

DIGITAL SIGN SURVEY

SURVEY REQUESTED BY CYLCE JOHNSON ON 2/26/07 - QUESTION: NAHBA SURVEY ON SIGN INTENSITY (BRIGHTNESS)

STATE: _____

DATE: _____

1. Does your state allow digital signs? ___ yes ___ no.
2. If yes, have you promulgated regulations to regulate digital signs? ___ yes ___ no.
3. Does your state require additional spacing between digital signs? ___ yes ___ no. Spacing requirements on interstate _____ ft. 6/1/91 primary _____ ft.
4. Does your regulations address intensity (brightness) of digital signs? ___ yes ___ no.
5. How does your state measure brightness and intensity of the digital signs? _____
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? ___ yes ___ no.
7. Does your state regulate the height of digital signs? ___ yes ___ no. Are they treated the same as other signs (in terms of height)? ___ yes ___ no.
8. What are the timing requirements for changing displays (seconds)? _____ hold display _____ change display (seconds). Do your regs require static default? ___ yes ___ no.
9. Number of digital signs currently permitted? Interstate _____ 6/1/91 Primary Routes _____
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome?

Other comments:

STATE: _Tennessee DATE: _February 26, 2007

1. Does your state allow digital signs? ___ yes ___ no.
2. If yes, have you promulgated regulations to regulate digital signs? ___ yes ___ no.
3. Does your state require additional spacing between digital signs? ___ yes ___ no. Spacing requirements on interstate _____ ft. 6/1/91 primary _____ ft.
4. Does your regulations address intensity (brightness) of digital signs? ___ yes ___ no.
5. How does your state measure brightness and intensity of the digital signs? _____
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? ___ yes ___ no.
7. Does your state regulate the height of digital signs? ___ yes ___ no. Are they treated the same as other signs (in terms of height)? ___ yes

____no.

8. What are the timing requirements for changing displays (seconds)? _____hold display _____ change display (seconds). Do your regs require static default? ____yes ____no.
9. Number of digital signs currently permitted? Interstate _____ 6/1/91 Primary Routes _____
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome?

STATE:___New Hampshire_DATE: ___02/27/2007_____

1. Does your state allow digital signs? yes ____no.
2. If yes, have you promulgated regulations to regulate digital signs? ____yes no.
3. Does your state require additional spacing between digital signs? ____yes no. Spacing requirements on interstate _____ft. 6/1/91 primary _____ft.
4. Does your regulations address intensity (brightness) of digital signs? ____yes no.
5. How does your state measure brightness and intensity of the digital signs? NA
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? ____yes no.
7. Does your state regulate the height of digital signs? ____yes no. Are they treated the same as other signs (in terms of height)? yes ____no.
8. What are the timing requirements for changing displays (seconds)? NAhold display _____ change display (seconds). Do your regs require static default? ____yes ____no.
9. Number of digital signs currently permitted? Interstate 0 6/1/91 Primary Routes 0
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome? NA

Other comments: *We only have on-premise digital at the moment. We have not received any application for off-premise.*

STATE:___Georgia_____ DATE: _____2/27/07_____

1. Does your state allow digital signs? yes ____no.
2. If yes, have you promulgated regulations to regulate digital signs? yes ____no.
3. Does your state require additional spacing between digital signs? ____yes (same as tri-vision, more than static)_no. Spacing requirements on interstate 5000 ft. 6/1/91 primary 5000ft.
4. Does your regulations address intensity (brightness) of digital signs? yes ____no.
5. How does your state measure brightness and intensity of the digital signs? *We are waiting for a study measuring intensity to be completed and released. Until that time the regulations contain a definition of "glare" and acceptable brightness levels that are applied as needed. The industry has been very cooperative in*

adjusting lighting levels on request during this developmental period.

6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? ____yes ___x___no.
7. Does your state regulate the height of digital signs? ____yes ___x___no. Are they treated the same as other signs (in terms of height)? ____yes ___no.
8. What are the timing requirements for changing displays (seconds)? ___10_____hold display ____0-2_____ change display (seconds). Do your regs require static default? ___x___yes ____no.
9. Number of digital signs currently permitted? Interstate ___24 (1 built)_____ 6/1/91 Primary Routes ____12 (4 built)_____ See comments below
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome? No

Other comments: *Georgia has been very active in developing policies and regulations regarding digital signs. In addition to regulating lighting levels we also address possible public safety and wildlife issues in our regulations. However, the scientific studies that are needed to actually measure and control these signs in a quantifiable way are not available yet. We also have discovered that even with regulation and permitting in place there are operators who will push the limits of what is allowed. Another significant problem is, now small businesses are using the electronic sign policies to permit the small scrolling type signs (normally seen as on-premise signs) creating enforcement and spacing issues. Finally, although the state is actively regulating, many local jurisdictions are struggling with these type signs and putting in place either moratoriums or strict limits on digital signs, meaning that although quite a few state permits are issued, the owners have so far not been able to build many.*

STATE:___FLORIDA_____DATE: ___2/27/07_____

1. Does your state allow digital signs? ___X___ yes ____no.
2. If yes, have you promulgated regulations to regulate digital signs? ___X___yes ____no. *We consider these changeable message signs and have a rule in place to regulate.*
3. Does your state require additional spacing between digital signs? ____yes ___x___no. Spacing requirements on interstate _____ft. 6/1/91 primary _____ft.
4. Does your regulations address intensity (brightness) of digital signs? ___x___yes ____no. See comment below.
5. How does your state measure brightness and intensity of the digital signs? *Florida law prohibits any sign which is illuminated in such a manner so as to cause glare or to impair the vision of motorists or otherwise distract motorists so as to interfere with the motorists' ability to safely operate their vehicle.*
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? ____yes ___x___no. *We are currently inventorying the State to determine the number of signs that incorporate full motion video so we can conduct an internal safety study.*
7. Does your state regulate the height of digital signs? ___x___ yes ____no. Are they treated the same as other signs (in terms of height)? ___x___ yes ___no.
8. What are the timing requirements for changing displays (seconds)? ___6 seconds_____hold display ___2 seconds_____ change display (seconds). Do your regs require static default? ____yes ____no.

9. Number of digital signs currently permitted? Interstate _____ 6/1/91 Primary Routes _____ We do not currently maintain in our database a separate category for digital signs. We do plan to capture this information during future inventories.

10. Has your state litigated any digital signs cases or issues? No If so, what was the final outcome?

Other comments: *We have received limited criticism of the LED signs at the State level. We are, however, concerned about possible safety issues relating to digital signs carrying full motion video clips.*

STATE: _____Indiana_____ DATE: _____2/27/2007_____

1. Does your state allow digital signs? ___yes ___X___no.
2. If yes, have you promulgated regulations to regulate digital signs? ___yes ___X___no.
3. Does your state require additional spacing between digital signs? ___yes ___X___no. Spacing requirements on interstate _____ft. 6/1/91 primary _____ft.
4. Does your regulations address intensity (brightness) of digital signs? ___yes ___X___no.
5. How does your state measure brightness and intensity of the digital signs? _____
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? ___yes ___X___no.
7. Does your state regulate the height of digital signs? ___yes ___X___no. Are they treated the same as other signs (in terms of height)? ___yes ___no.
8. What are the timing requirements for changing displays (seconds)? _____hold display _____ change display (seconds). Do your regs require static default? ___yes ___X___no.
9. Number of digital signs currently permitted? Interstate _____ 6/1/91 Primary Routes _____
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome? Not Yet!

Other comments: *Legislation is currently being written to allow these type of boards.*

STATE: _____Utah_____ DATE: _____2-27-07_____

1. Does your state allow digital signs? ___X___yes ___no.
2. If yes, have you promulgated regulations to regulate digital signs? ___yes ___X___no.
3. Does your state require additional spacing between digital signs? ___yes ___X___no. Spacing requirements on interstate ___500___ft. 6/1/91 primary ___500___ft.
4. Does your regulations address intensity (brightness) of digital signs? ___yes ___X___no.
5. How does your state measure brightness and intensity of the digital signs? _____NO_____
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? ___yes ___X___no.

7. Does your state regulate the height of digital signs? yes no. Are they treated the same as other signs (in terms of height)? yes no.
8. What are the timing requirements for changing displays (seconds)? minimum of 8 seconds_____hold display 3 seconds_____ change display (seconds). Do your regs require static default? yes no.
9. Number of digital signs currently permitted? Interstate 10 (approx)_____ 6/1/91 Primary Routes _____
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome? No

STATE: Missouri_____ DATE: 02/27/2007_____

1. Does your state allow digital signs? yes no.
2. If yes, have you promulgated regulations to regulate digital signs? yes no.
3. Does your state require additional spacing between digital signs? yes no. Spacing requirements on interstate 1400_ft. 6/1/91 primary 1400_ft.
4. Does your regulations address intensity (brightness) of digital signs? yes no. Not specifically digital signs.
5. How does your state measure brightness and intensity of the digital signs? *Missouri Law (226.540) prohibits lighting of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle.*
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? yes no.
7. Does your state regulate the height of digital signs? yes no. Are they treated the same as other signs (in terms of height)? yes no.
8. What are the timing requirements for changing displays (seconds)? 8 seconds_____hold display 2 seconds_____ change display (seconds). Do your regs require static default? yes no.
9. Number of digital signs currently permitted? Interstate 5_____ 6/1/91 Primary Routes 4_____
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome? No.

STATE: West Virginia_____ DATE: 2/27/07_____

1. Does your state allow digital signs? yes no.
2. If yes, have you promulgated regulations to regulate digital signs? yes no.
3. Does your state require additional spacing between digital signs? 500' across from each other. yes no. Spacing requirements on interstate 1000 ft. 6/1/91 primary 1000_____ft.
4. Does your regulations address intensity (brightness) of digital signs? yes no.
5. How does your state measure brightness and intensity of the digital signs? *We have not had to measure at this point. However any application for LED must have a letter from the company that made the sign, that, states, it was built to meet the the WV intensity requirements as stated in the WV Code of Rules. If any*

LED sign is ever found out of compliance, the permits will be cancelled and the sign will be removed.

6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? ____yes no.
7. Does your state regulate the height of digital signs? yes ____no. Are they treated the same as other signs (in terms of height)? yes ____no.
8. What are the timing requirements for changing displays (seconds)? 8hold display 2 change display (seconds). Do your regs require static default? yes ____no.
9. Number of digital signs currently permitted? Interstate 0 6/1/91 Primary Routes 5
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome?

STATE: Oregon DATE: _____

1. Does your state allow digital signs? ____ yes no.
2. If yes, have you promulgated regulations to regulate digital signs? ____yes ____no.
3. Does your state require additional spacing between digital signs? ____yes ____no. Spacing requirements on interstate _____ft. 6/1/91 primary _____ft.
4. Does your regulations address intensity (brightness) of digital signs? ____yes ____no.
5. How does your state measure brightness and intensity of the digital signs? _____
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? ____yes no.
7. Does your state regulate the height of digital signs? ____yes ____no. Are they treated the same as other signs (in terms of height)? ____yes ____no.
8. What are the timing requirements for changing displays (seconds)? _____hold display _____ change display (seconds). Do your regs require static default? ____yes ____no.
9. Number of digital signs currently permitted? Interstate _____ 6/1/91 Primary Routes _____
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome? No.

Other comments: *Current law does not allow. During this legislative session we are working on a bill to fix Oregon's unique sign problem (2006 court decision that did away with our permit process). It is likely that after we get a bill passed to fix the basic problem, we will have an interim work group to work on other sign issues. Digital signs may be a component of that discussion, as industry is pushing for it.*

STATE: Kansas DATE: 2/28/07

1. Does your state allow digital signs? yes ____no.
2. If yes, have you promulgated regulations to regulate digital signs? yes ____no.

3. Does your state require additional spacing between digital signs? ___yes ___x 1000' . Spacing requirements on interstate ___primary ___ft.
4. Does your regulations address intensity (brightness) of digital signs? ___x___yes ___no.
5. How does your state measure brightness and intensity of the digital signs? *We have no way to measure. If they too bright and interfere with traffic (vision) we will act to have them turned down.*
6. Has your state done any type of survey on intensity (brightness) highway related safety issue? ___yes ___x___no.
7. Does your state regulate the height of digital signs? _50' to top ___yes ___x___no. Are they treated the same as other signs (in terms of height)? _x___yes ___no.
8. What are the timing requirements for changing displays (seconds)? ___8_____hold display _____0-2_____ change display (seconds). Do your regs require static default? _x___yes ___no.
9. Number of digital signs currently permitted? Interstate _1_ (1)built)_____ 6/1/91 Primary Routes ___2___12 (1 built)_____ See comments below
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome? No

STATE:_____Texas (DOT)_____ DATE: ___02 26 2007_____

1. Does your state allow digital signs? ___x_ yes ___no.
2. If yes, have you promulgated regulations to regulate digital signs? ___yes ___no.
3. Does your state require additional spacing between digital signs? ___yes ___no. Spacing requirements on interstate _____ft. 6/1/91 primary _____ft.
4. Does your regulations address intensity (brightness) of digital signs? ___yes ___no.
5. How does your state measure brightness and intensity of the digital signs? _____
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? ___yes ___no.
7. Does your state regulate the height of digital signs? ___yes ___no. Are they treated the same as other signs (in terms of height)? ___yes ___no.
8. What are the timing requirements for changing displays (seconds)? ___hold display ___ change display (seconds). Do your regs require static default? ___yes ___no.
9. Number of digital signs currently permitted? Interstate _____ 6/1/91 Primary Routes _____
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome?

Other comments: *We are in the process of looking into this issue.*

STATE:___Nebraska_____ DATE: ___2/27/07_____

1. Does your state allow digital signs? ___X___ yes ___no.
2. If yes, have you promulgated regulations to regulate digital signs? ___X___yes ___no.

3. Does your state require additional spacing between digital signs? yes no. Spacing requirements on interstate 5000ft. 6/1/91 primary 5000ft.
4. Does your regulations address intensity (brightness) of digital signs? yes no. *NDOR addresses illumination for all signs as follows: Illuminated signs must be effectively shielded to prevent beams or rays of light from being directed at any portion of the traveled way of the HBCS or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of a motor vehicle, traveling on the above mentioned highways or which otherwise interfere with a driver's operation of a motor vehicle, when traveling on said highways.*
5. How does your state measure brightness and intensity of the digital signs? We currently do not measure brightness & intensity of digital signs.
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? yes no.
7. Does your state regulate the height of digital signs? yes no. Are they treated the same as other signs (in terms of height)? yes no.
8. What are the timing requirements for changing displays (seconds)? 10 seconds hold display within 2 seconds change display (seconds). Do Your regs require static default? yes no.
9. Number of digital signs currently permitted? Interstate 0 6/1/91 Primary Routes 17
10. Has your state litigated any digital signs cases or issues? No If so, what was the final outcome?

STATE: Texas (FHWA) _____ DATE: 3/01/07

1. Does your state allow digital signs? yes no.
2. If yes, have you promulgated regulations to regulate digital signs? yes no.
3. Does your state require additional spacing between digital signs? yes no. Spacing requirements on interstate _____ft. 6/1/91 primary _____ft.
4. Does your regulations address intensity (brightness) of digital signs? yes no.
5. How does your state measure brightness and intensity of the digital signs? _____
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? yes no.
7. Does your state regulate the height of digital signs? yes no. Are they treated the same as other signs (in terms of height)? yes no.
8. What are the timing requirements for changing displays (seconds)? hold display change display (seconds). Do your regs require static default? yes no.
9. Number of digital signs currently permitted? Interstate _____ 6/1/91 Primary Routes _____
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome?

Other comments: *Texas Administrative Code does not allow LED*

STATE: Illinois DATE: 3/1/07

1. Does your state allow digital signs? yes no.
2. If yes, have you promulgated regulations to regulate digital signs? yes no.
3. Does your state require additional spacing between digital signs? yes no. Spacing requirements on interstate N/A ft. 6/1/91 primary N/A ft.
4. Does your regulations address intensity (brightness) of digital signs? yes no.
5. How does your state measure brightness and intensity of the digital signs? *Brightness/intensity and height issues will be assessed by the Department's Division of Aeronautics and/or FAA on a case-by-case basis when signs are to be located within 2 miles of a public airport.*
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? yes no.
7. Does your state regulate the height of digital signs? yes no. Are they treated the same as other signs (in terms of height)? (see above) yes no.
8. What are the timing requirements for changing displays (seconds)? 10 seconds static hold display 3 second transition change display (seconds). Do your regs require static default? yes no.
9. Number of digital signs currently permitted? Interstate Several are pending. Our new rules did not take effect until 10/1/06 6/1/91 Primary Routes (same response as above)
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome? No.

STATE: SOUTH DAKOTA DATE: 03/02/2007

1. Does your state allow digital signs? yes no.
2. If yes, have you promulgated regulations to regulate digital signs? yes no.
3. Does your state require additional spacing between digital signs? yes no. Spacing requirements on interstate ft. 6/1/91 primary ft.
4. Does your regulations address intensity (brightness) of digital signs? yes no.
5. How does your state measure brightness and intensity of the digital signs?
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? yes no.
7. Does your state regulate the height of digital signs? yes no. Are they treated the same as other signs (in terms of height)? yes no.
8. What are the timing requirements for changing displays (seconds)? hold display 6 change display (seconds). Do your regs require static default? yes no.
9. Number of digital signs currently permitted? Interstate 0 6/1/91 Primary Routes 5
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome?

9. Number of digital signs currently permitted? Interstate _____ 6/1/91 Primary Routes _____

10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome?

Other comments: *We are currently working on regulations that deal with digital billboards.*

STATE: _____ WISCONSIN _____ DATE: _____ MARCH 12, 2007 _____

1. Does your state allow digital signs? yes

2. If yes, have you promulgated regulations to regulate digital signs? yes *WISCONSIN'S LEGISLATURE PASSED A STATUTE ALLOWING DIGITAL DISPLAYS ON OFF-PROPERTY SIGNS. THE DEPARTMENT HAS NOT PROMULGATED ADMINISTRATIVE RULES BASED ON THE STATUTE. THE DEPARTMENT ALREADY HAD A CHANGEABLE MESSAGE ADMINISTRATIVE RULE, TRANS 201.15, WHICH NOW CONTINUES TO APPLY TO ON-PREMISE SIGNS. ATTACHED HERE ARE THE NEW DIGITAL ACT, WHICH HAS BEEN INCORPORATED INTO THE LAW, 84.30; THE FULL ADMINISTRATIVE CODE FOR SIGN CONTROL, TRANS 201; AND WISCONSIN'S FULL SIGN CONTROL LAWS, 84.30 FOLLOWED BY THE NEW VEGETATION LAW PUSHED THROUGH THE LAST LEGISLATIVE SESSION BY THE SIGN INDUSTRY, 84.305.*

3. Does your state require additional spacing between digital signs? no. Spacing requirements on interstate 500 ft. 6/1/91 primary 300 ft. *UNLESS THE HIGHWAY IS WITHIN A MUNICIPALITY, IN WHICH CASE THE SIGN TO SIGN SPACING IS 100 FEET.*

4. Does your regulations address intensity (brightness) of digital signs? yes *YES, BUT DOES NOT ESTABLISH MEASURABLE OR QUANTIFIABLE LIMITS. THE NEW STATUTE MERELY STATES THAT CHANGEABLE MESSAGE SIGNS MAY BE NO BRIGHTER THAN IS NEEDED TO MAKE THE SIGN VISIBLE, WHICH IS LANGUAGE THAT PARTIALLY MIRRORS THE EXISTING RULE, 201.15.*

5. How does your state measure brightness and intensity of the digital signs? *SO FAR, BY JUDGEMENT OF THE OBSERVER. WHEN NEEDED, WE COULD OBTAIN ASSISTANCE FROM THE DEPARTMENT'S TRAFFIC SECTION TO MEASURE LUMENS OR TO EMPLOY ANOTHER METHOD TO DETERMINE WHETHER A SIGN'S LIGHTS WERE HAZARDOUS TO MOTORISTS.*

6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? no.

7. Does your state regulate the height of digital signs? no. Are they treated the same as other signs (in terms of height)? *WISCONSIN DOES NOT REGULATE THE HEIGHT ABOVE GROUND OF ANY SIGN.*

8. What are the timing requirements for changing displays (seconds)? SEE BELOW hold display SEE BELOW change display (seconds). *FOR ON-PREMISE ELECTRONIC OR VARIABLE MESSAGE DISPLAYS, A MESSAGE MUST HOLD FOR A MINIMUM OF HALF A SECOND AND A MESSAGE MAY NOT REAPPEAR UNTIL TWO SECONDS HAS PASSED. SEGMENTED AND TRAVELING MESSAGES ARE ALLOWED, WITH DWELL AND TWIRL LIMITATIONS. FOR ON-PREMISE MULTIPLE MESSAGE OR LOUVERED SIGNS, THE DWELL TIME IS SIX SECONDS OR MORE, AND THE TWIRL OR CHANGE TIME IS ONE SECOND OR LESS. [201.15]. FOR OFF PROPERTY ELECTRONIC, VARIABLE, CHANGEABLE, DIGITAL DISPLAYS, THE HOLD TIME IS SIX SECONDS AND THE CHANGE TIME IS ONE SECOND OR LESS. TRAVELING AND SEGMENTED MESSAGES ARE PROHIBITED. [ACT 464*

- 84.30(4)(bm) STATS. Do your regs require static default? no.

9. Number of digital signs currently permitted? *WISCONSIN'S PERMIT PROCESS DOES NOT CAPTURE WHETHER A PERMITTED SIGN CONTAINS A DIGITAL DISPLAY. THIS IS A PROCESS IMPROVEMENT THAT WISCONSIN STILL NEEDS TO MAKE.* Interstate ___??_____ 6/1/91 Primary Routes ___??_____
10. Has your state litigated any digital signs cases or issues? NO If so, what was the final outcome? *NO ANSWER*

Other comments: *AS WE ALL KNOW, DIGITAL DISPLAYS MAY BE USED FOR BOTH ON-PREMISE AND OFF-PROPERTY SIGNS. WISCONSIN NO LONGER IS REQUIRED TO PERMIT ON-PREMISE SIGNS AND HAS NOT DONE SO FOR MANY YEARS. I SUSPECT OTHER STATES MAY HAVE SIMILARLY DISTANCED THEMSELVES FROM ON-PREMISE SIGN REGULATION. TO FULLY TRACK AND MONITOR DIGITAL SIGNS STATES MAY NEED TO RE-EXERT THEIR PRESENCE IN THE ON-PREMISE ARENA.*

GUIDELINES PROVIDED BY LAW OR RULE ARE NEEDED TO ESTABLISH MEASURABLE BRIGHTNESS STANDARDS, TO SET REASONABLE DWELL AND TWIRL TIMES, AND TO ADDRESS TRAVELING, SCROLLING, AND SEGMENTED MESSAGES. WHEN DOES A TRAVELING MESSAGE BECOME 'MOVING'? WHEN DOES THE RATE OF CHANGE BECOME SO SHORT THAT THE MESSAGE 'FLASHES'?

WHEN A NEW TECHNOLOGY EMERGES, IT DOES NOT FOLLOW THAT THE TECHNOLOGY NEED BE ADOPTED WITH NO LIMITS. THIS EFFECTS OF THIS CAPABILITY TO INSTANTANEOUSLY CHANGE A MESSAGE REQUIRES ADDITIONAL RESEARCH, NOT JUST A LITERATURE REVIEW. CONCLUSIVE, INDEPENDENT, NO-STRINGS-ATTACHED STUDIES [MORE THAN ONE] ARE NEEDED TO ACCURATELY DETERMINE THE EFFECTS OF RAPIDLY CHANGING MESSAGES ON DRIVERS, IN BOTH HIGH AND LOW TRAFFIC SETTINGS, BOTH CLOSE TO AND REMOVED FROM DRIVER DECISION LOCATIONS, SUCH AS INTERCHANGES.

I EXPECT THAT THESE STUDIES ON DRIVER BEHAVIOR WILL ADDRESS THE DIFFERENCES BETWEEN HABITS SUCH AS CELL PHONE AND RADIO/CD USE, WHICH ARE GENERALLY SEEN AS BEYOND REGULATION, AND QUICKLY-CHANGING OUTDOOR ADVERTISING SIGN IMAGES, WHICH ARE CONTROLLABLE.



Act 464.pdf



Trans 201.pdf



84.30, 84.305.pdf

WI attachments

STATE: ___North Carolina_____ DATE: ___02/27/07_____

1. Does your state allow digital signs? yes ___no.

2. If yes, have you promulgated regulations to regulate digital signs? ___yes ___X___no.
3. Does your state require additional spacing between digital signs? ___X___yes ___no. Spacing requirements on interstate _1000_ft. 6/1/91 primary _1000_ft.
4. Does your regulations address intensity (brightness) of digital signs? ___yes ___X___no.
5. How does your state measure brightness and intensity of the digital signs? Site visit with a judgment call by inspector
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? ___yes ___X___no.
7. Does your state regulate the height of digital signs? ___X___yes ___no. Are they treated the same as other signs (in terms of height)? ___X___yes ___no.
8. What are the timing requirements for changing displays (seconds)? ___8___hold display ___2___ change display (seconds). Do your regs require static default? ___X___yes ___no.
9. Number of digital signs currently permitted? Interstate ___8___ 6/1/91 Primary Routes ___4___
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome?

STATE: _Mississippi_____ DATE: _2/27/07_____

1. Does your state allow digital signs? ___X___yes ___no.
2. If yes, have you promulgated regulations to regulate digital signs? ___X___yes ___no.
3. Does your state require additional spacing between digital signs? ___X___yes ___no. Spacing requirements on interstate _1000_ft. 6/1/91 primary 700___ft.
4. Does your regulations address intensity (brightness) of digital signs? ___X___yes ___no.
5. How does your state measure brightness and intensity of the digital signs? *We do not make physigle mesurments we just require an ambient light sinsor to reduse brightness in lo light periods. We also require a 24/7 contact who can make adjustments if needed.*
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? ___yes ___X___no.
7. Does your state regulate the height of digital signs? ___X___yes ___no. Are they treated the same as other signs (in terms of height)? ___X___yes ___no.
8. What are the timing requirements for changing displays (seconds)? ___no less than 8 sec.____hold display __Instantaneous_____ change display (seconds). Do your regs require static default? ___yes ___X___no.
9. Number of digital signs currently permitted? Interstate ___8___ 6/1/91 Primary Routes ___3___
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome? No

STATE: ___New Jerrey (FHWA) DATE: _2/27/07_____

1. Does your state allow digital signs? ___X___yes ___no.
2. If yes, have you promulgated regulations to regulate digital signs? ___X___yes ___no.

3. Does your state require additional spacing between digital signs? yes no. Spacing requirements on interstate 3000 ft. 6/1/91 primary ft.
4. Does your regulations address intensity (brightness) of digital signs? yes no.
5. How does your state measure brightness and intensity of the digital signs? I don't know.
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? yes no. Not sure.
7. Does your state regulate the height of digital signs? yes no. Are they treated the same as other signs (in terms of height)? yes no.
8. What are the timing requirements for changing displays (seconds)? 8 hold display 1 change display (seconds). Do your regs require static default? yes no.
9. Number of digital signs currently permitted? Interstate _____ 6/1/91 Primary Routes _____ *Permits issued but not built yet.*
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome? NO

STATE: Montana DATE: 2/26/07

1. Does your state allow digital signs? yes no.
2. If yes, have you promulgated regulations to regulate digital signs? yes no.
3. Does your state require additional spacing between digital signs? yes no. Spacing requirements on interstate _____ft. 6/1/91 primary _____ft.
4. Does your regulations address intensity (brightness) of digital signs? yes no.
5. How does your state measure brightness and intensity of the digital signs?
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? yes no.
7. Does your state regulate the height of digital signs? yes no. Are they treated the same as other signs (in terms of height)? yes no.
8. What are the timing requirements for changing displays (seconds)? _____hold display _____ change display (seconds). Do your regs require static default? yes no.
9. Number of digital signs currently permitted? Interstate _____ 6/1/91 Primary Routes _____
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome? *Yes! Pending....*

STATE: South Carolina DATE: March 13, 2007

1. Does your state allow digital signs? yes no.
2. If yes, have you promulgated regulations to regulate digital signs? yes no.
3. Does your state require additional spacing between digital signs? yes no. Spacing requirements on interstate 500ft. 6/1/91 primary 300ft.

4. Does your regulations address intensity (brightness) of digital signs? ____yes __X__no.
5. How does your state measure brightness and intensity of the digital signs? *We would have our traffic engineering office review the sign for its brightness and Intensity.*
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? ____yes __X__no.
7. Does your state regulate the height of digital signs? ____yes __X__no. Are they treated the same as other signs (in terms of height)? __X__yes ____no.
8. What are the timing requirements for changing displays (seconds)? ____6____hold display ____2____ change display (seconds). Do your regs require static default? ____yes __X__no.
9. Number of digital signs currently permitted? Interstate ____2____ 6/1/91 Primary Routes ____2____
10. Has your state litigated any digital signs cases or issues? If so,what was the final outcome? None

STATE: Virginia DATE: 03-20-2007

1. Does your state allow digital signs? __X__ yes ____no.
2. If yes, have you promulgated regulations to regulate digital signs? ____yes __X__no.
3. Does your state require additional spacing between digital signs? __yes __X__no. Spacing requirements on interstate _500__ft. 6/1/91 primary _300__ft.
4. Does your regulations address intensity (brightness) of digital signs? ____yes __X__no.
5. How does your state measure brightness and intensity of the digital signs? *Complaints from police departments.*
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? ____yes __X__no. We do have an informal study of accidents near the signs underway.
7. Does your state regulate the height of digital signs? ____yes __X__no. Are they treated the same as other signs (in terms of height)? __X__yes ____no.
8. What are the timing requirements for changing displays (seconds)? __4 second____hold display ____ change display (seconds). Do your regs require static default? ____yes __X__no.
9. Number of digital signs currently permitted? Interstate _8____ 6/1/91 Primary Routes _3____
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome? No

STATE: Arizona DATE: 07-16-2007

1. Does your state allow digital signs? __X__ yes ____no.
2. If yes, have you promulgated regulations to regulate digital signs? ____yes __X__no.
3. Does your state require additional spacing between digital signs? __yes __X__no. Spacing requirements on interstate _500__ft. 6/1/91 primary _300__ft.

4. Does your regulations address intensity (brightness) of digital signs? _____yes ___X___no.
5. How does your state measure brightness and intensity of the digital signs? *Complaints from public.*
6. Has your state done any type of survey on intensity (brightness) for a highway related safety issue? _____yes ___X___no.
7. Does your state regulate the height of digital signs? _____yes ___X___no. Are they treated the same as other signs (in terms of height)? ___X___yes _____no.
8. What are the timing requirements for changing displays (seconds)? _____ hold display _____ change display (seconds). Do your regs require static default? _____yes _____no.
9. Number of digital signs currently permitted? Interstate ___Not a separate category_____ 6/1/91 Primary Routes ___Not a separate category_____
10. Has your state litigated any digital signs cases or issues? If so, what was the final outcome? *Yes. Administrative Law Judge found that without specific regulations, ADOT could not rely solely on statutory prohibition of "flashing, blinking, intermittent or moving light or lights likely to be mistaken for a warning or danger signal" to prohibit digital signs, especially in light of past policies allowing digital signs that if the message changed once during a 24 hour period.*