

18.6.237 ELECTRONIC BILLBOARD STANDARDS

(1) An electronic billboard (EBB) may be approved as an off-premise outdoor advertising sign if it is visible to the traveling public from a controlled route and is within an area zoned commercial or industrial within the city limits or urban area of an incorporated or unincorporated city or town as shown on the department's official city urban and unincorporated town maps.

(2) An EBB must meet all of the following conditions:

(a) EBB messages must have a minimum display (dwell) time of eight seconds and a maximum change (twirl) interval of one second;

(b) an EBB shall not exceed a brightness level of three tenths (0.3) footcandles over ambient light as measured by the distance to the EBB as follows:

EBB face area (square feet) Distance of Measurement (feet from EBB)

300-672 250

200-299 150

150-199 135

100-149 110

(c) an EBB must use automatic dimming technology to adjust the brightness of the EBB relative to ambient light to avoid exceeding the brightness level of three tenths (0.3) footcandles;

(d) an EBB must not be placed with illumination that interferes with the effectiveness of or obscures an official traffic sign, device, or signal;

(e) an EBB must not cause beams or rays or light to be directed at the traveled way if the light is of unreasonable intensity or brilliance or is likely to be mistaken for a warning or danger signal or cause glare or impair the vision of any driver, or to interfere with the driver's operation of a motor vehicle;

(f) an EBB message must remain static. Paging, scrolling, or streaming messages are prohibited. The message must not use techniques of message display such as fading, rolling, window shading, exploding, dissolving, spinning, revolving, or shaking messages;

(g) an EBB must not include or be illuminated by flashing, intermittent, or moving lights, nor use jumping arrows or rapid chasing or flashing lamp borders, or lights which resemble or simulate any lights used to control traffic;

(h) an EBB must not be located within 1000 feet of the beginning or ending of the pavement widening, for each entrance or exit roadway, to the main-traveled way on interchanges, and within 500 feet of an intersection;

(i) an EBB must not be placed within 2000 feet of another permitted sign measured along the nearest edge of the pavement between points directly opposite the signs on the same side of the roadway;

(j) an EBB must only be constructed as a single face, back-to-back, or two-faced V-shaped structure. Only one face may be visible in each direction of the main-traveled way. Side-by-side or stacked EBBs are prohibited;

(k) an EBB must not be a portable sign which is used as permanent illuminated signage, as only a fixed sign is allowed;

(l) an EBB must not attempt or appear to attempt to direct the movement of traffic and must not interfere with, imitate, or resemble any official traffic sign, signal, or device; and

(m) an EBB must contain a default mechanism which will stop the sign face in one position if a malfunction which causes the display to be in violation of this rule occurs, or within three hours when notified by the department.

(3) An existing non-EBB may be modified or upgraded to EBB technology if the sign conforms with EBB criteria established in this rule relating to zoning, size, lighting, and spacing. Prior approval from the department is required to upgrade an existing sign to EBB technology, including a new sign application and a nonrefundable inspection fee.

(4) Nonconforming signs must not be modified or upgraded to EBB technology.

(5) All applications for EBB original or upgraded permits must be accompanied by an approval issued by a local or county government on a form provided by the department.

Approval of an application and issuance of a permit do not alleviate an applicant for responsibility to comply with all applicable county or local regulations. Any violation of county or local regulations may result in revocation of the permit.

(6) Violation of this rule may result in revocation of the permit.

History: [75-15-121](#), MCA, [IMP](#), [75-15-111](#), [75-15-112](#), [75-15-113](#), MCA; [NEW](#), 2016 MAR p. 1440, Eff. 8/20/16.