

SB 169 GDOT Clean-Up And Non-Conforming Billboard Summary

This legislation contains two components: the annual GDOT clean-up bill and changes to non-conforming billboard relocations on state route road widening projects.

GDOT Clean-up

Section 3 of the bill changes how counties dispose of property used for road purposes. Under current law, the county must notify the previous owner of the road property (or subsequent adjacent owner) to provide them with the opportunity to buy the property; must perform a search of probate and land records; has a 60 day right of acquisition period; and only allows a county to negotiate the price if the property value is \$30,000 or less. SB 169 streamlines this process by doing the following:

- Only requires the county to offer the property back to the previous owner if the county owned the road property for 30 years or less;
- Only requires counties to search available public records to find the previous owner;
- Reduces the right of acquisition period for previous owners to purchase the property from 60 to 30 days; and
- Allows counties to negotiate the price if the value is \$75,000 or less (increased from \$30,000).

Section 6 of the bill requires law enforcement officers to utilize an electronic system to report information contained in an accident report which is currently done by approximately 95 counties in the state. The electronic software is offered for free by GDOT and they will install it for free in each jurisdiction that requests it. The bill also reduced the reporting deadlines for such information from 15 days following the end of the month to 7 days following the preparation or receipt of the accident report.

Non-Conforming Billboard Relocations

Section 5 of the bill changes who is responsible for relocation and reconstruction costs or condemnation costs when a non-conforming billboard has to be relocated due to a state route road widening project. The bill also clarifies when a non-conforming billboard can be relocated versus having to be condemned.

Under current law, if a state route road widening project requires a billboard to come down, the following outcomes may occur:

- If there is not a location under state or federal permitting requirements for the billboard to move to, just and adequate compensation is paid to the billboard company for condemnation out of project costs (which may include federal, state, and county dollars);

- If the non-conforming billboard can be relocated under federal and state permitting requirements and is only non-conforming due to a local ordinance, the county has the option of either granting a variance request to allow the billboard to relocate or to deny a variance thereby forcing the condemnation of the billboard. If the variance is granted, the relocation and reconstruction costs are paid by the department out of project costs (which may include federal, state, and county dollars), likewise if the variance is denied, just and adequate compensation will be paid out of project costs for the condemnation.

*Therefore, under current law, regardless of whether a county grants a variance or not to allow a non-conforming billboard to relocate under state and federal requirements, the costs for such action are being paid from the project funds.

SB 169 proposes the following changes to the process:

- If a non-conforming billboard that must come down due to the widening of a state route road project cannot be relocated under state and federal permitting guidelines, the department will pay the cost of condemnation as they due under current law; however,
- If a non-conforming billboard can be relocated under state and federal permitting guidelines, the following is at the option of the local government:
 - They can adopt the variance request which will require the billboard company to pay the actual relocation and reconstruction costs which is a savings to local governments compared to current law; or
 - Deny the variance and pay just and adequate compensation to the billboard company for the condemnation which is an added cost to local governments compared to current law.

*An important note is that the bill does NOT require local governments to change their zoning in order to relocate a billboard. If a billboard cannot be relocated under federal or state permitting guidelines which include the requirement of it being zoned commercial/industrial, the billboard will not be permitted by the state and the department (GDOT) will pay the condemnation. Also, the billboard must be comparable to the one taken down and may only adjust for height to maintain comparable visibility as existed with the original billboard.

Authorize Use of Golf Carts by Delivery Company in Subdivisions to Deliver Packages

This legislation was also amended in committee to authorize a delivery company of 10,000 or more employees in the state, with or without a local ordinance, to utilize golf carts in residential subdivisions for the purpose of delivering packages so long as they pay a \$50 permit fee every five years for each jurisdiction in which they will operate golf carts along with a certified letter, display a company logo on each golf cart, and only pull a single trailer with packages not to exceed 150lbs in weight.