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Section 2. Section 13a-124b of the general statutes is repealed (*Effective from passage*).

Section 3. Subsection (e) of section 13a-123 of the 2014 supplement 1 to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) The following types of signs, displays and devices may, with the approval of and subject to regulations adopted by the commissioner, be permitted within the six-hundred-sixty-foot area of interstate, primary and other limited access state highways, except as prohibited by state statute, local ordinance or zoning regulation: (1) Directional and other official signs or notices, which signs and notices shall include, but not be limited to, signs and notices pertaining to natural wonders and scenic and historical attractions which are required or authorized by law; (2) signs, displays and devices advertising the sale or lease of the property upon which they are located; (3) signs, displays and devices advertising activities conducted on the property on which they are located; (4) **[directional and other official signs or notices pertaining to facilities in this state where Connecticut-made beer is manufactured or sold, including, but not limited to, signs or notices containing the words "Connecticut Brewery Trail"; (5) directional and other official signs or notices pertaining to farming that is part of the state's agriculture tourism; (6)]** signs, displays or advertising devices which are in place for sixty days or less; and **[(6)] (5)** advertising signs, displays or devices (A) located or erected on real property or abutting real property within areas owned, leased or managed by a public authority for the purpose of (i) railway or rail infrastructure facilities, including, but not limited to, associated structures located within areas zoned solely or predominantly for the development of a railway or rail infrastructure facilities, (ii) bus rapid transit corridors, including, but not limited to, the Hartford-New Britain busway project authorized in section 13b-15a, and any shelter, structure or other facility associated with the operation of such bus rapid transit corridor, (iii) airport development zones designated in section 32-75d, or (iv) any other similar transit or freight purpose, or (B) upon or within buildings, structures or other venues in the custody or control of the state and designed, operated or intended to be operated for the purpose of presenting athletic, artistic, musical or other entertainment events. Subject to regulations adopted by the commissioner and except as prohibited by state statute, local ordinance or zoning regulation signs, displays and devices may be erected and maintained within six hundred sixty feet of primary and other limited access state highways in areas which are zoned for industrial or commercial use under authority of law or located in unzoned commercial or industrial areas which areas shall be determined from actual land uses and defined by regulations of the commissioner. The regulations of the commissioner in regard to size, spacing and lighting shall apply to any segments of the interstate system which traverse commercial or industrial zones wherein the use of real property adjacent to the interstate system is subject to municipal regulation or control, or which traverse other areas where the land use, as of September 21, 1959, was clearly established under state law as industrial or commercial.