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HOUSE BILL NO. 1857

Offered January 8, 2003

Prefiled January 7, 2003

A BILL to amend and reenact § 33.1-375.1 of the Code of Virginia, relating to agreement with the Commonwealth Transportation Commissioner to act as his agent in removing illegal signs from highway rights-of-way.

Patrons—Scott, Amundson, Bolvin, Callahan, Dillard, Hull and Reese; Senators: Byrne and Mims

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That § 33.1-375.1 of the Code of Virginia is amended and reenacted as follows:**

§ 33.1-375.1. Commissioner may enter into certain agreements; penalties.

A. The Commonwealth Transportation Commissioner may enter into agreements with the local governing body of any county having a population of at least 57,000 but no more than 57,450 authorizing local law-enforcement agencies or other local governmental entities to act as agents of the Commissioner for the purpose of (i) enforcing the provisions of § 33.1-373 and (ii) collecting the penalties and costs provided for in that section. However, no local governing body shall enter into any such agreement until it has held a public hearing thereon.

B. Notwithstanding the provisions of § 33.1-373, one-half of the penalties and costs collected under this section shall be paid to the affected locality, and the remainder shall be remitted to the Commissioner and paid into the Highway Maintenance and Operating Fund.

C. Notwithstanding the foregoing provisions of this section, the following signs and advertising shall not be subject to the agreements provided for in subsection A of this section:

1. Signs and advertising supporting an individual's candidacy for elected public office or other ballot issues, provided this exception shall not include signs and advertising in place more than three days after the election to which they apply.

2. Signs and advertising promoting and/or providing directions to a special event to be held at a specified date stated on the sign or advertising, provided this exception shall not include special event signs in place more than three days after the conclusion of the special event.

3. Other signs and advertising erected for no more than three days.

D. Notwithstanding the foregoing provisions of this section, the Commissioner may enter into agreements with the local governing bodies of localities to which the foregoing provisions of this section do not apply to authorize those governing bodies to act as agents of the Commissioner and the Department in enforcing the provisions of § 33.1-373. The limitations applicable to agreements entered into under subsections A through C of this section shall need not apply to agreements entered into under this subsection.

INTRODUCED

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