

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 5720

52nd Legislature
1991 Regular Session

Passed by the Senate April 22, 1991
Yeas 45 Nays 0

President of the Senate

Passed by the House April 10, 1991
Yeas 93 Nays 0

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5720** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5720

AS AMENDED BY THE HOUSE

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Patterson, Vognild and Nelson; by request of Department of Transportation).

Read first time February 22, 1991.

1 AN ACT Relating to motorist information signs; amending RCW
2 47.42.020 and 4742.040; adding new sections to chapter 47.36 RCW; and
3 recodifying RCW 47.42.046, 47.42.047, 47.42.0475, 47.42.052, 47.42.160,
4 and 47.42.170.

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

6 **Sec. 1.** RCW 47.42.020 and 1990 c 258 s 1 are each amended to read
7 as follows:

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

10 (1) "Department" means the Washington state department of
11 transportation.

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

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

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

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

8 (6) "Primary system" means any state highway which is or does
9 become part of the federal-aid primary system as described in section
10 103(b) of title 23, United States Code.

11 (7) "Scenic system" means (a) any state highway within any public
12 park, federal forest area, public beach, public recreation area, or
13 national monument, (b) any state highway or portion thereof outside the
14 boundaries of any incorporated city or town designated by the
15 legislature as a part of the scenic system, or (c) any state highway or
16 portion thereof outside the boundaries of any incorporated city or town
17 designated by the legislature as a part of the scenic and recreational
18 highway system except for the sections of highways specifically
19 excluded in RCW 47.42.025.

20 (8) "Sign" means any outdoor sign, display, device, figure,
21 painting, drawing, message, placard, poster, billboard, or other thing
22 that is designed, intended, or used to advertise or inform, any part of
23 the advertising or informative contents of which is visible from any
24 place on the main-traveled way of the interstate system or other state
25 highway.

26 (9) "Commercial and industrial areas" means any area zoned
27 commercial or industrial by a county or municipal code, or if unzoned
28 by a county or municipal code, that area occupied by three or more
29 separate and distinct commercial or industrial activities, or any
30 combination thereof, within a space of five hundred feet and the area

1 within five hundred feet of such activities on both sides of the
2 highway. The area shall be measured from the outer edges of the
3 regularly used buildings, parking lots, or storage or processing areas
4 of the commercial or industrial activity and not from the property
5 lines of the parcels upon which the activities are located.
6 Measurements shall be along or parallel to the edge of the main
7 traveled way of the highway. The following shall not be considered
8 commercial or industrial activities:

9 (a) Agricultural, forestry, grazing, farming, and related
10 activities, including, but not limited to, wayside fresh produce
11 stands;

12 (b) Transient or temporary activities;

13 (c) Railroad tracks and minor sidings;

14 (d) Signs;

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

17 (f) Activities conducted in a building principally used as a
18 residence.

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

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

26 ~~(a) The words "GAS," "FOOD," or "LODGING" and directional~~
27 ~~information; and~~

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

29 ~~(11) "Business sign" means a separately attached sign mounted on~~
30 ~~the specific information panel or roadside area information panel to~~

1 show the brand or trademark and name, or both, of the motorist service
2 available on the crossroad at or near the interchange. Nationally,
3 regionally, or locally known commercial symbols or trademarks for
4 service stations, restaurants, and motels shall be used when
5 applicable. The brand or trademark identification symbol used on the
6 business sign shall be reproduced with the colors and general shape
7 consistent with customary use. Any messages, trademarks, or brand
8 symbols which interfere with, imitate, or resemble any official warning
9 or regulatory traffic sign, signal, or device are prohibited.

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

15 ((13) "Tourist-oriented directional sign" means a sign on a
16 specific information panel on the state highway system to provide
17 directional information to a qualified tourist-oriented business,
18 service, or activity.

19 (14) "Qualified tourist-oriented business" means any lawful
20 cultural, historical, recreational, educational, or entertaining
21 activity or a unique or unusual commercial or nonprofit activity, the
22 major portion of whose income or visitors are derived during its normal
23 business season from motorists not residing in the immediate area of
24 the activity.

25 (15)) (11) "Temporary agricultural directional sign" means a sign
26 on private property adjacent to state highway right of way to provide
27 directional information to places of business offering for sale
28 seasonal agricultural products on the property where the sale is taking
29 place.

1 (~~((16) "Adopt a highway sign" means a sign on state highway right~~
2 ~~of way referring to the department's adopt a highway litter control~~
3 ~~program.))~~)

4 **Sec. 2.** RCW 47.42.040 and 1990 c 258 s 2 are each amended to read
5 as follows:

6 It is declared to be the policy of the state that no signs which
7 are visible from the main traveled way of the interstate system,
8 primary system, or scenic system shall be erected or maintained except
9 the following types:

10 (1) Directional or other official signs or notices that are
11 required or authorized by law;

12 (2) Signs advertising the sale or lease of the property upon which
13 they are located;

14 (3) Signs advertising activities conducted on the property on which
15 they are located;

16 (4) Signs, not inconsistent with the policy of this chapter and the
17 national policy set forth in section 131 of title 23, United States
18 Code as codified and enacted by Public Law 85-767 and amended only by
19 section 106, Public Law 86-342, and the national standards promulgated
20 thereunder by the secretary of commerce or the secretary of
21 transportation, advertising activities being conducted at a location
22 within twelve miles of the point at which such signs are located:
23 PROVIDED, That no sign lawfully erected pursuant to this subsection
24 adjacent to the interstate system and outside commercial and industrial
25 areas shall be maintained by any person after three years from May 10,
26 1971;

27 (5) Signs, not inconsistent with the policy of this chapter and the
28 national policy set forth in section 131 of title 23, United States
29 Code as codified and enacted by Public Law 85-767 and amended only by

1 section 106, Public Law 86-342, and the regulations promulgated
2 thereunder by the secretary of commerce or the secretary of
3 transportation, designed to give information in the specific interest
4 of the traveling public: PROVIDED, That no sign lawfully erected
5 pursuant to this subsection adjacent to the interstate system and
6 outside commercial and industrial areas shall be maintained by any
7 person after three years from May 10, 1971;

8 (6) Signs lawfully in existence on October 22, 1965, determined by
9 the commission, subject to the approval of the United States secretary
10 of transportation, to be landmark signs, including signs on farm
11 structures or natural surfaces, of historic or artistic significance
12 the preservation of which would be consistent with the purposes of
13 chapter 47.42 RCW;

14 (7) Public service signs, located on school bus stop shelters,
15 which:

16 (a) Identify the donor, sponsor, or contributor of said shelters;

17 (b) Contain safety slogans or messages which occupy not less than
18 sixty percent of the area of the sign;

19 (c) Contain no other message;

20 (d) Are located on school bus shelters which are authorized or
21 approved by city, county, or state law, regulation, or ordinance, and
22 at places approved by the city, county, or state agency controlling the
23 highway involved; and

24 (e) Do not exceed thirty-two square feet in area. Not more than
25 one sign on each shelter may face in any one direction.

26 Subsection (7) of this section notwithstanding, the department of
27 transportation shall adopt regulations relating to the appearance of
28 school bus shelters, the placement, size, and public service content of
29 public service signs located thereon, and the prominence of the

1 identification of the donors, sponsors, or contributors of the
2 shelters.

3 (8) Temporary agricultural directional signs, with the following
4 restrictions:

5 (a) Signs shall be posted only during the period of time the
6 seasonal agricultural product is being sold;

7 (b) Signs shall not be placed adjacent to the interstate highway
8 system unless the sign qualifies as an on-premise sign;

9 (c) Signs shall not be placed within an incorporated city or town;

10 (d) Premises on which the seasonal agricultural products are sold
11 must be within fifteen miles of the state highway, and necessary
12 supplemental signing on local roads must be provided before the
13 installation of the signs on the state highway;

14 (e) Signs must be located so as not to restrict sight distances on
15 approaches to intersections;

16 (f) The department shall establish a permit system and fee schedule
17 and rules for the manufacturing, installation, and maintenance of these
18 signs in accordance with the policy of this chapter;

19 (g) Signs in violation of these provisions shall be removed in
20 accordance with the procedures in RCW 47.42.080;

21 ~~((9) Adopt a highway signs, with the following restrictions:~~

22 ~~(a) Signs shall be designed by the department and may only include~~
23 ~~the words "adopt a highway litter control next XX miles" and the name~~
24 ~~of the litter control area sponsor. The sponsor's name shall not be~~
25 ~~displayed more predominantly than the remainder of the sign message.~~
26 ~~No trademarks or business logos may be displayed;~~

27 ~~(b) Signs may be placed along interstate, primary and scenic system~~
28 ~~highways;~~

29 ~~(c) For each litter control area designated by the department, one~~
30 ~~sign may be placed visible to traffic approaching from each direction;~~

1 ~~(d) Signs shall be located so as not to detract from official~~
2 ~~traffic control signs installed pursuant to the manual on uniform~~
3 ~~traffic control devices adopted by the department;~~

4 ~~(e) Signs shall be located so as not to restrict sight distance on~~
5 ~~approaches to intersections or interchanges;~~

6 ~~(f) The department may charge reasonable fees to defray the cost of~~
7 ~~manufacture, installation, and maintenance of adopt a highway signs.)~~

8 Only signs of types 1, 2, 3, 7, and 8 (~~(7 and 9)~~) may be erected or
9 maintained within view of the scenic system. Signs of types 7 (~~(7)~~) and
10 8 (~~(7 and 9)~~) may also be erected or maintained within view of the
11 federal aid primary system.

12 NEW SECTION. Sec. 3. A new section is added to chapter 47.36 RCW
13 to read as follows:

14 The definitions set forth in this section apply throughout this
15 chapter.

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

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

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

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

26 (5) "Scenic system" means (a) a state highway within a public park,
27 federal forest area, public beach, public recreation area, or national
28 monument, (b) a state highway or portion of a highway outside the
29 boundaries of an incorporated city or town designated by the

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

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

9 (a) The words "GAS," "FOOD," or "LODGING" and directional
10 information; and

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

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

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

28 (9) "Tourist-oriented directional sign" means a sign on a specific
29 information panel on the state highway system to provide directional

1 information to a qualified tourist-oriented business, service, or
2 activity.

3 (10) "Qualified tourist-oriented business" means a lawful cultural,
4 historical, recreational, educational, or entertaining activity or a
5 unique or unusual commercial or nonprofit activity, the major portion
6 of whose income or visitors are derived during its normal business
7 season from motorists not residing in the immediate area of the
8 activity.

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

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 47.36 RCW
13 to read as follows:

14 The department may install adopt-a-highway signs, with the
15 following restrictions:

16 (1) Signs shall be designed by the department and may only include
17 the words "adopt-a-highway litter control next XX miles" and the name
18 of the litter control area sponsor. The sponsor's name shall not be
19 displayed more predominantly than the remainder of the sign message.
20 No trademarks or business logos may be displayed;

21 (2) Signs may be placed along interstate, primary, and scenic
22 system highways;

23 (3) For each litter control area designated by the department, one
24 sign may be placed visible to traffic approaching from each direction;

25 (4) Signs shall be located so as not to detract from official
26 traffic control signs installed pursuant to the manual on uniform
27 traffic control devices adopted by the department;

28 (5) Signs shall be located so as not to restrict sight distance on
29 approaches to intersections or interchanges;

1 (6) The department may charge reasonable fees to defray the cost of
2 manufacture, installation, and maintenance of adopt-a-highway signs.

3 NEW SECTION. **Sec. 5.** A new section is added to chapter 47.36 RCW
4 to read as follows:

5 The department shall ensure that specific information panels are
6 installed within nine months of receiving the request for installation.

7 NEW SECTION. **Sec. 6.** RCW 47.42.046, 47.42.047, 47.42.0475,
8 47.42.052, 47.42.160, and 47.42.170 are each recodified as sections in
9 chapter 47.36 RCW. The code reviser may correct internal references
10 within the recodified sections accordingly.