


Highways  
to  
Beauty





# *Highway Beautification— to restore, protect, enhance...*

he Highway Beautification Act of 1965 is the result of President Johnson's effort to restore, protect, and enhance the beauty of America as seen from its highways. In his State of the Union Message in January 1965, he said, "A new and substantial effort must be made to landscape highways and provide places of relaxation and recreation wherever our roads run."

In his Message to Congress that same month, President Johnson called for a major program to improve the appearance of the Nation's main highways and roadsides. This was followed shortly by his Message on Natural Beauty in which he said,

"By making our roads highways to the enjoyment of nature and beauty, we can greatly enrich the life of nearly all our people in city and countryside alike."

At the same time, the President directed the Secretary of Commerce to use resources under the existing Federal-aid highway program to work toward these goals. Federal Highway Administrator Rex M. Whitton, head of the Department's Bureau of Public Roads, urged the States to increase landscaping, construct more rest and recreation areas, and take additional steps to preserve natural beauty along Federal-aid highways.



## THE HIGHWAY BEAUTIFICATION ACT



Following a White House Conference on Natural Beauty in May, President Johnson transmitted to Congress legislation to carry out his beautification program. The result is the Highway Beautification Act of 1965 passed by Congress and signed into law on October 22, 1965. It provides for control of outdoor advertising and junkyards, and appropriates Federal funds for scenic protection and roadside development.

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**CONTROL  
OF OUTDOOR ADVERTISING**

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**CONTROL  
OF JUNKYARDS**

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**LANDSCAPING  
AND SCENIC ENHANCEMENT**

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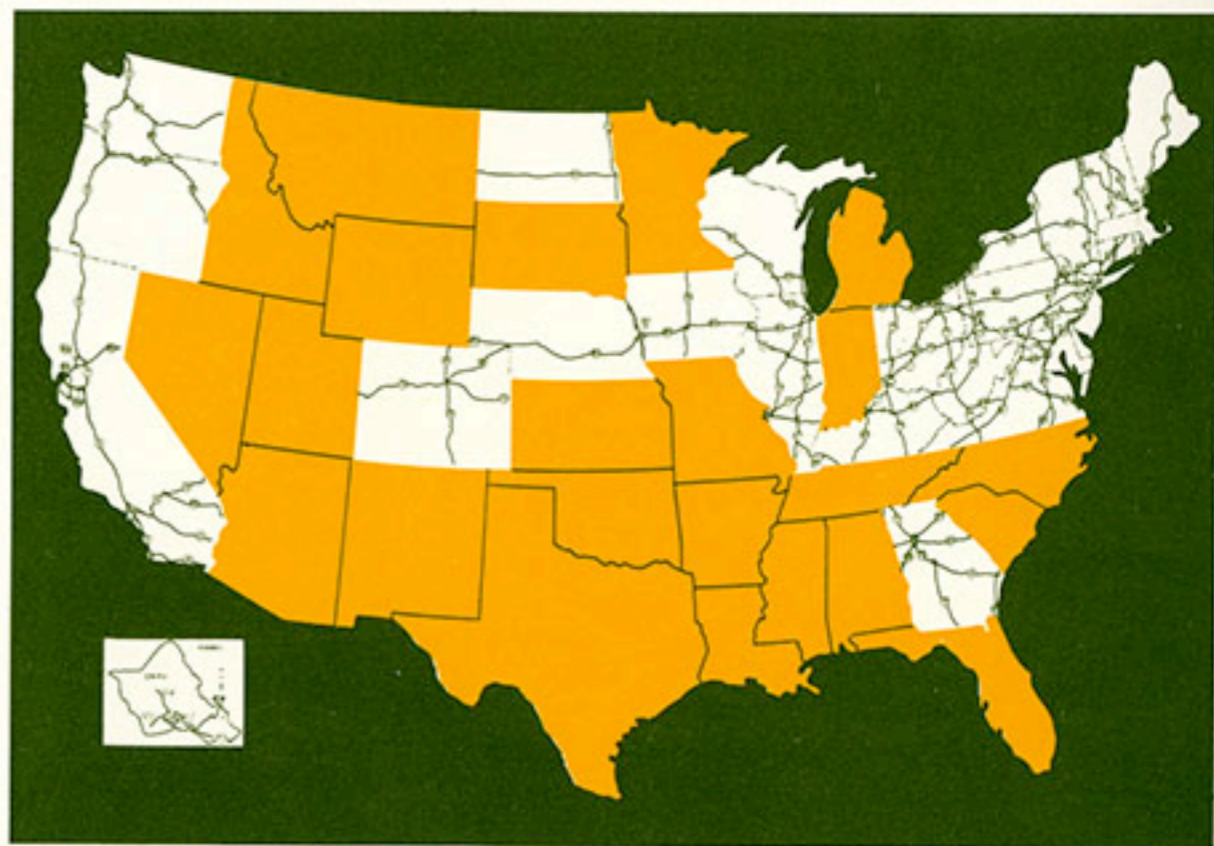
## CONTROL OF OUTDOOR ADVERTISING



ontrol of outdoor advertising is not an entirely new concept. A law enacted in 1958 attempted to achieve this goal by offering States a bonus for passing and enforcing billboard limitations along their sections of Interstate highways. However, by the time the offer expired on June 30, 1965, only 25 States had entered into agreements with the Secretary to provide advertising controls. At best, only 18,000 miles of Interstate highways would have been protected under this legislation.

The new Act is considerably broader and stronger. Instead of just Interstate highways, the Federal-aid Primary System is covered as well—a total of 268,000 miles of highways. And, instead of a bonus program, the Secretary may, under certain conditions, withhold a portion of a State's Federal-aid funds.

Just as in the 1958 Act, actual control of advertising, and now also of junkyards, remains in the hands of the States. The new Act provides only for the promulgation of minimum standards to serve as guidelines for the

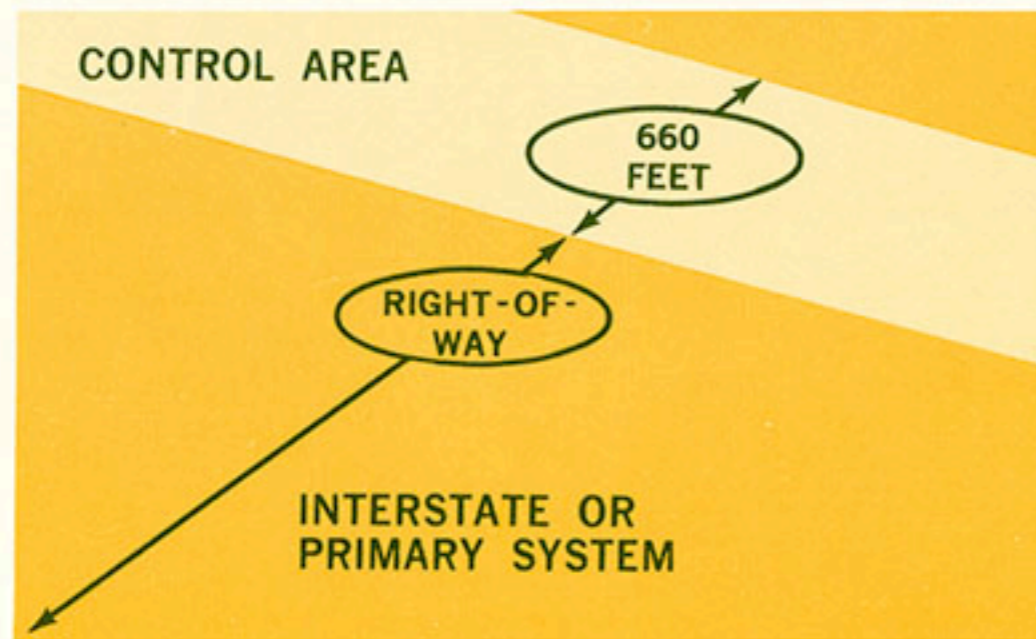


States when they enact their own controls. There is nothing in the new Act to prevent States from passing and enforcing more stringent controls.

States must make provisions by January 1, 1968 for control of outdoor advertising within 660 feet of the edge of the right-of-way along all Interstate and Primary System highways.

However, this does not mean elimination of all billboards within the control area. Advertising signs will be permitted in zoned and unzoned commercial and industrial areas, subject to size, spacing and lighting regulations. In addition, signs intended to inform the public of nearby natural wonders and historical attractions will also be permitted. These signs, too, will be subject to size, spacing and lighting limitations.

The only signs which are not controlled under the Act are "on premise" signs, which are located on property for the purpose of advertising its sale or lease, or for advertising an activity conducted on the property.



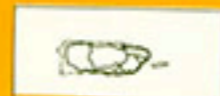
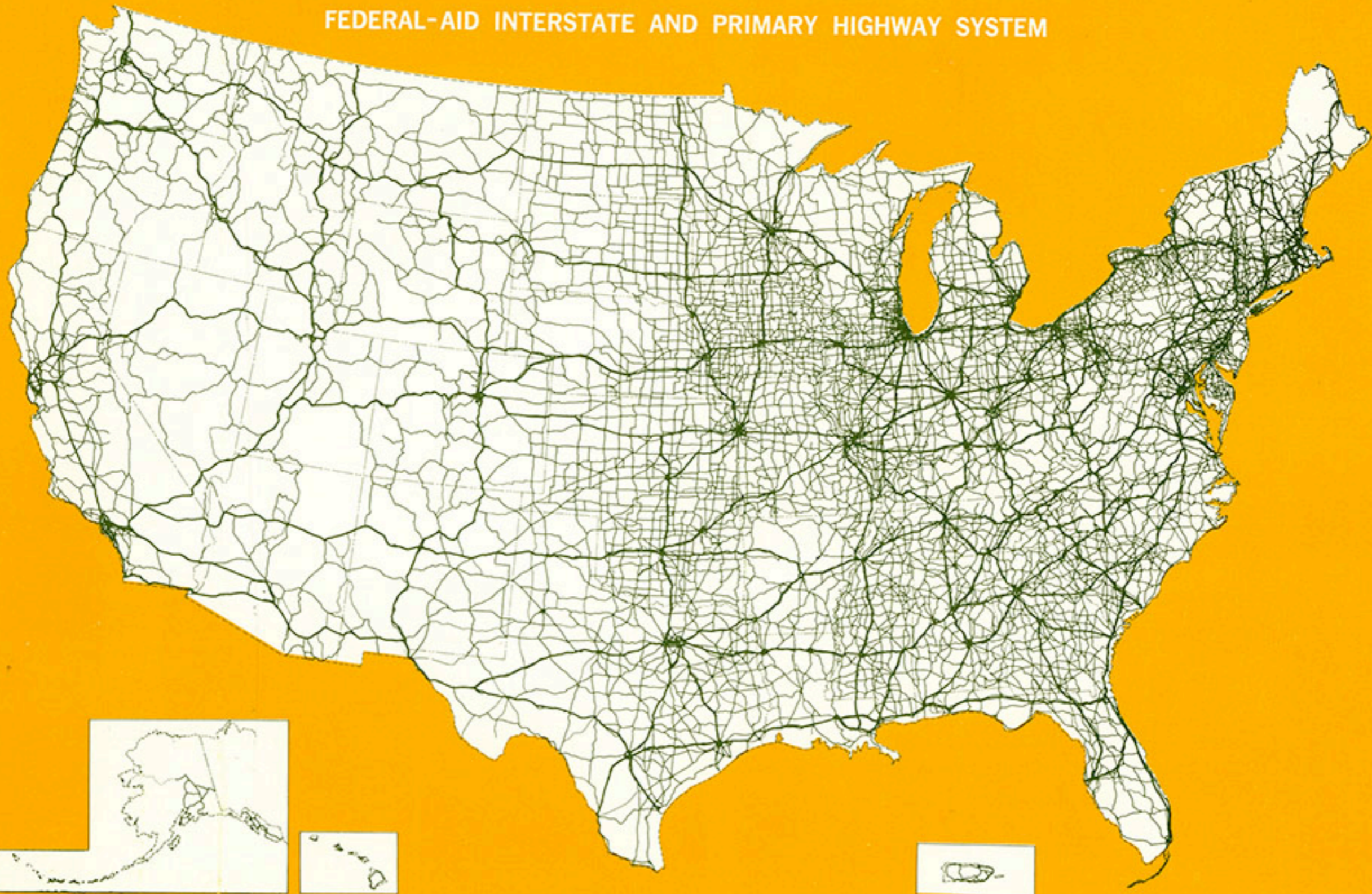
Along the Interstate System, and within the right-of-way, the new Act permits States to provide signs to inform travelers of specific services available at approaching interchanges. They will supplement the existing GAS, FOOD, LODGING signs and will mention brand names of gasolines, restaurants, and motels. In addition, States may also provide maps and other information at safety rest areas.

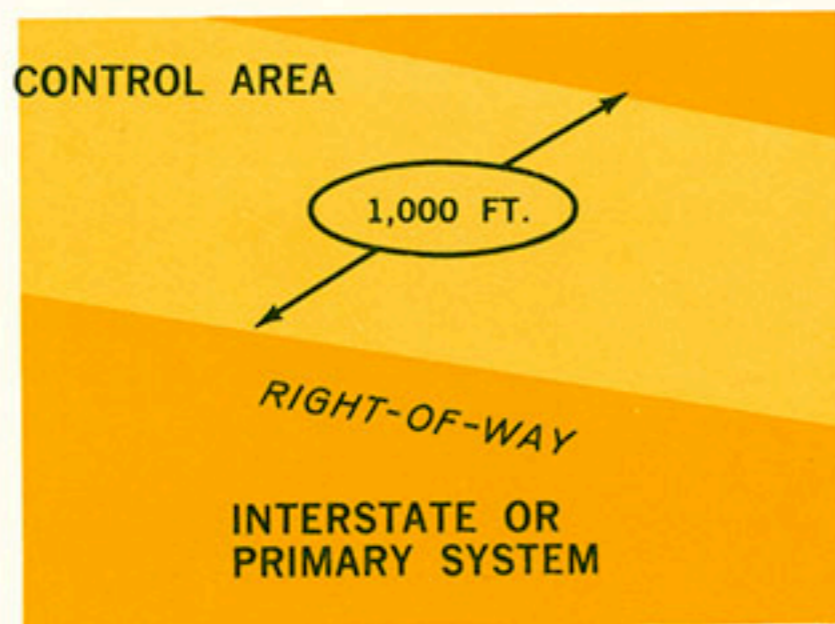
While the States must provide for control of outdoor advertising by January 1, 1968, signs legally in existence on September 1, 1965, may be allowed to remain until July 1, 1970. This provides for an orderly transition and implementation of the control provisions.

Other signs which do not conform to the regulations may be allowed to remain for as long as five years from the date they become non-conforming before they are required to be removed.

Under certain conditions, owners of signs and property owners may receive compensation from the State if they are required to remove signs from controlled areas. The Federal Government will reimburse the States for 75 percent of compensation costs they incur.

FEDERAL-AID INTERSTATE AND PRIMARY HIGHWAY SYSTEM





## CONTROL OF JUNKYARDS



he second section of the Act provides minimum standards for the control of junkyards, scrap metal processing facilities, automobile wreckers, garbage dumps, and the like, located within 1,000 feet of the edge of the right-of-way along Interstate and

Federal-aid Primary Systems.

Effective control may be achieved either by screening junkyards from view, by such means as fencing or planting, or by removing those which cannot be screened. Again to provide for an orderly transition period, junkyards in existence on October 22, 1965, which cannot be screened and therefore must be removed, may be allowed to remain until July 1, 1970.

The only junkyards within 1,000 feet of Interstate and Primary System highways which need not be screened or removed are those located in zoned or unzoned industrial areas.

Similar to the advertising provision, States may, under certain conditions, compensate owners for removal, relocation or disposal of their junkyards, and the Federal Government will reimburse the States for 75 percent of such costs.



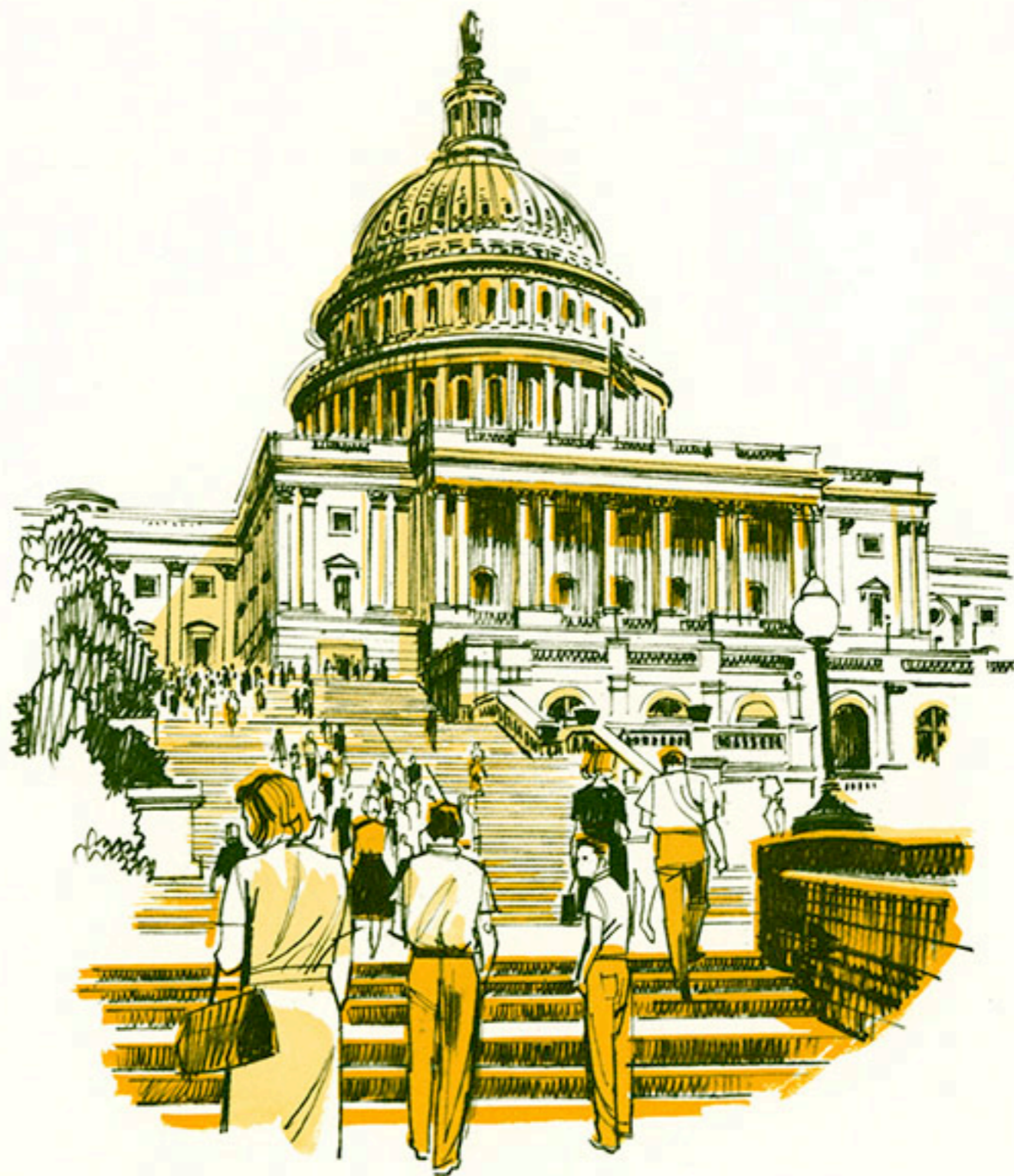
## ESTABLISHMENT OF STANDARDS

**T**he Secretary of Commerce must hold public hearings in each of the 50 States, Puerto Rico and the District of Columbia to gather information relevant to establishing standards, criteria, rules and regulations necessary to carry out the Act.

After the public hearings and by January 10, 1967, the Secretary must report to Congress on all standards to be established and furnish Congress with a detailed estimate of the cost and economic impact of the Act.

States which fail to provide for effective control of outdoor advertising and junkyards by January 1, 1968, may have ten percent of their Federal-aid highway funds withheld by the Secretary. This reduction may be waived if he considers such action to be in the public interest.

However, 60 days before any final determination to withhold funds the State must be notified and it can request a hearing. If, after the hearing, the Secretary's decision remains unchanged, the State may, within 45 days, appeal to a Federal district court whose decision is subject to review by the U.S. Court of Appeals and by the Supreme Court. Funds withheld from a State may not be reappropriated as long as a suit is pending.





## LANDSCAPING AND SCENIC ENHANCEMENT

The third section of the new Act concerns itself with all aspects of protecting and enhancing natural beauty along our nation's highways. To this end, the Act provides for the continued use of Highway Trust Fund monies for landscaping, roadside development and building recreation areas within the right-of-way. These funds are designated for use as part of highway construction and require matching by the State on a 50/50 or 90/10 basis.

In addition, funds have been made available from the General Treasury for use by the States, without matching, to preserve, restore and enhance scenic beauty, both within and outside of the right-of-way, and to acquire additional land to achieve this goal.

The Act authorizes the use of General Treasury funds to reimburse States for implementing the advertising, junkyard and landscaping provisions. For fiscal years 1966 and 1967 Congress authorized \$20,000,000 each for advertising and junkyard control, and \$120,000,000 for landscaping and scenic enhancement. To get the program started, \$10,000,000 for junkyard and advertising control and \$60,000,000 for landscaping were appropriated for fiscal year 1966.

# *This Bill*

In essence, the Highway Beautification Act of 1965 offers an opportunity to preserve and recapture the grandeur that is America. When he signed the Act, President Johnson said: "This bill will bring the wonders of nature back into our daily lives. This bill will enrich our spirits and restore a major source of our national greatness."

1/27/66

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**U.S. DEPARTMENT OF COMMERCE**

John T. Connor, Secretary

**Bureau of Public Roads**

Rex M. Whitton, Administrator

**U.S. DEPARTMENT OF COMMERCE / Bureau of Public Roads / 1966**