
SUBSTITUTE HOUSE BILL 1767

State of Washington

63rd Legislature

2013 Regular Session

By House Transportation (originally sponsored by Representatives Moeller, Llias, Ryu, and Moscoso; by request of Department of Transportation)

READ FIRST TIME 02/28/13.

1 AN ACT Relating to outdoor advertising sign fees, labels, and
2 prohibitions; amending RCW 47.42.120 and 47.42.130; adding a new
3 section to chapter 47.42 RCW; repealing RCW 47.42.048; and prescribing
4 penalties.

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

6 **Sec. 1.** RCW 47.42.120 and 2010 c 138 s 2 are each amended to read
7 as follows:

8 Notwithstanding any other provisions of this chapter, no sign
9 except a sign of type 1 or 2 or those type 3 signs that advertise
10 activities conducted upon the properties where the signs are located,
11 may be erected or maintained without a permit issued by the department.
12 Application for a permit shall be made to the department on forms
13 furnished by it. The forms shall contain a statement that the owner or
14 lessee of the land in question has consented thereto. For type 8 signs
15 (temporary agricultural directional signs), when the land in question
16 is owned by the department, the consent statement must be reviewed and,
17 if the sign does not create a safety concern, be approved within ten
18 days of application by the department. The application shall be
19 accompanied by a fee established by department rule to be deposited

1 with the state treasurer to the credit of the motor vehicle fund.
2 Permits shall be for the remainder of the calendar year in which they
3 are issued, and accompanying fees shall not be prorated for fractions
4 of the year. Permits must be renewed annually through a certification
5 process established by department rule. Advertising copy may be
6 changed at any time without the payment of an additional fee.
7 Assignment of permits in good standing is effective only upon receipt
8 of written notice of assignment by the department. A permit may be
9 revoked after hearing if the department finds that any statement made
10 in the application or annual certification process was false or
11 misleading, or that the sign covered is not in good general condition
12 and in a reasonable state of repair, or is otherwise in violation of
13 this chapter, if the false or misleading information has not been
14 corrected and the sign has not been brought into compliance with this
15 chapter or rules adopted under it within thirty days after written
16 notification. The department shall establish and charge by rule an
17 annual fee for type 4 and 5 sign permits. The fee must reasonably
18 recover costs for outdoor advertising control program administration
19 and enforcement and may not exceed one hundred fifty dollars. The
20 department shall establish by rule exemptions from payment of the
21 annual fee for type 4 and 5 signs that do not generate rental income.

22 **Sec. 2.** RCW 47.42.130 and 1999 c 276 s 2 are each amended to read
23 as follows:

24 Every permit issued by the department shall be assigned a separate
25 identification number, and each permittee shall fasten to each sign a
26 weatherproof label, not larger than (~~sixteen~~) twenty-eight square
27 inches, that shall be furnished by the department and on which shall be
28 plainly visible the permit number. The permittee shall also place his
29 or her name in a conspicuous position on the front or back of each
30 sign. The failure of a sign to have such a label affixed to it is
31 prima facie evidence that it is not in compliance with the provisions
32 of this chapter.

33 NEW SECTION. **Sec. 3.** RCW 47.42.048 (State and local prohibitions)
34 and 1974 ex.s. c 80 s 3 are each repealed.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 47.42 RCW
2 to read as follows:

3 Any type 4 or type 5 signs operating without a permit or in
4 violation of RCW 47.42.120 shall be assessed a fine of one hundred
5 dollars per calendar day until such a sign is brought into compliance
6 or is removed. These fines shall be assessed to both the permittee of
7 the sign and the owner of the property on which the sign is located.

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