

# SENATE BILL No. 589

May 20, 2009, Introduced by Senators KAHN and GILBERT and referred to the Committee on Transportation.

A bill to amend 1972 PA 106, entitled  
"Highway advertising act of 1972,"  
by amending section 7a (MCL 252.307a), as added by 2006 PA 447.

## 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~~ **JANUARY 1, 2007**  
6       remain in force and 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:

10       (a) The holder of the valid permit or permits is otherwise in

1 compliance with this act.

2 (b) The holder of the permit or permits surrenders the permit  
3 or permits to the department upon the removal of a sign structure  
4 or sign structures that have a valid permit under this act.

5 (c) The holder of the permit or permits verifies the removal  
6 of the sign structure or sign structures in writing to the  
7 department.

8 (d) The department verifies that the sign structure or  
9 structures have been removed or the removal has been deemed  
10 effective under this section.

11 ~~—— (e) If a permit holder has a valid annual permit or permits~~  
12 ~~for a site or sites where no sign structure exists or no~~  
13 ~~construction has begun to build a sign structure on January 1,~~  
14 ~~2007, the permit holder may exchange the permit or permits for an~~  
15 ~~interim permit under this section or begin construction under the~~  
16 ~~valid permit or permits no later than 1 year after January 1, 2007.~~  
17 ~~The number of permits that can be received in an exchange shall be~~  
18 ~~determined under subsection (4).~~

19 (4) ~~(3) An~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, AN  
20 interim permit that is issued under this section shall only be  
21 utilized for the construction of a new sign structure and shall  
22 remain in effect without expiration with fees renewed on an annual  
23 basis. A SIGN CONSTRUCTED PURSUANT TO AN INTERIM PERMIT SHALL NOT  
24 BE CLOSER THAN 1,000 FEET TO ANOTHER SIGN STRUCTURE ON THE SAME  
25 SIDE OF THE HIGHWAY ALONG INTERSTATE HIGHWAYS AND FREEWAYS OR 500  
26 FEET TO ANOTHER SIGN STRUCTURE ON THE SAME SIDE OF THE HIGHWAY  
27 ALONG PRIMARY HIGHWAYS. AN APPLICATION FOR AN INTERIM PERMIT FOR AN

1 EXISTING SIGN STRUCTURE SHALL BE GRANTED IF ALL OF THE FOLLOWING  
2 CONDITIONS ARE MET:

3 (A) THE APPLICATION IS SUBMITTED BETWEEN JULY 1, 2009 AND  
4 OCTOBER 1, 2009.

5 (B) THE EXISTING STRUCTURE IS NOT CLOSER THAN 500 FEET TO  
6 ANOTHER SIGN STRUCTURE ALONG THE SAME SIDE OF THE HIGHWAY.

7 (C) THE COUNTY IN WHICH THE EXISTING SIGN STRUCTURE IS LOCATED  
8 HAS A POPULATION OF LESS THAN 211,000 AND MORE THAN 175,000 AS  
9 DETERMINED BY THE MOST RECENT FEDERAL DECENNIAL CENSUS.

10 ~~—— (4) Subject to subsections (2) and (8), a permit holder who is~~  
11 ~~exchanging a permit or permits under subsection (2)(c) shall be~~  
12 ~~issued 1 interim permit for each of the first 3 permits~~  
13 ~~surrendered. For each permit surrendered under subsection (2)(c)~~  
14 ~~after the first 3 permits surrendered, a permit holder under~~  
15 ~~subsection (2)(c) shall receive 1 interim permit for each 3 permits~~  
16 ~~surrendered. A permit holder shall have 1 year from January 1, 2007~~  
17 ~~to exchange permits pursuant to subsection (2)(c) and this~~  
18 ~~subsection. A permit that is not exchanged pursuant to subsection~~  
19 ~~(2)(c) and this subsection cannot be exchanged and shall expire no~~  
20 ~~later than 1 year after January 1, 2007.~~

21 (5) The department shall verify that an existing sign  
22 structure has been removed no later than 30 days after the  
23 department receives written notice from the permit holder that the  
24 sign structure has been removed. If the department does not respond  
25 to the written notice within 30 days after receipt of the written  
26 notice, then the permit holder shall be deemed to have removed the  
27 sign structure in compliance with this section.

1           (6) A holder of 2 valid permits for a sign structure with 2  
2 faces who complies with this section shall receive 2 interim  
3 permits for the construction of a sign structure with 2 faces. A  
4 permit holder under this subsection shall not receive 2 interim  
5 permits to construct 2 single-face sign structures.

6           (7) A holder of a valid permit for a sign structure with a  
7 single face is entitled to exchange that permit under this section  
8 for an interim permit with a single face. A holder of valid permits  
9 for 2 different single-face structures may exchange the 2 permits  
10 under this section for 2 interim permits to construct 2 single-face  
11 sign structures or 2 interim permits to construct 1 sign structure  
12 with 2 faces.

13           (8) A holder of more than 2 valid permits for a sign structure  
14 with more than 2 faces may exchange the permits under this section  
15 for a maximum of 2 interim permits. The 2 interim permits received  
16 under this section shall only be used to construct 1 sign structure  
17 with no more than 2 faces.

18           (9) After construction of a sign structure under an interim  
19 permit is complete, the department shall issue renewable permits  
20 annually for the completed sign structure.

21           (10) If a permit holder for a sign structure that exists on  
22 January 1, 2007 requires additional permits for any reason, the  
23 department may issue a valid renewable permit renewable on an  
24 annual basis without complying with subsection (2) even if the  
25 permit holder has more than 2 valid permits as a result.

26           **(11) THE DEPARTMENT MAY ISSUE A PERMIT FOR A NEW SIGN**  
27 **STRUCTURE THAT MEASURES LESS THAN 8 SQUARE FEET FOR SIGNS IN THE**

1 CATEGORIES OF SERVICE CLUB SIGNS AND RELIGIOUS ORGANIZATION SIGNS.