

The

National Coalition News

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THE NATIONAL COALITION to Preserve Scenic Beauty has finally grown from an idea into reality. A framework has been established for an organization whose primary goal is to protect the scenic beauty of our nation's highways, a group which can coordinate the efforts of many diverse groups across the country into one strong national advocacy.

TEMPORARILY HOUSED at the Pennsylvania Roadside Council offices in Philadelphia, the National Coalition will establish a Washington, D.C. base as soon as the \$20,000 it needs to operate for a one-year period has been raised. Several groups and many individuals have contributed from \$25. to \$2500 since the first appeal for funds was made in June of this year. To date, more than \$5000 has been raised.

SUPPORTING ORGANIZATIONS INCLUDE The New Jersey Roadside Council, the Oregon Roadside Council, Billboards Limited in Texas, the California Planning and Conservation League Roadside Committee, the Ohio Roadside Council, the Conservation Committee of the Garden Club of America and the Piscataqua Garden Club of Maine. Individual support has come from such outstanding conservationists as Fred Farr, who headed the Highway Beautification Program in the Johnson Administration; Marion Fuller Brown, a member of the 1965 Highway Beautification Commission; Helen B. Reynolds, former president of the California Roadside Council; Sallie Lyons Brown of Kentucky; Dr. Charles Floyd of the University of Georgia; Dr. Yale Maxon of California, Carroll Shaddock of Texas; Gloria Gartz of California and Willie Waller of New York.

Preliminary BY-LAWS have been drawn up; OBJECTIVES designated; and temporary OFFICERS APPOINTED. MARION FULLER BROWN will serve as President; DRS. CHARLES FLOYD AND YALE MAXON as Vice Presidents; RUTH BECKER of the Pennsylvania Roadside Council as Secretary; and ROBERT STRUBLE, JR., Executive Director of the Brandywine Valley Assn. as Treasurer. NOMINATIONS for a National Board of Directors are being sought. JAMES McLANE, formerly with the Federal Highway Administration in Washington, D.C. will serve as one of the Coalition's consultants and its Washington contact until offices are established there.

The Coalition is watching closely the activities of the FHWA National Advisory Committee on Outdoor Advertising and Motorist Information, which has already met three times and has begun to evaluate the '65 Highway Beautification Act's effectiveness. Some interesting facts and figures have emerged from the Advisory Committee's meetings:

- Most of the signs that have come down under the '65 Beautification Act were either illegal signs requiring no compensation payment or small non-conforming signs that were of little commercial value to the industry.
- Congress has appropriated little (about \$2 million) or no money for the sign removal program for several years.
- The estimated cost for removing the remaining 200,000 non-conforming signs is \$3.6 billion dollars over a twenty year period with an inflation rate of 13%.
- Approximately \$2.5 million dollars worth of trees and shrubs are destroyed on the highway right-of-way each year by sign companies cutting illegally

in order to make their signs more visible from the highway or in order to create a vegetation-free area for future signs.

- Because the estimated cost of sign removal as designated by the '65 Act runs into billions, there is little hope that existing non-conforming signs will ever come down--unless the Interstate and Federal-Aid Primary Highways are treated separately. That is to say that only the Interstate Highways be included as part of the Federal control program and the Primary Highways be returned to state jurisdiction.
- Another alternative the committee is considering is deleting all highways in urban areas from control and allowing local government to decide whether or not they want their communities blighted.
- Since the removal of illegal signs does not require paying compensation, the committee will urge FHWA to institute a vigorous removal effort, subject to the loss of Federal funds if the states do not comply.
- SEVERAL STATES HAVE ENACTED LEGISLATION STRICTER than the Federal law requires. In Maine, for example, a law was passed in 1977 which will remove all billboards from the Primary Highways by 1982 and from the secondary roads by 1983. Maine will then provide official business directional signs for motorists at a total cost of \$3 million.
- A LOGO SIGN PROGRAM works well in some states but not in others. One of the factors determining the success of a logo program is the attitude of the state's government and department of transportation. Small businesses generally do not favor such a system because they feel it gives an advantage to large chains which have familiar and easily recognizable logos, and handicaps the small business because it cannot provide enough information to attract the motorist.

BILLBOARD BAN BEFORE SUPREME COURT - "The U.S. Supreme Court on October 14, 1980 agreed to consider whether San Diego's prohibition of billboards, except on the premises of the business doing the advertising, violates the constitutional right to free speech. Two outdoor advertising groups, Metromedia, Inc. and Pacific Outdoor Advertising, Inc. appealed a California Supreme Court ruling that upheld the San Diego ordinance adopted in March 1972.

The San Diego City Council said the billboard ban is necessary because the signs can distract motorists and cause accidents and that the absence of signs would improve the city's appearance. The ordinance requires removal of existing billboards. The firms argued the ban abridged free speech since many advertisers cannot afford to use other forms of advertising. Also, by exempting on-site signs from the prohibition, the city attempted to regulate the content of advertising, which the companies claimed is forbidden by the Constitution."

The Bulletin - October 15, 1980

(Editor's Note: The industry apparently feels that recent Supreme Court decisions regarding freedom of speech give it a good chance of winning an appeal on that issue. If the industry wins, it hopes to prevent local ordinances from completely banning billboards in any area of a city. A favorable decision by the U.S. Supreme Court would also provide psychological leverage against future regulation not acceptable to the industry.)

FHWA (Federal Highway Administration) in the Federal Register of September 29, 1980 is requesting comments on whether its regulations regarding on-premise signs, not presently subject to control under the '65 Highway Beautification Act, should be clarified as to their applicability to activities on both commercial and non-commercial properties.

- This request for public input is motivated in part by the recent Oklahoma Supreme Court ruling which permitted a woman who had erected a sign on her property, saying "Keep Us Out of the U.N." to keep it there after the state had refused to grant her a sign permit on the grounds that the sign violated state regulations regarding non-commercial, on-premise signs.

- The National Coalition members who also serve as members of the FHWA National Advisory Committee on Outdoor Advertising Control believe that this is a legal matter to be settled by the courts. The only stand beautification advocates on the Committee are taking regarding on-premise signs is that signs with electronic changable-message units (as made permissible by the '78 amendment to the Beautification Act) not be permitted until a thorough study is made as to their impact on driver safety.

NATIONAL ADVISORY COMMITTEE MEMBERS WILL VOTE ON ISSUES at their fourth meeting in Chicago, December 4 and 5. Prior to voting, the committee will hear reports on the following issues (usually prepared by a committee member representing the outdoor advertising industry and one either independent or advocating beautification.):

- * Compensation for Removal of Non-conforming Signs
- * Exemption of Directional Signs From Removal Where their Removal would Result in Economic Hardship for the Community
- * Removal of Non-conforming Signs
- * New Rules for Dealing with Illegal Destruction of Trees and Shrubs in
- * Alternate Information Systems

NATIONAL COALITION members will receive a report on the outcome of the December meeting in mid December. Any suggestions you have regarding the topics listed above should be forwarded to Ruth Becker, c/o Pennsylvania Roadside Council, 225 S. 15th St., Phila., PA 19102 and she will see that they are sent to the Advisory Committee members who are reporting on them.

A MAJOR HIGHWAY BILL will be enacted by Congress in 1981 and the National Coalition will be watching to make certain no more amendments destructive to beautification are introduced. We have not forgotten the infamous '78 amendments slipped in at the end of the '78 session which extended the payment of compensation for signs removed under laws other than the '65 Beautification Act on Interstate and Federal-aid primary highways.

THE NATIONAL COALITION TO PRESERVE SCENIC BEAUTY needs your financial support, your letter-writing skills, your eyes and your ears. If you hear anything about illegal cutting, local legal action or anything related to highway beautification, CALL US AT ONCE at 215 732-9136. With your help, we can leave a heritage of beauty on our roadsides for future generations. If you are not already a supporting member, please use the form below to pledge your support.

(Detach Here)

Mail to:

National Coalition
c/o PA Roadside Council
225 S. 15th St., Mezzanine
Phila., PA 19102

Name _____ Organization _____
Address _____ City, State and Zip _____
Tel. No. _____ Amount Enclosed \$ _____
(area code)

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