

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Highway Advertising Control Act of 1971 is  
5 amended by changing Sections 3.07, 3.08, and 8 and by adding  
6 Section 3.21 as follows:

7 (225 ILCS 440/3.07) (from Ch. 121, par. 503.07)

8 Sec. 3.07. "Sign" means any outdoor sign, display, device,  
9 notice, figure painting, drawing, message, placard, poster,  
10 billboard, or other thing, which is designed ~~designated~~,  
11 intended, or used to advertise or inform, and of which any part  
12 of the existing or intended advertising or informative  
13 contents is or will be visible from any place on the  
14 main-traveled way of a controlled ~~any~~ portion of an Interstate  
15 or primary highway, and which is within 660 feet of the nearest  
16 edge of the right-of-way of such highway, and which is  
17 operated or owned by a person or entity earning remuneration  
18 directly or indirectly for the existence or placement of the  
19 outdoor sign or for the placement of the message on the outdoor  
20 sign.

21 "Sign" also means any sign described in paragraph one of  
22 this Section which is more than 660 feet from the nearest edge  
23 of such highway, outside of an urban area, visible from any

1 place on the main-traveled way of any portion of such highway  
2 and erected with the purpose of its message being read from  
3 such main-traveled way.

4 (Source: P.A. 79-1009.)

5 (225 ILCS 440/3.08) (from Ch. 121, par. 503.08)

6 Sec. 3.08. "Erect" means to construct, build, raise,  
7 assemble, place, affix, attach, create, paint, draw or in any  
8 other way bring into being or establish; but does not include  
9 any of the foregoing activities when performed as an incident  
10 to the change of advertising message or normal maintenance or  
11 repair of a sign or sign structure. For the purposes of this  
12 definition, the following shall not constitute normal  
13 maintenance or repair of a sign or sign structure: replacing  
14 more than 60% of the uprights, in whole or in part, of a wooden  
15 sign structure; replacing more than 30% of the length above  
16 ground of each broken, bent, or twisted support of a metal sign  
17 structure; raising the height above ground of a sign or sign  
18 structure; making a sign bigger; adding lighting; or similar  
19 activities that substantially change a sign or make a sign  
20 more valuable. "Erect" does not include the attachment of a  
21 vinyl substrate to a sign that was permitted or registered to  
22 display, in another medium, advertising or other information  
23 and that does not cause a substantial change or modification  
24 that would terminate nonconforming rights.

25 The Department shall accord lawful status to a previously

1 permitted or registered sign that was a painted display on a  
2 wall or wall surface (but not a separate wall structure) of a  
3 building and that lost its lawful status because a court of  
4 competent jurisdiction through a final and non-appealable  
5 order determined that the attachment of a vinyl substrate to  
6 the wall or wall surface constituted the erection of a new sign  
7 and not normal maintenance under this Section. The Department  
8 shall also allow for the continued usage of that sign by the  
9 owner of the building or its authorized agent without  
10 requiring a new permit or registration.

11 (Source: P.A. 96-919, eff. 6-9-10.)

12 (225 ILCS 440/3.21 new)

13 Sec. 3.21. Remuneration. "Remuneration" means the exchange  
14 of anything of value, including money, securities, real  
15 property interests, personal property interests, goods or  
16 services, promises of future development, or forbearances of  
17 debt.

18 (225 ILCS 440/8) (from Ch. 121, par. 508)

19 Sec. 8. Within 90 days after the effective date of this  
20 Act, each sign, ~~except signs described by Sections 4.01, 4.02,~~  
21 ~~and 4.03,~~ must be registered with the Department by the owner  
22 of the sign, on forms obtained from the Department. Within 90  
23 days after the effective date of this amendatory Act of 1975,  
24 each sign located beyond 660 feet of the right-of-way located

1 outside of urban areas, visible from the main-traveled way of  
2 the highway and erected with the purpose of the message being  
3 read from such traveled way, must be registered with the  
4 Department by the owner of the sign on forms obtained from the  
5 Department. The Department shall require reasonable  
6 information to be furnished including the name of the owner of  
7 the land on which the sign is located and a statement that the  
8 owner has consented to the erection or maintenance of the  
9 sign. ~~Registration must be made of each sign and shall be~~  
10 ~~accompanied by a registration fee of \$5.~~

11 No sign, ~~except signs described by Sections 4.01, 4.02,~~  
12 ~~and 4.03,~~ may be erected after the effective date of this Act  
13 without first obtaining a permit from the Department. The  
14 application for permit shall be on a form provided by the  
15 Department and shall contain such information as the  
16 Department may reasonably require. Upon receipt of an  
17 application containing all required information and  
18 appropriately executed and upon payment of the fee required  
19 under this Section, the Department then issues a permit to the  
20 applicant for the erection of the sign, provided such sign  
21 will not violate any provision of this Act. The application  
22 fee shall be as follows:

23 (1) for signs of less than 150 square feet, \$50;

24 (2) for signs of at least 150 but less than 300 square  
25 feet, \$100; and

26 (3) for signs of 300 or more square feet, \$200.

1           In determining the appropriateness of issuing a permit for  
2 a municipal network sign, the Department shall waive any  
3 provision or requirement of this Act or administrative rule  
4 adopted under the authority of this Act to the extent that the  
5 waiver does not contravene the federal Highway Beautification  
6 Act of 1965, 23 U.S.C. 131, and the regulations promulgated  
7 under that Act by the Secretary of the United States  
8 Department of Transportation. Any municipal network sign  
9 applications pending on May 1, 2013 that are not affected by  
10 compliance with the federal Highway Beautification Act of 1965  
11 shall be issued within 10 days after the effective date of this  
12 amendatory Act of the 98th General Assembly. The determination  
13 of the balance of pending municipal network sign applications  
14 and issuance of approved permits shall be completed within 30  
15 days after the effective date of this amendatory Act of the  
16 98th General Assembly. To the extent that the Secretary of the  
17 United States Department of Transportation or any court finds  
18 any permit granted pursuant to such a waiver to be  
19 inconsistent with or preempted by the federal Highway  
20 Beautification Act of 1965, 23 U.S.C. 131, and the regulations  
21 promulgated under that Act, that permit shall be void.

22           Upon change of sign ownership the new owner of the sign  
23 shall notify the Department and supply the necessary  
24 information to renew the permit for such sign at no cost within  
25 60 days after the change of ownership. Any permit not so  
26 renewed shall become void.

1 Owners of registered signs shall be issued an identifying  
2 tag, which must remain securely affixed to the front face of  
3 the sign or sign structure in a conspicuous position by the  
4 owner within 60 days after receipt of the tag; owners of signs  
5 erected by permit shall be issued an identifying tag which  
6 must remain securely affixed to the front face of the sign or  
7 sign structure in a conspicuous position by the owner upon  
8 completion of the sign erection or within 10 days after  
9 receipt of the tag, whichever is the later.

10 (Source: P.A. 98-56, eff. 7-5-13.)

11 (225 ILCS 440/3.17 rep.)

12 (225 ILCS 440/3.18 rep.)

13 (225 ILCS 440/3.19 rep.)

14 (225 ILCS 440/4.01 rep.)

15 (225 ILCS 440/4.02 rep.)

16 (225 ILCS 440/4.03 rep.)

17 (225 ILCS 440/4.04 rep.)

18 (225 ILCS 440/4.06 rep.)

19 (225 ILCS 440/6.04 rep.)

20 Section 10. The Highway Advertising Control Act of 1971 is  
21 amended by repealing Sections 3.17, 3.18, 3.19, 4.01, 4.02,  
22 4.03, 4.04, 4.06, and 6.04.

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.