

Drafted & Reviewed
By Legal Counsel

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO BILL NO. 31-0061

Offered by Myron D. Jackson

Bill No. 31-0061 is amended by striking all the language after the enacting clause and inserting the following:

“SECTION 1. Title 29 Virgin Islands Code, chapter 9 is amended in the following instances:

(a) Section 502 is amended after “highway” at the end of the section by inserting a comma (,) and the following : “be a changeable electronic variable message sign, or a digital billboard or smartboard that has animation, movement, or the appearance or optical illusion of movement of any part of the sign structure”; and

(b) Section 503 is amended after “billboards” by inserting “, including digital billboards, smartboards, and changeable electronic variable message signs”, by designating the existing language as subsection (a) and adding subsection (b) to read as follows:

“(b) As used in subsection (a),

(1) ‘Digital billboard or smartboard’ means a type of off-site sign utilizing digital message technology capable of changing the static message or copy on the sign electronically which may be internally or externally illuminated.

(2) ‘Changeable electronic variable message sign’ means a billboard that permits light to be turned on and off intermittently or that is operated in a way whereby light is turned in or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including billboards using light emitting diodes, or classified as digital signs, electronic message centers or electronic message boards, and which are capable of varying in intensity or color, but does not include a sign located within the

right-of-way that functions as a traffic control device and that is described and identified in the Manual of Uniform Traffic Control Devices approved by the Federal Highway Administrator as the National Standard.

(3) 'Billboard' means an advertising device larger than 2'X3'.

(4) 'Poster' means an advertising device not larger than 2'X3'.

(5) 'Sign' means an advertising device not larger than 12"X 18".

(6) 'Notice' means an advertising device not larger than 12"X12"

(c) Section 502 is amended by striking 'twenty-five (25)' and inserting "ten (10)

(d) Section 506 is amended as follows:

(1) Subsection (a) is amended in the third sentence by striking "ten dollars with respect to each advertising device shall" and inserting "\$100 per application for each billboard and digital billboard, \$75 for each sign, \$50 for each poster, and \$20 for each notice"; in the second sentence by striking "of Public Safety"; in the fourth and fifth sentences by striking "one year" and inserting "six months" and in the fifth sentence by striking "five dollars" and inserting "\$20"; and

(2) Subsection (b) is stricken in its entirety.

(e) Section 508 is amended by striking paragraph (5)."

(f) The summary of Bill No. 31-0061 and the short title are adjusted accordingly.

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SENATOR
JUSTIN HARRIGAN, SR.

Amendment summary

This amendment enlarges the definition of "advertising device" and bans the use of changeable electronic variable message sign, or a digital billboard or smartboard that has animation, movement, or the appearance or optical illusion of movement.

The amendment increases fees for various categories of advertising devices and abolishes the exemptions from permit fees for temporary signs, including posters for candidates seeking elective office, posters for meetings and notices.

This amendment also reduces the number of feet from the outer edge of a highway that an advertising device may be located.

Amendment No. 31-548/September 14, 2015/YLT