
HOUSE BILL 1106

State of Washington

53rd Legislature

1993 Regular Session

By Representatives R. Fisher, Leonard, Pruitt, Franklin, Scott, Basich, Heavey, Dunshee, Brown, Talcott, Linville and Ogden

Read first time 01/15/93. Referred to Committee on State Government.

1 AN ACT Relating to political campaign signs; amending RCW
2 47.36.180; adding new sections to chapter 42.17 RCW; adding a new
3 section to chapter 47.36 RCW; creating a new section; and prescribing
4 penalties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that the placement of
7 political campaign signs in the immediate vicinity of public streets,
8 roads, and highways interferes with the ability of motorists to see
9 vital traffic safety information displayed by traffic signals and
10 traffic signs and therefore creates a hazard to public safety. It is
11 the purpose of this act to provide for the prompt removal of such
12 hazards to the safety of the public.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 42.17 RCW
14 to read as follows:

15 As used in section 3 of this act, "political campaign sign" means
16 any outdoor notice, placard, poster or other sign containing written,
17 pictorial, or other matter urging or supporting the election of a

1 candidate for partisan or nonpartisan elective office or the adoption
2 or rejection of a ballot measure.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 42.17 RCW
4 to read as follows:

5 As provided in RCW 47.36.180 and section 5 of this act, it is
6 unlawful to place a political campaign sign in the right of way or in
7 the visual safety corridor of a public road, street, or highway and any
8 campaign sign so placed is subject to prompt removal and destruction.

9 **Sec. 4.** RCW 47.36.180 and 1984 c 7 s 201 are each amended to read
10 as follows:

11 (1) It is unlawful to erect or maintain at or near a city street,
12 county road, or state highway any structure, sign, or device:

13 ~~((1))~~ (a) Visible from a city street, county road, or state
14 highway and simulating any directional, warning, or danger sign or
15 light likely to be mistaken for such a sign or bearing any such words
16 as "danger," "stop," "slow," "turn," or similar words, figures, or
17 directions likely to be construed as giving warning to traffic;

18 ~~((2))~~ (b) Visible from a city street, county road, or state
19 highway and displaying any red, green, blue, or yellow light or
20 intermittent or blinking light or rotating light identical or similar
21 in size, shape, and color to that used on any emergency vehicle or road
22 equipment or any light otherwise likely to be mistaken for a warning,
23 danger, directional, or traffic control signal or sign;

24 ~~((3))~~ (c) Visible from a city street, county road, or state
25 highway and displaying any lights tending to blind persons operating
26 vehicles upon the highway, city street, or county road, or any glaring
27 light, or any light likely to be mistaken for a vehicle upon the
28 highway or otherwise to be so mistaken as to constitute a danger; or

29 ~~((4))~~ (d) Visible from a city street, county road, or state
30 highway and flooding or intending to flood or directed across the
31 roadway of the highway with a directed beam or diffused light, whether
32 or not the flood light is shielded against directing its flood beam
33 toward approaching traffic on the highway, city street, or county road.

34 (2) Any structure or device erected or maintained contrary to the
35 provisions of subsection (1) of this section is a public nuisance, and
36 the department, the chief of the Washington state patrol, the county
37 sheriff, or the chief of police of any city or town shall notify the

1 owner thereof that it constitutes a public nuisance and must be
2 removed, and if the owner fails to do so, the department, the chief of
3 the Washington state patrol, the county sheriff, or the chief of police
4 of any city or town may abate the nuisance.

5 If the owner fails to remove any such structure or device within
6 fifteen days after being notified to remove the structure or device, he
7 or she is guilty of a misdemeanor.

8 (3) It is unlawful to erect a political campaign sign, as defined
9 in section 2 of this act, in the right of way or in the visual safety
10 corridor of a city street, county road, or state highway. The visual
11 safety corridor of the street, road, or highway is the corridor
12 determined under section 5 of this act. A person who erects a sign in
13 violation of this section is guilty of a misdemeanor. Such a sign
14 which is affixed in any manner or left unattended in such a right of
15 way or visual safety corridor is hereby declared to be abandoned
16 property and is subject to immediate removal and destruction by the
17 public agency responsible for the maintenance of the right of way for
18 the street, road, or highway involved.

19 NEW SECTION. Sec. 5. A new section is added to chapter 47.36 RCW
20 to read as follows:

21 (1) If a unit of local government or the state's department of
22 transportation determines that the placement of political campaign
23 signs, as defined in section 2 of this act, outside of the right of way
24 but near a public street, road, or highway within its jurisdiction
25 impairs or is likely to impair the ability of motorists on the public
26 way to see traffic signals or signs, the unit or the department may
27 adopt a visual safety corridor within which the placement of such signs
28 is prohibited. Such a corridor may be no larger than is necessary to
29 protect the ability of motorists to see such signals or signs. As used
30 in this section, the ability of a motorist to see a signal or sign
31 includes the motorist's ability to recognize readily a traffic signal
32 or sign against a background of other objects.

33 (2) The department of transportation and each unit of local
34 government shall provide for the prompt removal and destruction of any
35 political campaign sign which is affixed in any manner or left
36 unattended in such a right of way or visual safety corridor within its
37 jurisdiction.

1 (3) The authority and responsibility of the department of
2 transportation under this section applies to the highways for which the
3 state has right of way maintenance responsibility.

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