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Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation Commission
Chapter 6—Outdoor Advertising

SECRETARY OF STATE
ADMINISTRATIVE RULES

PROPOSED AMENDMENT

COPY

7 CSR 10-6.050 Outdoor Advertising Beyond Six Hundred Sixty Feet (660') of the Right-of-Way. The Missouri Highways and Transportation Commission is amending sections (3), (3)(A), and (3)(B).

PURPOSE: This amendment removes unnecessary restrictive language.

(3) Determination of Purpose.

(A) **Criteria.** The department's authorized representative shall determine under section 226.527, RSMo, when a sign is erected with the purpose of its message being read from the main-traveled way of an interstate or primary highway[.]

[(A) *Criteria. The determination shall be made*] after consideration of, but not limited to, the following and any other relevant criteria:

1. Angle. The positioning or angle of a sign to an adjacent highway;
2. Size. The distance of the sign from the controlled highway in relation to the size of the sign. If a sign is large enough so that its message can be read from the highway, it may be assigned to that highway;
3. Message content. Whether or not the sign's message is applicable to a particular highway;
4. Physical obstructions. The presence of or selective removal of physical obstructions, natural or man-made, impairing a motorist's view of the sign from the highway; and
5. Exposure time. The period of time a motorist traveling on the adjacent highway at the maximum posted speed limit would be exposed to the sign's message. A sign which cannot be read from the adjacent highway should not be assigned to that highway.

(B) Multiple Highways. A sign may be visible or erected, or both, with the purpose of its message being read from two (2) or more interstate or primary highways. These signs must comply with the sizing, lighting, spacing, location, and permit requirements applicable to each interstate or primary highway. To promote highway safety, where there is a conflict between sizing, lighting, spacing, or location requirements of sections 226.500–226.600, RSMo, the most restrictive requirements [shall] prevail.

*AUTHORITY: section 226.150, RSMo 2000, and sections 226.500–226.600, RSMo 2000 and Supp. 2013. * Original rule filed May 16, 1977, effective Oct. 15, 1977. Amended: Filed Jan. 16, 1990, effective June 11, 1990. Amended: Filed June 15, 1993, effective Jan. 31, 1994. Amended: Filed Aug. 31, 1999, effective March 30, 2000. Amended: Filed April 15, 2003, effective Nov. 30, 2003. Amended: Filed Oct. 3, 2013, effective May 30, 2014. Amended: Filed September 8, 2017.*

**Original authority: 226.150, RSMo 1939, amended 1977 and 226.500–226.600, see Missouri Revised Statutes 2000 and Supp. 2013.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

JOINT COMMITTEE ON

SEP 08 2017

ADMINISTRATIVE RULES

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, Missouri 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*