

AN ACT
RELATING TO HIGHWAYS; PROVIDING FOR ESTABLISHMENT AND
MAINTENANCE OF HISTORICAL MARKERS AT SELECT SITES ALONG THE
STATE'S HIGHWAYS; AMENDING AND ENACTING SECTIONS OF THE NMSA
1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 67 NMSA 1978 is
enacted to read:

"HISTORICAL MARKERS--STATE HIGHWAY AND TRANSPORTATION
DEPARTMENT DUTIES.--The state highway and transportation
department shall:

A. establish and maintain historical markers at
appropriate locations on state highways to commemorate or
recognize significant historical events or persons of
importance to New Mexico's heritage;

B. adopt rules for selection of locations for
historical markers; and

C. replace, renovate or maintain each existing
historical marker at least every four years."

Section 2. Section 67-12-4 NMSA 1978 (being Laws 1966,
Chapter 65, Section 4, as amended by Laws 1975, Chapter 174,
Section 1 and also by Laws 1975, Chapter 193, Section 2) is
amended to read:

"67-12-4. OUTDOOR ADVERTISING PROHIBITED--EXCEPTIONS.-

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A. No outdoor advertising shall be erected or
maintained except:

(1) directional and other official signs
and notices authorized or required by law, including, but

not limited to, signs and notices pertaining to houses of worship, natural wonders and scenic and historic attractions;

(2) signs, displays and devices advertising the sale or lease of property upon which they are located;

(3) signs, displays and devices advertising activities conducted on the property upon which they are located; provided that the bisection of a parcel of land by a highway right of way acquisition shall not in itself be construed as converting the property into more than one parcel;

(4) signs, displays and devices located in areas which are zoned as industrial or commercial under authority of law;

(5) signs, displays and devices located within six hundred sixty feet of the nearest edge of the right of way, in unzoned industrial or commercial areas as defined by regulations promulgated by the commission, provided that no area shall be considered to be an unzoned commercial or industrial area unless and until a regulation defining the area as unzoned commercial or industrial is promulgated by the commission;

(6) signs lawfully in existence on October 22, 1965, determined by the commission, subject to any necessary federal approval, to be landmark signs of historic or artistic significance worthy of preservation, including signs on farm structures or natural surfaces; and

(7) historical markers established and maintained by the state highway and transportation department pursuant to Chapter 67 NMSA 1978.

B. All outdoor advertising shall conform with standards and specifications, shall bear permits and have paid therefor permit fees, as required by the Highway Beautification Act and regulations promulgated pursuant thereto or authorized thereby, except that permits shall not be required or fees paid for outdoor advertising included in Paragraphs (1), (2) and (3) of Subsection A of this section.

C. Notwithstanding this section, any outdoor advertising which was lawfully in existence on the effective date of the Highway Beautification Act and has continued to so exist may remain in place until the outdoor advertising is acquired by the commission or condemnation in relation thereto is commenced by the commission, whichever first occurs, but only if and so long as all provisions of Subsection B of this section are complied with." =====

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