

To: Right of Way Directors
From: Richard Morris, New York DOT
Re: Changeable Message/Tri-Vision Signs: A survey

The New York Department of Transportation is interested in receiving information from other state departments of transportation who have dealt with changeable message/tri-vision sign requests.

**CHANGEABLE MESSAGE/TRI-VISION SIGNS
A SURVEY OF CURRENT PRACTICES OF STATE DEPARTMENTS OF TRANSPORTATION**

1. Does your state allow commercial changeable message signs? Yes
2. If not, has your office or your state legislature been approached to authorize or prohibit this type of sign? No
3. If this type of sign is referred to in your outdoor advertising control regulations, please provide a copy of your regulation which allows/prohibits this type of sign (fax 518-474-8069) or a web address where we can find this information.No
4. If tri-vision (changeable message) signs are allowed, are there different size, location (only certain highways), spacing, etc. requirements for these signs than there are for other billboard-type signs? No
5. Does your regulation regarding these signs restrict static (dwell) time and change over (twirl) time? No
5a. If so, what is the minimum static time _____ maximum change over time _____?
6. Did you have to modify any of the following to allow these signs?
Federal/State agreement ___NO___ State law ___NO_____ State regulation
___No_____
7. When a sign owner applies for a permit for this type of sign, do you charge a higher fee? NO
8. When a sign owner applies for a permit for this type of sign, do you require any concessions from the sign owner (i.e. removal of non-conforming signs, etc.)? No
9. When a sign owner applies for a permit for this type of sign, do you require a copy of any necessary local municipal approvals? Yes

ARKANSAS

1. Yes
2. N/A
3. "Tri-Vision sign" means a single face sign having a series of three-sided, vertical slats arranged side by side which are rotated in the same direction, simultaneously, by an electric-mechanical process displaying a total of three separate and distinct messages, one message at a time. Tri-Vision signs are approved, by permit prior to installation and are subject to the following:
 - 1) The slat twirl time shall be two (2) seconds or less.
 - 2) The slat dwell time shall be eight (8) seconds or more.
 - 3) Tri-Vision signs shall contain a default design that will freeze the sign in one position if a malfunction occurs.
 - 4) Tri-Vision signs shall comply with all other requirements of Federal and State Highway Beautification laws and regulations.
4. No

5. Yes, see # 3
6. Federal/State Agreement *No* State law *No* State regulation *Yes*
7. No answer
8. No answer
9. No answer

GEORGIA

1. Does your State allow commercial changeable message signs? *Yes*
2. If not, has your office or your State legislature, been approached to authorize or prohibit this type of sign? *N/A*
3. If this type of sign is referred to in your outdoor advertising control regulations, please provide a copy of your regulation which allows/prohibits this type of sign [Fax (518) 474-8069], or a web address where we can find this information. *Need Mailing Address*
4. If tri-vision (changeable message) signs are allowed, are there different size, location (only certain highways), spacing, etc. requirements for these signs than there are for other billboard-type signs? *5000 Ft. Spacing*
5. Does your regulation regarding these signs restrict static (dwell) time and change over (twirl) time? *See Ga. Law*
If so, what is the minimum static time *10 Seconds* maximum change over time *3 Seconds*
6. Did you have to modify any of the following to allow these signs: Yes No
Federal/State Agreement *No* State law *Yes* State regulation *No*
No change in prior agreements, laws, rules or regulations were necessary to allow these signs *No*
7. When a sign owner applies for a permit for this type of sign, do you charge a higher fee? *No*
8. When a sign owner applies for a permit for this type of sign, do you require any concessions from the sign owner (i.e. removal of non-conforming signs, etc.)? *No*
9. When a sign owner applies for a permit for this type of sign, do you require a copy of any necessary local municipal approvals? *Yes*

HAWAII

Doesn't allow any billboards of any type and responded just to tweak the rest of us. (just kidding)

IDAHO

1. Does your State allow commercial changeable message signs? *We cannot stop sign companies from installing commercial changeable message signs since we do not have rules and definitions in place to disallow these types of signs.*
2. If not, has your office or your State legislature, been approached to authorize or prohibit this type of sign? *We are in the process of writing new rules addressing the technological advancements in ODA. At this point in time, Idaho is in favor of changeable message (tri-vision) signs.*
3. If this type of sign is referred to in your outdoor advertising control regulations, please provide a copy of your regulation which allows/prohibits this type of sign [Fax (518) 474-8069], or a web address where we can find this information. *Rules have not yet been adopted.*
4. If tri-vision (changeable message) signs are allowed, are there different size, location (only certain highways), spacing, etc. requirements for these signs than there are for other billboard-type signs? *Yes, the spacing, etc. will be different for these signs.*
5. Does your regulation regarding these signs restrict static (dwell) time and change over (twirl) time? *The new rules will address this topic.*
If so, what is the minimum static time *_8-10_* maximum change over time *_2_* also, must contain a default design which will freeze the sign face in one position should a malfunction appear.
6. Did you have to modify any of the following to allow these signs: Yes No *No answer at this time.*
Federal/State Agreement _____ State law _____ State regulation _____
No change in prior agreements, laws, rules or regulations were necessary to allow these signs _____

7. When a sign owner applies for a permit for this type of sign, do you charge a higher fee?
Yet to be determined.
8. When a sign owner applies for a permit for this type of sign, do you require any concessions from the sign owner (i.e. removal of non-conforming signs, etc.)? Yet to be determined.
9. When a sign owner applies for a permit for this type of sign, do you require a copy of any necessary local municipal approvals? Yes.

INDIANA

1. Does your State allow commercial changeable message signs? No
2. If not, has your office or your State legislature, been approached to authorize or prohibit this type of sign? Yes
3. If this type of sign is referred to in your outdoor advertising control regulations, please provide a copy of your regulation which allows/prohibits this type of sign [Fax (518) 474-8069], or a web address where we can find this information. <http://www.in.gov/dot/business/permits/pdf/billbrd.pdf> Item 7 on Page 6
4. If tri-vision (changeable message) signs are allowed, are there different size, location (only certain highways), spacing, etc. requirements for these signs than there are for other billboard-type signs?
5. Does your regulation regarding these signs restrict static (dwell) time and change over (twirl) time? If so, what is the minimum static time _____ maximum change over time _____
6. Did you have to modify any of the following to allow these signs: Yes No
Federal/State Agreement _____ State law _____ State regulation _____
No change in prior agreements, laws, rules or regulations were necessary to allow these signs _____
7. When a sign owner applies for a permit for this type of sign, do you charge a higher fee?
8. When a sign owner applies for a permit for this type of sign, do you require any concessions from the sign owner (i.e. removal of non-conforming signs, etc.)?
9. When a sign owner applies for a permit for this type of sign, do you require a copy of any necessary local municipal approvals?

MAINE

Doesn't allow any billboards of any type and, like Hawaii, responded just to tweak the rest of us.

MARYLAND

1. Does your State allow commercial changeable message signs? Yes
2. If not, has your office or your State legislature, been approached to authorize or prohibit this type of sign?
3. If this type of sign is referred to in your outdoor advertising control regulations, please provide a copy of your regulation which allows/prohibits this type of sign [Fax (518) 474-8069], or a web address where we can find this information. No state regulations we conform to FHWA regs.
4. If tri-vision (changeable message) signs are allowed, are there different size, location (only certain highways), spacing, etc. requirements for these signs than there are for other billboard-type signs?
Same requirements as billboards
5. Does your regulation regarding these signs restrict static (dwell) time and change over (twirl) time? Yes-policy only
If so, what is the minimum static time _____ maximum change over time 10 seconds _____
6. Did you have to modify any of the following to allow these signs: Yes No
Federal/State Agreement no State law no State regulation no _____
No change in prior agreements, laws, rules or regulations were necessary to allow these signs
7. When a sign owner applies for a permit for this type of sign, do you charge a higher fee? no
8. When a sign owner applies for a permit for this type of sign, do you require any concessions from the sign owner (i.e. removal of non-conforming signs, etc.)? no
9. When a sign owner applies for a permit for this type of sign, do you require a copy of any necessary

local municipal approvals? [Yes- Local government must sign permit application](#)

MASSACHUSETTS

1. Does your State allow commercial changeable message signs? [Yes, Massachusetts does](#)
2. If not, has your office or your State legislature, been approached to authorize or prohibit this type of sign?
3. If this type of sign is referred to in your outdoor advertising control regulations, please provide a copy of your regulation which allows/prohibits this type of sign [Fax (518) 474-8069], or a web address where we can find this information. www.mass.gov/mhd [711 CMR 3.0](#)
4. If tri-vision (changeable message) signs are allowed, are there different size, location (only certain highways), spacing, etc. requirements for these signs than there are for other billboard-type signs? **NO**
5. Does your regulation regarding these signs restrict static (dwell) time and change over (twirl) time?
NO
If so, what is the minimum static time _____ maximum change over time _____
6. Did you have to modify any of the following to allow these signs: Yes No
Federal/State Agreement _____
State law _____
State regulation _____
No change in prior agreements, laws, rules or regulations were necessary to allow these signs _____
7. When a sign owner applies for a permit for this type of sign, do you charge a higher fee? [Yes, \\$250.00 per year](#)
8. When a sign owner applies for a permit for this type of sign, do you require any concessions from the sign owner (i.e. removal of non-conforming signs, etc.)? **NO**
9. When a sign owner applies for a permit for this type of sign, do you require a copy of any necessary local municipal approvals? **NO**

MICHIGAN

1. Does your State allow commercial changeable message signs? [They are permitted in very limited situations.](#)
2. If not, has your office or your State legislature, been approached to authorize or prohibit this type of sign? **NO.**
3. If this type of sign is referred to in your outdoor advertising control regulations, please provide a copy of your regulation which allows/prohibits this type of sign [Fax (518) 474-8069], or a web address where we can find this information. [HAM 9.06 gives the best explanation. Fax will follow.](#)
4. If tri-vision (changeable message) signs are allowed, are there different size, location (only certain highways), spacing, etc. requirements for these signs than there are for other billboard-type signs? [Only the location requirements are different. See HAM 9.06.](#)
5. Does your regulation regarding these signs restrict static (dwell) time and change over (twirl) time?
NO.
If so, what is the minimum static time _____ maximum change over time _____
6. Did you have to modify any of the following to allow these signs: **NO.**
Federal/State Agreement _____ State law _____ State regulation _____
No change in prior agreements, laws, rules or regulations were necessary to allow these signs _____
7. When a sign owner applies for a permit for this type of sign, do you charge a higher fee? **NO.**
8. When a sign owner applies for a permit for this type of sign, do you require any concessions from the sign owner (i.e. removal of non-conforming signs, etc.)? **NO.**
9. When a sign owner applies for a permit for this type of sign, do you require a copy of any necessary local municipal approvals? **NO.**

MISSISSIPPI

1. Does your State allow commercial changeable message signs? Yes
2. If not, has your office or your State legislature, been approached to authorize or prohibit this type of sign?
3. If this type of sign is referred to in your outdoor advertising control regulations, please provide a copy of your regulation which allows/prohibits this type of sign [Fax (518) 474-8069], or a web address where we can find this information. Will be in New Standard Operation Procedures (SOP).
4. If tri-vision (changeable message) signs are allowed, are there different size, location (only certain highways), spacing, etc. requirements for these signs than there are for other billboard-type signs? A tri-vision structure maybe a single face, back to back, or "V" type. The structure shall have only two (2) faces with three (3) rotating advertisements per face. Tri-Vision Signs shall contain a default design that will freeze the sign in one position if malfunction occurs. Spacing between a Tri-Vision sign structure will double between another Tri-Vision Sign Structure when viewed from the same side of highway.
5. Does your regulation regarding these signs restrict static (dwell) time and change over (twirl) time? If so, what is the minimum static time 10 seconds maximum change over time 3 seconds.
6. Did you have to modify any of the following to allow these signs: Yes No
Federal/State Agreement NO. State law NO. State regulation YES. (SOP's)
No change in prior agreements, laws, rules or regulations were necessary to allow these signs No changes in prior agreement
7. When a sign owner applies for a permit for this type of sign, do you charge a higher fee? NO
8. When a sign owner applies for a permit for this type of sign, do you require any concessions from the sign owner (i.e. removal of non-conforming signs, etc.)? only that it is placed in a permissible location.
9. When a sign owner applies for a permit for this type of sign, do you require a copy of any necessary local municipal approvals? No, but zoning is verified.

MONTANA

Montana law does not specifically address changeable message or tri vision signs. The only reference in the Montana Codes, as in many other states, is the prohibition of " signs that contain, include, or are illuminated by flashing, intermittent, or moving light or lights... except those giving public service information such as time, date, temperature, weather or similar information."

To date, the Department has not been approached or requested to issue permits for changeable message or tri vision signs. In talking with industry representatives, it does not appear that this type of sign will be requested in the near future. As I understand it, this technology is generally limited to large urban areas or highways with high traffic count. I suspect that is due to the cost of the signs and the ability to get very high rental rates.

In talking with Department staff counsel, it is unclear if a change in the state/federal agreement would be necessary to consider changeable or tri vision signs. As a precaution, I would suspect that Montana would want FHWA concurrence before issuing permits for such signs.

NEBRASKA

1. Does your State allow commercial changeable message signs? No. I have attached our proposed regs for CMS (changeable message signs) structures for your information. We are changing our regs to allow them because it is the trend of the industry and FHWA stated that if our State law and/or Federal/State Agreement didn't prohibit them (they do not) we could allow them.
2. If not, has your office or your State legislature, been approached to authorize or prohibit this type of sign? No. It is not necessary. Our laws governing the control of outdoor advertising allows us to write rules and regulations to implement the law. We are now in the rule making process and are proposing these changes.

3. If this type of sign is referred to in your outdoor advertising control regulations, please provide a copy of your regulation which allows/prohibits this type of sign [Fax (518) 474-8069], or a web address where we can find this information. [See below....Proposed regs](#)

4. If tri-vision (changeable message) signs are allowed, are there different size, location (only certain highways), spacing, etc. requirements for these signs than there are for other billboard-type signs? [Indicated on the attached proposed regs.](#)

5. Does your regulation regarding these signs restrict static (dwell) time and change over (twirl) time? **YES**

If so, what is the minimum static time 10 Seconds maximum change over time 2 Seconds

6. Did you have to modify any of the following to allow these signs:

Federal/State Agreement **NO** State law **NO** State regulation **Yes, in process.**

No change in prior agreements, laws, rules or regulations were necessary to allow these signs

[Answered in #6](#)

7. When a sign owner applies for a permit for this type of sign, do you charge a higher fee? **NO**

8. When a sign owner applies for a permit for this type of sign, do you require any concessions from the sign owner (i.e. removal of non-conforming signs, etc.)? **NO**

9. When a sign owner applies for a permit for this type of sign, do you require a copy of any necessary local municipal approvals? [Yes our current rule states that whenever the zoning authority of a county or incorporated city has established regulations controlling the size, lighting, and spacing of outdoor advertising signs in commercial and industrial zones within the zoning jurisdiction of said county or city, the controls so established may apply with the commercial and industrial zones of said county or city, if such controls are more strict than the controls set forth in our rules. This means that we must have a copy of the local approvals.](#)

Following are our Proposed regulations for Changeable Message Signs, whether they are Tri-vision or Electronic messaging.

|002.05D CHANGEABLE MESSAGE SIGN (CMS): Changeable Message Sign means an outdoor advertising sign, display, or device which changes the message or copy on the sign by electronic or mechanical device or process, regardless of the technology used. CMS are considered outdoor advertising signs and subject to all applicable regulations and subject to the following:

|002.05D1 CMS must conform to general spacing requirements of 002.05C4 and the specific spacing requirements of 002.05D2.

|002.05D2 No two (2) CMS structures may have sign facings erected less than five thousand (5000) feet apart measured from the center of the sign supports nearest the highway along a line parallel with the highway. CMS structures may be located on either side of the highway; however, each sign must only be visible from one direction of travel and must comply with the 5000 foot spacing on each side.

|002.05D3 CMS structures must conform to the size requirements of 002.05C3.

|002.05D4 Conforming sign structures may be modified to a CMS upon compliance with CMS standards and obtaining a permit in accordance with 002.12.

|002.05D5 Non-conforming sign structures will not be modified to a CMS.

|002.05D6 Each advertisement displayed must remain fixed for at least ten (10) seconds.

|002.05D7 When an advertisement is changed, it must be accomplished with an interval of two (2) seconds or less.

|002.05D8 CMS must contain a default mechanism that will freeze the sign |in one position if a malfunction occurs.

|002.05D9 CMS shall be constructed as a single structure with only one face intended to be visible from each direction of travel, as viewed from a point 100 feet from the centerline of the sign measured horizontally along a line normal or perpendicular to the centerline of the highway.

NEW MEXICO

The New Mexico Outdoor Advertising Rules and Regulations do not specifically address Tri-vision or other variable message sign technologies. Therefore, the NMSHTD previously allowed Tri-vision or other variable message sign technologies. However, vague wording in the NMSHTD Outdoor Advertising Rules and Regulations has caused some confusion regarding these specific technologies. The wording in the NM rules/regulations states: 'no sign may be erected or maintained which moves or has any animated or moving parts'. This has caused some to perceive a prohibition of Tri-vision or other variable message sign technologies. However, this wording regarding 'moving parts' was written in the early 1970's, well before Tri-vision and other variable message-type signs became a feasible and viable technology. This fact, in addition to that of how such technologies are not specifically addressed in the rules/regs has led others to believe that Tri-vision or other variable message sign technologies can be allowed. Thus, a growing disparity has arisen between how the NM rules/regulations were written back in the early 1970's and how they were meant to be interpreted and what may or may not seem to be a prohibition of such technology by today's standards/classifications. Either way, this ensuing confusion and the fact that Tri-vision/variable message sign technology is currently being used more often has necessitated a formal review of this issue by the NMSHTD.

Therefore, in the near future, the NMSHTD will formally address the issue of Tri-vision and other variable message sign technologies for use in New Mexico along Federal aid highways. The outdoor advertising industry will be invited to participate in the process. The NMSHTD will request from other DOTs and from the outdoor advertising industry similar information to what you have requested in your survey. The NMSHTD has made the decision that it will not approve any new applications for Tri-vision or other variable message sign technologies until the issue is formally addressed and a formal conclusion is reached.

Regarding your request for specific information, the NMSHTD Outdoor Advertising / Beautification Unit currently does not have any information, statistics, or other documentation regarding the use of Tri-vision or other variable message sign technologies. Nor am I aware of anyone else within the NMSHTD that would have this type of information. Because only a few structures utilizing such technologies have been legally erected along Federal aid highways in New Mexico, very little or no information has been garnered by the NMSHTD. Furthermore, the outdoor advertising industry has not previously provided to the NMSHTD the type of information you have requested, as such information is often not released.

OHIO

1. Does your State allow commercial changeable message signs? **Yes**
2. If not, has your office or your State legislature, been approached to authorize or prohibit this type of sign? N/A
3. If this type of sign is referred to in your outdoor advertising control regulations, please provide a copy of your regulation which allows/prohibits this type of sign [Fax (518) 474-8069], or a web address where we can find this information. **Please refer to our website address , and see in our booklet O.A.C. 5501-2-2-02(4)(B)**
4. If tri-vision (changeable message) signs are allowed, are there different size, location (only certain highways), spacing, etc. requirements for these signs than there are for other billboard-type signs?

Same as above

5. Does your regulation regarding these signs restrict static (dwell) time and change over (twirl) time?

Yes

If so, what is the minimum static time **8** seconds maximum change over time **3** seconds or less

6. Did you have to modify any of the following to allow these signs:

Federal/State Agreement **NO** State law **NO** State regulation **YES**

No change in prior agreements, laws, rules or regulations were necessary to allow these signs **NO**

7. When a sign owner applies for a permit for this type of sign, do you charge a higher fee? **YES, \$625.00**

8. When a sign owner applies for a permit for this type of sign, do you require any concessions from the sign owner (i.e. removal of non-conforming signs, etc.)? **NO**

9. When a sign owner applies for a permit for this type of sign, do you require a copy of any necessary local municipal approvals? **YES**

SOUTH DAKOTA

1. Does your State allow commercial changeable message signs? **Yes**

2. If not, has your office or your State legislature, been approached to authorize or prohibit this type of sign?

3. If this type of sign is referred to in your outdoor advertising control regulations, please provide a copy of your regulation which allows/prohibits this type of sign [Fax (518) 474-8069], or a web address where we can find this information.

4. If tri-vision (changeable message) signs are allowed, are there different size, location (only certain highways), spacing, etc. requirements for these signs than there are for other billboard-type signs? **No**

5. Does your regulation regarding these signs restrict static (dwell) time and change over (twirl) time? **Yes - § 31-29-66. Lighting standards and criteria.**

Statute text

The standards and criteria for lighting of outdoor advertising authorized to be erected and maintained in zoned or unzoned commercial or industrial areas adjacent to the interstate and primary highway systems are: (1) No revolving or rotating beam of light simulating an official emergency device is permitted. Signs with flashing lights of any color are not permitted, except illuminating signs giving such public service information as time, date, or temperature; (2) External lighting, such as floodlights, thin-line and gooseneck reflectors, is permitted, if it is shielded so as to prevent the direction of rays of light to any part of the main-traveled way; (3) No lighting is permitted which is of such brilliance or intensity so as to establish glare or reflection which would interfere with the effectiveness of any official traffic control device or official sign or interfere with the motorist's view of traffic conditions; and (4) A changeable message sign is permitted as an off-premise sign, regardless of the technology used, if the message is changed not more than once every six seconds and if the message is not continuously scrolled.

If so, what is the minimum static time one maximum change over time 6 seconds

6. Did you have to modify any of the following to allow these signs: Yes No

Federal/State Agreement _____ State law **Yes** _____ State regulation _____

No change in prior agreements, laws, rules or regulations were necessary to allow these signs _____

7. When a sign owner applies for a permit for this type of sign, do you charge a higher fee? **No**

8. When a sign owner applies for a permit for this type of sign, do you require any concessions from the sign owner (i.e. removal of non-conforming signs, etc.)? **No**

9. When a sign owner applies for a permit for this type of sign, do you require a copy of any necessary local municipal approvals? **No**

UTAH

1. Does your State allow commercial changeable message signs? **Yes. 72-7-505 (b): No more than two facings visible and readable from the same direction on the main traveled way may be erected on any one sign structure...**

72-7-505 (d): A changeable message sign is permitted if the interval between message changes is not more frequent than at least eight seconds and the actual message rotation process is accomplished in three seconds.

Utah-Federal-Agreement Size of Signs (3): A sign structure may contain nor more than two facings visible and readable from the same direction of the main traveled way on any one sign structure. Whenever two facings are so positioned, neither shall exceed 325 square feet.

2. If not, has your office or your State legislature, been approached to authorize or prohibit this type of sign? N/A

3. If this type of sign is referred to in your outdoor advertising control regulations, please provide a copy of your regulation which allows/prohibits this type of sign [Fax (518) 474-8069], or a web address where we can find this information. http://www.dot.utah.gov/r2/permits/Outdoor_Advertising.htm
<http://www.dot.utah.gov/r2/Permits/Download/OutdoorAdv.pdf>

4. If tri-vision (changeable message) signs are allowed, are there different size, location (only certain highways), spacing, etc. requirements for these signs than there are for other billboard-type signs?

As I understand it, only two facings are allowed to be seen at any one time and if this was the case than they would have adhere to the Utah-Federal-Agreement. The spacing and size requirement would remain the same as stated in 72-7-505.

5. Does your regulation regarding these signs restrict static (dwell) time and change over (twirl) time?

72-7-505 (d): A changeable message sign is permitted if the interval between message changes is not more frequent than at least eight seconds and the actual message rotation process is accomplished in three seconds.

If so, what is the minimum static time ___8___ maximum change over time ___3___

6. Did you have to modify any of the following to allow these signs?

Federal/State Agreement NO State law YES State regulation YES

7. When a sign owner applies for a permit for this type of sign, do you charge a higher fee? No

8. When a sign owner applies for a permit for this type of sign, do you require any concessions from the sign owner (i.e. removal of non-conforming signs, etc.)? NO

9. When a sign owner applies for a permit for this type of sign, do you require a copy of any necessary local municipal approvals? UDOT requires a Building Permit from the local municipality.

VIRGINIA

1. Does your State allow commercial changeable message signs? Virginia allows trivision technology on conforming outdoor advertising structures. It is prohibited on nonconforming structures.

2. If not, has your office or your State legislature, been approached to authorize or prohibit this type of sign? The Virginia General Assembly was approached during the 2001 session to authorize tri-vision technology.

3. If this type of sign is referred to in your outdoor advertising control regulations, please provide a copy of your regulation which allows/prohibits this type of sign [Fax (518) 474-8069], or a web address where we can find this information.

§ 33.1-369. Certain advertisements or structures prohibited.

No advertisement or advertising structure shall be erected, maintained or operated: Which involves motion or rotation of any part of the structure, moving reflective disks, running animation, or displays an intermittent light or lights visible from any highway. The prohibition of this subsection shall not apply to: (a) advertisement or advertisement structure with messages that change no more than once every four seconds and is consistent with agreements entered into between the Commonwealth Transportation Commissioner and the United States Department of Transportation; or (b) an on-premises advertisement or advertising structure with messages displayed as scrolling words and/or numbers;

4. If tri-vision (changeable message) signs are allowed, are there different size, location (only certain highways), spacing, etc. requirements for these signs than there are for other billboard-type signs?

Trivision signs would be allowed on any highway provided the advertising structure conforms with all other laws. Virginia's Federal/State Agreement addresses lights but does not address motion. Therefore, under the statute that was passed in 2001 trivision technology is authorized.

5. Does your regulation regarding these signs restrict static (dwell) time and change over (twirl) time? **Yes.**

If so, what is the minimum static time 4 seconds, maximum change over time none

6. Did you have to modify any of the following to allow these signs: Yes No

Federal/State Agreement **No** State law **Yes** State regulation **No**

No change in prior agreements, laws, rules or regulations were necessary to allow these signs **One change in statute was necessary to authorize anything authorized by the Federal/State Agreement.**

7. When a sign owner applies for a permit for this type of sign, do you charge a higher fee? **No**

8. When a sign owner applies for a permit for this type of sign, do you require any concessions from the sign owner (i.e. removal of non-conforming signs, etc.)? **No**

9. When a sign owner applies for a permit for this type of sign, do you require a copy of any necessary local municipal approvals? **All new permit applications, whether for trivision or a standard sign, in Virginia require the local zoning administrator's approval prior to issuance of a state permit.**

WEST VIRGINIA

1. No
2. Yes
3. N/A
4. N/A
5. N/A
6. N/A
7. N/A
8. N/A
9. Yes

WYOMING

1. No
2. Yes
3. N/A
4. N/A
5. N/A
6. N/A
7. N/A
8. N/A
9. Yes