



Rep. John D'Amico

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09800HB3987ham001

LRB098 15546 ZMM 59008 a

1 AMENDMENT TO HOUSE BILL 3987

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3987 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Highway Advertising Control Act of 1971 is  
5 amended by changing Section 8 as follows:

6 (225 ILCS 440/8) (from Ch. 121, par. 508)

7 Sec. 8. Within 90 days after the effective date of this  
8 Act, each sign, except signs described by Sections 4.01, 4.02,  
9 and 4.03, must be registered with the Department by the owner  
10 of the sign, on forms obtained from the Department. Within 90  
11 days after the effective date of this amendatory Act of 1975,  
12 each sign located beyond 660 feet of the right-of-way located  
13 outside of urban areas, visible from the main-traveled way of  
14 the highway and erected with the purpose of the message being  
15 read from such traveled way, must be registered with the  
16 Department by the owner of the sign on forms obtained from the

1 Department. The Department shall require reasonable  
2 information to be furnished including the name of the owner of  
3 the land on which the sign is located and a statement that the  
4 owner has consented to the erection or maintenance of the sign.  
5 Registration must be made of each sign and shall be accompanied  
6 by a registration fee of \$5.

7 No sign, except signs described by Sections 4.01, 4.02, and  
8 4.03, may be erected after the effective date of this Act  
9 without first obtaining a permit from the Department. The  
10 application for permit shall be on a form provided by the  
11 Department and shall contain such information as the Department  
12 may reasonably require. Upon receipt of an application  
13 containing all required information and appropriately executed  
14 and upon payment of the fee required under this Section, the  
15 Department shall, within the subsequent 14 days, send to the  
16 applicant a notice indicating that the application was received  
17 and whether the application contains all required information,  
18 as defined by rule. Within 30 days after the receipt of the  
19 notice from the Department, the applicant may correct any  
20 deficiencies stated in the notice. Upon the expiration of the  
21 30-day period allowed to the applicant to correct deficiencies  
22 in the notice, the Department shall then have 30 days to make a  
23 determination that either the Department approves the  
24 application and shall issue a permit to the applicant for the  
25 erection of the sign, provided such sign will not violate any  
26 provision of this Act, or, if a permit cannot be approved, then

1 the Department shall issue to the applicant a notice of intent  
2 to deny that includes a detailed explanation of the  
3 deficiencies in the application. Within 30 days after the  
4 receipt of the notice of intent to deny from the Department,  
5 the applicant may correct any deficiencies stated in the notice  
6 of intent to deny. Upon the expiration of the 30-day period  
7 allowed to the applicant to correct the deficiencies in the  
8 notice of intent to deny, the Department shall then have 30  
9 days to make a determination that either the Department  
10 approves the application and shall issue ~~then issues~~ a permit  
11 to the applicant for the erection of the sign, provided such  
12 sign will not violate any provision of this Act, or, if a  
13 permit cannot be approved, the Department shall then issue a  
14 final notice of determination to the applicant denying the  
15 application. The application fee shall be as follows:

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

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

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

20 In determining the appropriateness of issuing a permit for  
21 a municipal network sign, the Department shall waive any  
22 provision or requirement of this Act or administrative rule  
23 adopted under the authority of this Act to the extent that the  
24 waiver does not contravene the federal Highway Beautification  
25 Act of 1965, 23 U.S.C. 131, and the regulations promulgated  
26 under that Act by the Secretary of the United States Department

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

15 Upon change of sign ownership the new owner of the sign  
16 shall notify the Department and supply the necessary  
17 information to renew the permit for such sign at no cost within  
18 60 days after the change of ownership. Any permit not so  
19 renewed shall become void.

20 Owners of registered signs shall be issued an identifying  
21 tag, which must remain securely affixed to the front face of  
22 the sign or sign structure in a conspicuous position by the  
23 owner within 60 days after receipt of the tag; owners of signs  
24 erected by permit shall be issued an identifying tag which must  
25 remain securely affixed to the front face of the sign or sign  
26 structure in a conspicuous position by the owner upon

1 completion of the sign erection or within 10 days after receipt  
2 of the tag, whichever is the later.  
3 (Source: P.A. 98-56, eff. 7-5-13.)".