

House Bill 2866

Sponsored by Representative CAMERON (at the request of Travel Information Council)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Defines "travel plaza." Permits person to obtain permit to display messages on specified types of signs at travel plazas.

A BILL FOR AN ACT

1
2 Relating to travel plazas; amending ORS 377.710 and 377.800.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 377.710 is amended to read:

5 377.710. As used in ORS 377.700 to 377.840 unless the context otherwise requires:

6 (1) "Back-to-back sign" means a sign with multiple display surfaces mounted on a single struc-
7 ture with display surfaces visible to traffic from opposite directions of travel.

8 (2) "Business identification sign" means a sign not exceeding 32 square feet that identifies a
9 business and that displays only information necessary to adequately describe the business and the
10 direction and distance to the business.

11 (3) "Commercial or industrial zone" means an area, adjacent to a state highway, that is zoned
12 for commercial or industrial use by or under state statute or local ordinance.

13 (4) "Council" means the Travel Information Council created by ORS 377.835.

14 (5) "Cutout" means every type of display in the form of letters, figures, characters or other re-
15 presentations in cutout or irregular form attached to and superimposed upon a sign.

16 (6) "Department" means the Department of Transportation.

17 (7) "Directional sign" means a sign:

18 (a) Identifying and containing directional information to one or more public places owned or
19 operated by federal, state or local governments or one of their agencies;

20 (b) Identifying and containing directional information to publicly or privately owned natural
21 phenomena or historic, cultural, scientific, educational and religious sites; or

22 (c) Identifying and containing directional information to areas of natural scenic beauty or areas
23 naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.

24 (8) "Director" means the Director of Transportation.

25 (9) "Display surface" means the area of a sign made available for the purpose of displaying the
26 advertising or informational message.

27 (10) "Double-faced sign" means a sign with multiple display surfaces with two or more separate
28 and different messages visible to traffic from one direction of travel.

29 (11) "Erect" means to construct, build, assemble, place, affix, attach, create, paint, draw or in
30 any way bring into being or establish.

31 (12) "Federal-aid primary system" or "primary highway" means the federal-aid primary system

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 in existence on June 1, 1991, and any highway that is not on such system but that is on the National
 2 Highway System.

3 (13) "Freeway" means a divided arterial highway with four or more lanes available for through
 4 traffic with full control of access and grade separation at intersections.

5 (14) "Governmental unit" means the federal government, the state, or a city, county or other
 6 political subdivision or an agency thereof.

7 (15) "Interstate highway" or "interstate system" means every state highway that is a part of the
 8 National System of Interstate and Defense Highways established pursuant to section 103(e), title 23,
 9 United States Code.

10 (16) "Logo" means a symbol or design used by a business as a means of identification of its
 11 products or services.

12 (17) "Logo sign" means a sign located on highway right of way on which logos for gas, food,
 13 lodging and camping are mounted.

14 (18) "Maintain," "maintained," "maintaining" or "maintenance" includes painting, changing ad-
 15 vertising or information on display surfaces, adding or removing a cutout, routine repairs necessary
 16 to maintain the sign in a neat, clean, attractive and safe condition, and the term includes allowing
 17 to exist.

18 (19) "Main-traveled way" means the through traffic lanes, exclusive of frontage roads, auxiliary
 19 lanes and ramps.

20 (20) "Motorist informational sign" means a sign erected in a safety rest area, scenic overlook
 21 or sign plaza and maintained under the authority of ORS 377.700 to 377.840 to inform the traveling
 22 public about public accommodations, services for the traveling public and points of scenic, historic,
 23 cultural, scientific, outdoor recreational and educational interest.

24 (21) "Nonconforming sign" means a sign that is subject to, but does not comply with, the pro-
 25 visions of ORS 377.700 to 377.840.

26 (22) "On-premises sign" means a sign designed, intended or used to advertise, inform or attract
 27 the attention of the public as to:

- 28 (a) Activities conducted on the premises on which the sign is located; or
- 29 (b) The sale or lease of the premises on which the sign is located.

30 (23) "Outdoor advertising sign" means a sign designed, intended or used to advertise, inform or
 31 attract the attention of the public as to:

- 32 (a) Goods, products or services which are not sold, manufactured or distributed on or from the
 33 premises on which the sign is located;
- 34 (b) Facilities not located on the premises on which the sign is located; or
- 35 (c) Activities not conducted on the premises on which the sign is located.

36 (24) "Protected area" means an area located within 660 feet of the edge of the right of way of
 37 any portion of an interstate highway constructed upon any part of right of way, the entire width
 38 of which was acquired by the State of Oregon subsequent to July 1, 1956, and which portion or
 39 segment does not traverse:

40 (a) A commercial or industrial zone within the boundaries of a city, as such boundaries existed
 41 on September 21, 1959, wherein the use of real property adjacent to the interstate highway is subject
 42 to municipal regulation or control; or

43 (b) Other areas where land use, as of September 21, 1959, is established as industrial or com-
 44 mercial pursuant to state law.

45 (25) "Reconstruction" means replacing a sign totally or partially destroyed, increasing its size

1 or performing any work, except maintenance work, that alters or changes a sign authorized to exist
2 under the provisions of ORS 377.700 to 377.840.

3 (26) "Relocation" includes, but is not limited to the removal of a sign from one situs together
4 with the erection of a new sign upon another situs as a substitute therefor.

5 (27) "Rest area" means an area established and maintained within or adjacent to a state high-
6 way right of way by or under public supervision or control for the convenience of the traveling
7 public, and includes safety rest areas, scenic overlooks or similar roadside areas.

8 (28) "Secondary highway" means any state highway other than an interstate highway or primary
9 highway.

10 (29) "Sign" means any sign, display, message, emblem, device, figure, painting, drawing, placard,
11 poster, billboard or other thing that is designed, used or intended for advertising purposes or to in-
12 form or attract the attention of the public, and the term includes the sign structure, display surface
13 and all other component parts of a sign; when dimensions of a sign are specified, the term includes
14 panels and frames; and the term includes both sides of a sign of specified dimensions or area.

15 (30) "Sign area" means the overall dimensions of all panels capable of displaying messages on
16 a sign structure.

17 (31) "Sign plaza" means a structure erected and maintained by or for the department or the
18 Travel Information Council, adjacent or in close proximity to a state highway, for the display of
19 motorist information.

20 (32) "Sign regulations for protected areas" means regulations promulgated by the department
21 applicable to signs erected within protected areas prior to, and in effect on, July 2, 1971, or
22 amendments to such regulations promulgated by the department.

23 (33) "Sign structure" or "structure" means the supports, uprights, braces, framework and display
24 surfaces of a sign.

25 (34) "State highway," "highway" or "state highway system" means the entire width between the
26 boundary lines of the right of way of every state highway, as defined by ORS 366.005, and the terms
27 also include the interstate system and the federal-aid primary system.

28 (35) "Tourist oriented directional sign" means a sign erected on state highway right of way to
29 provide business identification and directional information for services and activities of interest to
30 tourists.

31 (36) "Traffic control sign or device" means an official route marker, guide sign, warning sign,
32 or sign directing or regulating traffic, which has been erected by or under the order of the depart-
33 ment.

34 **(37) "Travel plaza" means any staffed facility erected to serve motorists by providing**
35 **visitor information and located in close proximity to a highway.**

36 [(37)] **(38)** "Tri-vision sign" means an outdoor advertising structure that contains display sur-
37 faces composed of a series of three-sided rotating slats arranged side by side, either horizontally or
38 vertically, that are rotated by an electromechanical process, capable of displaying a total of three
39 separate and distinct messages, one message at a time, provided that the rotation from one message
40 to another message is no more frequent than every eight seconds and the actual rotation process
41 is accomplished in four seconds or less.

42 [(38)] **(39)** "V-type sign" means two signs erected independently of each other with multiple
43 display surfaces having single or multiple messages visible to traffic from opposite directions, with
44 an interior angle between the two signs of not more than 120 degrees and the signs separated by
45 not more than 10 feet at the nearest point.

1 [(39)] (40) "Visible" means capable of being seen without visual aid by a person of normal visual
2 acuity, whether or not legible from the main-traveled way of any state highway.

3 [(40)] (41) "Waiver" means an agreement executed between the owner of a sign, the owner of
4 the property on which the sign is located and the department which provides that those signs
5 erected adjacent to an interstate or primary highway after October 22, 1965, shall be removed, with
6 partial compensation or no compensation, as provided by the agreement.

7 **SECTION 2.** ORS 377.800 is amended to read:

8 377.800. (1) For the convenience and information of the traveling public, a person may upon
9 obtaining a permit therefor display messages as may be allowed by rule adopted by the Travel In-
10 formation Council for the particular type of sign on a motorist informational sign, tourist oriented
11 directional sign, logo sign or at a sign plaza **or travel plaza.**

12 **(2) The Travel Information Council may not erect a travel plaza on public lands without**
13 **first obtaining consent from the agency that owns the land.**

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