



on the size, illumination, orientation, and location of advertising displays adjacent to and within specified distances of interstate or primary highways. If the state fails to properly administer the federal program, the state is subject to a sanction reducing federal highway funding allocations by 10%.

**Customary Maintenance.** Outdoor advertising display owners must maintain permitted displays in an operable and safe condition. The California Code of Regulations provides that “customary maintenance” refers to any action taken on a permitted display to actively preserve the display, in the display’s approved physical configuration and size, for the duration of the display’s normal life. Examples of allowable maintenance activities include changing the advertising message and adding a light box to the display. The regulations also prohibit certain activities under “customary maintenance” and instead classify the activities as the placement of a new display, which requires a new permit. Examples of prohibited activities include relocating all or part of the display, changing the direction of a display’s face, and increasing the dimensions of a display.

In December 2024, Caltrans disseminated a bulletin to industry stakeholders regarding various OAA laws and regulations, including an overview of what constitutes “customary maintenance.” The bulletin stated that activities such as “upgrading materials” and “adding bracing or additional supports that are not part of the originally approved configuration” are not classified as “customary maintenance.” This bill defines “customary maintenance” in statute to generally include activities not classified as customary maintenance under the December 2024 Caltrans guidance.

- 3) **Support and Opposition.** This bill is sponsored by the California State Outdoor Advertising Association, which argues this bill “ensures that existing displays can be properly maintained without ambiguity, enhancing both regulatory consistency and public safety.”

This bill is opposed by counties and outdoors organizations, with the County of Humboldt arguing this bill would “dramatically expand” the customary maintenance definition “in ways that would strip local governments of meaningful regulatory authority over billboard structures, expose counties and cities to substantial unfunded financial liability, and eliminate critical safeguards for public safety and environmental review.”

- 4) **Related Legislation.** AB 770 (Mark Gonzalez), Chapter 707, Statutes of 2025, when passed by this committee, would have defined “customary maintenance” in a manner similar to this bill. AB 770 was then amended to address an unrelated issue regarding advertising displays.

SB 364 (Strickland), Chapter 313, Statutes of 2025, revised Caltrans’ review process when considering a permit application for a new outdoor advertising display along a freeway or highway. Prior to amendments adopted by this committee that struck the provision, SB 364 would have also defined “customary maintenance” in a manner identical to AB 770.

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