

## State Vegetation Control Program Fees & Clear Zone Chart

State	Citation	Vegetation Control Permit	Leg/Admin. Program	Size of "Clear Zone"	Permit Costs	Other Admin Costs	Analysis
AL	Ala Admin Code Rule450-3-1-.10	Yes	Administrative	300' in advance of a N/C sign and 500' in advance of a legally permitted sign	None	None	There is a vegetation control program supported by a state statute that permits minimum trimming of trees and vegetation to retain the sight distance and visibility that existed at the time of the erection of the sign. Trees and vegetation may not be trimmed to provide visibility for newly erected signs. Issues confronting the industry are: 1) Approval periods are sometimes lengthy creating delays; 2) State employees use their "discretion" about the amount and size of trimming allowed; 3) a city has planted trees under a federal grant and the state DOT advises that the trees cannot be trimmed or cut even though the rules allow vegetation trimming and clearing for vegetation built prior to the landscape improvements.
AR	Arkansas RSVP Policy	Yes	Administrative	400'	None	Requires liability insurance with a limit of at least \$1 million per occurrence.	The vegetation control program permits the trimming of trees and vegetation to restore the visibility of signs which have been diminished by vegetation growth. Vegetation permits will only be issued for signs that have been legally permitted for 5 years. No vegetation control is allowed on the median and replacement planting may be required. All work must be done in accordance with ANSI Standards.
AZ	N/A	No	N/A	N/A	N/A	N/A	There is no vegetation control program or a local vegetation control program currently in place.
CA	Cal Highway Code §670	Yes	Legislative	500'	\$520	None	There is a very active and workable program in California, including programs administered at the local level. Companies can assist with vegetation control projects; for instance, a compromise was facilitated by a sign company volunteering to do all landscaping at a Palm Springs site. Another example is an "adopted" park and ride lot, wherein the company was able to remove vegetation in lieu of trimming in exchange for planting new landscaping on a ratio of 3 to 1. The company maintains the area (irrigation, maintenance expenses, etc.). CALTRANS is pleased with the results. And, there is no problem with vegetation blocking billboard structures.
CO	N/A	No	N/A	N/A	N/A	N/A	There currently aren't any ongoing vegetation control plans at the state or local levels. There are only limited instances where trimming has become an issue, and the situation was worked out to the satisfaction of all parties.



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IL	N/A	Locality decision/case by case	Administrative	Locality Discretion	N/A	N/A	Although Illinois has a good vegetation control program, it varies widely from district to district. Frankly, Illinois has one of the best vegetation control programs in the nation, at least from the perspective of one OAAA member company. Permits may be obtained to perform vegetation clearing, but are subject to individual discretion by district offices; and, are approved at the district office level.
IN	N/A	Yes	Administrative	500'	\$15	DOT requires a Performance Bond.	Permits are approved at the district office level.
KS	N/A	Locality decision/case by case	Administrative	Locality Discretion	No	None	Permits may be obtained to perform vegetation clearing, but are subject to individual discretion by district offices; and, are approved at the district office level.
KY	N/A	No	N/A	N/A	N/A	N/A	There is no vegetation control program in Kentucky.
LA	N/A	Locality decision/case by case	Administrative	Not greater than 500'	N/A	None	There is currently an ongoing vegetation control program at the state level, but each situation is approached on a case-by-case basis by the state DOT district offices. The permit allows the company to clear any right of way obstruction once the structure has been in place for a minimum of five years.
MA	N/A	No	N/A	N/A	N/A	N/A	There is no vegetation control program or a local vegetation control program currently in place. Operators complain that vegetation is blocking the visibility of legally permitted billboards.
MD	N/A	Yes/case by case determination	Administrative	Varies	N/A	N/A	Permits may be obtained to perform vegetation clearing, but are subject to individual discretion by district offices; and, are approved at the district office level.
MI	Mich Comp Laws §252.306	Yes	Legislative	Approx. 1000' area/5 second window	\$300	Requires mitigation and compensation for removed vegetation.	Most operators in Michigan believe that the vegetation removal program is too costly and cumbersome. However, in light of the scenic organizations' influence in government, this is seen as the only workable solution for the time being.
MN	Minn Stat §173.171 and Technical Memorandum No. 06-18-ENV-03	Yes	Legislative and Administrative	350'	Replacement costs	No annual fee	Trimming is limited to one side of the highway. A billboard will be considered to be screened if the "approach distance" is less than 250 feet when the posted speed limit is under 35 MPH and less than 350 feet when the speed limit is over 35 MPH. The "approach distance" is defined as that distance measured along the line of travel from the point the sign becomes fully visible to the point at which a vehicle passes by the center of the sign.

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MO	Mo Rev Stat 226.585	Yes	Legislative	450'	\$100	Depends on vegetation cut	In some instances, vegetation has been specifically planted to block the view of a sign in one state DOT district.
MS	Miss Code Ann §§49-23-11	Yes	N/A	Varies	\$150	Performance bond may be required.	There is a vegetation control program at the state level, and in several localities there are ordinances dealing with trees and vegetation measures. A state permit is required. The permit allows the company to clear any right of way obstruction once the structure has been in place for a minimum of four years. Overall, the program is somewhat successful, but limited in scope concerning vegetation trimming criteria. Several localities have planted Bradford Pear trees along main streets in front of billboards.
MT	Mont Code Ann §§75-15-121	Yes/case by case	Administrative	N/A	N/A	N/A	At the state level, there is no formal vegetation control program. The district agents have the ability to work on vegetation matters on a case by case basis.
NE	N/A	No	N/A	N/A	N/A	N/A	There is no ongoing statewide vegetation control program in Nebraska.
NH	N/A	No	N/A	N/A	N/A	N/A	There is no ongoing vegetation control program at either the state or local level.
NJ	N.J. Stat Ann §16:41-13	Yes	N/A	Varies	\$300 application fee	\$100 permit fee	At the state level, there is no formal vegetation control program. The district agents have the ability to work on vegetation matters on a case by case basis.
NM	N/A	Yes/Limited to one city	N/A – Albuquerque	N/A	N/A	N/A	There is no ongoing vegetation control program at either the state or local level.
NY		Yes	Legislative	Varies	\$50	None	There has been a vegetation control program since late 1998. It is successful, although the permitting process is not consistent, and sometimes slow, within the state DOT regions. The process can be expensive due to the amount of information, surveys and other technical data required by the state. There is no local vegetation control program. The state has planted trees to specifically block the view of a billboard, but that was before they passed legislation to allow trimming on those same trees before they grow to affect the visibility of the billboard.
NC	19A NC Admin Code Rule 02E.0600 et seq	Yes	Administrative	125' from center of sign	\$200	None	NCDOT allows trimming to allow for a 250' viewing zone. Certain cities have greater restrictions; the DOT sometimes enforces the cities' ordinances. A major hurdle has been overcome in Charlotte, where city and state permits have been granted for trimming along I-77 and the Billy Graham Parkway within city limits.
ND	N/A	No	N/A	N/A	N/A	N/A	At the state level, there is no formal vegetation control program.

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OH	Ohio Rev Code §5516.14 and Policy 512-001	Yes	Legislative and Administrative	N/A	None	DOT requires a Performance Bond and compensatory planting. Requires liability insurance with a limit of at least \$1 million per occurrence	Ohio has one of the newest statewide vegetation programs. It is the result of the industry's efforts to obtain more consistent regulation. While the industry appreciates the consistency provided by the new policy, some members believe that it is too costly.
OK	OK ADC 730:35-5-18	Yes	Administrative	800 feet	\$ 200 per clearance area - six month permit	None	Applications for a clearance permit are approved by the Field Engineer; all vegetation activities are subject to 69 O.S. 1213
OR	Or Rev Stat §§377.030, 377.040 and 377.050	Yes	Administrative	Varies	Fees by the state DOT	None	At the state level, there is no formal vegetation control program. The district agents have the ability to work on vegetation matters on a case by case basis.
PA	36 P.S. §670-410, 36 P.S. §2720.1 et seq., and 67 Pa Code §445.9 (e)	Yes	Legislative and Administrative	500' +	\$90 for 4 signs/per 1mi	\$10,000 Performance Bond required.	PennDot regulates a program that allows trimming up to a 403.33 foot viewing zone. Generally speaking, the program is relatively effective and has been in effect since April, 1984.
RI	N/A	Yes	Administrative	Varies, usually "to visibility" of the motoring public	\$50 per sign location	None	There is a vegetation control policy specifically for outdoor advertising in RI. There are very few problems. There is no local program.
SC	S.C. Code Ann §57-25-140	Yes	Statute	300' +	\$200 per sign location	None	The current program, which was approved by statute and which runs through 2006, is effective and relatively inexpensive. The SCOA has been charged with the renewal of that program. However, the renewal program needs to be monitored so that the existing program is not eliminated or radically changed.
SD	N/A	No	N/A	N/A	N/A	N/A	At the state level, there is no formal vegetation control program

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TN	TCA §54-21-119 and Rule 1680-2-3.08	Yes	Legislative and Administrative	500'	\$100 initial/\$150 approval	Surety bond and liability insurance in the amount of not less than \$100,000 for each person injured and \$300,000 for each accident, plus \$50,000 total property damage for each accident.	TDOT has an ongoing program on the Interstate and Federal Aid primary systems. Overall experience has been positive for the most part. However, individual districts have experienced delays in processing permits due to personnel changes. The ability to clear vegetation from the median areas of controlled access highways (specifically Interstates) has been taken away since the program's inception. Several localities require a local permit and there is concern about tree planting in front of billboards, but no actual problems at this time.
TX	N/A	No	N/A	N/A	N/A	N/A	Texas does not have a formal vegetation control program at the state level. District officials have been cooperative about arranging trimming or cutting trees. There is no local vegetation control program. However, there are instances where trees have been planted in front of billboards in some localities.
UT	Utah Code Ann §27-12-136.15	Yes	Legislative	DOT/Industry survey need	Determined by survey	Determined by survey	The industry works with the DOT on a case by case basis.
VA	Va Code Ann §33.1-353	Yes	Administrative	No limitation	\$400 application fee	Inspector-truck	The current state DOT managed vegetation control program (passed in 1998) allows cutting up to 6" in diameter and is relatively effective. The statute provides that branches less than 4" in diameter can be trimmed and the state allows trimming, pruning and cutting of "trash" trees within the right of way. The vegetation applicant has to submit \$400.00 for each permit; hire a state licensed, certified arborist to be on the site and allows the billboard to have a "window" effect (natural looking view) which at times requires additional trimming below the sign face.
WV	W. Va Code §15.01.03.06.04	Yes	Administrative	N/A	N/A	Bond not less than \$2,500 required	The industry works with the DOT on a case by case basis. Permits are not approved in areas that were landscaped with federal funds.
WI	Wis Stat §84.305	Yes	Statute	243' to 600'	Yes	N/A	The statute requires notice to property owners adjacent to the area to be cut. Furthermore, the statute requires prior approval from the municipality where the vegetation will be cut.

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