

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH80310-LK-191 (4/13)

Short Title: City Transit Bench/Shelter Ads.

(Public)

Sponsors: Representative Culpepper.

Referred to:

A BILL TO BE ENTITLED

AN ACT AUTHORIZING ADVERTISEMENTS ON BUS BENCHES AND BUS
SHELTERS BY HIGHWAYS IN CITIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 136-32 reads as rewritten:

"§ 136-32. Other than official signs prohibited.

(a) No unauthorized person shall erect or maintain upon any highway any warning or direction sign, marker, signal or light or imitation of any official sign, marker, signal or light erected under the provisions of G.S. 136-30, except in cases of emergency. No person shall erect or maintain upon any highway any traffic or highway sign or signal bearing thereon any commercial advertising: Provided, nothing in this section shall be construed to prohibit the erection or maintenance of signs, markers, or signals bearing thereon the name of an organization authorized to erect the same by the Department of Transportation or by any local authority referred to in G.S. 136-31. Any person who shall violate any of the provisions of this section shall be guilty of a Class 1 misdemeanor. The Department of Transportation may remove any signs erected without authority.

(b) The Department of Transportation shall allow the placement and maintenance of advertising devices on bus benches or bus shelters located either within the right-of-way of any State highway or on land adjacent to or visible from the right-of-way of any State highway in an incorporated municipality if the municipality having authority over the property adjacent to the State highway has approved the advertising device. The Department of Transportation shall accept the local approval as State authority if the approval process of the municipality included a determination that the advertising device does not restrict pedestrian traffic and is not a safety hazard to the motoring public.

1 Except for the safety requirements for bus benches or bus shelters located within the
2 right-of-way of any State highway, the Department shall not impose any additional
3 requirements or stricter requirements on advertising devices on bus benches or bus
4 shelters than those imposed by the municipal body unless specifically required by
5 federal law.

6 This subsection shall not apply if the Department receives written notification from
7 the applicable federal authority that compliance will directly cause denial of federal
8 moneys that would otherwise be available or would otherwise be inconsistent with
9 federal law, but only to the extent necessary to prevent denial of the moneys or to
10 eliminate the inconsistency with federal law."

11 **SECTION 2.** This act is effective when it becomes law.