1	Senate Bill No. 264
2	(By Senators Beach, Snyder, Laird, Yost, Green and Williams)
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4	[Introduced January 25, 2011; referred to the Committee on the
5	Judiciary.]
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10	A BILL to amend and reenact $\$17-22-4$ of the Code of West Virginia,
11	1931, as amended, relating to outdoor advertising signs
12	containing numerical displays composed of lights or movable
13	components that change no more often than once every twenty-
14	four hours.
15	Be it enacted by the Legislature of West Virginia:
16	That §17-22-4 of the Code of West Virginia, 1931, as amended,
17	be amended and reenacted to read as follows:
18	ARTICLE 22. OUTDOOR ADVERTISING.
19	17-22-4. General restrictions as to outdoor advertising.
20	The following restrictions shall apply to all advertising
21	signs, displays and devices erected and maintained adjacent to any
22	roads within the state road system, including federal-aid
23	interstate and primary roads.
24	(1) No <u>An</u> advertising sign shall <u>may not</u> be erected or

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1 maintained which involves rapid motion or rotation of the structure 2 or any part thereof: Provided, That an advertising sign that does 3 involve motion or rotation which is not rapid to effect changeable 4 messages shall be permitted in accordance with legislative rules to 5 be proposed by the Division of Highways of the Department of 6 Transportation in accordance with the provisions of article three, 7 chapter twenty-nine-a of this code;

8 (2) No advertising display or device shall use the word "stop" 9 or "danger" or present or imply the need or requirement of stopping 10 or the existence of danger;

11 (3) No advertising sign, display or device shall be a copy or 12 imitate a traffic sign or other official sign;

13 (4) No advertising display or device shall attempt or purport 14 to direct traffic;

15 (5) No advertising sign shall contain lighting which is not 16 shielded and any lighting shall be of such low intensity as not to 17 cause glare or impair the vision of the operator of any motor 18 vehicle;

19 (6) No advertising display or device shall be illuminated by 20 any rapid flashing, intermittent light or lights. <u>Signs, displays</u> 21 <u>or devices otherwise in compliance with this article and rules</u> 22 <u>promulgated by authority of this article which contain numerical</u> 23 <u>displays in the form of light emitting diodes or other lights or</u> 24 movable components that change no more often than once every

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1 twenty-four hours are not deemed to violate the provisions of this
2 article;

3 (7) No advertising display or device shall be painted, affixed4 or attached to any natural feature;

5 (8) No advertising sign, display or device shall hinder the 6 clear, unobstructed view of approaching or merging traffic or 7 obscure from view any traffic sign or other official sign;

8 (9) No advertising sign, display or device shall be so located 9 as to obscure the view of any connecting road or intersection;

10 (10) No advertising sign, display or device shall be erected, 11 outside of any municipality, within five hundred feet of any 12 church, school, cemetery, public park, public reservation, public 13 playground or state or national forest except markers for 14 underground utility facilities;

15 (11) No advertising sign, the permit for which has been 16 applied for subsequent to December 31, 2003, that is composed of 17 stacked sign faces, one on top of the other, on the same structure, 18 facing the same direction, each having more than three hundred 19 square feet is permitted;

20 (12) No advertising device which is composed of separate sign 21 faces in a side by side formation, on the same structure, facing 22 the same direction, each having an area of more than three hundred 23 square feet is permitted;

24 (13) No advertising device, the permit for which has been

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1 applied for subsequent to December 31, 2003, which contains a sign 2 facing a single direction may have an area greater than six hundred 3 seventy-two square feet: *Provided*, That cutouts and extensions 4 which expand the area may be allowed to the extent the area is 5 expanded by no more than thirty percent of its original permitted 6 configuration;

7 (14) No more than one sign structure is permitted at a 8 location.

NOTE: The purpose of this bill is to allow outdoor advertising signs to contain numerical content that changes no more often than once every twenty-four hours.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.