

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

Senate Bill 329

FISCAL
NOTE

BY SENATORS KARNES, STOLLINGS, MARTIN, AND SMITH

[Introduced February 18, 2021; referred
to the Committee on Transportation and
Infrastructure; and then to the Committee on Finance]

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

Be it enacted by the Legislature of West Virginia:

ARTICLE 22. OUTDOOR ADVERTISING.

§17-22-26. Exception; Temporary Sign Placement License; rulemaking.

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, by virtue of a Temporary
 3 Sign Placement License, place signs, displays or devices advertising events to be held no more
 4 frequently than once a year at locations other than where the event will be held.

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) The commissioner shall propose rules for legislative approval in accordance with §29A-
 11 3-1 et seq. of this code to establish a Temporary Sign Placement License program. A license
 12 holder shall be issued a unique identifier number to be placed on a temporary sign. License
 13 holders shall notify the commissioner the date when the sign(s) will be placed and approximate
 14 location(s). The fee for each license may not exceed \$50.

15 (c) This section does not authorize the placement of a sign, display or device on highway
 16 rights-of-way or other property without permission of the property owner.

17 (d) The exception provided in subsection (a) of this section does not apply to persons

18 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. The bill establishes the Temporary Sign Placement License program and requires rulemaking.

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