

SENATE BILL REPORT

SB 5304

As of February 6, 2013

Title: An act relating to providing cities and towns with the local options to permit digital outdoor advertising signs.

Brief Description: Providing cities and towns with the local options to permit digital outdoor advertising signs.

Sponsors: Senators King, Shin, Fain, Harper, Hatfield, Eide, Ericksen, Keiser and Tom.

Brief History:

Committee Activity: Transportation: 2/05/13.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Clint McCarthy (786-7319)

Background: The installation and maintenance of signs along state highways are governed by the Highway Advertising Control Act, also known as the Scenic Vistas Act under RCW 47.42. The Scenic Vistas Act limits signs and billboards on highways advertising off-site commercial activity to installation in industrial or commercial areas only. Additionally, a permit is required from the Washington State Department of Transportation (WSDOT) for installation of signs advertising off-site activities. Certain size, lighting, and spacing requirements also apply. Signs with moving parts or lighting which is considered to be flashing, intermittent, or moving are also prohibited. Under current law, the prohibition on intermittent lighting is considered a prohibition on digital signs and no digital signs advertising off-site activities are currently permitted by WSDOT.

Summary of Bill: The definition of the types of illuminated signs is expanded to include Type 4 and 5 digital outdoor advertising signs visible to state highways and located within incorporated cities and towns; however, the signs may only contain static messages.

Each static message may not include flashing, scintillating lighting, variation of light intensity, or the appearance of movement. Type 4 and 5 digital signs cannot be installed until WSDOT has established standards for allowable brightness, size, and change of copy for digital outdoor advertising signs, which are due to become effective December 31, 2013. Owners of digital outdoor advertising signs must coordinate with local law enforcement and emergency management authorities to display, when appropriate, regional information alerts.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: No city is forced to have these signs. WSDOT has the authority to make rules and regulate the signs. Forty-four other states use these types of static digital signs. Images are static and move once every eight seconds on average. Erecting digital signs will create jobs and allow for the consolidation of signage over time. The city of Kent has worked with Clear Channel on a pilot project. Kent would use this type of signage if this bill were enacted. Static digital signs would provide additional revenue for the city of Kent. Digital signs would assist with amber alerts and emergency situations. They cost less to run than traditional signage.

CON: Once these signs are installed, they are there forever. A private citizen, company, or local government would have to buy it out from the company that put up the sign. They are permanent and will ruin our natural assets. These types of signs will cause distracted driving. The state already has signs that are used for amber alerts and send text message alerts when emergencies happen. Digital signs will contribute to light pollution that would have a negative impact on observatories. There is an impact on floral and fauna. High illumination signs operating at very low cost with LED lights does not constitute responsible lighting.

Persons Testifying: PRO: Doug Levy, city of Kent; Pam Guinn, Michael Mayes, Clear Channel Outdoor.

CON: Heather Lowe, citizen; Jill Jenson, Scenic Tacoma; David Ingram, International Dark Sky Assn.