

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Highway Advertising Control Act of 1971 is
5 amended by changing Section 8 as follows:

6 (225 ILCS 440/8) (from Ch. 121, par. 508)

7 Sec. 8. Within 90 days of July 1, 1972, or the owner being
8 notified of a new controlled route subject to this Act being
9 added ~~after the effective date of this Act~~, each sign, except
10 signs described by Sections 4.01, 4.02, and 4.03, must be
11 registered with the Department by the owner of the sign, on
12 forms obtained from the Department. Within 90 days after the
13 effective date of this amendatory Act of 1975, each sign
14 located beyond 660 feet of the right-of-way located outside of
15 urban areas, visible from the main-traveled way of the highway
16 and erected with the purpose of the message being read from
17 such traveled way, must be registered with the Department by
18 the owner of the sign on forms obtained from the Department.
19 The Department shall require reasonable information to be
20 furnished including the name of the owner of the land on which
21 the sign is located and a statement that the owner has
22 consented to the erection or maintenance of the sign.
23 Registration must be made of each sign and shall be

1 accompanied by a registration fee of \$5.

2 No sign, except signs described by Sections 4.01, 4.02,
3 and 4.03, may be erected after the effective date of this Act
4 without first obtaining a permit from the Department. The
5 application for permit shall be on a form provided by the
6 Department and shall contain such information as the
7 Department may reasonably require. Upon receipt of an
8 application ~~containing all required information and~~
9 ~~appropriately executed~~ and upon payment of the fee required
10 under this Section, the Department then issues a permit to the
11 applicant for the erection of the sign, provided such sign
12 will not violate any provision of this Act. The Department
13 shall have up to 45 days to complete its review and approve the
14 permit application or notify the applicant of any and all
15 deficiencies necessary for the Department's approval. The
16 applicant shall then have 45 days to correct the noted
17 deficiencies, and the Department shall have 30 days from
18 receipt of the notice of corrected deficiencies to make a
19 final determination. If the application for permit has been
20 denied, written notice of the decision shall state in detail
21 why the application was denied. The application fee shall be
22 as follows:

- 23 (1) for signs of less than 150 square feet, \$50;
24 (2) for signs of at least 150 but less than 300 square
25 feet, \$100; and
26 (3) for signs of 300 or more square feet, \$200.

1 If a permit application is for a sign within an area
2 subject to the Airport Zoning Act, the Department shall notify
3 the applicant in writing that the review process will exceed
4 the timelines set forth in the Section. Notwithstanding, the
5 Department shall complete its own review of the permit
6 application pending approval under the Airport Zoning Act.

7 In determining the appropriateness of issuing a permit for
8 a municipal network sign, the Department shall waive any
9 provision or requirement of this Act or administrative rule
10 adopted under the authority of this Act to the extent that the
11 waiver does not contravene the federal Highway Beautification
12 Act of 1965, 23 U.S.C. 131, and the regulations promulgated
13 under that Act by the Secretary of the United States
14 Department of Transportation. Any municipal network sign
15 applications pending on May 1, 2013 that are not affected by
16 compliance with the federal Highway Beautification Act of 1965
17 shall be issued within 10 days after the effective date of this
18 amendatory Act of the 98th General Assembly. The determination
19 of the balance of pending municipal network sign applications
20 and issuance of approved permits shall be completed within 30
21 days after the effective date of this amendatory Act of the
22 98th General Assembly. To the extent that the Secretary of the
23 United States Department of Transportation or any court finds
24 any permit granted pursuant to such a waiver to be
25 inconsistent with or preempted by the federal Highway
26 Beautification Act of 1965, 23 U.S.C. 131, and the regulations

1 promulgated under that Act, that permit shall be void.

2 Upon change of ownership of a sign ~~ownership permit or~~
3 sign registration, the new owner of the sign permit or sign
4 registration shall notify the Department to confirm the change
5 of ownership and supply the necessary information in writing
6 or on a form provided by the Department to transfer ~~to renew~~
7 the permit or registration for such sign at no cost within 120
8 ~~60~~ days after the change of ownership. The Department shall
9 acknowledge to the new sign owner, in writing or by electronic
10 communication, the receipt of such request within 14 calendar
11 days after receiving the necessary information and shall
12 record the transferee as the new owner. Failure of the new sign
13 owner to submit the necessary information to transfer the name
14 of sign ownership on a sign permit within 120 calendar days may
15 subject the permit to revocation. The Department shall issue a
16 notice to the sign owner of failure to notify and inform the
17 transferee of ownership that the transferee has 30 calendar
18 days from receipt of notice to provide the necessary
19 information required for the transfer of ownership. ~~Any permit~~
20 ~~not so renewed shall become void.~~

21 Owners of registered signs shall be issued an identifying
22 tag, which must remain securely affixed to the front face of
23 the sign or sign structure in a conspicuous position by the
24 owner within 60 days after receipt of the tag; owners of signs
25 erected by permit shall be issued an identifying tag which
26 must remain securely affixed to the front face of the sign or

1 sign structure in a conspicuous position by the owner upon
2 completion of the sign erection or within 10 days after
3 receipt of the tag, whichever is the later.

4 When a sign owner intends to upgrade an existing legal
5 permitted sign to a multiple message sign with a digital
6 display, the Department shall not require a new sign permit. A
7 permit addendum application requesting authorization for the
8 upgrade shall be made on a form provided by the Department and
9 shall be accompanied by a \$200 fee, which shall not be subject
10 to return upon rejection of the permit addendum application.
11 As part of the permit addendum application, the Department
12 shall not require a new land survey or other documentation
13 that has previously been submitted and approved and is on file
14 for the existing permit of the legal permitted sign. Upon
15 receipt of the permit addendum application, the Department
16 shall have up to 30 days to complete its initial review and
17 either approve the addendum to the existing permit or notify
18 the applicant of any and all deficiencies necessary for the
19 Department's approval. The applicant shall have 30 days to
20 correct the noted deficiencies, upon which the Department
21 shall have 30 days after receipt of the notice of corrected
22 deficiencies to make a final determination. If the permit
23 application addendum is denied, written notice of the decision
24 shall state in detail why the application was denied. For
25 purposes of this Section, legal nonconforming sign structures
26 are not eligible for this upgrade.

1 A person aggrieved by any action of the Department in
2 denying an application or revoking a permit or registration
3 under this Act may, within 30 days after receipt of the notice
4 of denial or revocation, apply to the Department for an
5 administrative hearing pursuant to the Administrative Review
6 Law.

7 (Source: P.A. 98-56, eff. 7-5-13.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.