

HB 1064 - S AMD

By Senator Highways & Transportation

1 Strike everything after the enacting clause and insert the
2 following:

3 "**Sec. 1.** RCW 47.36.030 and 2003 c 198 s 3 are each amended to read
4 as follows:

5 (1) The secretary of transportation shall have the power and it
6 shall be its duty to adopt and designate a uniform state standard for
7 the manufacture, display, erection, and location of all signs, signals,
8 signboards, guideposts, and other traffic devices erected or to be
9 erected upon the state highways of the state of Washington for the
10 purpose of furnishing information to persons traveling upon such state
11 highways regarding traffic regulations, directions, distances, points
12 of danger, and conditions requiring caution, and for the purpose of
13 imposing restrictions upon persons operating vehicles thereon. Such
14 signs shall conform as nearly as practicable to the manual of
15 specifications for the manufacture, display, and erection of uniform
16 traffic control devices for streets and highways and all amendments,
17 corrections, and additions thereto.

18 (2) The department of transportation shall prepare plans and
19 specifications of the uniform state standard of traffic devices so
20 adopted and designated, showing the materials, colors, and designs
21 thereof, and shall upon the issuance of any such plans and
22 specifications or revisions thereof and upon request, furnish to the
23 boards of county commissioners and the governing body of any
24 incorporated city or town, a copy thereof. Signs, signals, signboards,
25 guideposts, and other traffic devices erected on county roads shall
26 conform in all respects to the specifications of color, design, and
27 location approved by the secretary. Traffic devices hereafter erected
28 within incorporated cities and towns shall conform to such uniform
29 state standard of traffic devices so far as is practicable.

30 (3) The uniform system must allow local transit authority bus

1 shelters located within the right of way of the state highway system to
2 display and maintain commercial advertisements subject to applicable
3 federal regulations, if any.

4 (4) The uniform system may allow signs, banners, or decorations
5 over a highway that:

6 (a) Are in unincorporated areas;

7 (b) Are at least twenty vertical feet above a highway; and

8 (c) Do not interfere with or obstruct the view of any traffic
9 control device.

10 The department shall adopt rules regulating signs, banners, or
11 decorations installed under this subsection (4). However, if the
12 department does not respond within thirty days of receiving an
13 application, the application shall automatically be approved.

14 **Sec. 2.** RCW 47.42.020 and 1993 c 430 s 10 are each amended to read
15 as follows:

16 The definitions set forth in this section apply throughout this
17 chapter.

18 (1) "Department" means the Washington state department of
19 transportation.

20 (2) "Erect" means to construct, build, raise, assemble, place,
21 affix, attach, create, paint, draw, or in any other way bring into
22 being or establish.

23 (3) "Interstate system" means any state highway which is or does
24 become part of the national system of interstate and defense highways
25 as described in section 103(d) of title 23, United States Code.

26 (4) "Maintain" means to allow to exist.

27 (5) "Person" means this state or any public or private corporation,
28 firm, partnership, association, as well as any individual or
29 individuals.

30 (6) "Primary system" means any state highway which is or does
31 become part of the federal-aid primary system as described in section
32 103(b) of title 23, United States Code.

33 (7) "Scenic system" means (a) any state highway within any public
34 park, federal forest area, public beach, public recreation area, or
35 national monument, (b) any state highway or portion thereof outside the
36 boundaries of any incorporated city or town designated by the
37 legislature as a part of the scenic system, or (c) any state highway or
38 portion thereof outside the boundaries of any incorporated city or town

1 designated by the legislature as a part of the scenic and recreational
2 highway system except for the sections of highways specifically
3 excluded in RCW 47.42.025 or located within areas zoned by the
4 governing county for predominantly commercial and industrial uses, and
5 having development visible to the highway, as determined by the
6 department.

7 (8) "Sign" means any outdoor sign, display, device, figure,
8 painting, drawing, message, placard, poster, billboard, or other thing
9 that is designed, intended, or used to advertise or inform, any part of
10 the advertising or informative contents of which is visible from any
11 place on the main-traveled way of the interstate system or other state
12 highway. "Sign" does not include a display authorized under RCW
13 47.36.030(4) promoting a local agency sponsored event that does not
14 include advertising.

15 (9) "Commercial and industrial areas" means any area zoned
16 commercial or industrial by a county or municipal code, or if unzoned
17 or zoned for general uses by a county or municipal code, that area
18 occupied by three or more separate and distinct commercial or
19 industrial activities, or any combination thereof, within a space of
20 five hundred feet and the area within five hundred feet of such
21 activities on both sides of the highway. The area shall be measured
22 from the outer edges of the regularly used buildings, parking lots, or
23 storage or processing areas of the commercial or industrial activity
24 and not from the property lines of the parcels upon which the
25 activities are located. Measurements shall be along or parallel to the
26 edge of the main traveled way of the highway. The following shall not
27 be considered commercial or industrial activities:

28 (a) Agricultural, forestry, grazing, farming, and related
29 activities, including, but not limited to, wayside fresh produce
30 stands;

31 (b) Transient or temporary activities;

32 (c) Railroad tracks and minor sidings;

33 (d) Signs;

34 (e) Activities more than six hundred and sixty feet from the
35 nearest edge of the right of way;

36 (f) Activities conducted in a building principally used as a
37 residence.

38 If any commercial or industrial activity that has been used in defining

1 or delineating an unzoned area ceases to operate for a period of six
2 continuous months, any signs located within the former unzoned area
3 become nonconforming and shall not be maintained by any person.

4 (10) "Roadside area information panel or display" means a panel or
5 display located so as not to be readable from the main traveled way,
6 erected in a safety rest area, scenic overlook, or similar roadside
7 area, for providing motorists with information in the specific interest
8 of the traveling public.

9 (11) "Temporary agricultural directional sign" means a sign on
10 private property adjacent to state highway right of way to provide
11 directional information to places of business offering for sale
12 seasonal agricultural products on the property where the sale is taking
13 place.

14 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and takes effect
17 immediately."

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18 On page 1, line 2 of the title, after "circumstances;" strike the
19 remainder of the title and insert "amending RCW 47.36.030 and
20 47.42.020; and declaring an emergency."

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