

## HOUSE AMENDMENTS TO SENATE BILL 639

By COMMITTEE ON TRANSPORTATION AND ECONOMIC DEVELOPMENT

June 3

1 On page 1 of the printed bill, line 2, after “signs;” delete the rest of the line and delete line 3  
2 and insert “creating new provisions; amending ORS 377.710, 377.720, 377.750 and 377.767; and pre-  
3 scribing an effective date.”.

4 On page 4, line 18, after “(B)” insert “Has a display surface that”.

5 In line 20, after “measured” delete the rest of the line and delete line 21 and insert “at a dis-  
6 tance of:

7 “(i) 150 feet, if the display surface is 12 feet by 25 feet;

8 “(ii) 200 feet, if the display surface is 10.5 feet by 36 feet; or

9 “(iii) 250 feet, if the display surface is 14 feet by 48 feet;”.

10 In line 23, delete “and”.

11 In line 25, delete the period and insert “;

12 “(F) If available where the digital billboard is located, uses renewable energy resources to power  
13 the digital billboard, including but not limited to the following:

14 “(i) Wind energy;

15 “(ii) Solar photovoltaic and solar thermal energy;

16 “(iii) Wave, tidal and ocean thermal energy;

17 “(iv) Geothermal energy; and

18 “(v) The purchase of carbon credits; and

19 “(G) If wind energy is used, as specified in subparagraph (F)(i) of this paragraph, uses moving  
20 parts for the purpose of generating the wind energy to power the billboard.”.

21 On page 6, delete lines 26 through 28 and insert:

22 **“SECTION 5. Sections 6 and 7 of this 2011 Act are added to and made a part of ORS  
23 377.700 to 377.840.**

24 **“SECTION 6. (1) As used in this section:**

25 **“(a) ‘Bulletin’ means an outdoor advertising sign with a display surface that is 14 feet  
26 by 48 feet.**

27 **“(b) ‘Poster’ means an outdoor advertising sign with a display surface that is 12 feet by  
28 25 feet.**

29 **“(2) If an outdoor advertising sign being relocated is relocated as a digital billboard or if  
30 an outdoor advertising sign being reconstructed is reconstructed as a digital billboard, an  
31 applicant for a permit under ORS 377.725 must exchange the following in order to receive one  
32 permit for a digital billboard:**

33 **“(a) An applicant with 10 percent or less of the total number of relocation credits in ex-  
34 istence on the date the Department of Transportation receives the application for a digital  
35 billboard permit shall either remove one existing outdoor advertising sign and retire the**

1 permit for that sign or retire one relocation credit. The permit or relocation credit retired  
2 must be for signs with a display surface of at least 250 square feet.

3 “(b) An applicant with more than 10 percent of the total number of relocation credits in  
4 existence on the date the department receives an application for a digital billboard permit  
5 shall:

6 “(A) For a digital billboard that is a bulletin:

7 “(i) Remove two existing bulletins, retire the permits for those bulletins and retire three  
8 relocation credits;

9 “(ii) Remove one existing bulletin and two existing posters, retire the permits for the  
10 bulletin and posters and retire three relocation credits; or

11 “(iii) Remove four existing posters, retire the permits for those posters and retire three  
12 relocation credits.

13 “(B) For a digital billboard that is a poster:

14 “(i) Remove two existing posters, retire the permits for those posters and retire three  
15 relocation credits; or

16 “(ii) Remove one existing bulletin, retire the permit for the bulletin and retire three re-  
17 location credits.

18 “(3) The relocation credits retired under subsection (2)(b) of this section must be for  
19 signs with a display surface of at least 250 square feet.

20 “(4) Notwithstanding ORS 377.759 and 377.762, an owner that removes an outdoor adver-  
21 tising sign under this section is not entitled to a relocation credit.

22 “(5) When calculating the number of relocation credits an owner possesses, the depart-  
23 ment shall consider the total number of relocation credits owned by any corporate entity  
24 held in common ownership with the owner in order to determine how many outdoor adver-  
25 tising signs the owner must remove and how many relocation credits the owner must retire  
26 to receive a permit to erect a digital billboard.

27 “(6) The department shall cancel the relocation credits and permits submitted under this  
28 section upon issuance of a permit to erect a digital billboard.

29 “(7) Two permits for a digital billboard are required to erect a back-to-back or V-type  
30 digital billboard.

31 “(8) The first time an owner uses a permit to erect a digital billboard, the permit is not  
32 restricted by the provisions of ORS 377.767 (4).

33 “(9) The department shall issue one digital billboard relocation credit for each digital  
34 billboard that is removed. A digital billboard relocation credit may be used only to erect a  
35 digital billboard and may not be used to erect any other type of outdoor advertising sign.

36 “(10) Except as provided in subsection (8) of this section, an outdoor advertising sign that  
37 is being relocated as a digital billboard must meet all requirements of ORS 377.767.

38 “SECTION 7. (1) The Department of Transportation shall work together with the Travel  
39 Information Council, the Office of Emergency Management, the Department of State Police,  
40 the Secretary of State and owners of digital billboards to develop a public notification plan  
41 for the purpose of using digital billboards to display notifications to the traveling public re-  
42 lated to civic activities and public safety. Public notifications include but are not limited to  
43 information about the Government Waste Hotline established under ORS 177.170, elections,  
44 voter registration, Amber Alerts and natural disasters and other emergencies.

45 “(2) The Department of Transportation, in coordination with the Office of Emergency

1 Management, the Department of State Police, the Secretary of State and owners of digital  
2 billboards, shall prepare a written public notification plan. In preparing the plan, the De-  
3 partment of Transportation shall address:

4 “(a) The criteria to be applied in determining when it is appropriate to request that an  
5 owner of a digital billboard display a public notification.

6 “(b) The procedures used to determine the expiration of a notification and to recall the  
7 request once the information is no longer needed.

8 “SECTION 8. (1) The Travel Information Council shall study and make recommendations  
9 on the following:

10 “(a) How to prioritize public notifications made under section 7 of this 2011 Act.

11 “(b) How to encourage the display of public notifications on digital billboards.

12 “(2) The council shall submit a report, and may include recommendations for legislation,  
13 to the interim committees of the Legislative Assembly related to transportation no later  
14 than September 1, 2012.

15 “SECTION 9. Section 8 of this 2011 Act is repealed on January 2, 2013.

16 “SECTION 10. This 2011 Act takes effect on the 91st day after the date on which the 2011  
17 regular session of the Seventy-sixth Legislative Assembly adjourns sine die.”.