



Oregon Department of Transportation Outdoor Advertising Sign Program - GLOSSARY

Sign regulation is filled with terminology that is not commonly known, or uses words that have a somewhat different definition than what you might mean using the same word in everyday life.

This glossary is meant to help you understand the terms used on these web pages, in the statutes and administrative rules, on our application form, etc. If you see a term you don't understand and it's not in the glossary, contact us and we will do our best to clarify that term for you and maybe add it to our glossary. Note that this glossary is meant to help you gain an initial understanding. Consult the Oregon Revised Statutes and Oregon Administrative Rules for the exact, legal definitions.

Activity Open to the Public: a location where the main purpose is to admit the public or provide service to the public. It includes churches, schools, government buildings, public parks, etc.

Billboard: A term that is not used in the sign statutes or administrative rules. Commonly, it means a large sign, the owner of which leases out the space to others for posting their message. Usually, something people would call a billboard is an "outdoor advertising sign" under state law and needs a permit. However, the size of the structure does not determine whether a sign is an outdoor advertising sign. The exchange of compensation and the location of the structure are the criteria.

Bonus Act: The first federal law that encouraged states to regulate signs along interstates. It provided bonus money for interstate construction for states that volunteered to enforce the regulations. Oregon participated and so is called a 'Bonus State.' Therefore, we have an extra layer of sign regulation in **Protected Areas** of the interstates.

Business: Commercial or industrial operation with the intent of economic gain. It does not need to be open to the public (for example, some manufacturing facilities do not allow public access). However, it must be a legitimate operation as opposed to a sham set up only to make a sign legal. Vacant lots, farm fields, and forests are examples of locations that are not businesses.

Compensation: Exchange of value. It includes money, barter of goods, trade of services, promise of future payment, forgiveness of debt. A sign needs a state permit if compensation is exchanged for putting someone else's message on your sign, or for placing your sign structure on someone else's property.

Designated Scenic Area: Stretch of highway that was declared scenic, and therefore off limits for outdoor advertising signs, during the 1960's and early 1970's. The statute

that allowed for new designations was repealed, but the existing stretches remain. ODOT cannot write an outdoor advertising sign permit in such an area.

Electronic Variable Message sign (EVM): A sign made up of lights that allow the message to be changed quickly and from a remote location. Until recently these typically had small display areas, were made up of only white lights, and showed boxy letters and images. New technology, including **LED** signs, allows for large signs, various colors, and full motion.

Federal Highway Beautification Act: 1965 law that required states to implement regulation on signs visible to certain federal-aid highways. Each state entered an agreement with Federal Highway Administration to apply zoning, spacing, size, and lighting restrictions, and to “effectively control” signs, or risk losing 10% of certain annual highway funding.

Freeway: For sign regulation, a “freeway” is a divided highway with at least four traffic lanes, grade separation at intersections, and full access control.

Governmental Unit: Any governmental group, including federal, state, county, city or political subdivision, or an agency of such a government. It includes fire districts and water/soil conservation districts. Signs for governmental units can obtain permit exemptions if the sign is posted to carry out some duty of that government.

LED signs: Type of electronic variable message sign made up of thousands of tiny lights called LED’s (light emitting diodes). Unlike earlier EVM technology, LED signs can be billboard size, have full color, and allow for images that appear to move with video-like quality.

Maintain: Routine upkeep and repair of a sign structure short of reconstructing the sign. Painting, changing copy, changing panels, and small repairs are maintenance. Reconstruction includes changing supports, changing support materials, rebuilding after major damage or collapse, and adding a back-up face to an existing sign. Maintaining a sign does not require a special permit; reconstructing a sign does.

Nonconforming: a sign that was legal when constructed, but no longer complies with the law because of a later change in law, or a change in circumstances not due to the sign owner’s action. A nonconforming sign cannot be reconstructed unless that will fix the nonconforming problem.

Oregon Motorist Information Act (OMIA): The set of laws that regulate signs along state highways.

Outdoor Advertising Sign: Under state law, a sign posted for compensation, or is that not at a business or an activity open to the public. Unless it qualifies for an exemption, an outdoor advertising sign needs a state permit to be legal.

Prohibited Sign: A sign structure or placement that is illegal regardless of whether the sign needs a state permit. The law lists nine types that are prohibited, mostly for safety concerns.

Protected Area: A stretch of interstate subject to an extra level of regulation on outdoor advertising signs. Under the federal **Bonus Act**, Oregon received extra interstate construction money in exchange for limiting signs in these areas.

Reconstruct: Changing supports, changing support materials, rebuilding after major damage or collapse, changing support height, and adding a back-up face to an existing sign. Reconstructing an outdoor advertising sign requires a special permit; maintaining a sign does not.

Relocation: Removing a permitted outdoor advertising sign and building a new one in a new location. Your new location must comply with the **OMIA**, and you must obtain a relocation permit to legally do this.

Relocation Credit: A credit to use in the future to obtain a relocation permit. If you lose your land lease and remove your permitted sign, but do not yet have a spot to rebuild, you can bank the permit as a “relocation credit.” You must notify the Sign Program that you lost your lease, your sign is down, and request the credit.

Right of Way: The highway pavement and (usually) some additional width beyond the pavement owned by the state for the sake of safety or future highway expansion. The width varies from place to place, including along one highway. In some cities the right of way is just curb to curb. In other places it may be 100 feet or more on each side of the shoulder. Other than official traffic control devices, no signs are allowed in state highway right of way.

Scenic Byway: A driving route of outstanding beauty, sponsored and promoted by local citizens, that meets state and national criteria, that is then designated by the Oregon Transportation Commission as a Byway. No new outdoor advertising signs are allowed on Byways, although legal ones that existed when the Byway was first designated are allowed to remain. Oregon’s Scenic Byway system includes All-American Roads, National Scenic Byways, State Scenic Byways, and State Tour Routes. All are considered “Byways” for the sake of sign regulation.

State Highway: Along with all highways so designated by the Oregon Transportation Commission, “state highway” for sign regulation includes all roads on the National Highway System (NHS), and all roads that were on the old “Federal Aid Primary” system (a designation the federal government no longer uses, but requires the states to use for sign regulation). This means that some stretches of road that are not identified as “state highway” on usual maps do fall under state sign regulation.

Temporary Sign: A small sign up for a short time that is exempt from needing a state permit. To qualify the sign must be no more than 12 square feet per side, up for no more

than 60 days in a year, not be for compensation, not be on a permanent base, and must comply with basic safety regulations. A size variance, up to 32 square feet, is possible.

Tri-Vision sign: A sign face made up of slats that rotate to show up to three separate images one at a time. The law requires minimum times the sign must remain still, and maximum times it may take to rotate. Particular permit requirements also apply.

Visible: Capable of being seen. A sign's message does not need to be legible for the sign to be 'visible' from a state highway, and therefore subject to state sign regulation.