
HOUSE BILL 1408

State of Washington 63rd Legislature 2013 Regular Session

By Representatives Moscoso, Kristiansen, Reykdal, and Hargrove

Read first time 01/25/13. Referred to Committee on Transportation.

1 AN ACT Relating to providing cities and towns with the local
2 options to permit digital outdoor advertising signs; amending RCW
3 47.42.062; and adding new sections to chapter 47.42 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.42 RCW
6 to read as follows:

7 It is the intent of the legislature to provide cities and towns
8 with the local option to permit static digital outdoor advertising
9 signs along state highways. The legislature finds that, in addition to
10 providing advertising, static digital outdoor advertising signs can
11 enhance the state's emergency messaging capabilities and expand the
12 state's missing person computerized network without any cost to the
13 state.

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

16 Nothing in this chapter may be construed to preempt any local
17 ordinances or restrictions relating to Type 4 and 5 outdoor advertising
18 signs. Additionally, nothing in this chapter may be construed as

1 prohibiting any municipality from imposing stricter limitations than
2 those set forth in this chapter. Prior to the issuance of a state
3 permit for a Type 4 or 5 digital outdoor advertising sign, the
4 applicant must provide evidence of approval or pending approval from
5 the local municipality with proper jurisdiction.

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

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

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

22 (2) Size of signs:

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

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

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

33 (3) Spacing of signs:

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

1 (b) On limited access highways established pursuant to chapter
2 47.52 RCW no two signs shall be spaced less than one thousand feet
3 apart, and no sign may be located within three thousand feet of the
4 center of an interchange, a safety rest area, or information center, or
5 within one thousand feet of an intersection at grade. Double-faced
6 signs shall be prohibited. Not more than a total of five sign
7 structures shall be permitted on both sides of the highway per mile.

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

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

19 (e) Official signs, and signs advertising activities conducted on
20 the property on which they are located shall not be considered in
21 determining compliance with the above spacing requirements. The
22 minimum space between structures shall be measured along the nearest
23 edge of the pavement between points directly opposite the signs along
24 each side of the highway and shall apply to signs located on the same
25 side of the highway.

26 (4) Lighting: Signs may be illuminated, subject to the following
27 restrictions:

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

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

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

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

7 (e) Type 4 and 5 digital outdoor advertising signs visible to state
8 highways and located within incorporated cities and towns are not
9 considered as utilizing flashing, intermittent, or moving light as long
10 as they only contain static messages. Each static message may not
11 include flashing, scintillating lighting, variation of light intensity,
12 or the appearance of movement.

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

15 By December 31, 2013, the department must adopt rules establishing
16 standards for the allowable brightness, size, and change of copy for
17 digital outdoor advertising signs. A Type 4 or 5 digital outdoor
18 advertising sign visible to a state highway may not be installed until
19 the department adopts such rules. The adopted rules relating to change
20 of copy and size must be consistent with standards adopted in WAC 468-
21 66-030(2)(b) and 468-66-050(5).

22 NEW SECTION. Sec. 5. A new section is added to chapter 47.42 RCW
23 to read as follows:

24 Owners of digital outdoor advertising signs visible to state
25 highways and located within incorporated cities and towns are required
26 to coordinate with law enforcement and emergency management authorities
27 to display, when appropriate, regional emergency information important
28 to the traveling public including, but not limited to, amber alerts,
29 blue alerts, Washington state missing person alerts, and emergency
30 management information. State agencies may contract with owners and
31 vendors of digital outdoor advertising signs to expand the state's
32 missing person computerized network and emergency messaging system.
33 The contracts must be on a voluntary basis and may not include
34 compensation. This section does not imply that any state agency is
35 required to pay, or in any way compensate, vendors of digital outdoor

1 advertising signs for missing person notices, emergency messaging, or
2 broadcasts.

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