Committee on Right of Way, Utilities and Outdoor Advertising Control 2019 Annual Meeting

Chattanooga, Tennessee
April 28–May 2, 2019
OAC Technical Council Update

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MISSION

To provide assistance to the AASHTO CRUO Subcommittee on Outdoor Advertising Control regarding leadership in the interpretation, analysis and research of the regulatory process governing the effective control of outdoor advertising consistent with the federal laws and regulations through the fostering of collaborative partnerships, dissemination of information, development of best practices, and necessary training.
VISION

To recommend innovative ideas and policy considerations to address the challenges and issues involved with the management of the outdoor advertising control program pursuant to the Federal Highway Beautification Act as well as to address issues relating to junkyard control and scenic byways.
OAC TECHNICAL COUNCILS

• Two OAC Subcommittee Technical Councils:
  ▪ Policy (TSOACP)
  ▪ Operation (TSOACO)
POLICY TC - MEMBERS

• Members – 17
  o 15 states
  o 2 FHWA
  o 2 AASHTO
• Friends – 3
  o 1 consultant
  o 1 OAAA
  o 1 Scenic America
• Monthly Workshops
  • Third Thursday of the month
• Quarterly Joint Meetings
  • January, April (at conference), July, October
1. Provide a uniform response to the Federal Highway Administration on policies and regulations affecting highway beautification.

2. Promote and encourage consistent program development and uniform interpretation of the federal statutes and regulations governing highway beautification.

3. Study, evaluate, and recommend innovative concepts to strengthen highway beautification program compliance.
TECHNICAL COUNCIL - POLICY

• Projects Proposed
  - July 2016 – Not funded - NCHRP 20-7 – Problem statement
    Establishment of Effective Control Factors to Achieve
    Federal Enforcement Consistency with the Highway
    Beautification Act (HBA)

• Projects Completed
  - October 2017 – FINAL REPORT - Establishment of Effective
    Control Factors to Achieve Federal Enforcement
    Consistency with the Highway Beautification Act
  - Sponsored by FLDOT
  - Prepared by Florida A&M University-Florida State University
• Projects in Progress – Review and Update:
  - NCHRP 20-07/Task 413 (2017)
    - Title - Signs Impacted by Highway Projects
    - Final report due May 2019
  - NCHRP 20-7 Proposal (2018)
    - Title - OAC Reference Manual
    - Not funded (April 2019)
Projects in Progress – Review and Update:

- Advance Notice of Proposed Rulemaking (ANPRM) Project - changes to Part 750
- Bonus Act – Legislative changes to revise 23 USC 131
- NAHBA website document transfer to AASHTO website
• Advance Notice of Proposed Rulemaking (ANPRM) Project

• Issues of concerns with the Outdoor Advertising Control Program
  - A. State/Federal Agreements
  - B. Definition and Standards
  - C. Comprehensive Zoning
  - D. Non-conforming Signs
  - E. New Technology
  - F. Allow States to Exit the Bonus Act Program Without Penalty
  - G. Program Administration
  - H. Controlled Routes
  - I. On-Premise vs. Off-Premise Signs
• **Bonus Act Revisions:**

  • Amending federal law and regs so remedy applies to all states seeking exit from the Bonus Act agreement.

  • Section 131(j) of Title 23, United State Codes, is amended – By striking “shall be entitled to receive the bonus payments” and all that follows through “provided in this section” and by inserting “shall no longer be bound by such agreement.”

  • 23 CFR 750.713 should be amended – By striking § (j) and by inserting, “Specifically provides that any State which had entered into a bonus agreement before June 30, 1965, will no longer be bound by such agreement.”
OPERATION TC - MEMBERS

• Members
  • 50 State DOTs
  • 2 FHWA
  • 2 AASHTO

• Meetings – tba

• Quarterly Teleconference - tba
TECHNICAL COUNCIL ON OAC OPERATION (TSOACO) OBJECTIVES

1. Provide a forum for free and open discussion of developments and challenges in highway beautification.

2. Provide communications and services to all members, such as a website, surveys, polls, that will inform, educate, and provide a forum for discussion of trends and issues related to highway beautification.

3. Promote information networking to members through annual meetings, training seminars, and published materials.

4. Development of annual meeting session topics
QUESTIONS OR COMMENTS