

Text to be added in **bold and underlined**
Text to be deleted in [*italics and brackets*]

ADVERTISING SIGNS ATTACHED TO **TRANSIT** [*BUS*] SHELTERS

This rule is repealed in its entirety.

[734-065-0005

Scope

Chapter 308, Oregon Laws 1981 (Senate Bill 934) directs the Oregon Transportation Commission to establish, by Administrative Rule, regulations and criteria for permits authorizing the placement of outdoor advertising signs on bus waiting shelters.

Stat. Auth.: ORS 377.726

Stats. Implemented: ORS 377.726]

734-065-0010

[*Bus Waiting*] **Outdoor Advertising Signs on Transit** Shelters

For the purposes of [*this rule*] **Division 65 rules**, [*bus waiting*] **transit** shelters are defined as [*shelter-type*] structures erected and maintained for a mass transit district, transportation district or any other public transportation agency [*for the use and convenience of the customers*] **to protect their riders from the weather at transit stops**, [*of said district or agency*] and will hereinafter be referred to as shelters.

Stat. Auth.: [*ORS 377.726*] **ORS 377.729**

Stat. Implemented: [*ORS 377.726*] **ORS 377.725**

734-065-0015

Construction of [*Bus*] Shelters

These rules do not grant authority to construct or maintain [*bus*] shelters but[,] pertain solely to the placement of **outdoor** advertising signs on [*said*] shelters visible from a state highway.

Stat. Auth.: [*ORS 377.726*] **ORS 377.729**

Stat. Implemented: [*ORS 377.726*] **ORS 377.725**

734-065-0020

Sign Location

- (1) [*Signs*] **Shelter signs are prohibited** [*cannot be located*] on state highway right-of-way.
- (2) [*Signs*] **Shelter signs are prohibited where** [*must be installed so that they are not designed to be primarily*] visible from [*the traveled lanes of*] **an** interstate highway[*s nor*] **or** a full-control access highway[*s*].
- (3) [*Signs cannot be visible from the traveled lanes of any state highway*] **Shelter signs are prohibited** in a designated scenic area. **No new shelter signs are allowed in a scenic byway.**

(4) The shelter on which a sign is placed must be located within a [zoned] commercial or industrial **zone** [area] or, **if on unzoned** [on a] city street right-of-way, **it must be adjacent to** [adjoining] a commercial or industrial zone.

(5) [Not more than one sign visible from the traveled lanes of the highway shall be placed on a shelter.] **Each shelter may have no more than one sign visible from each direction of travel of the highway.**

(6) **Shelter signs may only be located at a bus or transit stop on a city or urban transit system route. The applicant must provide official documentation, such as a route map produced by the transit system, showing the site meets this requirement.** [No permit shall be issued to locate a bus shelter sign along any state highway designated as a scenic highway or byway unless it also complies with applicable federal scenic byway laws or regulations in effect on the date of receipt of the permit application or if the permit violates conditions of federal grants relating to scenic byways.]

Stat. Auth.: [ORS 377.726] **ORS 377.729**

Stat. Implemented: [ORS 377.726] **ORS 377.725**

734-065-0025

Size and Construction of Sign

(1) [Notwithstanding ORS 377.745, advertising signs attached to bus shelters shall not exceed 16 square feet for a single faced sign or 32 square feet for a back-to-back sign.] **The maximum allowable size of a shelter sign is 16 square feet each side.**

(2) [A back-to-back sign is a sign with advertising copy mounted on a single sign structure so as to be visible to traffic from opposite directions of travel.]

[(3) A back-to-back sign shall be considered one sign.]

[(4)] The **maximum** distance between advertising panels placed back-to-back [shall not exceed] **is** one foot.

[(5) A single faced sign is a sign with advertising copy only on one side of the sign structure.]

[(6) No portion of the sign shall] **(3) The sign must not** extend beyond the outer edges of the shelter.

Stat. Auth.: [ORS 377.726] **ORS 377.729**

Stat. Implemented: [ORS 377.726] **ORS 377.725**

This rule is repealed in its entirety.

[734-065-0030 Permit Fee]

(1) An applicant shall pay an annual permit fee of:

(a) \$10 -- For sign area up to 50 square feet;

(b) \$15 -- For sign area over 50 square feet.

(2) The fee shall accompany the permit application. A fee shall not be prorated for a fraction of a year or be refunded if the sign is removed.

(3) Permits are issued for one year and shall be renewed annually on the first day of January.

Application for renewal shall be received prior to the expiration of the permit. If received after the expiration date, the permit shall be renewed at double the permit fee.]

Stat. Auth.: ORS 377.726

Stats. Implemented: ORS 377.726]

734-065-0035

Spacing

[For the purpose of determining the spacing, the distance shall be measured lineally along the highway and parallel to the centerline of the highway:]

(1) *[Minimum spacing shall be:]* **The minimum spacing between signs is as follows:**

(a) Within the corporate boundaries of a city, 100 feet from any outdoor advertising sign located on the same side of the highway.

(b) Outside the corporate boundaries of a city, 500 feet from any outdoor advertising sign located on the same side of the highway.

(2) If the state highway is routed over a city street [() as provided in ORS 373.020 ()], a [bus] shelter sign may be located on that portion of the city street right-of-way outside of the curb; or, if there is no curb, outside of that portion of the right-of-way utilized for state highway purposes.

Stat. Auth.: [ORS 377.726] **ORS 377.729**

Stat. Implemented: [ORS 377.726] **ORS 377.725**

734-065-0040

Compliance

All signs subject to these [regulations] **rules** are also subject to the provisions of ORS 377.700 to 377.840 and to all applicable federal laws, regulations and agreements entered into by the Transportation Commission and the Federal Highway Administration. Signs erected under these [regulations] **rules** are also subject to any [city or county ordinance or regulation.] **ordinance or regulation of the local jurisdiction.**

Stat. Auth.: [ORS 377.726] **ORS 377.729**

Stat. Implemented: [ORS 377.726] **ORS 377.725**

734-065-0045

[Upon Written Request by the Sign Owner] **Size Variance**

[The Chief Engineer] **Upon written request and for good cause shown the Department of Transportation** may grant a variance from the size restrictions of OAR 734-065-0025(1) not to exceed:

(1) 32 square feet, one side;

(2) 64 square feet, back-to-back.

Stat. Auth.: [ORS 377.726] **ORS 377.729**

Stat. Implemented: [ORS 377.726] **ORS 377.725**

734-065-0050

Removal

All signs granted permits under these rules are subject to removal **procedures** in accordance with ORS 377.775.

Stat. Auth.: [ORS 377.726] **ORS 377.729**

Stat. Implemented: [ORS 377.726] **ORS 377.725**