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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/10/2009	.	
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	.	
	.	

The Committee on Transportation (Baker) recommended the following:

Senate Amendment (with title amendment)

Delete lines 8 - 9

and insert:

Section 1. Section 479.156, Florida Statutes, is amended to read:

479.156 Wall murals.—Notwithstanding any other provision of this chapter, a municipality or county may permit and regulate wall murals within areas designated by such government.

(1) If a municipality or county permits wall murals, a wall mural that displays a commercial message and is within 660 feet



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12 of the nearest edge of the right-of-way within an area adjacent
13 to the interstate highway system or the federal-aid primary
14 highway system must ~~shall~~ be located in an area that is zoned
15 for industrial or commercial use. ~~and~~ The municipality or county
16 shall establish and enforce regulations for such areas that, at
17 a minimum, set forth criteria governing the size, lighting, and
18 spacing of wall murals consistent with the intent of the Highway
19 Beautification Act of 1965 and with customary use.

20 (a) A wall mural that is subject to municipal or county
21 regulation and the Highway Beautification Act of 1965 must be
22 approved by the department ~~of Transportation~~ and the Federal
23 Highway Administration and may not violate the agreement between
24 the state and the United States Department of Transportation or
25 violate federal regulations enforced by the department ~~of~~
26 ~~Transportation~~ under s. 479.02(1).

27 (b) If, pursuant to 23 U.S.C. s. 131(d) and 23 U.S.C. s.
28 750.706(c), a municipality or county makes a determination of
29 customary use, such determination shall be accepted in lieu of
30 controls in the agreement between the state and the United
31 States Department of Transportation, and the department shall
32 notify the Federal Highway Administration.

33 (2) The existence of a wall mural may ~~as defined in s.~~
34 ~~479.01(27) shall~~ not be considered in determining whether a new
35 or existing sign as defined in s. 479.01(17), either existing or
36 new, is in compliance with s. 479.07(9) (a).

37
38 ===== T I T L E A M E N D M E N T =====

39 And the title is amended as follows:

40 Delete lines 2 - 4



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41 and insert:

42 An act relating to wall murals; amending s. 479.156,
43 F.S.; clarifying that a municipality or county is
44 authorized to make a determination of customary use
45 with respect to regulations governing commercial wall
46 murals and that such determination must be accepted in
47 lieu of any agreement between the state and the United
48 States Department of Transportation; providing an
49 effective date.