

AMENDED IN ASSEMBLY JULY 1, 2013

AMENDED IN SENATE MAY 2, 2013

AMENDED IN SENATE APRIL 22, 2013

SENATE BILL

No. 694

Introduced by Senator Correa

February 22, 2013

An act to add Section 5272.1 to the Business and Professions Code, relating to outdoor advertising.

LEGISLATIVE COUNSEL'S DIGEST

SB 694, as amended, Correa. Outdoor advertising: transit stations.

The Outdoor Advertising Act provides for the regulation by the Department of Transportation of advertising displays, as defined, within view of public highways. The act exempts from certain of its provisions advertising displays that advertise the business conducted or services rendered or goods produced or sold on the property upon which the display is placed, as specified. Existing law also exempts certain advertising displays in existence before January 1, 2009, at an arena located on public land with a capacity of 5,000 seats or more that provides a permanent venue for professional sports, subject to certain conditions.

This bill would also exempt from certain provisions of the Outdoor Advertising Act an advertising display on public property upon which is located a publicly owned multimodal transit facility that serves passenger rail and that is to serve as a station for the high-speed train system, as specified. The bill would impose various conditions on an advertising display erected under these circumstances, including a requirement for a local ordinance regulating the display and approval

by the High-Speed Rail Authority. The bill would require revenues from the advertising display, beyond the cost of erection, to be used to support the construction, operation, and maintenance of the multimodal transit facility.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5272.1 is added to the Business and
2 Professions Code, to read:

3 5272.1. (a) With the exception of Article 4 (commencing with
4 Section 5300) and Sections 5400 and 5404, inclusive, nothing
5 contained in this chapter applies to any advertising display that is
6 exclusively on public property upon which is located a multimodal
7 transit facility.

8 (b) This section applies to advertising displays only if the
9 multimodal transit facility meets the following requirements:

10 (1) It is publicly owned and operated and is located on public
11 land.

12 (2) It is identified as a critical component in the region’s
13 sustainable communities strategy, as described in Section 65080
14 of the Government Code.

15 (3) One of the modes of transportation served at the multimodal
16 transit facility is passenger rail.

17 (4) It is a current or future station for the high-speed train system
18 in the corridor identified in paragraph (2) of subdivision (b) of
19 Section 2704.04 of the Streets and Highways Code.

20 (c) To advertise any products, goods, or services on an
21 advertising display pursuant to this section, all of the following
22 shall apply:

23 (1) The advertising display shall be on the same side of the
24 highway and within 1,000 feet of an entrance to a multimodal
25 transit facility that meets the requirements of subdivision (b).

26 (2) The advertising display shall not advertise products, goods,
27 or services related to distilled spirits, tobacco, firearms, or sexually
28 explicit material.

29 (3) Beyond the cost of erection, revenues from the advertising
30 display shall be used to support the construction, operations, and
31 maintenance of the multimodal transit facility.

1 (4) The advertising display shall not cause a reduction in federal
2 aid highway funds as provided in Section 131 of Title 23 of the
3 United States Code.

4 (d) Any advertising display erected pursuant to this section shall
5 be *lawful only if* authorized by, or ~~be~~ in accordance with, an
6 ordinance, including, but not limited to, a specific plan or sign
7 district, adopted by the city or county, as applicable, that regulates
8 advertising displays by either identifying the specific displays or
9 by establishing regulations that include, at a minimum, all of the
10 following:

- 11 (1) The number of signs and total signage area allowed.
- 12 (2) The maximum individual signage area.
- 13 (3) Minimum sign separation.
- 14 (4) Illumination restrictions and regulations, including signage
15 refresh rate, scrolling, and brightness.
- 16 (5) Illuminated sign hours of operation.

17 (e) Authorization of an advertising display under this section
18 shall also be subject to the owner of the display submitting, to the
19 High-Speed Rail Authority, a copy of the ordinance authorizing
20 the display that has been adopted by the applicable city or county
21 pursuant to subdivision (d). The High-Speed Rail Authority shall
22 review and certify that the proposed display and the ordinance
23 meet the minimum requirements of this section, including that the
24 multimodal transit facility is or will be a current or future station
25 for the high-speed train system pursuant to paragraph (4) of
26 subdivision (b).

27 (f) Nothing in this section limits a city or county from adopting
28 an ordinance *prohibiting or* further restricting the size, number,
29 or types of advertising displays authorized by this section.

30 (g) Any law that applies to advertising displays authorized
31 pursuant to Section 5272 shall also apply to this section.

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