

SUBSTITUTE FOR  
SENATE BILL NO. 589

A bill to amend 1972 PA 106, entitled  
"Highway advertising act of 1972,"  
by amending section 7a (MCL 252.307a), as added by 2006 PA 447.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 7a. (1) Except as otherwise provided in this section, the  
2       department shall not issue annual permits for new signs on or after  
3       January 1, 2007.

4       (2) Permits issued by the department before ~~the effective date~~  
5       ~~of the amendatory act that added this section~~ **JANUARY 1, 2007**  
6       remain in force and valid.

7       (3) On and after January 1, 2007, the department shall issue  
8       an interim permit or permits to a holder of a valid permit or  
9       permits if all of the following conditions are met:

10       (a) The holder of the valid permit or permits is otherwise in

1 compliance with this act.

2 (b) The holder of the permit or permits surrenders the permit  
3 or permits to the department upon the removal of a sign structure  
4 or sign structures that have a valid permit under this act.

5 (c) The holder of the permit or permits verifies the removal  
6 of the sign structure or sign structures in writing to the  
7 department.

8 (d) The department verifies that the sign structure or  
9 structures have been removed or the removal has been deemed  
10 effective under this section.

11 ~~—— (e) If a permit holder has a valid annual permit or permits~~  
12 ~~for a site or sites where no sign structure exists or no~~  
13 ~~construction has begun to build a sign structure on January 1,~~  
14 ~~2007, the permit holder may exchange the permit or permits for an~~  
15 ~~interim permit under this section or begin construction under the~~  
16 ~~valid permit or permits no later than 1 year after January 1, 2007.~~  
17 ~~The number of permits that can be received in an exchange shall be~~  
18 ~~determined under subsection (4).~~

19 (4) ~~(3) An~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, AN**  
20 interim permit that is issued under this section shall only be  
21 utilized for the construction of a new sign structure and shall  
22 remain in effect without expiration with fees renewed on an annual  
23 basis. **A SIGN CONSTRUCTED PURSUANT TO AN INTERIM PERMIT SHALL NOT**  
24 **BE CLOSER THAN 900 FEET TO ANOTHER SIGN STRUCTURE ON THE SAME SIDE**  
25 **OF THE HIGHWAY ALONG INTERSTATE HIGHWAYS, FREEWAYS, AND PRIMARY**  
26 **HIGHWAYS. AN APPLICATION FOR AN INTERIM PERMIT FOR AN EXISTING SIGN**  
27 **STRUCTURE SHALL BE GRANTED IF ALL OF THE FOLLOWING CONDITIONS ARE**

1 MET:

2 (A) THE APPLICATION IS SUBMITTED BETWEEN OCTOBER 1, 2009 AND  
3 NOVEMBER 15, 2010.

4 (B) THE EXISTING STRUCTURE IS NOT CLOSER THAN 900 FEET TO  
5 ANOTHER SIGN STRUCTURE ALONG THE SAME SIDE OF THE HIGHWAY.

6 (C) THE COUNTY IN WHICH THE EXISTING SIGN STRUCTURE IS LOCATED  
7 HAS A POPULATION OF LESS THAN 211,000 AND MORE THAN 175,000 AS  
8 DETERMINED BY THE MOST RECENT FEDERAL DECENNIAL CENSUS.

9 (D) THE APPLICATION IS SUBMITTED FOR A DIGITAL BILLBOARD.

10 ~~—— (4) Subject to subsections (2) and (8), a permit holder who is~~  
11 ~~exchanging a permit or permits under subsection (2)(e) shall be~~  
12 ~~issued 1 interim permit for each of the first 3 permits~~  
13 ~~surrendered. For each permit surrendered under subsection (2)(e)~~  
14 ~~after the first 3 permits surrendered, a permit holder under~~  
15 ~~subsection (2)(e) shall receive 1 interim permit for each 3 permits~~  
16 ~~surrendered. A permit holder shall have 1 year from January 1, 2007~~  
17 ~~to exchange permits pursuant to subsection (2)(e) and this~~  
18 ~~subsection. A permit that is not exchanged pursuant to subsection~~  
19 ~~(2)(e) and this subsection cannot be exchanged and shall expire no~~  
20 ~~later than 1 year after January 1, 2007.~~

21 (5) IN ADDITION TO THE ANNUAL PERMIT PROVIDED FOR IN SECTION  
22 6, A SIGN OWNER SHALL APPLY FOR A DIGITAL BILLBOARD PERMIT ON A  
23 FORM PRESCRIBED BY THE DEPARTMENT FOR EACH SIGN ALLOWED UNDER  
24 SECTION 18(F) TO BE MAINTAINED OR TO BE ERECTED IN AN ADJACENT AREA  
25 WHERE THE FACING OF THE SIGN IS VISIBLE FROM AN INTERSTATE HIGHWAY,  
26 FREEWAY, OR PRIMARY HIGHWAY. A SIGN OWNER SHALL APPLY FOR A  
27 SEPARATE DIGITAL BILLBOARD PERMIT FOR EACH SIGN ALLOWED UNDER THE

1 PROVISIONS OF SECTION 18(F) FOR EACH HIGHWAY SUBJECT TO THIS ACT  
2 FROM WHICH THE FACING OF THE SIGN ALLOWED UNDER THE PROVISIONS OF  
3 SECTION 18(F) IS VISIBLE. THE OWNER SHALL APPLY FOR THE DIGITAL  
4 BILLBOARD PERMIT FOR SIGNS ALLOWED UNDER THE PROVISIONS OF SECTION  
5 18(F) THAT BECOME SUBJECT TO THE PERMIT REQUIREMENTS OF THIS ACT  
6 BECAUSE OF A CHANGE IN HIGHWAY DESIGNATION OR OTHER REASON NOT  
7 WITHIN THE CONTROL OF THE SIGN OWNER WITHIN 2 MONTHS AFTER THE SIGN  
8 BECOMES SUBJECT TO THE PERMIT REQUIREMENTS OF THIS ACT. THE FORM  
9 SHALL REQUIRE THE NAME AND BUSINESS ADDRESS OF THE APPLICANT, THE  
10 NAME AND ADDRESS OF THE OWNER OF THE PROPERTY ON WHICH THE SIGN IS  
11 TO BE LOCATED, THE DATE THE SIGN, IF CURRENTLY MAINTAINED, WAS  
12 ERECTED, THE ZONING CLASSIFICATION OF THE PROPERTY, A PRECISE  
13 DESCRIPTION OF WHERE THE SIGN IS OR WILL BE SITUATED, AND A  
14 CERTIFICATION THAT THE SIGN IS NOT PROHIBITED BY THIS ACT AND THAT  
15 THE SIGN DOES NOT VIOLATE THIS ACT. THE DEPARTMENT MAY REQUIRE  
16 DOCUMENTATION TO VERIFY THE ZONING, THE CONSENT OF THE LAND OWNER,  
17 AND ANY OTHER MATTER CONSIDERED ESSENTIAL TO THE EVALUATION OF  
18 COMPLIANCE WITH THIS ACT.

19 (6) IN ADDITION TO THE APPLICATION AS PROVIDED FOR IN  
20 SUBSECTION (5), THE APPLICANT FOR A DIGITAL BILLBOARD PERMIT SHALL  
21 DO ALL OF THE FOLLOWING FOR EACH DIGITAL BILLBOARD PERMIT APPLIED  
22 FOR:

23 (A) SURRENDER AN INTERIM PERMIT OR AN ANNUAL PERMIT FOR A  
24 DIGITAL BILLBOARD PERMIT UNLESS THE APPLICATION IS FOR A DIGITAL  
25 BILLBOARD PERMIT THAT SATISFIES THE CONDITIONS OF SUBSECTION (4) (A)  
26 TO (D) .

27 (B) FOR SIGNS STACKED 1 ON TOP OF ANOTHER, THE REMOVAL AND

1 SURRENDER OF ALL PERMITS FOR SIGN FACES GREATER THAN THAT WHICH IS  
2 ALLOWED UNDER THE PROVISIONS OF SECTION 15(2).

3 (C) AGREE TO ENROLL THE DIGITAL BILLBOARD FACE IN A DEPARTMENT  
4 TRAFFIC AND WEATHER MONITORING PROGRAM OR A DEPARTMENT EMERGENCY  
5 ALERT PROGRAM, INCLUDING, BUT NOT LIMITED TO, THE NATIONAL AMBER  
6 ALERT PROGRAM, OR BOTH.

7 (7) WITHIN 90 DAYS OF THE EFFECTIVE DATE OF THE AMENDATORY ACT  
8 THAT ADDED THIS SUBSECTION, THE OWNER OF A SIGN THAT IS ALLOWED  
9 UNDER SECTION 18(F) THAT WAS ERECTED PRIOR TO THE EFFECTIVE DATE OF  
10 THE AMENDATORY ACT THAT ADDED THIS SUBSECTION SHALL APPLY FOR, AND  
11 THE DEPARTMENT SHALL ISSUE, A DIGITAL BILLBOARD PERMIT.

12 (8) ~~(5)~~—The department shall verify that an existing sign  
13 structure has been removed no later than 30 days after the  
14 department receives written notice from the permit holder that the  
15 sign structure has been removed. If the department does not respond  
16 to the written notice within 30 days after receipt of the written  
17 notice, then the permit holder shall be deemed to have removed the  
18 sign structure in compliance with this section.

19 (9) ~~(6)~~—A holder of 2 valid permits for a sign structure with  
20 2 faces who complies with this section shall receive 2 interim  
21 permits for the construction of a sign structure with 2 faces. A  
22 permit holder under this subsection shall not receive 2 interim  
23 permits to construct 2 single-face sign structures.

24 (10) ~~(7)~~—A holder of a valid permit for a sign structure with  
25 a single face is entitled to exchange that permit under this  
26 section for an interim permit with a single face. A holder of valid  
27 permits for 2 different single-face structures may exchange the 2

1 permits under this section for 2 interim permits to construct 2  
2 single-face sign structures or 2 interim permits to construct 1  
3 sign structure with 2 faces.

4 (11) ~~(8)~~—A holder of more than 2 valid permits for a sign  
5 structure with more than 2 faces may exchange the permits under  
6 this section for a maximum of 2 interim permits. The 2 interim  
7 permits received under this section shall only be used to construct  
8 1 sign structure with no more than 2 faces.

9 (12) ~~(9)~~—After construction of a sign structure under an  
10 interim permit is complete, the department shall issue renewable  
11 permits annually for the completed sign structure.

12 (13) ~~(10)~~—If a permit holder for a sign structure that exists  
13 on January 1, 2007 requires additional permits for any reason, the  
14 department may issue a valid renewable permit renewable on an  
15 annual basis without complying with subsection (2) even if the  
16 permit holder has more than 2 valid permits as a result.