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HOUSE BILL 1106

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State of Washington

53rd Legislature

1993 Regular Session

By Representatives R. Fisher, Leonard, Pruitt, Franklin, Scott, Basich, Heavey, Dunshee, Brown, Talcott, Linville and Ogden

Read first time 01/15/93. Referred to Committee on State Government.

1 AN ACT Relating to political campaign signs; amending RCW  
2 47.36.180; adding new sections to chapter 42.17 RCW; adding a new  
3 section to chapter 47.36 RCW; creating a new section; and prescribing  
4 penalties.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the placement of  
7 political campaign signs in the immediate vicinity of public streets,  
8 roads, and highways interferes with the ability of motorists to see  
9 vital traffic safety information displayed by traffic signals and  
10 traffic signs and therefore creates a hazard to public safety. It is  
11 the purpose of this act to provide for the prompt removal of such  
12 hazards to the safety of the public.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 42.17 RCW  
14 to read as follows:

15 As used in section 3 of this act, "political campaign sign" means  
16 any outdoor notice, placard, poster or other sign containing written,  
17 pictorial, or other matter urging or supporting the election of a

1 candidate for partisan or nonpartisan elective office or the adoption  
2 or rejection of a ballot measure.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 42.17 RCW  
4 to read as follows:

5 As provided in RCW 47.36.180 and section 5 of this act, it is  
6 unlawful to place a political campaign sign in the right of way or in  
7 the visual safety corridor of a public road, street, or highway and any  
8 campaign sign so placed is subject to prompt removal and destruction.

9 **Sec. 4.** RCW 47.36.180 and 1984 c 7 s 201 are each amended to read  
10 as follows:

11 (1) It is unlawful to erect or maintain at or near a city street,  
12 county road, or state highway any structure, sign, or device:

13 ((+1)) (a) Visible from a city street, county road, or state  
14 highway and simulating any directional, warning, or danger sign or  
15 light likely to be mistaken for such a sign or bearing any such words  
16 as "danger," "stop," "slow," "turn," or similar words, figures, or  
17 directions likely to be construed as giving warning to traffic;

18 ((+2)) (b) Visible from a city street, county road, or state  
19 highway and displaying any red, green, blue, or yellow light or  
20 intermittent or blinking light or rotating light identical or similar  
21 in size, shape, and color to that used on any emergency vehicle or road  
22 equipment or any light otherwise likely to be mistaken for a warning,  
23 danger, directional, or traffic control signal or sign;

24 ((+3)) (c) Visible from a city street, county road, or state  
25 highway and displaying any lights tending to blind persons operating  
26 vehicles upon the highway, city street, or county road, or any glaring  
27 light, or any light likely to be mistaken for a vehicle upon the  
28 highway or otherwise to be so mistaken as to constitute a danger; or

29 ((+4)) (d) Visible from a city street, county road, or state  
30 highway and flooding or intending to flood or directed across the  
31 roadway of the highway with a directed beam or diffused light, whether  
32 or not the flood light is shielded against directing its flood beam  
33 toward approaching traffic on the highway, city street, or county road.

34 (2) Any structure or device erected or maintained contrary to the  
35 provisions of subsection (1) of this section is a public nuisance, and  
36 the department, the chief of the Washington state patrol, the county  
37 sheriff, or the chief of police of any city or town shall notify the

1 owner thereof that it constitutes a public nuisance and must be  
2 removed, and if the owner fails to do so, the department, the chief of  
3 the Washington state patrol, the county sheriff, or the chief of police  
4 of any city or town may abate the nuisance.

5 If the owner fails to remove any such structure or device within  
6 fifteen days after being notified to remove the structure or device, he  
7 or she is guilty of a misdemeanor.

8 (3) It is unlawful to erect a political campaign sign, as defined  
9 in section 2 of this act, in the right of way or in the visual safety  
10 corridor of a city street, county road, or state highway. The visual  
11 safety corridor of the street, road, or highway is the corridor  
12 determined under section 5 of this act. A person who erects a sign in  
13 violation of this section is guilty of a misdemeanor. Such a sign  
14 which is affixed in any manner or left unattended in such a right of  
15 way or visual safety corridor is hereby declared to be abandoned  
16 property and is subject to immediate removal and destruction by the  
17 public agency responsible for the maintenance of the right of way for  
18 the street, road, or highway involved.

19 NEW SECTION. Sec. 5. A new section is added to chapter 47.36 RCW  
20 to read as follows:

21 (1) If a unit of local government or the state's department of  
22 transportation determines that the placement of political campaign  
23 signs, as defined in section 2 of this act, outside of the right of way  
24 but near a public street, road, or highway within its jurisdiction  
25 impairs or is likely to impair the ability of motorists on the public  
26 way to see traffic signals or signs, the unit or the department may  
27 adopt a visual safety corridor within which the placement of such signs  
28 is prohibited. Such a corridor may be no larger than is necessary to  
29 protect the ability of motorists to see such signals or signs. As used  
30 in this section, the ability of a motorist to see a signal or sign  
31 includes the motorist's ability to recognize readily a traffic signal  
32 or sign against a background of other objects.

33 (2) The department of transportation and each unit of local  
34 government shall provide for the prompt removal and destruction of any  
35 political campaign sign which is affixed in any manner or left  
36 unattended in such a right of way or visual safety corridor within its  
37 jurisdiction.

1       (3) The authority and responsibility of the department of  
2 transportation under this section applies to the highways for which the  
3 state has right of way maintenance responsibility.

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