

**Amendment No. 3 to SB2188**

**Massey  
Signature of Sponsor**

**AMEND Senate Bill No. 2188**

**House Bill No. 2255\***

by deleting the following in the amendatory language of Section 1:

(4) "On-premises device" means a sign that is located within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the facility that owns or operates the sign or within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the entrance to the parcel of property upon which two (2) or more facilities are located;

and substituting instead the following:

(4) "On-premises device" means a sign:

(A) That is located within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the facility that owns or operates the sign or within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the entrance to the parcel of property upon which two (2) or more facilities are located; and

(B) For which compensation is not being received and not intended to be received;

**AND FURTHER AMEND** by deleting the following in § 54-21-102 in the amendatory language of Section 8:

(17) "On-premises device" means a sign that is located within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the facility that owns or operates the sign or within fifty feet (50') of, and on the same parcel of

**Amendment No. 3 to SB2188**

**Massey  
Signature of Sponsor**

**AMEND Senate Bill No. 2188**

**House Bill No. 2255\***

property and on the same side of the highway as, the entrance to the parcel of property upon which two (2) or more facilities are located;

and substituting instead the following:

(17) "On-premises device" means a sign:

(A) That is located within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the facility that owns or operates the sign or within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the entrance to the parcel of property upon which two (2) or more facilities are located; and

(B) For which compensation is not being received and not intended to be received;

**AND FURTHER AMEND** by adding the following as a new subdivision (25) in § 54-21-102 in the amendatory language of Section 8, and renumbering existing subdivision (25) and the remaining subdivisions accordingly:

(25) "Unzoned commercial or industrial area"

(A) Means an area on which there is located one (1) or more permanent structures devoted to a commercial or industrial activity or on which a commercial or industrial activity is actually conducted, regardless of whether a permanent structure exists, and includes the area along the highway extending outward six hundred feet (600 ft.) from and beyond the edge of such activity in each direction and a corresponding zone directly across a primary highway that is not also a

limited access highway when the area is not primarily residential in character or

a:

- (i) Public park;
- (ii) Public playground;
- (iii) Public recreational area;
- (iv) Public forest, wildlife, or waterfowl refuge;
- (v) Historic scenic area; or
- (vi) Cemetery;

(B) Does not include land across the highway from a commercial or industrial activity when the highway is an interstate or controlled access primary highway;

(C) Must be measured from the outer edges of the regularly used buildings, parking lots, storage, processing, or landscaped areas of the commercial or industrial activity, not from the property lines of the activity, and the measurements must be along or parallel to the edge of the pavement of the highway; and

(D) Does not include the following activities conducted within the area, when considered for purposes of outdoor advertising:

- (i) Outdoor advertising structures;
- (ii) Agricultural, forestry, ranching, grazing, farming, and related activities, including wayside fresh produce stands;
- (iii) Transient or temporary activities;
- (iv) Activities not visible from the main traveled way;
- (v) Activities more than six hundred sixty feet (660 ft.) from the nearest edge of the right-of-way;

(vi) Activities conducted in a building primarily used as a residence; and

(vii) Railroad tracks and minor sidings;

**AND FURTHER AMEND** by deleting the language "thirty-six square feet (36 sq. ft.)" wherever it appears in § 54-17-206(c)(3) in the amendatory language of Section 6 and substituting instead the language "twenty square feet (20 sq. ft.)".

**AND FURTHER AMEND** by deleting the language "thirty-six square feet (36 sq. ft.)" in § 54-21-103(b)(3)(A) in the amendatory language of Section 8 and substituting instead the language "twenty square feet (20 sq. ft.)".

**AND FURTHER AMEND** by deleting the language "ten thousand dollars (\$10,000)" in § 54-21-105(a)(3) in the amendatory language of Section 8 and substituting instead the language "five thousand dollars (\$5,000)".