



State of Tennessee

PUBLIC CHAPTER NO. 892

HOUSE BILL NO. 2064

By Representative Daniel

Substituted for: Senate Bill No. 1971

By Senator Tracy

AN ACT to amend Tennessee Code Annotated, Title 54, Chapter 5, relative to tourist oriented directional signs on state highways.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 54-5-1301, is amended by adding the following new subsections:

(c) Notwithstanding this chapter or any other law to the contrary, the department shall have sole and exclusive jurisdiction over the design, erection, installation, and maintenance of tourist oriented directional signs ("TODS signs") located within the right-of-way of any highway designated as part of the state highway system, including TODS signs within the corporate limits of municipalities.

(d) As used in this part, "tourist oriented directional signs" or "TODS signs" refer only to the specific category of guide signs authorized in the Manual on Uniform Traffic Control Devices for use on rural conventional roads to display business identification and directional information for eligible tourist-oriented facilities. TODS signs do not include specific service signs as authorized in part 11 of this chapter, community wayfinding signs, or other types of guide signs authorized in the Manual on Uniform Traffic Control Devices.

SECTION 2. Tennessee Code Annotated, Section 54-5-1302, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) Any TODS sign that was, or is, erected or installed within the right-of-way of any state highway by any local government or any entity other than the department or a contractor acting for the department is hereby declared illegal, and the sign shall be removed by the local government or entity that erected or installed it; provided, however, that the cost of removal may be recovered from the facility or facilities advertised on the sign. If the local government or entity fails or refuses to remove the sign within one hundred eighty (180) days after ordered by the department, the department shall remove the sign and may recover the cost of removal from the local government that constructed the sign. This subsection (b) shall not apply to any TODS sign erected or installed prior to the effective date of this act within the corporate limits of the county seat of any county having a population of not less than eighty-nine thousand eight hundred (89,800) nor more than eighty-nine thousand nine hundred (89,900), according to the 2010 federal census or any subsequent federal census.

SECTION 3. Tennessee Code Annotated, Section 54-5-1303, is amended by deleting the section in its entirety and substituting instead the following:

The department of transportation shall promulgate necessary rules to accomplish the effect and intent of this part. The rules shall define eligible users of TODS; establish an application process for obtaining a TODS sign; provide for the department to charge fees to cover the cost of signing and administration of the TODS program; and address other topics suggested in the Manual on Uniform Traffic Control Devices.

SECTION 4. Tennessee Code Annotated, Title 54, Chapter 5, Part 13, is amended by adding the following new section:

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54-5-1305.

The department of transportation shall develop and maintain an inventory of TODS signs located within state highway rights-of-way, including signs erected by the department or any other person or entity, and indicating whether the signs are located within, or outside, the corporate limits of a municipality. The initial inventory shall be completed by no later than July 1, 2018.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 11, 2016

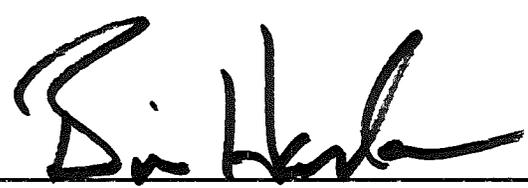


BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 27th day of April 2016



BILL HASLAM, GOVERNOR