

HB1032/883025/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1032

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Solomon**” and substitute “**Delegates Solomon, Allen, Healey, Lehman, J. Long, Love, Ruth, Terrasa, and Ziegler**”; and strike beginning with “and” in line 5 down through “applications” in line 6.

AMENDMENT NO. 2

On page 2, in line 1, after “(A)” insert “**(1)**”; in the same line, strike the comma and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

(2) “DEPARTMENT” MEANS THE DEPARTMENT OF COMMERCE.

(3);

in line 8, strike “**OF COMMERCE**”; strike beginning with the colon in line 8 down through “**ADMINISTER**” in line 9 and substitute “**ADMINISTER**”; strike beginning with the semicolon in line 9 down through “**APPLICATIONS**” in line 11; in line 12, strike “**ELIGIBILITY COMMITTEE**” and substitute “**ADMINISTRATION AND THE DEPARTMENT**”; in line 15, strike “**ELIGIBILITY COMMITTEE APPROVES**” and substitute “**DEPARTMENT PROVIDES AN INITIAL APPROVAL OF**”; in line 16, after “**APPLICATION**” insert “**BASED ON THE CRITERIA ESTABLISHED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH**”; strike beginning with “**THE**” in line 16 down through “**ADMINISTRATION**” in line 20 and substitute “**THE DEPARTMENT, IN COORDINATION WITH THE REQUESTING ATTRACTION,**”; in line 21, strike “**FOR ANY SIGNS IT DETERMINES ARE FEASIBLE**”; in the same line, after the first “**THE**” insert

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“SIGNAGE”; in line 22, strike “DEPARTMENT OF COMMERCE” and substitute “ADMINISTRATION”; after line 22, insert:

“(2) (I) THE ADMINISTRATION SHALL REVIEW THE SIGNAGE PLAN FOR COMPLIANCE WITH FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS AND RIGHT-OF-WAY LAWS AND REGULATIONS.”;

in lines 23 and 24, strike “DEPARTMENT OF COMMERCE” and substitute “ADMINISTRATION”; after line 24, insert:

“(III) 1. AS PART OF THE REVIEW REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE ADMINISTRATION SHALL INVESTIGATE WHETHER THERE IS SPACE AVAILABLE AT THE PROPOSED SITE ALONG THE STATE HIGHWAY FOR A SIGN FOR THE ATTRACTION.

2. APPROVAL OF A SIGNAGE PLAN IS SUBJECT TO SPACE AVAILABILITY BASED ON THE ADMINISTRATION’S REGULATIONS AND REQUIREMENTS.”;

in line 25, after “(I)” insert “1.”; in the same line, strike “DEPARTMENT OF COMMERCE” and substitute “ADMINISTRATION”; in line 26, after “PLAN” insert “AND ISSUES A REQUIRED PERMIT TO THE ATTRACTION”; in the same line, strike “ADMINISTRATION” and substitute “ATTRACTION”; in the same line, after “DESIGN” insert “, FABRICATE,”; in line 27, strike “WITHIN 3 MONTHS AFTER THE APPROVAL” and substitute “USING STANDARDS AND SPECIFICATIONS APPROVED BY THE ADMINISTRATION.”

2. THE ATTRACTION SHALL BEAR ALL COSTS FOR THE DESIGN, FABRICATION, AND INSTALLATION OF THE SIGNS IN THE SIGNAGE PLAN”;

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in line 28, strike “APPLICANT” and substitute “ATTRACTION THAT APPLIES”; in line 29, after “FOR” insert “THE REVIEW OF”; and in line 30, after “PLAN” insert “AND THE ISSUANCE OF ALL REQUIRED PERMITS”.

On page 3, strike beginning with “THE” in line 1 down through “(G)” in line 4; in line 4, strike “APPLICANT” and substitute “ATTRACTION”; in line 8, strike “EACH SIGN INSTALLED ON BEHALF OF AN APPLICANT” and substitute “(I) AN ATTRACTION’S SIGN”; in line 9, after “REMOVED” insert “BY THE ADMINISTRATION”; in the same line, strike “APPLICANT” and substitute “ATTRACTION”; after line 9, insert:

“(II) THE ATTRACTION SHALL BE RESPONSIBLE FOR MAINTAINING, REMOVING, AND REPLACING SIGNS AT THE DIRECTION OF THE ADMINISTRATION IF AN EXISTING APPROVED SIGN IS DETERMINED TO BE NONCOMPLIANT WITH PROGRAM REQUIREMENTS FOR REASONS INCLUDING DAMAGE, FADING, OR SAFETY CONCERNS.

“(III) THE ADMINISTRATION MAY REMOVE ANY ATTRACTION SIGN THAT DOES NOT COMPLY WITH THE REQUIREMENTS OF THE PROGRAM.

“(IV) AN ATTRACTION WHOSE SIGN IS REMOVED UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH SHALL RESUBMIT NEW OR REPLACEMENT SIGNAGE FOR REVIEW AND APPROVAL.”;

in line 10, strike “(H)” and substitute “(G)”; in line 11, after “IN” insert “A SANCTION BY THE FEDERAL HIGHWAY ADMINISTRATION, INCLUDING”; and strike beginning with “ANY” in line 14 down through “STATE” in line 16 and substitute “AMENDING THE PROGRAM TO AVOID A SANCTION”.

(Over)

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On pages 3 through 5, strike in their entirety the lines beginning with line 22 on page 3 through line 3 on page 5, inclusive.

On page 5, in line 4, strike “(J)” and substitute “(H)”; in line 5, strike “ELIGIBILITY COMMITTEE” and substitute “ADMINISTRATION AND THE DEPARTMENT”; and in line 7, strike “THE FOLLOWING CATEGORIES OF ATTRACTIONS ARE ELIGIBLE” and substitute “AN ATTRACTION MAY NOT BRING REPUTATIONAL HARM TO THE STATE.”

(I) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A SIGN DEVELOPED UNDER THE PROGRAM MAY INCLUDE ONLY THE FOLLOWING ELEMENTS:

(I) THE NAME OF THE ATTRACTION;

(II) A DIRECTIONAL ARROW TO GUIDE INDIVIDUALS TO THE ATTRACTION; AND

(III) THE APPROXIMATE MILEAGE TO THE ATTRACTION FROM THE LOCATION OF THE SIGN.

(2) A SIGN MAY INCLUDE A GENERIC SYMBOL USED TO REPRESENT A CATEGORY OF ATTRACTIONS IDENTIFIED BY THE DEPARTMENT IF, ON THE REQUEST OF THE DEPARTMENT, THE ADMINISTRATION DETERMINES THAT THERE IS A GENERIC SYMBOL APPROVED FOR USE IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.”.

On pages 5 and 6, strike in their entirety the lines beginning with line 8 on page 5 through line 2 on page 6, inclusive.