

Amendment to the AASHTO Governing Documents AGD-1-12

Title: Modification to Charge Statement for the Subcommittee on Right of Way and Utilities to Include Outdoor Advertising Membership and Name Change of the Committee

WHEREAS, The regulatory control of outdoor advertising along the national interstate and primary system is provided for by the Federal Highway Beautification Act (HBA) and administered by the Federal Highway Administration; and

WHEREAS, The AASHTO member state departments of transportation are delegated the responsibility to enforce the controls established by the HBA and which delegation is memorialized in individual state-federal agreements; and

WHEREAS, Failure to effectively control the display of outdoor advertising in accordance with the provisions of the HBA is punishable by the consequential loss of up to 10% of federal transportation funding; and

WHEREAS, There is no current AASHTO Standing Committee or Subcommittee to represent the issues and facilitate professional dialog associated with outdoor advertising control among member DOT's, FHWA regulators and the regulated industry; and

WHEREAS, A majority of the 48 member state DOT's that do not prohibit (four member departments prohibit) Outdoor Advertising (OA) assign outdoor advertising control to the right of way function; now therefore be it

RESOLVED, That the AASHTO Governing Documents be amended to expand membership of the Right of Way and Utilities Subcommittee (SCORWU) to include the highest ranking position responsible for regulatory control of OA and to provide a forum for collaboration among AASHTO members on the issues of policy and practice for the effective regulatory control of OA in accordance with the provisions of the Federal Highway Beautification Act; and be it further

RESOLVED, That the AASHTO Board of Directors accordingly re-designate the Highways Subcommittee on Right of Way and Utilities as the Highways Subcommittee on Right of Way, Utilities, and Outdoor Advertising Control.

New Charge Statement (***Bold Italics=new language***):
Highways Subcommittee Right of Way, Utilities, and Outdoor Advertising Control

The subcommittee shall review the laws and regulations of the Federal Government, member states, and territories pertaining to public acquisition and management of real property for transportation related purposes. The subcommittee will also review issues related to the placement of utilities on highway rights-of-way ***and issues of policy and practice for the effective regulatory control of outdoor advertising in accordance with the provisions of the Federal Highway Beautification Act***. It shall provide a forum for ***collaboration among AASHTO members and*** the exchange of experiences, innovations, and best practices; and will recommend such laws, rules, regulations, and procedures so as to improve the quality and efficiency of Right-of-Way, Utilities, ***and Outdoor Advertising Control*** operating practices. The Right-of-Way process includes Right-of-Way scoping/mapping, appraisal review, consultant management, relocation, acquisition, property management, condemnation coordination and management, and program management, including local public agency coordination and certification. The Utilities process includes utility coordination, utility relocation, utility accommodation, subsurface utility engineering and utility pole safety. Each Member Department shall be entitled to membership thereon. ***The Outdoor Advertising (OA) member shall be the highest ranking position responsible for regulatory control of OA.***

The subcommittee may establish liaison relationships with appropriate offices of the Federal Highway Administration and such other entities having a role and responsibility in the areas of Right-of-Way, Utilities, and ***Outdoor Advertising Control.***

The subcommittee shall work cooperatively with other AASHTO committees and subcommittees and shall report to the Standing Committee on Highways on its actions, publications, recommendations, and resolutions promoting the general purpose of the Association. Each Member Department shall be entitled to membership; however, in those states where the Right-of-Way, Utilities, and ***Outdoor Advertising Control*** functions report to different organizational units, the state shall designate one (1) voting member on the subcommittee.