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VIA EMAIL

Jamille Robbins

NC Department of Transportation– Environmental Analysis Unit

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CC: Hannah B. Jernigan at Rulemaking@ncdot.gov

Re: Modernization of outdoor advertising rules 19A NCAC 02E .0225

To the N.C. Department of Transportation:

We write to express our strong opposition to the North Carolina Department of Transportation’s (“DOT’s) proposed changes to the modernization of outdoor advertising rules (19A N.C.A.C. 02E .0225) that would limit local authority to determine what size and type of outdoor advertising is appropriate for a community, and would open the door to more unsafe and distracting digital billboards.

The proposed rules would disregard the wishes of local governments as expressed in applicable city or county ordinances, instead allowing a billboard with a state permit to be converted to digital and raised to 50 feet in height. Many local authorities have more stringent regulations than the State regarding outdoor advertising—the reason for which is often rooted in public safety. Studies show that digital billboards distract drivers, causing a significantly greater impairment to driving performance than static billboards. These giant flashing screens are especially dangerous to young drivers who may be easily distracted, and in areas with greater traffic safety challenges.

Instead of this proposed change, we support “Alternative 2,” described on page 6 of DOT’s March 1, 2019 fiscal note. In particular, we favor the restriction of companies’ ability to modernize billboards from static to digital faces. Alternative 2 would recognize local government ordinances and limit the changes that could be made to an existing billboards as part of modernization.

Alternative 2 as described in the fiscal note reads:

The second alternate is to further limit activities that industry could do as part of modernization. An example includes restricting companies to modernize from static to digital faces. Some local governments have more stringent rules associated with outdoor

advertising regulations including moratoriums on allowing digital billboards. NCDOT considered excluding digital faces as part of modernization. NCDOT chose not to make this exclusion since the state already allows digital billboards and that industry should be allowed to accommodate for technology enhancements.

We wish to safeguard the ability of local communities to protect their residents and their environment by regulating billboards, especially taller, digitized billboards that impact the scenic beauty of North Carolina and are proven to be a distraction to drivers.

Sincerely,



Mary Maclean Asbill
Senior Attorney
Southern Environmental Law Center



Brooks Rainey Pearson
Staff Attorney
Southern Environmental Law Center