

SSB 6208 - H COMM AMD  
By Committee on Transportation

ADOPTED 03/02/2010

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 47.42.020 and 2005 c 398 s 2 are each amended to read  
4 as follows:

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

7 (1) "Department" means the Washington state department of  
8 transportation.

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

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

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

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

19 (6) "Primary system" means any state highway which is or does  
20 become part of the federal-aid primary system as described in section  
21 103(b) of title 23, United States Code.

22 (7) "Scenic system" means (a) any state highway within any public  
23 park, federal forest area, public beach, public recreation area, or  
24 national monument, (b) any state highway or portion thereof outside the  
25 boundaries of any incorporated city or town designated by the  
26 legislature as a part of the scenic system, or (c) any state highway or  
27 portion thereof outside the boundaries of any incorporated city or town  
28 designated by the legislature as a part of the scenic and recreational  
29 highway system except for the sections of highways specifically  
30 excluded in RCW 47.42.025 or located within areas zoned by the

1 governing county for predominantly commercial and industrial uses, and  
2 having development visible to the highway, as determined by the  
3 department.

4 (8) "Sign" means any outdoor sign, display, device, figure,  
5 painting, drawing, message, placard, poster, billboard, or other thing  
6 that is designed, intended, or used to advertise or inform, any part of  
7 the advertising or informative contents of which is visible from any  
8 place on the main-traveled way of the interstate system or other state  
9 highway. "Sign" does not include a display authorized under RCW  
10 47.36.030(3) promoting a local agency sponsored event that does not  
11 include advertising.

12 (9) "Commercial and industrial areas" means any area zoned  
13 commercial or industrial by a county or municipal code, or if unzoned  
14 or zoned for general uses by a county or municipal code, that area  
15 occupied by three or more separate and distinct commercial or  
16 industrial activities, or any combination thereof, within a space of  
17 five hundred feet and the area within five hundred feet of such  
18 activities on both sides of the highway. The area shall be measured  
19 from the outer edges of the regularly used buildings, parking lots, or  
20 storage or processing areas of the commercial or industrial activity  
21 and not from the property lines of the parcels upon which the  
22 activities are located. Measurements shall be along or parallel to the  
23 edge of the main traveled way of the highway. The following shall not  
24 be considered commercial or industrial activities:

25 (a) Agricultural, forestry, grazing, farming, and related  
26 activities, including, but not limited to, wayside fresh produce  
27 stands;

28 (b) Transient or temporary activities;

29 (c) Railroad tracks and minor sidings;

30 (d) Signs;

31 (e) Activities more than six hundred and sixty feet from the  
32 nearest edge of the right-of-way;

33 (f) Activities conducted in a building principally used as a  
34 residence.

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

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

6 (11) "Temporary agricultural directional sign" means a sign on  
7 private property adjacent to a state highway right-of-way, or on a  
8 state highway right-of-way, to provide directional information to  
9 places of business offering for sale seasonal agricultural products on  
10 the property where the sale is taking place.

11 **Sec. 2.** RCW 47.42.120 and 1999 c 276 s 1 are each amended to read  
12 as follows:

13 Notwithstanding any other provisions of this chapter, no sign  
14 except a sign of type 1 or 2 or those type 3 signs that advertise  
15 activities conducted upon the properties where the signs are located,  
16 may be erected or maintained without a permit issued by the department.  
17 Application for a permit shall be made to the department on forms  
18 furnished by it. The forms shall contain a statement that the owner or  
19 lessee of the land in question has consented thereto. For type 8 signs  
20 (temporary agricultural directional signs), when the land in question  
21 is owned by the department, the consent statement must be reviewed and,  
22 if the sign does not create a safety concern, be approved within ten  
23 days of application by the department. The application shall be  
24 accompanied by a fee established by department rule to be deposited  
25 with the state treasurer to the credit of the motor vehicle fund.  
26 Permits shall be for the remainder of the calendar year in which they  
27 are issued, and accompanying fees shall not be prorated for fractions  
28 of the year. Permits must be renewed annually through a certification  
29 process established by department rule. Advertising copy may be  
30 changed at any time without the payment of an additional fee.  
31 Assignment of permits in good standing is effective only upon receipt  
32 of written notice of assignment by the department. A permit may be  
33 revoked after hearing if the department finds that any statement made  
34 in the application or annual certification process was false or  
35 misleading, or that the sign covered is not in good general condition  
36 and in a reasonable state of repair, or is otherwise in violation of  
37 this chapter, if the false or misleading information has not been

1 corrected and the sign has not been brought into compliance with this  
2 chapter or rules adopted under it within thirty days after written  
3 notification."

4 Correct the title.

EFFECT: Changes the time within which applications for temporary  
agricultural sign permits must be approved by the department from  
within five days to within ten days.

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