

HIGHWAY ADVERTISING ACT OF 1972 (EXCERPT)
Act 106 of 1972

252.306 Permit; application; contents of form; change in highway designation or other reason; digital billboard permit; owner of nonstandard sign.

Sec. 6.

(1) A sign owner shall apply for an annual permit on a form prescribed by the department for each sign or sign structure to be maintained or erected in an adjacent area where the facing of the sign or sign structure is visible from a regulated route. The form shall require the name and business address of the applicant, the name and address of the owner of the property on which the sign or sign structure is to be located, the date the sign or sign structure, if currently maintained, was erected, the zoning classification of the property, a precise description of where the sign or sign structure is or will be situated and a certification that the sign or sign structure is not prohibited by section 18(a), (b), (c), or (d) and that the sign or sign structure does not violate any provisions of this act. The sign permit application shall include a statement signed by the owner of the land on which the sign or sign structure is to be placed, acknowledging that no trees or shrubs in the adjacent highway right-of-way may be removed, trimmed, or in any way damaged or destroyed without the written authorization of the department. The department may require documentation to verify the zoning, the consent of the land owner, and any other matter considered essential to the evaluation of compliance with this act. A sign owner shall apply for a separate annual permit for each sign or sign structure for each regulated route subject to this act from which the facing of the sign or sign structure is visible.

(2) The owner of a sign or sign structure shall apply for an annual permit for each sign or sign structure that becomes subject to the permit requirements of this act because of a change in highway designation or other reason not within the control of the sign owner within 2 months after receiving notice from the department that the sign or sign structure is subject to the permit requirements of this act. Both of the following apply to an annual permit issued under this subsection:

(a) The annual permit is not subject to section 7a.

(b) The annual permit may not be surrendered for an interim permit under section 7a(3).

(3) In addition to an annual permit under subsection (1), a sign owner shall apply for and the department shall issue a digital billboard permit for each digital billboard that is not a nonconforming sign and that meets the requirements of section 17(3) to be maintained or erected in an adjacent area where the facing of the sign or sign structure is visible from a regulated route. The information provided by an applicant under this subsection shall be on a form prescribed by the department. A sign owner shall apply for a separate digital billboard permit for each sign or sign structure allowed under section 17(3) for each regulated route from which the facing of the sign or sign structure is visible. The owner of a sign or sign structure shall apply for a digital billboard permit for each digital billboard that becomes subject to the permit requirements of this act because of a change in highway designation or other reason not within the control of the sign owner within 2 months after receiving notice from the department that the sign or sign structure is subject to the permit requirements of this act. Both of the following apply to a digital billboard permit issued under this subsection:

(a) The digital billboard permit is not subject to section 7a.

(b) The digital billboard permit may not be surrendered for an interim permit under section 7a(3).

(4) Notwithstanding any other provision of this act, within 90 days after the effective date of the amendatory act that added this subsection, the owner of a digital billboard that was legally erected before the effective date of the amendatory act that added this subsection shall apply for, and the department shall issue, a digital billboard permit. A digital billboard permitted under this subsection or subsection (5) is exempt from section 17(3), and the department shall not require any form of consideration for a digital billboard permitted under this subsection or subsection (5) other than payment of the appropriate application fee and annual renewal fees as required under this act.

(5) Notwithstanding any other provision of this act, if, on the effective date of the amendatory act that added this subsection, an individual has obtained location approval from the department and approval from the local unit of government having jurisdiction of that location to erect a digital billboard, he or she shall apply for, and the department shall issue, a digital billboard permit.

(6) Both of the following apply to the owner of a nonstandard sign:

(a) In addition to an annual permit under subsection (1), the owner of a nonstandard sign may apply for a digital billboard permit to erect and maintain a digital billboard on a nonstandard sign by applying for a digital billboard permit on a form prescribed by the department, paying the required fee, and surrendering 3 interim permits to the department. The owner of a nonstandard sign seeking a digital billboard permit under this subsection shall apply for a separate digital billboard permit for each sign or sign structure for each regulated route from which the facing of the sign or sign structure is visible, but shall not be required to surrender more than a total of 3 interim permits.

(b) Beginning on the effective date of the amendatory act that added this subdivision and ending 1 year after the effective date of the amendatory act that added this subdivision, for the first 8 nonstandard signs for which the owner applies for a digital billboard permit under subdivision (a), the owner shall not be required to surrender 3 interim permits. This subdivision only applies to signs located in a county having a population of not less than 750,000. The spacing requirements under section 17(4) apply to the first 8 nonstandard signs for which the owner applies for a digital billboard permit under subdivision (a).

History: 1972, Act 106, Imd. Eff. Mar. 31, 1972 ;-- Am. 1998, Act 533, Eff. Mar. 23, 1999 ;-- Am. 2006, Act 448, Eff. Jan. 1, 2007 ;-- Am. 2014, Act 2, Imd. Eff. Jan. 30, 2014