School
La Grulla High School

Senate Committee
#N/A

Senate Author

House Committee
Transportation

House Authors

Lobbyist

Journalist

Highway Visibility Act

HB 39

Bill Analysis

BACKGROUND & PURPOSE

The bill author has informed the committee that the Texas Department of Transportation (TxDOT) and municipal governments have increased their investment in public infrastructure improvement projects to meet the demands of the state's growing population. When a highway or public infrastructure project expands and affects a commercial sign location, TxDOT regulations allow the sign permit holder to relocate the sign. However, the bill author has also informed the committee that some cities routinely deny relocation applications despite TxDOT's policies, forcing TxDOT to acquire the sign through negotiations or eminent domain and increasing costs for taxpayers. This bill seeks to address this issue by requiring a municipality to grant a relocation permit for a qualifying replacement commercial sign, so long as it meets statutory requirements for relocation as set out in TxDOT regulations.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

This bill amends the Transportation Code to authorize the owner of a commercial sign to relocate the use, structure, or permit of the commercial sign to another location permitted by statutory provisions relating to highway beautification or rules adopted thereunder if the sign use, structure, or permit may not be continued due to the following reasons:

- the widening, construction, or reconstruction of a highway;
- the installation, expansion, or construction of public infrastructure; or
- the undertaking of a public improvement project by a public improvement district.

The bill requires the municipality in which the use or structure is located, if located in a municipality, to provide for the relocation by a special exception to any applicable ordinance, if necessary.

This bill authorizes the owner of a commercial sign whose view and readability are obstructed due to a noise abatement or safety measure, a grade change, vegetation, construction, an aesthetic improvement made by

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a state agency, or a directional sign, to relocate the sign to a location in which a commercial sign is permitted under statutory provisions relating to highway beautification or rules adopted thereunder. The bill establishes that the owner of the sign is responsible for all costs associated with relocating a sign and is not entitled to any compensation for those costs. The bill requires a municipality in which the sign is located, if located in a municipality, to provide for the relocation by a special exception to any applicable ordinance, if necessary.

This bill establishes that the rights associated with a commercial sign that was lawfully erected but no longer complies with current laws and regulations, including laws and regulations promulgated under provisions relating to highway beautification, outdoor signs on rural roads, and municipal regulation of signs, vest in the owner of the commercial sign.

EFFECTIVE DATE

January 1, 2027.