

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 984

By: Murdock

AS INTRODUCED

An Act relating to the Highway Advertising Control Act of 1972; amending 69 O.S. 2021, Section 1273, which relates to definitions; defining term; updating statutory language; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 69 O.S. 2021, Section 1273, is amended to read as follows:

Section 1273. As used in Section 1271 et seq. of this title:

~~(a)~~ 1. "Sign", "outdoor advertising", or "outdoor advertising device" means any outdoor sign, display, device, notice, figure, painting, drawing, message, placard, poster, billboard, or other thing which is designed, intended, or used to advertise or inform, but shall not include surface markers showing the location or route of underground utility facilities or pipelines or public telephone coin stations installed for emergency use;

~~(b)~~ 2. "Main traveled way" means the traveled way of a highway on which through traffic is carried. In the case of a divided highway, the traveled way of each of the separated roadways for traffic in opposite directions is a main traveled way. It does not

1 include such facilities as frontage roads, turning roadways, or  
2 parking areas-;

3 ~~(e)~~ 3. "To erect" and its variants means to construct, build,  
4 raise, assemble, place, affix, attach, create, paint, draw, or in  
5 any other way bring into being or establish. But these shall not  
6 include any of the foregoing activities when performed as incident  
7 to the change of advertising message or customary maintenance of the  
8 sign structure-;

9 ~~(d)~~ 4. "Unzoned commercial or industrial areas" means those  
10 areas which are not zoned by state or local law, regulation, or  
11 ordinance, and on which there is located one or more permanent  
12 structures devoted to a commercial or industrial activity or on  
13 which a commercial or industrial activity is actually conducted,  
14 whether or not a permanent structure is located thereon, and the  
15 area along the highway extending outward six hundred (600) feet from  
16 and beyond the edge of such activity on both sides of the highway.  
17 Provided, however, the unzoned area shall not include land on the  
18 opposite side of an interstate or dual-laned limited access primary  
19 highway from the commercial or industrial activity establishing the  
20 unzoned commercial or industrial area or land on the opposite side  
21 of other federal-aid primary highways, which land is deemed scenic  
22 by an appropriate agency of the state.

23 All measurements shall be from the outer edges of the regularly  
24 used buildings, parking lots, storage, or processing areas of the  
25

1 commercial or industrial activities, not from the property lines of  
2 the activities, and shall be along or parallel to the edge of  
3 pavement of the highway. Such an area shall not include any area  
4 which is beyond six hundred sixty (660) feet from the nearest edge  
5 of the right-of-way. In unzoned commercial or industrial areas  
6 signs shall not be located:

7 ~~(1)~~

8 a. ~~Within~~ within three hundred (300) feet of any building  
9 used primarily as a residence, unless the owner of the  
10 building consents in writing to allow the sign to  
11 exist, ~~or~~

12 ~~(2)~~

13 b. ~~Within~~ within five hundred (500) feet of any of the  
14 following: public park, garden, recreation area or  
15 forest preserve, church, school, ~~and~~ officially  
16 designated historical battlefield.

17 All spacing considerations are determined by whether or not they  
18 exist within the adjacent or control area ~~;~~

19 ~~(e)~~ 5. "Commercial and industrial activities" means those  
20 activities, clearly visible from the main traveled way, generally  
21 recognized as commercial or industrial by zoning authorities in this  
22 state, except that none of the following shall be considered  
23 commercial or industrial:

24 ~~(1)~~

1           ~~a.~~ Agricultural agricultural, forestry, ranching,  
2           grazing, farming, and related activities, including,  
3           but not limited to, wayside fresh produce stands,

4           ~~(2)~~

5           ~~b.~~ Outdoor outdoor advertising structures,

6           ~~(3)~~

7           ~~c.~~ Transient transient or temporary activities,

8           ~~(4)~~

9           ~~d.~~ Activities activities more than six hundred sixty

10           (660) feet from the nearest edge of the right-of-way,

11           ~~(5)~~

12           ~~e.~~ Activities activities conducted in a building

13           principally used as a residence, and

14           ~~(6)~~

15           ~~f.~~ Railroad railroad tracks and minor sidings;

16           ~~(f)~~ 6. "Official signs" means signs and notices erected and  
17           maintained by public officers or public agencies within their  
18           territorial jurisdiction and pursuant to and in accordance with  
19           direction or authorization contained in federal or state law for the  
20           purposes of carrying out an official duty or responsibility;

21           ~~(g)~~ 7. "Informational signs" means signs containing directions  
22           or information about public places owned or operated by federal,  
23           state, or local governments or their agencies, publicly or privately  
24           owned natural phenomena, historic, cultural, educational, and

1 religious sites, and areas of natural scenic beauty or naturally  
2 suited for outdoor recreation, deemed to be in the interest of the  
3 traveling public~~;~~;

4 ~~(h)~~ 8. "On-premise activities signs" means signs advertising  
5 activities conducted upon the property on which the signs are  
6 located~~;~~;

7 ~~(i)~~ 9. "On-premise sale or lease signs" means signs advertising  
8 the sale or lease of property on which they are located~~;~~;

9 ~~(j)~~ 10. "Interstate highway" means any highway at any time  
10 officially designated a part of the National System of Interstate  
11 and Defense Highways by the Department and approved by the  
12 appropriate authority of the federal government~~;~~;

13 ~~(k)~~ 11. "Primary highway" means the Federal-aid Primary System  
14 in existence on June 1, 1991, and any highway which is not on that  
15 system but is on the National Highway System~~;~~;

16 ~~(l)~~ 12. "Centerline of the highway" means a line equidistant  
17 from the edges of the median separating the main traveled ways of a  
18 divided highway, or the centerline of the main traveled way of a  
19 nondivided highway~~;~~;

20 ~~(m)~~ 13. "Adjacent area" or "control area" means the area which  
21 is adjacent to and within six hundred sixty (660) feet of the  
22 nearest edge of the right-of-way on any interstate or primary  
23 highway within urban areas, which ~~six hundred sixty foot~~ six-  
24 hundred-sixty-foot distance shall be measured horizontally along a

1 line perpendicular to, or ninety (90) degrees to, the centerline of  
2 the highway. Outside of urban areas, adjacent area or control area  
3 means the area which is visible from the main traveled way on any  
4 interstate or primary highway-;

5 ~~(n)~~ 14. "Business area" means any part of a control area which  
6 is:

7 ~~(1)~~

8 a. ~~Within~~ within six hundred sixty (660) feet of the  
9 nearest edge of the right-of-way and zoned for  
10 business, industrial, l or commercial activities under  
11 the authority of any state zoning law, or city or  
12 county zoning ordinance of this state-; l or

13 ~~(2)~~

14 b. ~~Not~~ not so zoned, but which constitutes an unzoned  
15 commercial or industrial area as herein defined-; l

16 ~~(o)~~ 15. "Department" means the Department of Transportation of  
17 ~~the State of Oklahoma.~~ this state;

18 ~~(p)~~ 16. "Maintain" means to hold or keep in a state of  
19 efficiency or validity, to support or sustain, by cleaning or  
20 repairing the sign or changing the message on its face-; l

21 ~~(q)~~ 17. "Visible" means capable of being seen without visual  
22 aid by a person of normal visual acuity-; l

1       ~~(r)~~ 18. "License" means the privilege to do business in ~~the~~  
2 ~~State of Oklahoma~~ this state having been granted by an official  
3 agency~~;~~;

4       ~~(s)~~ 19. "Permit" means the privilege to erect a sign or signs  
5 in an individual location within ~~the State of Oklahoma~~ this state  
6 having been granted by an official agency~~;~~;

7       ~~(t)~~ 20. "License fee" means the monetary consideration paid for  
8 the privilege of doing business in ~~the State of Oklahoma.~~ this  
9 state;

10       ~~(u)~~ 21. "Permit fee" means the monetary consideration paid for  
11 the privilege of erecting a sign or signs in a specific location  
12 within ~~the State of Oklahoma.~~ this state;

13       ~~(v)~~ 22. "Urban area" means an urbanized area or, in the case of  
14 an urbanized area encompassing more than one state, that part of the  
15 urbanized area in each such state, or an urban place as designated  
16 by the United States Bureau of the Census having a population of  
17 five thousand (5,000) or more and not within any urbanized area,  
18 within boundaries to be fixed by responsible state and local  
19 officials in cooperation with each other, subject to approval by the  
20 Secretary of Transportation. Such boundaries shall, as a minimum,  
21 encompass the entire urban place designated by the United States  
22 Bureau of the Census~~;~~;

23       ~~(w)~~ 23. "Relocation permit" means a permit issued pursuant to  
24 the provisions of subparagraph ~~(d)~~ d of paragraph ~~(3)~~ 3 of Section

1 1275 of this title. A relocation permit shall have precedence over  
2 any municipal or county restriction that interferes with the  
3 intended purpose of providing a method and opportunity to minimize  
4 the cost of acquiring legally erected outdoor advertising signs by  
5 the Department; provided, however, for those municipalities with a  
6 population in excess of five hundred thousand (500,000) based on the  
7 most recent census data, neither a relocation permit nor any outdoor  
8 advertising sign permit shall be issued in those areas in which a  
9 municipality or county has lawfully enacted a prohibition on the  
10 erection of an outdoor advertising sign. This section shall not  
11 prohibit a registered sign owner from seeking just compensation  
12 through a legal proceeding; and

13 24. "Playground" means an outdoor space that contains  
14 permanently affixed playground equipment where the primary use is  
15 for children to play, excluding those spaces where playground  
16 equipment is an accessory use to a commercial enterprise or is  
17 located on a privately owned residential property for use by the  
18 resident.

19 SECTION 2. This act shall become effective November 1, 2025.

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21 60-1-413 MSBB 1/19/2025 5:47:13 AM

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