

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1322

56th Legislature
1999 Regular Session

Passed by the House March 9, 1999
Yeas 89 Nays 8

Speaker of the House of Representatives

Speaker of the House of Representatives

Passed by the Senate April 14, 1999
Yeas 47 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1322** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

Chief Clerk

FILED

Secretary of State
State of Washington

HOUSE BILL 1322

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By Representatives Mitchell, Romero, Fisher and Murray; by request of
Department of Transportation

Read first time 01/21/1999. Referred to Committee on Transportation.

1 AN ACT Relating to motorist information signs; and amending RCW
2 47.36.005, 47.36.300, 47.36.310, 47.36.320, 47.36.330, 47.36.340, and
3 47.36.350.

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

5 **Sec. 1.** RCW 47.36.005 and 1991 c 94 s 3 are each amended to read
6 as follows:

7 The definitions set forth in this section apply throughout this
8 chapter.

9 (1) "Erect" means to construct, build, raise, assemble, place,
10 affix, attach, create, paint, draw, or in any other way bring into
11 being or establish.

12 (2) "Interstate system" means a state highway that is or becomes
13 part of the national system of interstate and defense highways as
14 described in section 103(d) of Title 23, United States Code.

15 (3) "Maintain" means to allow to exist.

16 (4) "Primary system" means a state highway that is or becomes part
17 of the federal-aid primary system as described in section 103(b) of
18 title 23, United States Code.

1 (5) "Scenic system" means (a) a state highway within a public park,
2 federal forest area, public beach, public recreation area, or national
3 monument, (b) a state highway or portion of a highway outside the
4 boundaries of an incorporated city or town designated by the
5 legislature as a part of the scenic system, or (c) a state highway or
6 portion of a highway outside the boundaries of an incorporated city or
7 town designated by the legislature as a part of the scenic and
8 recreational highway system except for the sections of highways
9 specifically excluded in RCW 47.42.025.

10 (6) "~~(Specific)~~ Motorist information sign panel" means a panel,
11 rectangular in shape, located in the same manner as other official
12 traffic signs readable from the main traveled ways, and consisting of:

13 (a) The words "GAS," "FOOD," ~~((or))~~ "LODGING," "CAMPING,"
14 "RECREATION," or "TOURIST ACTIVITIES" and directional information; and

15 (b) One or more individual business signs mounted on the panel.

16 (7) "Business sign" means a separately attached sign mounted on the
17 ~~((specific))~~ motorist information sign panel or roadside area
18 information panel to show the brand or trademark and name, or both, of
19 the motorist service available on the crossroad at or near the
20 interchange. Nationally, regionally, or locally known commercial
21 symbols or trademarks for service stations, restaurants, and motels
22 shall be used when applicable. The brand or trademark identification
23 symbol used on the business sign shall be reproduced with the colors
24 and general shape consistent with customary use. Messages, trademarks,
25 or brand symbols that interfere with, imitate, or resemble an official
26 warning or regulatory traffic sign, signal, or device are prohibited.

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

32 (9) "Tourist-oriented directional sign" means a sign on a
33 ~~((specific))~~ motorist information sign panel on the state highway
34 system to provide directional information to a qualified tourist-
35 oriented business, service, or activity.

36 (10) "Qualified tourist-oriented business" means a lawful cultural,
37 historical, recreational, educational, or entertaining activity or a
38 unique or unusual commercial or nonprofit activity, the major portion
39 of whose income or visitors are derived during its normal business

1 season from motorists not residing in the immediate area of the
2 activity.

3 (11) "Adopt-a-highway sign" means a sign on a state highway right
4 of way referring to the departments' adopt-a-highway litter control
5 program.

6 **Sec. 2.** RCW 47.36.300 and 1986 c 114 s 3 are each amended to read
7 as follows:

8 (1) The legislative authority of any county, city, or town may
9 erect, or permit the erection of, supplemental directional signs
10 directing motorists to motorist service businesses qualified for
11 ~~((specific))~~ motorist information sign panels pursuant to RCW 47.36.310
12 or 47.36.320 in any location on, or adjacent to, the right of way of
13 any roads or streets within their jurisdiction.

14 (2) Appropriate fees may be charged to cover the cost of issuing
15 permits, installation, or maintenance of such signs.

16 (3) Supplemental signs and their locations shall comply with all
17 applicable provisions of this chapter, ~~((sections 131 and 315 of Title~~
18 ~~23 United States Code))~~ the Manual on Uniform Traffic Control Devices,
19 and such rules as may be adopted by the department ~~((including the~~
20 ~~manual on uniform traffic control devices for streets and highways))~~.

21 **Sec. 3.** RCW 47.36.310 and 1987 c 469 s 3 are each amended to read
22 as follows:

23 The department is authorized to erect and maintain ~~((specific))~~
24 motorist information sign panels within the right of way of the
25 interstate highway system to give the traveling public specific
26 information as to gas, food, ~~((or))~~ lodging, camping, or tourist-
27 oriented business available on a crossroad at or near an interchange.
28 ~~((Specific))~~ Motorist information sign panels shall include the words
29 "GAS," "FOOD," ~~((or))~~ "LODGING, "CAMPING, or TOURIST ACTIVITIES" and
30 directional information and may contain one or more individual business
31 signs maintained on the panel. ~~((Specific))~~ Motorist information sign
32 panels are authorized within the corporate limits of cities and towns
33 and areas zoned for commercial or industrial uses at locations where
34 there is adequate distance between interchanges to ensure compliance
35 with the ~~((provisions of Title 23 C.F.R. sec. 655.307(a))~~ Manual on
36 Uniform Traffic Control Devices. The erection and maintenance of
37 ~~((specific))~~ motorist information sign panels shall also conform to the

1 ((national standards promulgated by the United States secretary of
2 transportation pursuant to sections 131 and 315 of Title 23, United
3 States Code)) Manual on Uniform Traffic Control Devices and rules
4 adopted by the state department of transportation. A motorist service
5 or tourist-oriented business located within one mile of ((a state)) an
6 interstate highway shall not be permitted to display its name, brand,
7 or trademark on a ((specific)) motorist information sign panel unless
8 its owner has first entered into an agreement with the department
9 limiting the height of its on-premise signs at the site of its service
10 installation to not more than fifteen feet higher than the roof of its
11 main building measured to the bottom of the on-premise sign. The
12 restriction for on-premise signs does not apply if the sign is not
13 visible from the highway. The department may, on a case-by-case basis,
14 waive the height restriction when an on-premise sign is visible from
15 the rural interstate system. The department shall charge reasonable
16 fees for the display of individual business signs to defray the costs
17 of their installation and maintenance, and may charge reasonable fees
18 to recover costs for the erection and maintenance of the motorist
19 information sign panels. ((The restriction for on-premise signs shall
20 not apply if the sign is not visible from the highway. The department
21 may, on a case-by-case basis, waive the height restriction when an on-
22 premise sign is visible from the rural interstate system.))

23 **Sec. 4.** RCW 47.36.320 and 1986 c 114 s 2 are each amended to read
24 as follows:

25 The department is authorized to erect and maintain ((specific))
26 motorist information sign panels within the right of way of ((both the
27 primary system and the scenic system)) noninterstate highways to give
28 the traveling public specific information as to gas, food, lodging,
29 recreation, or ((lodging available off the primary or scenic highway))
30 tourist-oriented businesses accessible by way of highways intersecting
31 the ((primary or scenic)) noninterstate highway. ((Such specific)) The
32 motorist information sign panels ((and tourist-oriented directional
33 signs shall be)) are permitted only at locations within the corporate
34 limits of cities and towns and areas zoned for commercial or industrial
35 uses where there is adequate distance between interchanges to ensure
36 compliance with the ((provisions of Title 23 C.F.R. secs. 655.308(a)
37 and 655.309(a)) Manual on Uniform Traffic Control Devices.
38 ((Specific)) Motorist information sign panels shall include the words

1 "GAS," "FOOD," "LODGING," "RECREATION," or "~~((LODGING))~~ TOURIST
2 ACTIVITIES" and directional information and may contain one or more
3 individual business signs maintained on the panel. The erection and
4 maintenance of ~~((specific))~~ motorist information sign panels along
5 ~~((primary or scenic))~~ noninterstate highways shall also conform to the
6 ~~((national standards promulgated by the United States secretary of~~
7 ~~transportation pursuant to sections 131 and 315 of Title 23 United~~
8 ~~States Code))~~ Manual on Uniform Traffic Control Devices and rules
9 adopted by the state department of transportation ~~((including the~~
10 ~~manual on uniform traffic control devices for streets and highways))~~.
11 A motorist service or tourist-oriented business located within one mile
12 of a ~~((state))~~ noninterstate highway shall not be permitted to display
13 its name, brand, or trademark on a ~~((specific))~~ motorist information
14 sign panel unless its owner has first entered into an agreement with
15 the department limiting the height of its on-premise signs at the site
16 of its service installation to not more than fifteen feet higher than
17 the roof of its main building measured to the bottom of the on-premise
18 sign.

19 The department shall adopt rules for the erection and maintenance
20 of tourist-oriented directional signs with the following restrictions:

21 (1) Where installed, they shall be placed in advance of the "GAS,"
22 "FOOD," "LODGING," or "RECREATION(~~(, " or "LODGING" specific))~~" motorist
23 information sign panels previously described in this section;

24 (2) Signs shall not be placed to direct a motorist to an activity
25 visible from the main traveled roadway;

26 (3) Premises on which the qualified tourist-oriented business is
27 located must be within fifteen miles of the state highway, and
28 necessary supplemental signing on local roads must be provided before
29 the installation of the signs on the state highway.

30 The department shall charge reasonable fees for the display of
31 individual business signs to defray the costs of their installation and
32 maintenance, and may charge reasonable fees for the erection and
33 maintenance of the motorist information sign panels.

34 **Sec. 5.** RCW 47.36.330 and 1985 c 142 s 3 are each amended to read
35 as follows:

36 (1) Not more than six business signs may be permitted on
37 ~~((specific))~~ motorist information sign panels authorized by RCW
38 47.36.310 and 47.36.320.

1 (2) The maximum distance that eligible service facilities may be
2 located on either side of an interchange or intersection to qualify for
3 a business sign are as follows:

4 (a) On (~~fully-controlled, limited access~~) interstate highways,
5 gas, food, or lodging activities shall be located within three miles.
6 Camping or tourist-oriented activities shall be within five miles.

7 (b) On noninterstate highways (~~with partial access control or no~~
8 ~~access control~~), gas, food, lodging, (~~or camping~~) recreation, or
9 tourist-oriented activities shall be located within five miles.

10 (3) If no eligible services are located within the distance limits
11 prescribed in subsection (2) of this section, the distance limits shall
12 be increased until an eligible service of a type being considered is
13 reached, up to a maximum of fifteen miles.

14 **Sec. 6.** RCW 47.36.340 and 1985 c 376 s 8 are each amended to read
15 as follows:

16 To be eligible for placement of a business sign on a (~~specific~~)
17 motorist information sign panel a lodging activity shall:

18 (1) Be licensed or approved by the department of social and health
19 services or county health authority;

20 (2) Provide adequate sleeping and bathroom accommodations available
21 for rental on a daily basis; and

22 (3) Provide public telephone facilities.

23 **Sec. 7.** RCW 47.36.350 and 1991 c 94 s 5 are each amended to read
24 as follows:

25 The department shall ensure that (~~specific~~) motorist information
26 sign panels are installed within nine months of receiving the request
27 for installation.

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