

Mr. Chairman and members of the committee - I'm Wayde Swenson, Director of the Office of Operations for the North Dakota Department of Transportation (NDDOT). I'm here to support House Bill 1078.

House Bill 1078 proposes to modify NDCC 24-17-12, Enforcement, a subchapter of NDCC 24-17 of the North Dakota Century Code, concerning Advertising Adjacent to "State Highways."

In 1965, the federal Highway Beautification Act was passed. The purpose of the federal act was to protect public investment in highways, to promote safety and recreational value of public travel, and to preserve natural beauty by controlling outdoor advertising. NDCC Chapter 24-17 was enacted in response to the federal act. The state of North Dakota, through the NDDOT, regulates and controls outdoor advertising through Chapter 24-17 and through rules the agency has adopted.

As NDCC 24-17-12 currently reads:

*Neither the director nor any other agency nor political subdivision may, by plantings, obstruct the view or in any other way interfere with the effectiveness of any sign legally in place under the rules of this chapter and the rules adopted by the director.*

In an urban section, the statute does not allow cities to decide how outdoor advertising signs, trees, and other plantings co-exist within their communities. House Bill 1078 proposes to modify NDCC 24-17-12 by limiting the focus of the statute's language, as it relates to plantings, to rural locations. The statute would continue to apply to rural locations, prohibiting the obstruction of signs by trees and other plantings.

This concludes my testimony. Thank you.