
SENATE BILL 5298

State of Washington 62nd Legislature 2011 Regular Session

By Senators White, Ericksen, Carrell, Shin, Ranker, Hill, and Conway

Read first time 01/20/11. Referred to Committee on Transportation.

1 AN ACT Relating to authorizing the use of digital outdoor
2 advertising signs to expand the state's emergency messaging
3 capabilities; amending RCW 47.42.062; adding new sections to chapter
4 47.42 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that digital outdoor
7 advertising signs can play an important role in expanding the state's
8 emergency messaging capabilities and the state's missing person
9 computerized network. However, the legislature also finds that it is
10 not in the state's interest to allow free-flowing moving displays along
11 state roads. Therefore, it is the intent of the legislature to allow
12 static digital outdoor advertising signs that are capable of delivering
13 real-time information to the traveling public that would enhance the
14 state's emergency messaging capabilities and expand the state's missing
15 person computerized network without any cost to the state.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.42 RCW
17 to read as follows:

18 Owners of digital outdoor advertising signs are required to

1 coordinate with law enforcement and emergency management authorities to
2 display, when appropriate, regional emergency information important to
3 the traveling public including, but not limited to, amber alerts,
4 Washington state missing person alerts, and emergency management
5 information. State agencies may contract with owners and vendors of
6 digital outdoor advertising signs to expand the state's missing person
7 computerized network and emergency messaging system. The contracts
8 must be on a voluntary basis and may not include compensation. This
9 section does not imply that any state agency is required to pay, or in
10 any way compensate, vendors of digital outdoor advertising signs for
11 missing person notices, emergency messaging, or broadcasts.

12 **Sec. 3.** RCW 47.42.062 and 1975 1st ex.s. c 271 s 3 are each
13 amended to read as follows:

14 Signs within six hundred and sixty feet of the nearest edge of the
15 right-of-way which are visible from the main traveled way of the
16 primary system within commercial and industrial areas and whose size,
17 lighting, and spacing are consistent with the customary use of property
18 for the effective display of outdoor advertising as set forth in this
19 section may be erected and maintained: PROVIDED, That this section
20 shall not serve to restrict type 3 signs located along any portion of
21 the primary system within an incorporated city or town or within any
22 commercial or industrial area.

23 (1) General: Signs shall not be erected or maintained which (a)
24 imitate or resemble any official traffic sign, signal, or device; (b)
25 are erected or maintained upon trees or painted or drawn upon rocks or
26 other natural features and which are structurally unsafe or in
27 disrepair; or (c) have any visible moving parts.

28 (2) Size of signs:

29 (a) The maximum area for any one sign shall be six hundred seventy-
30 two square feet with a maximum height of twenty-five feet and maximum
31 length of fifty feet inclusive of any border and trim but excluding the
32 base or apron, supports and other structural members: PROVIDED, That
33 cut-outs and extensions may add up to twenty percent of additional sign
34 area.

35 (b) For the purposes of this subsection, double-faced, back-to-
36 back, or V-type signs shall be considered as two signs.

1 (c) Signs which exceed three hundred twenty-five square feet in
2 area may not be double-faced (abutting and facing the same direction).

3 (3) Spacing of signs:

4 (a) Signs may not be located in such a manner as to obscure, or
5 otherwise physically interfere with the effectiveness of an official
6 traffic sign, signal, or device, obstruct or physically interfere with
7 the driver's view of approaching, merging, or intersecting traffic.

8 (b) On limited access highways established pursuant to chapter
9 47.52 RCW no two signs shall be spaced less than one thousand feet
10 apart, and no sign may be located within three thousand feet of the
11 center of an interchange, a safety rest area, or information center, or
12 within one thousand feet of an intersection at grade. Double-faced
13 signs shall be prohibited. Not more than a total of five sign
14 structures shall be permitted on both sides of the highway per mile.

15 (c) On noncontrolled access highways inside the boundaries of
16 incorporated cities and towns not more than a total of four sign
17 structures on both sides of the highway within a space of six hundred
18 sixty feet shall be permitted with a minimum of one hundred feet
19 between sign structures. In no event, however, shall more than four
20 sign structures be permitted between platted intersecting streets or
21 highways. On noncontrolled access highways outside the boundaries of
22 incorporated cities and towns minimum spacing between sign structures
23 on each side of the highway shall be five hundred feet.

24 (d) For the purposes of this subsection, a back-to-back sign and a
25 V-type sign shall be considered one sign structure.

26 (e) Official signs, and signs advertising activities conducted on
27 the property on which they are located shall not be considered in
28 determining compliance with the above spacing requirements. The
29 minimum space between structures shall be measured along the nearest
30 edge of the pavement between points directly opposite the signs along
31 each side of the highway and shall apply to signs located on the same
32 side of the highway.

33 (4) Lighting: Signs may be illuminated, subject to the following
34 restrictions:

35 (a) Signs which contain, include, or are illuminated by any
36 flashing, intermittent, or moving light or lights are prohibited,
37 except those giving public service information such as time, date,
38 temperature, weather, or similar information.

1 (b) Signs which are not effectively shielded as to prevent beams or
2 rays of light from being directed at any portion of the traveled ways
3 of the highway and which are of such intensity or brilliance as to
4 cause glare or to impair the vision of the driver of any motor vehicle,
5 or which otherwise interfere with any driver's operation of a motor
6 vehicle are prohibited.

7 (c) No sign shall be so illuminated that it interferes with the
8 effectiveness of, or obscures an official traffic sign, device, or
9 signal.

10 (d) All such lighting shall be subject to any other provisions
11 relating to lighting of signs presently applicable to all highways
12 under the jurisdiction of the state.

13 (e) Digital outdoor advertising signs are not considered as
14 utilizing flashing, intermittent, or moving light as long as they only
15 contain static messages. Each static message may not include flashing,
16 scintillating lighting, variation of light intensity, or the appearance
17 of movement.

18 NEW SECTION. Sec. 4. A new section is added to chapter 47.42 RCW
19 to read as follows:

20 The department shall adopt rules to establish standards for the
21 allowable brightness of digital outdoor advertising signs and to allow
22 for the change of copy on digital outdoor advertising signs. The rules
23 must be consistent with standards adopted in WAC 468-66-030(2)(b).

--- END ---