

Enforcement

To effectively control signs, we watch for signs that may not be legal. We contact owners and work with them to try to find an option that will allow them to keep a sign. This may mean obtaining a permit (if possible) or suggesting another sign option that meets the owner's needs and the requirements of the law. If no solution is found the owner must remove the sign or a formal violation notice is issued. An owner can request a hearing to show why their sign is legal, or take the sign down. If they do not, the state can remove the sign. Costs and penalties can also be assessed. However, signs in right-of-way may be picked up immediately by the Department of Transportation.

Contact Us

Outdoor Advertising Sign Program

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If you are interested in the blue and white "gas-food-lodging" signs contact:
Travel Information Council | Tel: 800.574.9397
web: www.oregontic.com.

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This brochure is designed to be an introduction to the State of Oregon sign regulation, and does not include all requirements, exceptions, etc. Contact us for a copy of the law, an application packet, or with any questions.



The Basics

The state of Oregon, through the Department of Transportation, regulates signs on private property where they are visible to state highways.

A sign includes any message, display, etc., designed to attract or inform the public. It does not have to be a commercial advertisement.

No signs are allowed on highway right-of-way.

The law requires permits on two types of signs: those posted for compensation, and those that are not at the location of some sort of business or facility open to the public, regardless of the copy on the sign.

The law exempts temporary signs from needing a permit.

There are areas along some highways where we cannot issue a permit.

Some types of signs are prohibited for safety.

The blue and white "gas-food-lodging" signs are handled by a different agency. Contact the *Travel Information Council* at 800-574-9397 or check their Web site at www.oregontic.com.

The Program

The *Oregon Motorist Information Act* regulates the location of signs visible to our state highways. The goals of the Act are to promote public safety; to preserve the recreational value of travel on the state's highways; and to preserve the natural beauty along highways and adjacent areas. The Department of Transportation's Sign Program administers these laws.

Is this a State Highway?

Oregon's laws apply to all state highways (including Interstates), and a few former state highways. Some state highways run through towns and cities, and may even have other names within city limits. However, they remain state highways where signs are regulated by the state. Federal law requires that some stretches of former state highways that have been turned over to a county or city must remain under state sign regulation. Contact our office if you have questions about whether a location is along a roadway we regulate.

Oregon's Outdoor Advertising Sign Program

■ History



Oregon has regulated signs for over 50 years. Congress enacted the **Highway Beautification Act (HBA)** in 1965. Championed by Lady Bird Johnson, the wife of

President Lyndon Johnson, the Act did not prohibit signs, but rather regulated where they could be placed, their size and lighting, etc. At that time, the federal government and the states were investing billions of taxpayer dollars in creating and expanding the interstate and state highway systems. Congress wanted to protect the citizens' assets by ensuring that the roads did not become cluttered with signs, especially in rural and other scenic areas. The federal law required the states to pass laws regulating signs, including limits on their location. Oregon modified its sign regulations in 1971 to comply with the HBA.

Under the **Highway Beautification Act**, if a state fails to pass these laws and “effectively control” signs, it risks losing 10% of its federal highway dollars. Currently Oregon stands to lose about \$30 million per year if we do not meet the federal standard. In 2007, due to a Court decision, the Legislature modified the way we regulate signs, while maintaining compliance with the federal law.

■ Does the Sign Need a State Permit?

The law requires permits on two types of signs: those posted for compensation, and those that are not at a business or other place open to the public. However, temporary signs (as defined by law) are exempt from needing a permit.

For Compensation signs require a permit: Signs for compensation require a permit. A sign is for compensation if money or something of value is exchanged for the posting of the sign itself, or for the right to put copy on that sign.

Signs not at the location of some business or other activity open to the public also require a permit. Even if a sign is not for compensation, if it is not at the location of a business or other type of activity open to the public, then it needs a permit. For example, a sign out in a field or vacant lot is not at a place open to the public; therefore it needs a permit.

Temporary Signs are exempt from the permit requirement. A sign is “temporary” if it is up for less than 60 days and is no larger than 12 square feet, is not on a permanent base, and no compensation is changing hands. Our office can write a variance for time or size (up to 90 days, or 32 square feet).

Signs for political campaigns, festivals, and sales are examples that often use this exemption. It is the time, size, etc., that qualifies a sign for this exemption, not the content.

■ Permits

If your sign is visible to a state highway and is the type that needs a permit you should contact our office to request an application packet to be sure you know all the requirements.

The **Outdoor Advertising Sign (OAS) permit** is sometimes called a **billboard permit**, but it can also be issued for smaller signs and for signs that do not lease advertising space. To limit the number of signs along Oregon's highways, the law does not allow us to issue any brand new OAS permits. Instead, we recycle existing permits and issue updated permits in place of the old ones.

Permits that are not currently being used on a sign are called “relocation credits.” We can provide you with a list of the credits so you can contact the owners about buying one. Once you have obtained a relocation credit, you can apply for an updated permit. If you are thinking about buying a relocation credit, please contact our office first to make sure you can use it for the size and location of your proposed sign.

There are two **specialized permits for signs on bus benches and bus shelters**. The requirements are significantly different from the OAS permit. Contact our office for information if you are interested in pursuing one of these.

■ Prohibited Signs & Areas

The law prohibits some types of signs, whether or not they need a permit. For example, a sign may not look like a traffic sign or block a driver's view of traffic. It also may not be on a vehicle or trailer, unless it is being used regularly in transportation.

Electronic variable message signs (sometimes called LED signs) are not allowed on signs that require permits; they are okay on signs that do not need permits as long as the lights do not flash.

The law also prohibits signs in state right of way: the pavement plus some additional ground. Right of way width varies; it ranges from curb-to-curb within some cities, to 200 or more feet beyond the pavement in other areas.

Contact your ODOT District office to determine the right of way width at your location. Signs within the right of way may be removed by ODOT immediately.

The law also prohibits signs on some stretches of Interstate, in Scenic Areas and along Scenic Byways. We can provide you with lists of these locations.

