

SENATE BILL REPORT

SSB 5761

As Amended by House, April 9, 2013

Title: An act relating to outdoor advertising sign fees, labels, and prohibitions.

Brief Description: Concerning outdoor advertising sign fees, labels, and prohibitions.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators King and Hobbs; by request of Department of Transportation).

Brief History:

Committee Activity: Transportation: 2/20/13, 2/25/13 [DPS, DNP].

Passed Senate: 3/08/13, 43-6.

Passed House: 4/09/13, 57-36.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5761 be substituted therefor, and the substitute bill do pass.

Signed by Senators Eide, Co-Chair; King, Co-Chair; Hobbs, Vice Co-Chair; Fain, Budget Leadership Cabinet; Billig, Ericksen, Harper, Litzow, Mullet, Rolfes, Schlicher, Sheldon and Smith.

Minority Report: Do not pass.

Signed by Senators Benton, Vice Co-Chair; Brown and Carrell.

Staff: Clint McCarthy (786-7319)

Background: The Washington State Department of Transportation (WSDOT) Outdoor Advertising Control (OAC) program is responsible for conducting surveillance on regulated routes, performing illegal sign abatement activities, issuing and renewing sign permits, assisting with disseminating legal advice through the Office of the Attorney General, and initiating regulatory changes through the WAC rulemaking process.

The OAC program currently charges a one-time non-refundable \$300 permit application fee. WSDOT does not assess an annual renewal fee for off-premise sign permits. Over the past four years, the program has averaged 35 applications per year and has generated \$10,500. This current fee structure covers approximately 2 percent of the program's cost. The initial cost of applying for a permit remains at \$300.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Substitute Bill: As per RCW 47.42, The Scenic Vista Act is amended to allow WSDOT to charge an annual fee for billboard sign permits of \$150. The annual fee will be used to cover the cost of the program and raise between \$243,000 and \$486,000.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is agency-requested legislation. State and federal laws require WSDOT to regulate outdoor signs. This bill will allow the state to cover the requests. This is a cost-recovery bill that impacts off-premise advertising. Renewals would begin in December.

Persons Testifying: PRO: Craig Stone, WSDOT.

House Amendment(s): Clarifies the \$150 fee as the maximum amount that WSDOT can charge. Directs WSDOT to establish exemptions from payment for type 4 and 5 signs that do not generate rental income. Changes the permit size from 16 square inches to 28 square inches. Provides WSDOT the authority to assess a fine of \$100 for every day a sign does not conform to RCW 47.42.080 until the sign is brought into compliance or is removed. Repeals RCW 47.42.048 due to redundant language.