

SENATE AMENDMENTS TO SENATE BILL 689

By COMMITTEE ON BUSINESS AND TRANSPORTATION

April 24

1 On page 1 of the printed bill, line 24, after “of” insert “ORS”.

2 On page 2, line 2, delete “100” and insert “249”.

3 In line 3, after the period delete the rest of the line and delete lines 4 through 45 and delete
4 page 3 and insert “After the relocation credits are combined, the Department of Transportation shall
5 cancel the smaller relocation credits used to create the combined relocation credit. The first time
6 an owner uses a combined relocation credit, the combined relocation credit is not restricted by the
7 provisions of ORS 377.767 (4).

8 “**SECTION 5.** ORS 377.710 is amended to read:

9 “377.710. As used in ORS 377.700 to 377.840 unless the context otherwise requires:

10 “(1) ‘Back-to-back sign’ means a sign with multiple display surfaces mounted on a single struc-
11 ture with display surfaces visible to traffic from opposite directions of travel.

12 “(2) ‘Commercial or industrial zone’ means an area, adjacent to a state highway, that is zoned
13 for commercial or industrial use by or under state statute or local ordinance.

14 “(3) ‘Council’ means the Travel Information Council created by ORS 377.835.

15 “(4) ‘Cutout’ means every type of display in the form of letters, figures, characters or other re-
16 presentations in cutout or irregular form attached to and superimposed upon a sign.

17 “(5) ‘Department’ means the Department of Transportation.

18 “(6) ‘Director’ means the Director of Transportation.

19 “(7) ‘Display surface’ means the area of a sign available for the purpose of displaying a message.

20 “(8) ‘Double-faced sign’ means a sign with multiple display surfaces with two or more separate
21 and different messages visible to traffic from one direction of travel.

22 “(9) ‘Erect’ means to construct, build, assemble, place, affix, attach, create, paint, draw or in any
23 way bring into being or establish.

24 “(10) ‘Federal-aid primary system’ or ‘primary highway’ means the federal-aid primary system in
25 existence on June 1, 1991, and any highway that is on the National Highway System.

26 “(11) ‘Freeway’ means a divided arterial highway with four or more lanes available for through
27 traffic with full control of access and grade separation at intersections.

28 “(12) ‘Governmental unit’ means the federal government, the state, or a city, county or other
29 political subdivision or an agency thereof.

30 “(13) ‘Interstate highway’ or ‘interstate system’ means every state highway that is a part of the
31 National System of Interstate and Defense Highways established pursuant to section 103(c), title 23,
32 United States Code.

33 “(14) ‘Logo’ means a symbol or design used by a business as a means of identification of its
34 products or services.

35 “(15) ‘Logo sign’ means a sign located on highway right of way on which logos for gas, food,

1 lodging and camping are mounted.

2 “(16) ‘Maintain’ includes painting, changing messages on display surfaces, adding or removing
3 a cutout or display surface of the same dimensions, replacing lights or the catwalk, making routine
4 repairs necessary to keep the sign in a neat, clean, attractive and safe condition, and allowing the
5 sign to exist.

6 “(17) ‘Main traveled way’ means the through traffic lanes, exclusive of frontage roads, auxiliary
7 lanes and ramps.

8 “(18) ‘Motorist informational sign’ means a sign erected in a safety rest area, scenic overlook
9 or sign plaza and maintained under the authority of ORS 377.700 to 377.840 to inform the traveling
10 public about public accommodations, services for the traveling public and points of scenic, historic,
11 cultural, scientific, outdoor recreational and educational interest.

12 “(19) ‘Nonconforming sign’ means a sign that complied with ORS 377.700 to 377.840 when
13 erected, but no longer complies with ORS 377.700 to 377.840 because of a later change in the law
14 or in the conditions outside of the owner’s control. An unlawfully located or maintained sign is not
15 a nonconforming sign.

16 “(20) ‘Outdoor advertising sign’ means:

17 “(a) A sign that is not at the location of a business or an activity open to the public, as defined
18 by the department by rule; or

19 “(b) A sign for which compensation or anything of value as defined by the department by rule
20 is given or received for the display of the sign or for the right to place the sign on another’s prop-
21 erty.

22 “(21) ‘Protected area’ means an area located within 660 feet of the edge of the right of way of
23 any portion of an interstate highway constructed upon any part of right of way, the entire width
24 of which was acquired by the State of Oregon subsequent to July 1, 1956, and which portion or
25 segment does not traverse:

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

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

31 “(22) ‘Reconstruct’ means replacing a sign totally or partially destroyed, changing its overall
32 height or performing any work, except maintenance work, that alters or changes a sign that lawfully
33 exists under ORS 377.700 to 377.840.

34 “(23) ‘Relocate’ includes, but is not limited to removing a sign from one site and erecting a new
35 sign upon another site as a substitute therefor.

36 “(24) **‘Relocation credit’ means a credit for future relocation of a permitted outdoor ad-
37 vertising sign issued in lieu of a relocation permit under ORS 377.767.**

38 “(25) **‘Relocation permit’ means a permit to relocate a sign under ORS 377.767, whether
39 issued in a lieu of a current sign permit or a relocation credit.**

40 “[24] (26) ‘Rest area’ means an area established and maintained within or adjacent to a state
41 highway right of way by or under public supervision or control for the convenience of the traveling
42 public, and includes safety rest areas, scenic overlooks or similar roadside areas.

43 “(27) **‘Scenic byway’ means a state highway or portion of a state highway designated as
44 part of the scenic byway system by the Oregon Transportation Commission or Federal
45 Highway Administration of the United States Department of Transportation.**

1 “[(25)] **(28)** ‘Secondary highway’ means any state highway other than an interstate highway or
2 primary highway.

3 “[(26)(a)] **(29)(a)** ‘Sign’ means any sign, display, message, emblem, device, figure, painting,
4 drawing, placard, poster, billboard or other thing that is designed, used or intended for advertising
5 purposes or to inform or attract the attention of the public.

6 “(b) ‘Sign’ includes the sign structure, display surface and all other component parts of a sign.

7 “(c) When dimensions of a sign are specified, ‘sign’ includes panels and frames and both sides
8 of a sign of specified dimensions or area.

9 “[(27)] **(30)** ‘Sign area’ means the overall dimensions of all panels capable of displaying messages
10 on a sign structure.

11 “[(28)] **(31)** ‘Sign plaza’ means a structure erected and maintained by or for the department or
12 the Travel Information Council, adjacent to or in close proximity to a state highway, for the display
13 of motorist information.

14 “[(29)] **(32)** ‘Sign rules for protected areas’ means rules adopted by the department applicable to
15 signs displayed within protected areas.

16 “[(30)] **(33)** ‘Sign structure’ or ‘structure’ means the supports, uprights, braces, poles, pylons,
17 foundation elements, framework and display surfaces of a sign.

18 “[(31)] **(34)** ‘State highway,’ ‘highway’ or ‘state highway system’ means the entire width between
19 the boundary lines of the right of way of every state highway, as defined by ORS 366.005, and the
20 interstate system and the federal-aid primary system.

21 “[(32)] **(35)** ‘Tourist oriented directional sign’ means a sign erected on state highway right of
22 way to provide business identification and directional information for services and activities of in-
23 terest to tourists.

24 “[(33)] **(36)** ‘Traffic control sign or device’ means an official route marker, guide sign, warning
25 sign, or sign directing or regulating traffic, which has been erected by or under the order of the
26 department.

27 “[(34)] **(37)** ‘Travel plaza’ means any staffed facility erected under the authority of the Travel
28 Information Council to serve motorists by providing brochures, displays, signs and other visitor in-
29 formation and located in close proximity to a highway.

30 “[(35)] **(38)** ‘Tri-vision sign’ means a sign that contains display surfaces composed of a series of
31 three-sided rotating slats arranged side by side, either horizontally or vertically, that are rotated
32 by an electromechanical process and capable of displaying a total of three separate and distinct
33 messages, one message at a time, provided that the rotation from one message to another message
34 is no more frequent than every eight seconds and the actual rotation process is accomplished in four
35 seconds or less.

36 “[(36)] **(39)** ‘V-type sign’ means two signs erected independently of each other with multiple
37 display surfaces having single or multiple messages visible to traffic from opposite directions, with
38 an interior angle between the two signs of not more than 120 degrees and the signs separated by
39 not more than 10 feet at the nearest point.

40 “[(37)] **(40)** ‘Visible’ means capable of being seen without visual aid by a person of normal visual
41 acuity, whether or not legible from the main traveled way of any state highway.”.

42 On page 4, delete lines 1 through 25.