

AN ACT concerning regulation.

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

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

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

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

accompanied by a registration fee of \$5.

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

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

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

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

promulgated under that Act, that permit shall be void.

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

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

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

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

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

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

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