

27:7A-12 AND 16

LEGISLATIVE HISTORY CHECKLIST

NJSA 27:7A-12; 27:7A-16

Laws of 1975 Chapter 325

Bill No. A3411

Sponsor(s) Mac Innes & others

Date Introduced May 5, 1975

Committee: Assembly -

Senate Transportation & Communications

Amended during passage ~~Yes~~ NO

Date of passage: Assembly June 19, 1975

Senate January 8, 1976

Date of approval February 20, 1976

Following statements are attached if available:

Sponsor statement Yes NO

Committee Statement: Assembly Yes NO

Senate Yes NO

Fiscal Note Yes NO

Veto message Yes NO

Message on signing Yes NO

Following were printed:

Reports Yes NO

Hearings Yes NO

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ASSEMBLY, No. 3411

STATE OF NEW JERSEY

INTRODUCED MAY 5, 1975

By Assemblymen MACINNIS, GARRUBBO, NEWMAN, GLADSTONE ESPOSITO, VAN WAGNER, NERI, ORECHIO and SALKIND

(Without Reference)

AN ACT to amend "An act concerning roadside advertising, amending P. L. 1959, c. 191, approved December 15, 1959 and supplementing Title 27 of the Revised Statutes," approved June 10, 1963 (P. L. 1963, c. 93).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 2 of P. L. 1963, c. 93 (C. 27:7A-12) is amended to read
2 as follows:

3 2. As used in this act:

4 (a) "Interstate System" means those highways constructed
5 within this State and approved by the Secretary of Transportation
6 of the United States as an official portion of the National System
7 of Interstate and Defense Highways pursuant to the provisions
8 of Title 23, "Highways," of the United States Code, as amended.

9 (b) "Primary System" means any highway so designated by
10 the State of New Jersey and approved by the Federal authorities
11 pursuant to Title 23 of the United States Code.

12 (c) "Controlled portion of the Interstate System" means any
13 portion which is constructed upon any part of right-of-way, the
14 entire width of which was acquired subsequent to July 1, 1956,
15 excluding those segments which traverse commercial or industrial
16 zones within the boundaries of incorporated municipalities, as
17 such boundaries existed on September 21, 1959, wherein the use of
18 real property adjacent to the Interstate System is subject to
19 municipal regulation or control, and which traverse other areas
20 where the land use, as of September 21, 1959, was clearly estab-
21 lished by the laws of this State as industrial or commercial.

22 (d) "Protected areas" means all areas inside the boundaries of
23 this State which are adjacent to and within 660 feet of the edge

24 of the right-of-way of the Interstate System or Primary System
 25 within this State *and all areas inside the boundaries of this State*
 26 *which are beyond 660 feet of the edge of the right-of-way of the*
 27 *Interstate System or Primary System within this State and are*
 28 *outside urban areas.*

29 (e) "Informational site" means an area or a site established
 30 and maintained within or adjacent to the right-of-way of a highway
 31 on the Interstate System by or under the supervision or control
 32 of the Department of Transportation, wherein panels for the dis-
 33 play of advertising and informational signs may be erected and
 34 maintained.

35 (f) "Roadside advertising" means the use of any roadside sign
 36 which is intended to attract, or which does attract, the attention of
 37 operators, attendants, or passengers of motor vehicles using the
 38 Interstate System or the Primary Systems.

39 (g) "Roadside sign" means any writing, printing, painting, dis-
 40 play, emblem, drawing, sign, or other device whether placed on the
 41 ground, rocks, trees, treestumps or other natural structures, or on
 42 a building, structure, signboard, billboard, wallboard, roofboard,
 43 frame, support, fence, or elsewhere, and any lighting or other
 44 accessories used in conjunction therewith.

45 (h) "Main-traveled way" means the traveled way of a highway
 46 on which through traffic is carried. It does not include such
 47 facilities as frontage roads, turning roadways, or parking areas.

48 (i) "Urban areas" means an urbanized area or, in the case of an
 49 urbanized area ~~encompassing~~ more than one state, that part of the
 50 urbanized area in this State, or an urban place as designated by the
 51 Bureau of Census having a population of 5,000 or more and not
 52 within any urbanized area, within boundaries to be fixed by
 53 responsible State and local officials in cooperation with each other,
 54 subject to approval by the Secretary of Transportation. Such
 55 boundaries shall, as a minimum, encompass the entire urban place
 56 designated by the Bureau of Census.

1 2. Section 6 of P. L. 1963, c. 93 (C. 27:7A-16) is amended to
 2 read as follows:

3 6. In those portions of protected areas within 660 feet of the edge
 4 of the right-of-way of the Interstate System or Primary System
 5 only the following roadside signs shall be permitted subject to
 6 regulations to be promulgated by the Commissioner of Transporta-
 7 tion:

8 (a) Directional and other official signs and notices, which signs
 9 and notices shall include, but not be limited to, signs and notices

10 pertaining to natural wonders, scenic and historical attractions,
11 which are required or authorized by law, and which shall conform
12 to national standards promulgated by the United States Secretary
13 of Transportation;

14 (b) Signs, displays and devices advertising the sale or lease of
15 property on which they are located;

16 (c) Signs, displays and devices advertising activities conducted
17 on the property on which they are located;

18 (d) In portions of protected areas on the Interstate System
19 the following may also be permitted:

20 (i) Signs, displays and devices located in commercial or in-
21 dustrial zones within the boundaries of incorporated municipalities
22 as those boundaries existed on September 21, 1959, and all other
23 areas where the land use as of September 21, 1959, was clearly
24 established by State law as commercial or industrial within 660 feet
25 of the nearest edge of the right-of-way;

26 (ii) Signs, displays and devices located in zoned and unzoned
27 commercial and industrial areas within 660 feet of the nearest edge
28 of the right-of-way, any part of which was acquired on or before
29 July 1, 1956;

30 (e) In protected areas on the primary system only the following
31 may also be permitted:

32 (i) Signs, displays and devices in areas which are zoned
33 industrial or commercial under the authority of State law;

34 (ii) Signs, displays and devices located in unzoned commercial
35 or industrial areas which shall be defined in an agreement between
36 the State Commissioner of Transportation and the United States
37 Secretary of Transportation.

38 *In those portions of protected areas beyond 660 feet of the*
39 *right-of-way of the Interstate System or Primary System, only the*
40 *following roadside signs which are visible from the main traveled*
41 *way of the system and erected with the purpose of their message*
42 *being read from such main traveled way shall be permitted subject*
43 *to regulations to be promulgated by the Commissioner of Trans-*
44 *portation:*

45 (a) *directional and official signs and notices, which signs and*
46 *notices shall include, but not be limited to, signs and notices per-*
47 *taining to natural wonders, scenic and historical attractions, which*
48 *are required or authorized by law, which shall conform to national*
49 *standards authorized and to be promulgated by the Secretary of*
50 *Transportation, which standards shall contain provisions concern-*
51 *ing lighting, size, number and spacing of signs, and such other re-*
52 *quirements as may be appropriate,*

53 (b) signs, displays, and devices advertising the sale or lease of
54 property upon which they are located,

55 (c) signs, displays, and devices advertising activities conducted
56 on the property on which they are located, and

57 (d) signs lawfully in existence on October 22, 1965, determined
58 by the State, subject to the approval of the Secretary of Transporta-
59 tion to be landmark signs, including signs on farm structures or
60 natural surfaces, of historic or artistic significance the preservation
61 of which would be consistent with the purpose of this section.

1 3. This act shall take effect on July 1, 1975.

STATEMENT

Section 109 of the Federal Aid Highway Amendments of 1974 (P. L. 93-643) requires that state laws controlling outdoor advertising be amended to encompass certain areas beyond 660 feet of the right-of-way of the Interstate and Primary Systems in order to remain eligible for Federal aid. These amendments conform to those requirements and will ensure that the receipt of Federal aid in New Jersey will not be jeopardized.