

**TESTIMONY BY ABBY DART, EXECUTIVE DIRECTOR OF SCENIC MICHIGAN
In Opposition to SB 953 and SB 955**

To the members of the Senate Transportation Committee, I thank you for the opportunity to speak briefly in opposition to Senate Bills 953 and 955. I am the Executive Director of Scenic Michigan, a statewide organization whose mission is to be a catalyst to preserve, protect and enhance Michigan's scenic resources.

We oppose SB 953 and SB 955 as written and I will highlight several key areas that we feel are detrimental both in terms of aesthetics and safety.

First, I want to thank Senator Casperson for his time and effort in serving with myself and others from the Legislature, the Outdoor Advertising Industry and MDOT on the Michigan Billboard Advisory Council. The Council was charged with advising MDOT and the State Transportation Commission regarding voluntary agreements entered into under section 18b (1) of the Highway Advertising Act, lighting and any other general policy for the effective control of outdoor advertising. I have provided copies of the final recommendations of our Council.

As you can see, none of the issues raised in these bills were discussed or debated at our meetings which took place monthly over the course of almost a year. These issues, such as tree cutting in the median or right of way, or changing the zoning to allow billboards to be placed at schools throughout the state, were not given a single mention.

We had, in attendance, Bill Jackson, representing the Outdoor Advertising Industry, who was very open and willing to discuss any issue that Senator Casperson felt was important. In addition, recommendation (5) recognizes

the significance of continuing a dialogue on how to balance the interest of preserving natural beauty with the needs of the outdoor advertising industry.

As you can see, I feel, as a member of the Advisory Council, a bit blindsided by the introduction of this legislation. The issue of tree cutting is not only a major issue but one that has significant implications for towns and cities through out the state.

We work with many communities, such as the 8 Mile Blvd Association , that have worked hard to create attractive communities with tree laden medians and lush landscaping. They have indicated their opposition to this legislation. This bill would essentially allow clear cutting to create a view of billboards 500 feet away, more than the length of a football field. We cannot support this in any way and doubt that our members or member communities would have a positive reaction.

The provision that essentially takes all schools out of the zoning requirements for communities to allow for placement of billboards on school property is equally problematic. While we are sensitive to the fiscal issues affecting school districts, we know that turning places of education into an advertising mecca, whereby there is no control over the type of advertising is hazardous for the students. Neighbors in these areas will be subject to the bright lights of digital billboards where previously zoning laws protected them from this intrusion. Finally, teen drivers will be practicing their new driving skills while looking at the changeable messages of the billboards.

These are but a few of the issues which will do great damage to both the scenic beauty of our state as well as all communities who seek to have local control to determine how best to create safe and attractive places to live and visit.

Thank you for your time and attention to these critical issues.

Recommendations of the Michigan Billboard Advisory Council

December 4, 2015

With the passage of PA 2 of 2014, the Michigan Billboard Advisory Council was created. The Council was charged with advising the Michigan Department of Transportation and the State Transportation Commission regarding voluntary agreements entered into under section 18b(1) of the Highway Advertising Act, lighting and any other general policy for the effective control of outdoor advertising.

Director Steudle appointed the following members in accordance with Section 252.318c:

- Sen. Tom Casperson, Chair, Senate Transportation Committee
- Rep. Peter Pettalia, Chair, House Transportation & Infrastructure Committee
- Jerrold Jung, Chair, a representative of the Transportation Commission
- Abby Dart, Scenic Michigan, a representative of the conservation community
- Bill Jackson, a representative of the outdoor advertising industry
- Kelly Wolgamott, Director of Marketing, MEDC, a representative of the tourism industry or a trade group that represents statewide tourism interests
- Chris Graff, Hank Graff Chevrolet, a representative of the general public. Shall be a private sector lessee of billboard space whose business is located in this state
- Ken Griffin, Director of Marketing, BOYNE, a sign owner that resides in the state

The council received staff support from Matt DeLong, Administrator of MDOT's Development Services Division, Melissa Staffeld, Highway Advertising Specialist for MDOT and Phil Browne, Deputy Commission Advisor and Legislative Liaison, MDOT.

The council convened multiple meetings, engaging in extensive roundtable discussions regarding the current state of outdoor advertising and how it relates to the Department, the outdoor advertising industry, the advertisers and the motoring public. The Council was treated to presentations on a variety of topics including the current regulatory and statutory environment, industry trends, lighting, festival advertising, special challenges in underserved areas such as the Upper Peninsula, LOGO and TODS signage, Pure Michigan, and Scenic Routes. We would like to extend a special thank you to Mark Sherwood from Lamar Outdoor, Jerry Dobek from Northwestern Michigan College, and Mark Bott from MDOT for coming in to provide some of these presentations.

The Council makes the following recommendations to the Michigan Department of Transportation and the State Transportation Commission:

- 1) The Department should develop a voluntary agreement regarding special event signs defined as a temporary advertising device not larger than 32 square feet in area erected for the purpose of notifying the public of noncommercial community events, including but not limited to fairs, centennials, festivals and celebrations open to the general public and sponsored or approved by a city, village, township, county, school or the state and listed on the Pure Michigan website so that they may be placed on private property with the owner's consent no more than 30 days prior to the event and must be removed no later than 24 hours after the event. In developing this voluntary agreement, the Department should look at policies in other states.

- 2) The Department should develop a voluntary agreement whereby billboard companies could be encouraged to best use technology where applicable to minimize the impact of lighting on the surrounding environment.
- 3) The Department should develop recommendations whereby opportunities for signage in rural or scenic areas can be offered that would include a more rustic feel and be smaller than traditional billboards and fit with the fabric of the community in which they are placed. This agreement should be developed with stakeholder involvement.
- 4) The Department and the State Transportation Commission should engage the legislature to review and revise the fee structure for outdoor advertising with accountability and transparency so that the administration of the Act, including but not limited to necessary information technology upgrades and enforcement actions are covered by the fees assessed under the Act.
- 5) As the balance between natural beauty and outdoor advertising needs is an important facet of the laws and policies regarding outdoor advertising, continuation of dialogue on how to preserve existing natural beauty areas should continue.
- 6) The Department should reconstitute a version of this Council to continue to develop the recommendations above for a duration not to exceed six months from the time of organization of a reconstituted Council.