

HOUSE BILL 2937
By Curtiss

AN ACT to amend Tennessee Code Annotated, Title 54, Chapter 21, relative to billboard regulation and control.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 54-21-104, is amended in subsection (b) by deleting the language "of seventy-five dollars (\$75.00)" and by substituting instead the language "set by the department".

SECTION 2. Tennessee Code Annotated, Section 54-21-104, is amended in subsection (c) by deleting the language "the sum of thirty dollars (\$30.00)" and by substituting instead the language "a fee set by the department".

SECTION 3. Tennessee Code Annotated, Section 54-21-104, is amended in subsection (e) by deleting the second sentence in its entirety and by substituting instead the following:

The cost of a replacement tag shall be set by the department. The fee for a replacement tag shall be payable at the time the request for such replacement tag is made.

SECTION 4. Tennessee Code Annotated, Section 54-21-104, is amended by deleting subsection (f) in its entirety and by substituting instead the following:

(f) Whenever it becomes necessary to transfer a permit from one (1) permit holder to another, the department shall charge a transfer fee to the permit holder of record.

SECTION 5. Tennessee Code Annotated, Section 54-21-119, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) The commissioner shall issue to the owners and/or holders of lawfully issued outdoor advertising permits (which definition includes those described as legal conforming, grandfathered and nonconforming structures in federal regulations) when the face of the outdoor advertising is generally visible to occupants of vehicles from the main traveled ways of the system on the date of erection, permits to remove, cut and trim vegetation located on the right-of-way adjacent to the outdoor advertising and replace the same as directed, whenever such vegetation prevents clear visibility for a distance not to exceed five hundred (500) yards to occupants of vehicles using the main traveled ways of the controlled systems. Notwithstanding any other provision of this chapter to the contrary, vegetation which, on the date of erection of the outdoor advertising, blocks the view of the outdoor advertising, in whole or in any part, for a distance not to exceed five hundred (500) yards, to occupants of vehicles using the main traveled ways, shall not be eligible for removal under a vegetation control permit. The maximum area to be controlled shall not exceed five hundred feet (500'). The regional engineering director for the department shall issue a vegetation control permit where all criteria are met, following submission of information specified and a nonrefundable fee set by the department for each face involved. Vegetation control permits will be issued upon payment of a fee set by the department for supervision of the work. All fees received by the commissioner under the provisions of this section shall be deposited to the highway fund for the administration of this part and for other purposes. Each subsequent year a maintenance permit may be purchased to provide annual maintenance at any one (1) location that is consistent with the original vegetation control permit. The fees for maintenance permits shall be set by the department.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.