

BILL ANALYSIS

Senate Research Center

C.S.S.B. 156
By: Nixon
Natural Resources
4-10-97
Committee Report (Substituted)

DIGEST

Currently, Texas law does not provide for the placement of signs marking and providing directional information to locations of major agricultural interest. C.S.S.B. 156 authorizes the placement of signs for sights of major agricultural interest that meet certain qualifications, along eligible urban and rural highways. This bill would also authorize the placement of major shopping area guide signs.

PURPOSE

As proposed, C.S.S.B. 156 authorizes the placement of major agricultural interest guide signs to designate and provide directional information to locations of major agricultural interests throughout the state. This bill also provides for the establishment of a program allowing the placement of major shopping area guide signs at appropriate locations along eligible urban highways.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Transportation Commission under SECTION 7 (Section 391.0935(b), Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 391.001, Transportation Code, to define "eligible highway," "eligible urban highway," "information logo sign," "eligible rural highway," "major agricultural interest," "major agricultural interest sign," "major shopping area," and "major shopping area guide sign." Makes nonsubstantive and conforming changes.

SECTION 2. Amends the heading of Chapter 391D, Transportation Code, as follows:

SUBCHAPTER D. New heading: DIRECTIONAL SIGN PROGRAMS

SECTION 3. Amends Section 391.091, Transportation Code, as follows:

Sec. 391.091. ERECTION AND MAINTENANCE OF SIGNS. Requires the Texas Transportation Commission (commission) to enter into one or more contracts, rather than contract, with an individual, firm, group, or association in this state to erect and maintain specific signs. Requires a contract under this subsection to provide for the assessment and remittance of certain fees.

SECTION 4. Amends Section 391.092, Transportation Code, by amending Subsections (a) and (c) and adding Subsection (d), as follows:

(a) Requires the commission to regulate the content, composition, placement, erection, and maintenance of specific information logo signs and supports on an eligible, rather than interstate, highway right-of-way; and major agricultural interest signs and supports on an eligible rural highway right-of-way. Prohibits a specific logo sign from containing more than six, rather than four, establishment names for each sign panel, rather than for each service on one sign panel. Requires a major agricultural interest sign to have a brown background with white reflective legend and border and prohibits the sign from containing a corporate or trademark symbol, or a message, symbol, or trademark that resembles an official traffic

control device. Deletes text regarding logos and spacing on signs.

SECTION 5. New heading: ELIGIBILITY FOR DISPLAY ON SPECIFIC INFORMATION LOGO SIGN. Provides that this section applies to a specific information logo sign. Sets forth provisions applicable if no service participating or willing to participate in the specific information logo sign program is located within three miles of an interchange. Makes conforming changes.

SECTION 6. Amends Chapter 391D, Transportation Code, by adding Section 391.0931, as follows:

Sec. 391.0931. ELIGIBILITY FOR MAJOR AGRICULTURAL INTEREST SIGN. Requires a major agricultural interest to be located within five miles of an intersection with an eligible rural highway in order to be eligible to have its name displayed on a major agricultural interest sign.

SECTION 7. Amends Chapter 391D, Transportation Code, by adding Section 391.0935, as follows:

Sec. 391.0935. MAJOR SHOPPING AREA GUIDE SIGNS. Requires the commission, unless the commission determines there is a conflict with federal law, to establish a program that allows the erection and maintenance of major shopping area guide signs at appropriate locations along eligible urban highways. Requires the commission to adopt rules regulating the content, composition, placement, erection, and maintenance of major shopping area guide signs and support within eligible urban highway rights-of-way. Provides that a major shopping area is entitled to have its name displayed on major shopping area guide signs under certain conditions. Requires a major shopping area that has its name displayed on a major shopping area guide sign to reimburse the commission for all costs associated with the composition, placement, erection, and maintenance of the sign. Authorizes the inclusion of major shopping area guide signs as part of exit direction signs, advance guide signs, and supplemental guide signs and requires major guide signs to include guide signs for both directions of traffic on an eligible urban highway.

SECTION 8. Amends Section 391.095, Transportation Code, to delete a requirement regarding the installation of a specific information logo sign by a contractor. Requires a specific information logo sign that is placed along a ramp or at a ramp terminal to be a duplicate of the corresponding establishment logo sign, with the exception that the ramp sign must be smaller, rather than be smaller and omit the service information. Authorizes the placement of additional signs along the ramp or the ramp terminal under certain conditions.

SECTION 9. (a) Provides that in addition to the substantive changes in law made by this Act, this Act amends Sections 391.001, 391.091, 392.092(a) and (c), 391.093(a), Chapter 391D, and Section 391.095, Transportation Code, to conform to the changes in the law made by Section 1, Chapter 384, Acts of the 74th Legislature, Regular Session, 1995.

(b) Repealer: Section 1, Chapter 284, Acts of the 74th Legislature, Regular Session, 1995 (Placement of Logo Signs and Major Shopping Area Guide Signs).

(c) Provides that to the extent of any conflict, this Act prevails over another Act of the 75th Legislature, Regular Session, 1997, relating to nonsubstantive additions to and correction in enacted codes.

SECTION 10. Effective date: September 1, 1997.

SECTION 11. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 391.001, Transportation Code, to remove all proposed text and add new provisions.

SECTION 2.

Amends the title, rather than the heading, of Chapter 391D, Transportation Code.

SECTION 3.

Amends Section 391.091, Transportation Code, to remove all proposed text and add new provisions.

SECTION 4.

Amends Section 391.092, Transportation Code, to renumber existing SECTION 4 as SECTION 10, and to add new provisions.

SECTION 5.

Amends section title and rennumbers existing SECTION 5 as SECTION 10.

SECTION 9.

Makes a technical change.