

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 567

A bill to amend 1972 PA 106, entitled
"Highway advertising act of 1972,"
(MCL 252.301 to 252.325) by adding section 7a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 7A. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE
2 DEPARTMENT SHALL NOT ISSUE ANNUAL PERMITS FOR NEW SIGNS ON OR AFTER
3 JANUARY 1, 2007.

4 (2) PERMITS ISSUED BY THE DEPARTMENT BEFORE THE EFFECTIVE DATE
5 OF THE AMENDATORY ACT THAT ADDED THIS SECTION REMAIN IN FORCE AND
6 VALID.

7 (3) ON AND AFTER JANUARY 1, 2007, THE DEPARTMENT SHALL ISSUE
8 AN INTERIM PERMIT OR PERMITS TO A HOLDER OF A VALID PERMIT OR
9 PERMITS IF ALL OF THE FOLLOWING CONDITIONS ARE MET:

1 (A) THE HOLDER OF THE VALID PERMIT OR PERMITS IS OTHERWISE IN
2 COMPLIANCE WITH THIS ACT.

3 (B) THE HOLDER OF THE PERMIT OR PERMITS SURRENDERS THE PERMIT
4 OR PERMITS TO THE DEPARTMENT UPON THE REMOVAL OF A SIGN STRUCTURE
5 OR SIGN STRUCTURES THAT HAVE A VALID PERMIT UNDER THIS ACT.

6 (C) THE HOLDER OF THE PERMIT OR PERMITS VERIFIES THE REMOVAL
7 OF THE SIGN STRUCTURE OR SIGN STRUCTURES IN WRITING TO THE
8 DEPARTMENT.

9 (D) THE DEPARTMENT VERIFIES THAT THE SIGN STRUCTURE OR
10 STRUCTURES HAVE BEEN REMOVED OR THE REMOVAL HAS BEEN DEEMED
11 EFFECTIVE UNDER THIS SECTION.

12 (E) IF A PERMIT HOLDER HAS A VALID ANNUAL PERMIT OR PERMITS
13 FOR A SITE OR SITES WHERE NO SIGN STRUCTURE EXISTS OR NO
14 CONSTRUCTION HAS BEGUN TO BUILD A SIGN STRUCTURE ON JANUARY 1,
15 2007, THE PERMIT HOLDER MAY EXCHANGE THE PERMIT OR PERMITS FOR AN
16 INTERIM PERMIT UNDER THIS SECTION OR BEGIN CONSTRUCTION UNDER THE
17 VALID PERMIT OR PERMITS NO LATER THAN 1 YEAR AFTER JANUARY 1, 2007.
18 THE NUMBER OF PERMITS THAT CAN BE RECEIVED IN AN EXCHANGE SHALL BE
19 DETERMINED UNDER SUBSECTION (4).

20 (3) AN INTERIM PERMIT THAT IS ISSUED UNDER THIS SECTION SHALL
21 ONLY BE UTILIZED FOR THE CONSTRUCTION OF A NEW SIGN STRUCTURE AND
22 SHALL REMAIN IN EFFECT WITHOUT EXPIRATION WITH FEES RENEWED ON AN
23 ANNUAL BASIS.

24 (4) SUBJECT TO SUBSECTIONS (2) AND (8), A PERMIT HOLDER WHO IS
25 EXCHANGING A PERMIT OR PERMITS UNDER SUBSECTION (2) (E) SHALL BE
26 ISSUED 1 INTERIM PERMIT FOR EACH OF THE FIRST 3 PERMITS
27 SURRENDERED. FOR EACH PERMIT SURRENDERED UNDER SUBSECTION (2) (E)

1 AFTER THE FIRST 3 PERMITS SURRENDERED, A PERMIT HOLDER UNDER
2 SUBSECTION (2) (E) SHALL RECEIVE 1 INTERIM PERMIT FOR EACH 3 PERMITS
3 SURRENDERED. A PERMIT HOLDER SHALL HAVE 1 YEAR FROM JANUARY 1, 2007
4 TO EXCHANGE PERMITS PURSUANT TO SUBSECTION (2) (E) AND THIS
5 SUBSECTION. A PERMIT THAT IS NOT EXCHANGED PURSUANT TO SUBSECTION
6 (2) (E) AND THIS SUBSECTION CANNOT BE EXCHANGED AND SHALL EXPIRE NO
7 LATER THAN 1 YEAR AFTER JANUARY 1, 2007.

8 (5) THE DEPARTMENT SHALL VERIFY THAT AN EXISTING SIGN
9 STRUCTURE HAS BEEN REMOVED NO LATER THAN 30 DAYS AFTER THE
10 DEPARTMENT RECEIVES WRITTEN NOTICE FROM THE PERMIT HOLDER THAT THE
11 SIGN STRUCTURE HAS BEEN REMOVED. IF THE DEPARTMENT DOES NOT RESPOND
12 TO THE WRITTEN NOTICE WITHIN 30 DAYS AFTER RECEIPT OF THE WRITTEN
13 NOTICE, THEN THE PERMIT HOLDER SHALL BE DEEMED TO HAVE REMOVED THE
14 SIGN STRUCTURE IN COMPLIANCE WITH THIS SECTION.

15 (6) A HOLDER OF 2 VALID PERMITS FOR A SIGN STRUCTURE WITH 2
16 FACES WHO COMPLIES WITH THIS SECTION SHALL RECEIVE 2 INTERIM
17 PERMITS FOR THE CONSTRUCTION OF A SIGN STRUCTURE WITH 2 FACES. A
18 PERMIT HOLDER UNDER THIS SUBSECTION SHALL NOT RECEIVE 2 INTERIM
19 PERMITS TO CONSTRUCT 2 SINGLE-FACE SIGN STRUCTURES.

20 (7) A HOLDER OF A VALID PERMIT FOR A SIGN STRUCTURE WITH A
21 SINGLE FACE IS ENTITLED TO EXCHANGE THAT PERMIT UNDER THIS SECTION
22 FOR AN INTERIM PERMIT WITH A SINGLE FACE. A HOLDER OF VALID PERMITS
23 FOR 2 DIFFERENT SINGLE-FACE STRUCTURES MAY EXCHANGE THE 2 PERMITS
24 UNDER THIS SECTION FOR 2 INTERIM PERMITS TO CONSTRUCT 2 SINGLE-FACE
25 SIGN STRUCTURES OR 2 INTERIM PERMITS TO CONSTRUCT 1 SIGN STRUCTURE
26 WITH 2 FACES.

27 (8) A HOLDER OF MORE THAN 2 VALID PERMITS FOR A SIGN STRUCTURE

1 WITH MORE THAN 2 FACES MAY EXCHANGE THE PERMITS UNDER THIS SECTION
2 FOR A MAXIMUM OF 2 INTERIM PERMITS. THE 2 INTERIM PERMITS RECEIVED
3 UNDER THIS SECTION SHALL ONLY BE USED TO CONSTRUCT 1 SIGN STRUCTURE
4 WITH NO MORE THAN 2 FACES.

5 (9) AFTER CONSTRUCTION OF A SIGN STRUCTURE UNDER AN INTERIM
6 PERMIT IS COMPLETE, THE DEPARTMENT SHALL ISSUE RENEWABLE PERMITS
7 ANNUALLY FOR THE COMPLETED SIGN STRUCTURE.

8 (10) IF A PERMIT HOLDER FOR A SIGN STRUCTURE THAT EXISTS ON
9 JANUARY 1, 2007 REQUIRES ADDITIONAL PERMITS FOR ANY REASON, THE
10 DEPARTMENT MAY ISSUE A VALID RENEWABLE PERMIT RENEWABLE ON AN
11 ANNUAL BASIS WITHOUT COMPLYING WITH SUBSECTION (2) EVEN IF THE
12 PERMIT HOLDER HAS MORE THAN 2 VALID PERMITS AS A RESULT.

13 Enacting section 1. This amendatory act takes effect January
14 1, 2007.

15 Enacting section 2. This amendatory act does not take effect
16 unless Senate Bill No. 568 of the 93rd Legislature is enacted into
17 law.