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Overview

This MnDOT agency bill modifies various regulations related to advertising devices erected next to the state trunk highway system (which includes Interstates as well as other types of state highways).

A combination of state and federal law restrict advertising located near trunk highways. In general, advertising devices are prohibited with a number of exceptions, including for some official signs, advertising installed before the original 1971 prohibition, “on premise” advertising for goods or services located on the property where the sign is placed, and advertising in some business areas (which might be permitted depending on the nature of the business activity and how the land is zoned).

Section

- 1 Abandoned and discontinued.** Defines a term for the chapter on outdoor advertising next to trunk highways.
- 2 Conforming.** Defines a term for the chapter on outdoor advertising along trunk highways.
- 3 Commercial or industrial activity.** Modifies the types of business activity that are not included as “commercial or industrial activity” in unzoned commercial or industrial areas, so that the activity category excludes vehicle-mounted advertising, businesses that no longer exist or are not operating, and businesses that are for installation of outdoor advertising. This has the effect of preventing, in some situations, local zoning and local permits regulating advertising by the excluded business activity categories.

Section

- 4 **Nonconforming.** Defines a term for the chapter on outdoor advertising along trunk highways.
- 5 **Off-premise.** Defines a term for the chapter on outdoor advertising along trunk highways.
- 6 **Scenic area.** Modifies a definition of scenic area to include federally designated scenic byways.
- 7 **Scenic byways.** Defines a term for the chapter on outdoor advertising along trunk highways.
- 8 **Authority.** Amends the topics that MnDOT is directed to address in administrative rules, to (1) permit rulemaking on legal nonconforming signs, and (2) eliminate required rulemaking on permits and permits renewals for installing advertising devices in scenic areas. Makes clarifying changes.
- 9 **Forms; content.** Modifies a requirement on advertising permit applications to be submitted following MnDOT requirements, to broaden the requirement beyond scenic areas and eliminate reference to permits for maintenance. Clarifies that a permit is necessary for accessing land under state jurisdiction to maintain advertising devices.
- 10 **Seed sign exemption.** Establishes an exemption from the general restriction on advertising devices next to trunk highways, so that crop varietal and seed corn signs are permitted under specified circumstances.
- 11 **Violations; removal.** Explicitly authorizes MnDOT to remove advertising devices that violate the general restriction on advertising devices next to trunk highways.
- 12 **Removal of advertising device for noncompliance.** Updates noncompliant advertising device removal authority to reflect noncompliance with current law (as opposed to the law as it was amended in 1971), places liability for removal costs on the part of the advertising device owner, amends notice procedures, and sets a temporary storage requirement.
- 13 **[173.155] Changeable electronic variable message signs.** Establishes regulations governing changeable electronic message signs, including prohibiting full motion or moving images, limiting message transition frequency, and regulating sign brightness levels.
- 14 **Stationary structure.** Prohibits advertising devices that are mobile or mounted with wheels.
- 15 **Permanent business.** Requires businesses in unzoned commercial and industrial areas to be in existence for at least three months before an advertising device permit can be issued.
- 16 **[173.265] Outdoor advertising devices; removal; maintenance.** Governs maintenance and removal of advertising devices that are next to the National Highway System (which includes Interstates and a subset of other trunk highways). Authorizes MnDOT to remove destroyed or abandoned advertising devices. Limits advertising device owners to maintenance as opposed to more substantial alterations or repairs to the device.
- 17 **Repealer.** Eliminates administrative rules that (1) regulate advertising in scenic areas, and (2) establish application and expiration dates for advertising permits.