

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1124**

59th Legislature  
2005 Regular Session

Passed by the House April 18, 2005  
Yeas 95 Nays 0

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**Speaker of the House of Representatives**

Passed by the Senate April 12, 2005  
Yeas 42 Nays 0

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1124** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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HOUSE BILL 1124

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AS AMENDED BY THE SENATE

Passed Legislature - 2005 Regular Session

State of Washington                      59th Legislature                      2005 Regular Session

By Representatives Eickmeyer, Buck, Blake, Upthegrove, B. Sullivan,  
Chase and Dunshee

Read first time 01/17/2005. Referred to Committee on Transportation.

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

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

5            **Sec. 1.** RCW 47.36.030 and 2003 c 198 s 3 are each amended to read  
6 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  
18 traffic control devices for streets and highways and all amendments,  
19 corrections, and additions thereto.

1       (2) The department of transportation shall prepare plans and  
2 specifications of the uniform state standard of traffic devices so  
3 adopted and designated, showing the materials, colors, and designs  
4 thereof, and shall upon the issuance of any such plans and  
5 specifications or revisions thereof and upon request, furnish to the  
6 boards of county commissioners and the governing body of any  
7 incorporated city or town, a copy thereof. Signs, signals, signboards,  
8 guideposts, and other traffic devices erected on county roads shall  
9 conform in all respects to the specifications of color, design, and  
10 location approved by the secretary. Traffic devices hereafter erected  
11 within incorporated cities and towns shall conform to such uniform  
12 state standard of traffic devices so far as is practicable. The  
13 uniform system must allow local transit authority bus shelters located  
14 within the right of way of the state highway system to display and  
15 maintain commercial advertisements subject to applicable federal  
16 regulations, if any.

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

19       (a) Are in unincorporated areas;

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

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

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

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

27       The definitions set forth in this section apply throughout this  
28 chapter.

29       (1) "Department" means the Washington state department of  
30 transportation.

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

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

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

1 (5) "Person" means this state or any public or private corporation,  
2 firm, partnership, association, as well as any individual or  
3 individuals.

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

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

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

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

1 edge of the main traveled way of the highway. The following shall not  
2 be considered commercial or industrial activities:

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

6 (b) Transient or temporary activities;

7 (c) Railroad tracks and minor sidings;

8 (d) Signs;

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

11 (f) Activities conducted in a building principally used as a  
12 residence.

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

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

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

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