

the maximum amount of Federal-aid funds", and despite an apparent broad grant to the Department by Section 461.15, of authority to enter into Federal-State agreements. This is so because there are no national standards, or standards approved by Congress, and because of the preamble clause in Section 461.4 which reads: "*Notwithstanding any other provisions of this act, outdoor advertising shall be permitted in areas zoned industrial or commercial and in unzoned commercial and industrial areas as hereafter defined * * **")

Michigan: "Unzoned commercial or industrial area" means (1) an adjacent area not zoned commercial or industrial which is used for, or occupied by, one or more commercial or industrial activities, other than an outdoor advertising sign [re how close to such other activity a sign must be, see following paragraph], or (2) an adjacent area regardless of its zoning which is located within the approaches to an incorporated or unincorporated municipality which is reasonably appropriate for outdoor advertising, as determined by the state highway commission." (Section 1(i), Public Act 333, Laws of 1966.)

"All locations within an unzoned commercial or industrial area as defined in subdivision (1) of subsection (i) of section 1, shall be within 3,500 feet in the case of an adjacent area along the interstate system, or 2,100 feet in the case of an adjacent area along the primary system, of the boundary line of property on which a commercial or industrial activity is located and may be on either side of the road. * * *" (Section 6(d) of said Act.)

Mississippi: "* * * Outdoor advertising shall be classed as being within an unzoned commercial or industrial area when a radius of eight hundred (800) feet from the sign location includes all or parts of one (1) or more commercial or industrial activities or a business activity in regular use six (6) or more months each year. Outdoor advertising devices and farm buildings and activities shall not be commercial, industrial, marketing or mercantile activities for the purposes of this definition." (Section 2(i), Mississippi House Bill No. 775, approved June 15, 1966.)

Missouri: "Commercial and Industrial Areas" consistent with zoning principles and standards applicable in this state, include: "* * * all unzoned land within 1000 feet of any commercial or industrial activity other than outdoor advertising; all land lying within 1000 feet of any two such unzoned areas; and all other unzoned lands appropriate for outdoor advertising which are determined to be unzoned commercial or industrial areas by any county court of this state." (Section 5(D), Missouri Senate Bill No. 8, Second Special Session, approved May 20, 1966.)

New Mexico: *Open-End*.

Rhode Island: *Open-End*. (Note: By this 1966 Compliance Law, Rhode Island did repeal its "Bonus Qualification Law" regulating signs along the Interstate, passed in 1963 pursuant to the Federal "Interstate-Bonus Act" of 1958.)

Vermont: *Open-End*. (Note: Vermont has had a curious legislative history. It was the first state to pass a "Bonus Qualification Law" pursuant to the Federal "Interstate-Bonus Act" of 1958, anticipating the latter by passing its law in 1957. This law was later amended at least once—in 1961.)

(Note Continued: The foregoing Vermont law was then amended in 1966 to convert it to an *open-end* Compliance Law under the 1965 Federal Act. Vermont's 1966 law was then amended in 1967 and, though still *open-end*, it did contain a definition of unzoned commercial or industrial areas, as follows: "* * * any area where, within a space not exceeding one thousand feet along the center line of the traveled part of the highway, there are located not less than three places of business which conduct their business on a year around basis. This definition is subject to federal standards and regulations to the extent such federal requirements are more restrictive." Because of the concluding sentence just quoted and, more importantly, still other provisions which made it clear that the Federal-State agreement was to be as desired by the BPR and would override such definition, the definition was purely suggestive and, as noted, the law therefore remained *open-end*.)

(Note Continued: Thereafter, on June 28, 1967, a Federal-State Agreement was executed by the Vermont Commissioner of Highways and Federal Highway Administrator Bridwell. And said agreement did adopt the 1967 Vermont definition of unzoned commercial or industrial areas (though unlike definitions enacted by other states it was purely suggestive), it being the only definition proposed by any state legislature that was *stricter* than the definition being sought by the BPR.