

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 23rd day of
January, 1968, 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 Adminis-
trator, and the Commonwealth of Puerto Rico, represented by the Puerto Rico
Highway Authority acting by and through its Executive Director, hereinafter
referred to as the Commonwealth. Witnesseth:

WHEREAS, Section 131(d) of the Title 23, United States Code pro-
vides 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 commer-
cial or industrial areas, also to be determined by agreement; and

WHEREAS, the purpose of said agreement is to promote the rea-
sonable, orderly, and effective display of outdoor advertising while remain-
ing consistent with the National policy to protect the public investment in
the Interstate and primary highways, to promote the safety and recreational
value of public travel and to preserve natural beauty; and

WHEREAS, the Commonwealth of Puerto Rico elects to implement and
carry out the provisions of Section 131 of Title 23, United States Code,

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 Commonwealth 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 ~~residential~~ commercial and industrial areas within 660 feet of the nearest edge of the right-of-

way of all portions of the Federal-aid primary system within the Commonwealth of Puerto Rico in which outdoor advertising signs, displays, and devices may be visible from the main traveled way of said system.

III. State Control

The Commonwealth hereby agrees that, in all areas within the scope of this Agreement, the Commonwealth shall effectively control or cause to be controlled, the erection and maintenance of outdoor advertising signs, displays, and devices^{as} authorized under Sections 31-38 of Chapter I of Title 9 Laws of Puerto Rico, as amended, and Planning Regulation No. 6, promulgated pursuant thereto by proclamation of the Governor of the Commonwealth of Puerto Rico on June 3, 1958, and in accordance with the National Standards called for under Section 131(c) (1) of Title 23, United States Code.

A. In all zoned ~~and zoned~~ commercial and industrial areas the Commonwealth may certify that the Puerto Rico Planning Board has established and will enforce standards and criteria for size, lighting and spacing of outdoor advertising signs, which standards and criteria shall be consistent with the purposes of the Highway Beautification Act of 1965 and with customary use within the boundaries of its zoning authority, provided such authority is exercised, and provided further that the Commonwealth submits such certification to the Administrator as notice of effective control.

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 Commonwealth 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.

Both parties hereto agree that the terms of the within Agreement may, by mutual consent, be renegotiated and revised upon amendment or modification of the provisions of Section 131, Title 23, United States Code by the United States Congress; or upon amendment or modification of the provisions of Sections 31-38 of Title 9, Laws of Puerto Rico or of the provisions of Planning Regulation No. 6, promulgated pursuant thereto.

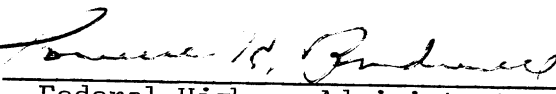
V. Effective Date

This Agreement shall become effective when signed and executed on behalf of both the Commonwealth and the Administrator. IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first above written.

COMMONWEALTH OF PUERTO RICO

By: 
Executive Director
Puerto Rico Highway Authority

UNITED STATES OF AMERICA

By: 
Federal Highway Administrator