

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2365

**FISCAL
NOTE**

BY DELEGATES HAMILTON, A. EVANS, AMBLER, STATLER,

COWLES, GEARHEART, BUTLER, HAMRICK, ELDRIDGE,

LYNCH AND FRICH

[Introduced February 13, 2017; Referred
to the Committee on Roads and Transportation the
the Judiciary.]

1 A BILL to amend of the Code of West Virginia, 1931, as amended, by adding thereto a new
 2 section, designated §17-22-26, relating to outdoor advertising regulated by the
 3 Commissioner of Highways; and providing exemption to licensing requirement for a
 4 person to place signs, displays or devices advertising events to be held no more frequently
 5 than once a year at locations other than where the event will be held.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §17-22-26, to read as follows:

ARTICLE 22. OUTDOOR ADVERTISING.

§17-22-26. Exception.

1 (a) (1) Notwithstanding any provision of this article or rules promulgated under this article,
 2 and subject to subdivisions (2) and (3) of this subsection, a person may place signs, displays or
 3 devices advertising events to be held no more frequently than once a year at locations other than
 4 where the event will be held, without obtaining a license under this article.

5 (2) The signs, displays or devices may be placed up to three weeks in advance of the
 6 event.

7 (3) The events allowed to be advertised under this section are limited to events such as
 8 auctions, festivals, revivals, special sales and similar activities, as well as events sponsored by
 9 not-for-profit organizations.

10 (b) This section does not authorize the placement of a sign, display or device on highway
 11 right-of-ways or other property without permission of the property owner.

12 (c) The exception provided in subsection (a) of this section does not apply to persons
 13 engaging in the business of commercially providing signs, displays or devices for use by others.

NOTE: The purpose of this bill is to allow a person to place signs, displays or devices advertising events to be held no more frequently than once a year at locations other than where the event will be held, without obtaining a license from the Commissioner of Highways.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.