

A G R E E M E N T

FOR CARRYING OUT NATIONAL POLICY RELATIVE TO CONTROL OF
OUTDOOR ADVERTISING IN AREAS ADJACENT TO THE NATIONAL
SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS AND THE
FEDERAL-AID PRIMARY SYSTEM.

THIS AGREEMENT made and entered into this 13th
day of July, 1967, by and between the
UNITED STATES OF AMERICA represented by the Secretary of
Transportation acting by and through the Federal Highway
Administrator, hereinafter referred to as the "SECRETARY
OF TRANSPORTATION" and the STATE OF HAWAII, represented
by the Department of Transportation, State of Hawaii,
acting by and through its Director of Transportation,
hereinafter referred to as the "STATE",

WITNESSETH:

WHEREAS, Section 131(d) of title 23, United States
Code provides for agreement between the Secretary of
Transportation and the several States to determine the
size, lighting, and spacing of signs, displays, and devices,
consistent with customary use, which may be erected and
maintained within 660 feet of the nearest edge of the right-
of-way within areas adjacent to the Interstate and primary
systems which are zoned industrial or commercial under
authority of State law or in unzoned commercial or industrial

areas, also to be determined by agreement; and

WHEREAS, the STATE has established standards which are more restrictive with respect to signs, displays and devices on the Federal-aid highway systems than those established under Section 131 of title 23, United States Code.

WHEREAS, the STATE elects to implement and carry out the provisions of the Highway Beautification Act of 1965, and the National policy in order to remain eligible to receive the full amount of all Federal-aid highway funds to be apportioned to such STATE on or after January 1, 1968, under Section 104 of title 23, United States Code.

NOW THEREFORE, the parties hereto do mutually agree as follows:

I. Definitions

- A. The term "Act" means Section 131 of title 23, United States Code (1965) commonly referred to as Title I of the Highway Beautification Act of 1965.
- B. Commercial or industrial zone means those areas which are reserved for business, commerce, or trade pursuant to a comprehensive State or local zoning ordinance or regulation.
- C. Sign means an outdoor sign, light, display, device, figure, painting, drawing, message, placard poster, billboard, or other thing which is designed, intended, or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main traveled way

of the Interstate or Federal-aid primary highway.

D. Traveled Way means the portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

E. Main Traveled Way means the through traffic lanes exclusive of frontage roads, auxiliary lanes and ramps.

II. Scope of Agreement

This agreement shall apply to all zoned commercial and industrial areas within 660 feet of the nearest edge of the right-of-way of all portions of the Interstate and primary systems within the STATE in which outdoor advertising signs, displays, and devices may be visible from the main traveled way of said systems.

III. State Control

The STATE hereby agrees that, in all areas within the scope of this agreement, the STATE shall effectively control or cause to be controlled, the erection and maintenance of outdoor advertising signs, displays, and devices authorized under Section 111-62 of Chapter 111 of the Revised Laws of Hawaii 1955, as amended, in accordance with the National Standards called for under Section 131(c)(1) of title 23, United States Code.

IV. Interpretation

The provisions contained herein shall constitute the acceptable standards for effective control of signs, displays, and devices within the scope of this Agreement.

Nothing contained herein shall be construed to abrogate or prohibit the STATE from exercising a greater degree of control of outdoor advertising than that required or contemplated by the Act or from adopting standards which are more restrictive in controlling outdoor advertising than the provisions of this Agreement.

V. Effective Date

This agreement shall become effective when signed and executed on behalf of both the STATE and the SECRETARY OF TRANSPORTATION.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

STATE OF HAWAII

By *Luis Uetendun*
Its Director of Transportation

UNITED STATES OF AMERICA

By *Lawrence R. Birdwell*
Its Federal Highway Administrator

APPROVED AS TO FORM:

Peter C. Lewis
Deputy Attorney General