OUTDOOR ADVERTISING

A person commits an offense if the person erects or maintains outdoor advertising or a sign in violation of Transportation Code Chapters 391 through 395 and the relevant provisions of the Administrative Code. *Trans. Code 391.003, .0031, .061, .067, 392.032, 393.005, 394.021; 43 TAC Chapter 21*

GENERAL DEFINITIONS

"Outdoor advertising" means an outdoor sign. *Trans. Code 391.001(10)*

"Sign" means a sign, display, light, device, figure, painting, drawing, message, plaque, poster, or other thing designed, intended, or used to advertise or inform. *Trans. Code 392.001, 393.001, 394.001, 395.002*

"Electronic sign" means a sign, display, or device that changes its message or copy by programmable electronic or mechanical processes. *43 TAC 21.251*

"Directional sign" means a sign that contains only a message that identifies an attraction or activity and provides directional information, such as mileage, route number, or exit number, useful to the traveler in locating the attraction or activity. *43 TAC 21.941*

INTERSTATE OR PRIMARY SYSTEM

A district that wishes to erect or maintain outdoor advertising that is visible from the main-traveled way of the interstate or primary system shall comply with Transportation Code Chapter 391 and 43 Administrative Code Chapter 21, Subchapter I.

"Interstate system" means that portion of the national system of interstate and defense highways that is located in this state and is designated officially by the Texas Transportation Commission and approved under Title 23, United States Code.

"Primary system" means that portion of connected main highways located in this state that is designated officially by the Texas Transportation Commission and approved under Title 23, United States Code.

Trans. Code 391.001

STATE HIGHWAY RIGHT-OF-WAY

A district that wishes to place or maintain a sign on a state highway right-of-way shall comply with Transportation Code Chapter 392.

"State highway right-of-way" means the right-of-way of a highway designated as part of the state highway system. *Trans. Code 392.001*

PUBLIC ROAD

A district that wishes to place a sign on the right-of-way of a public road shall comply with Transportation Code Chapter 393.

RURAL ROAD

A district that wishes to erect or maintain an outdoor sign that is visible from the main-traveled way of a rural road shall comply with Transportation Code Chapter 394 and 43 Administrative Code Chapter 21, Subchapter K.

"Rural road" means a road, street, way, or bridge:

1. That is located in an unincorporated area;
2. That is not privately owned or controlled;
3. Any part of which is open to the public for vehicular traffic; and
4. That is under the jurisdiction of the state or a political subdivision.

Trans. Code 394.002

TOLL ROAD

A district that wishes to erect or maintain an outdoor sign that is visible from the main-traveled way of a toll road and erected for the purpose of having the message seen from the main-traveled way shall comply with any rules adopted by the governing body of the toll road authority under Transportation Code Chapter 395.

This provision applies only to a toll road located in a county with a population of 3.3 million or more; or that is adjacent to a county with a population of 3.3 million or more and in which a municipality with a population of more than 60,000 is located. *Trans. Code 395.001*

ELECTRONIC SIGN

A district that wishes to erect an electronic sign shall comply with 43 Administrative Code Subchapter J.

DIRECTIONAL SIGN

A district that wishes to erect a directional sign shall comply with 43 Administrative Code Subchapter Q.

CHARITABLE RAFFLES

A raffle is the awarding of one or more prizes by chance at a single occasion among a pool or group of persons who have paid or promised a thing of value for a ticket that represents a chance to win a prize. *Occupations Code 2002.002(6)*

A "qualified nonprofit organization" for purposes of the Charitable Raffle Enabling Act may conduct raffles in accordance with the Act to benefit the District or school. A parent-teacher organization may be qualified to hold such raffles if it meets the requirements of the Act. *Occupations Code 2002.003, 2002.051; Atty. Gen. Op. JM-1176 (1990)* [See also FJ]