
HOUSE BILL 1064

State of Washington 58th Legislature 2003 Regular Session

By Representatives Eickmeyer, Buck, Haigh and Blake

Read first time 01/15/2003. Referred to Committee on Transportation.

1 AN ACT Relating to authorizing the use of signs, banners, or
2 decorations over highways under limited circumstances; amending RCW
3 47.36.030 and 47.42.020; and declaring an emergency.

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

5 **Sec. 1.** RCW 47.36.030 and 1977 ex.s. c 151 s 61 are each amended
6 to read as follows:

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

1 traffic control devices for streets and highways and all amendments,
2 corrections, and additions thereto.

3 (2) The department of transportation shall prepare plans and
4 specifications of the uniform state standard of traffic devices so
5 adopted and designated, showing the materials, colors, and designs
6 thereof, and shall upon the issuance of any such plans and
7 specifications or revisions thereof and upon request, furnish to the
8 boards of county commissioners and the governing body of any
9 incorporated city or town, a copy thereof. Signs, signals, signboards,
10 guideposts, and other traffic devices erected on county roads shall
11 conform in all respects to the specifications of color, design, and
12 location approved by the secretary. Traffic devices hereafter erected
13 within incorporated cities and towns shall conform to such uniform
14 state standard of traffic devices so far as is practicable.

15 (3) The uniform system adopted by the secretary under this section
16 may allow signs, banners, or decorations over a highway that:

17 (a) Are in unincorporated areas;

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

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

21 The department shall adopt rules regulating signs, banners, or
22 decorations installed under this subsection (3).

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

25 The definitions set forth in this section apply throughout this
26 chapter.

27 (1) "Department" means the Washington state department of
28 transportation.

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

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

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

36 (5) "Person" means this state or any public or private corporation,

1 firm, partnership, association, as well as any individual or
2 individuals.

3 (6) "Primary system" means any state highway which is or does
4 become part of the federal-aid primary system as described in section
5 103(b) of title 23, United States Code.

6 (7) "Scenic system" means (a) any state highway within any public
7 park, federal forest area, public beach, public recreation area, or
8 national monument, (b) any state highway or portion thereof outside the
9 boundaries of any incorporated city or town designated by the
10 legislature as a part of the scenic system, or (c) any state highway or
11 portion thereof outside the boundaries of any incorporated city or town
12 designated by the legislature as a part of the scenic and recreational
13 highway system except for the sections of highways specifically
14 excluded in RCW 47.42.025 or located within areas zoned by the
15 governing county for predominantly commercial and industrial uses, and
16 having development visible to the highway, as determined by the
17 department.

18 (8) "Sign" means any outdoor sign, display, device, figure,
19 painting, drawing, message, placard, poster, billboard, or other thing
20 that is designed, intended, or used to advertise or inform, any part of
21 the advertising or informative contents of which is visible from any
22 place on the main-traveled way of the interstate system or other state
23 highway. "Sign" does not include a display authorized under RCW
24 47.36.030(3) promoting a local agency sponsored event that does not
25 include advertising.

26 (9) "Commercial and industrial areas" means any area zoned
27 commercial or industrial by a county or municipal code, or if unzoned
28 or zoned for general uses by a county or municipal code, that area
29 occupied by three or more separate and distinct commercial or
30 industrial activities, or any combination thereof, within a space of
31 five hundred feet and the area within five hundred feet of such
32 activities on both sides of the highway. The area shall be measured
33 from the outer edges of the regularly used buildings, parking lots, or
34 storage or processing areas of the commercial or industrial activity
35 and not from the property lines of the parcels upon which the
36 activities are located. Measurements shall be along or parallel to the
37 edge of the main traveled way of the highway. The following shall not
38 be considered commercial or industrial activities:

1 (a) Agricultural, forestry, grazing, farming, and related
2 activities, including, but not limited to, wayside fresh produce
3 stands;

4 (b) Transient or temporary activities;

5 (c) Railroad tracks and minor sidings;

6 (d) Signs;

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

9 (f) Activities conducted in a building principally used as a
10 residence.

11 If any commercial or industrial activity that has been used in defining
12 or delineating an unzoned area ceases to operate for a period of six
13 continuous months, any signs located within the former unzoned area
14 become nonconforming and shall not be maintained by any person.

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

20 (11) "Temporary agricultural directional sign" means a sign on
21 private property adjacent to state highway right of way to provide
22 directional information to places of business offering for sale
23 seasonal agricultural products on the property where the sale is taking
24 place.

25 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
26 preservation of the public peace, health, or safety, or support of the
27 state government and its existing public institutions, and takes effect
28 immediately.

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