
SENATE BILL 5242

State of Washington

54th Legislature

1995 Regular Session

By Senator Oke

Read first time 01/16/95. Referred to Committee on Transportation.

1 AN ACT Relating to highway signing for factory outlet shopping
2 malls; and amending RCW 47.36.005 and 47.36.320.

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

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

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

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

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

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

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

18 (5) "Scenic system" means (a) a state highway within a public park,
19 federal forest area, public beach, public recreation area, or national

1 monument, (b) a state highway or portion of a highway outside the
2 boundaries of an incorporated city or town designated by the
3 legislature as a part of the scenic system, or (c) a state highway or
4 portion of a highway outside the boundaries of an incorporated city or
5 town designated by the legislature as a part of the scenic and
6 recreational highway system except for the sections of highways
7 specifically excluded in RCW 47.42.025.

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

11 (a) The words "GAS," "FOOD," or "LODGING" and directional
12 information; and

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

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

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

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

34 (10) "Qualified tourist-oriented business" means a lawful cultural,
35 historical, recreational, educational, or entertaining activity, a
36 factory outlet shopping mall, or a unique or unusual commercial or
37 nonprofit activity, the major portion of whose income or visitors are
38 derived during its normal business season from motorists not residing
39 in the immediate area of the activity.

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

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

6 The department is authorized to erect and maintain specific
7 information panels within the right of way of both the primary system
8 and the scenic system to give the traveling public specific information
9 as to gas, food, recreation, or lodging available off the primary or
10 scenic highway accessible by way of highways intersecting the primary
11 or scenic highway. Such specific information panels and tourist-
12 oriented directional signs shall be permitted only at locations within
13 the corporate limits of cities and towns and areas zoned for commercial
14 or industrial uses where there is adequate distance between
15 interchanges to ensure compliance with the provisions of Title 23
16 C.F.R. secs. 655.308(a) and 655.309(a). Specific information panels
17 shall include the words "GAS," "FOOD," "RECREATION," or "LODGING" and
18 directional information and may contain one or more individual business
19 signs maintained on the panel. The erection and maintenance of
20 specific information panels along primary or scenic highways shall
21 conform to the national standards promulgated by the United States
22 secretary of transportation pursuant to sections 131 and 315 of Title
23 23 United States Code and rules adopted by the state department of
24 transportation including the manual on uniform traffic control devices
25 for streets and highways. A motorist service business located within
26 one mile of a state highway shall not be permitted to display its name,
27 brand, or trademark on a specific information panel unless its owner
28 has first entered into an agreement with the department limiting the
29 height of its on-premise signs at the site of its service installation
30 to not more than fifteen feet higher than the roof of its main
31 building.

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

34 (1) Where installed, they shall be placed in advance of the "GAS,"
35 "FOOD," "RECREATION," or "LODGING" specific information panels
36 previously described in this section;

1 (2) Signs shall not be placed to direct a motorist to an activity
2 visible from the main traveled roadway if there is an existing monument
3 sign at the activity directed principally at the main traveled roadway;

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

8 The department shall charge reasonable fees for the display of
9 individual business signs to defray the costs of their installation and
10 maintenance.

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