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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/22/2008	.	
	.	
	.	

1 The Committee on Transportation and Economic Development
2 Appropriations (Margolis) recommended the following **substitute**
3 **for amendment (570812)**:

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

6 **Between** lines 487 and 488,
7 insert:

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

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



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18 or commercial use and the municipality or county shall establish
19 and enforce regulations for such areas that, at a minimum, set
20 forth criteria governing the size, lighting, and spacing of wall
21 murals consistent with the intent of the Highway Beautification
22 Act of 1965 and with customary use. Whenever a municipality or
23 county exercises such control and makes a determination of
24 customary use, pursuant to 23 U.S.C. s. 131(d), such
25 determination shall be accepted in lieu of controls in the
26 agreement between the state and the United States Department of
27 Transportation, and the Department of Transportation shall notify
28 the Federal Highway Administration pursuant to the agreement, 23
29 U.S.C. s. 131(d), and 23 C.F.R. s. 750.706(c). A wall mural that
30 is subject to municipal or county regulation and the Highway
31 Beautification Act of 1965 must be approved by the Department of
32 Transportation and the Federal Highway Administration where
33 required by federal law and federal regulation pursuant to ~~and~~
34 ~~may not violate~~ the agreement between the state and the United
35 States Department of Transportation and ~~or violate~~ federal
36 regulations enforced by the Department of Transportation under s.
37 479.02(1). The existence of a wall mural as defined in s.
38 479.01(27) shall not be considered in determining whether a sign
39 as defined in s. 479.01(17), either existing or new, is in
40 compliance with s. 479.07(9)(a).

41
42 ===== T I T L E A M E N D M E N T =====
43 And the title is amended as follows:

44
45 On line 48, after the semicolon,
46 insert:



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47 | amending s. 479.156, F.S.; modifying local government
48 | control of the regulation of wall murals adjacent to
49 | certain federal highways;