

SB 417 - Please support SB 417

SB 417 seeks to fix two minor issues in the laws relating to outdoor advertising.

The first issue comes from a bill that passed several years ago to allow for digital billboards in Oregon. As part of the compromise to pass the bill, it was agreed that a company would retire a relocation credit in exchange for converting a static sign to digital; or building a new digital sign. That exchange will remain. The part of the law that is being removed is the requirement that any company with a large percentage of credits in the bank would be required to take down an existing static sign when putting up a new digital sign. Last year ODOT staff pointed out to OutFront Media that they were the only company left that now had this requirement, creating an uneven playing field. While it created an advantage for every other company, the members of the Oregon Outdoor Advertising Association agreed that this was not fair and needed to be remedied.

The second issue comes from some confusion at ODOT regarding landowner approval. Currently, evidence of landowner approval is required for any new or reconstruction permit. Normally and historically this requirement has been satisfied by the existence of a valid lease agreement, with either a current or a previous landowner. As long as the subject lease agreement is still in force (the term of the lease has not expired), then the landowner approval requirement was deemed as satisfied. ODOT had indicated that the statutes were unclear and was suggesting that they needed the approval of the current landowner no matter if the underlying lease agreement was still in force or not. We understand ODOT wanting to cover their bases, but this runs counter to general real estate law and sets a bad precedent. SB 417 will make it clear that as long as a valid lease exists, that ODOT would not need approval from any new landowner.

At the request of a couple of Senators, we ran this clarification by former Senator Lee Beyer and he agreed that these proposed changes make sense. ODOT has indicated that they are ok with these changes as well.

Oregon Outdoor Advertising Association



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