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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RS	.	
4/22/2008	.	
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1 The Committee on Transportation and Economic Development  
2 Appropriations (Margolis) recommended the following **amendment**:

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4 **Senate Amendment (with title amendment)**

5 Between line(s) 487 and 488,  
6 insert:

7 Section 13. Section 479.156, Florida Statutes, is amended  
8 to read:

9 479.156 Wall murals.--Notwithstanding any other provision  
10 of this chapter, a municipality or county may permit and regulate  
11 wall murals within areas designated by such government. If a  
12 municipality or county permits wall murals, a wall mural that  
13 displays a commercial message and is within 660 feet of the  
14 nearest edge of the right-of-way within an area adjacent to the  
15 interstate highway system or the federal-aid primary highway  
16 system shall be located in an area that is zoned for industrial  
17 or commercial use and the municipality or county shall establish



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18 and enforce regulations for such areas that, at a minimum, set  
19 forth criteria governing the size, lighting, and spacing of wall  
20 murals consistent with the intent of the Highway Beautification  
21 Act of 1965 and with customary use. When a municipality or county  
22 exercises such control and makes a determination of customary use  
23 pursuant to 23 U.S.C. s. 131(d), such determination shall be  
24 accepted in lieu of controls in the agreement between the state  
25 and the United States Department of Transportation, and the  
26 Department of Transportation shall certify effective local  
27 control pursuant to the agreement, 23 U.S.C. s. 131(d) and 23  
28 C.F.R. s. 750.706(c). A wall mural that is subject to municipal  
29 or county regulation and the Highway Beautification Act of 1965  
30 must be approved by the Department of Transportation pursuant to  
31 ~~and the Federal Highway Administration and may not violate the~~  
32 ~~agreement and between the state and the United States Department~~  
33 ~~of Transportation or violate~~ federal regulations enforced by the  
34 Department of Transportation under s. 479.02(1). The existence of  
35 a wall mural as defined in s. 479.01(27) shall not be considered  
36 in determining whether a sign as defined in s. 479.01(17), either  
37 existing or new, is in compliance with s. 479.07(9)(a).

38

39 ===== T I T L E A M E N D M E N T =====

40 And the title is amended as follows:

41 On line 48, after the semicolon,  
42 insert:

43 amending s. 479.156, F.S.; modifying local government  
44 control of the regulation of wall murals adjacent to  
45 certain federal highways;