

Section 7

Electronic Message Devices

(EMD)

A. Definitions:

- 1) *"Electronic Message Device (EMD)"* means a sign with the capability of displaying words, symbols, figures or images controlled by electronic communications.
- 2) *"Blinking"* means any form of flashing where a pattern of sudden illumination changes occurs, excluding the transition of electronic messages.
- 3) *"Dissolve"* means a mode of message transition on an Electronic Message Device accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the subsequent message.
- 4) *"Fade"* means a mode of message transition on an Electronic Message Device accomplished by varying the light intensity or pattern, where the first message gradually reduces the intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.
- 5) *"Flashing"* means any pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated, excluding the transition of electronic messages.
- 6) *"Intermittent"* means any pattern of changing light intensity, other than that achieved with fade, dissolve or instantaneous transitions or the temporary suspension of illumination.
- 7) *"Malfunction"* means any interruption in the normal display on the Electronic Message Device that results in blinking, flashing, intermittent or moving light display of lighting, and any other abnormal function of the sign that would cause distraction to motorists.
- 8) *"Moving light"* means the physical change in position of any visible illumination source while lighted or the simulation of movement achieved with a pattern of sequentially illuminating visible illumination sources within close proximity of each other.

B. All structures that display electronic messages shall be subject to the provisions found in these Regulations, and must be approved by permit prior to installation.

- 1) For permitted structures containing an EMD, only one EMD shall be allowed per facing, and the EMD shall be the only sign allowed on that facing.
- 2) Electronic message changes must be accomplished within an interval of two (2) seconds or less.
- 3) The message or image on an EMD must remain static for a minimum of eight (8) seconds or more.
- 4) EMDs shall contain a default design that will freeze the sign in one position if a malfunction occurs. The Department shall be provided with an on-call contact person and telephone number for every permitted EMD. In the event of malfunction, the contact person must have the ability and authority to make modifications to the displays and lighting levels should the need arise. If modifications cannot be made to correct the malfunction within a timely manner, then the EMD should be disabled until the modifications are made. It shall be the responsibility of the permittee to maintain accurate and current contact information.
- 5) Signs that contain, include, or are illuminated by any flashing, intermittent, or moving light or lights, including animated parts or scrolling messages or images, are prohibited, with the exception of those giving public service information such as time, date, temperature, and weather and/or similar information as approved by the Department.
- 6) There shall be no appearance of a visual dissolve or fading in which any part of one electronic message/display appears simultaneously with any part of a following electronic message/display.
- 7) Should the Department, in its discretion, find the EMD sign, or any display or effect thereon, to cause glare or to impair the vision of the driver of any motor vehicle or which otherwise interferes with the operation of a motor vehicle, the owner of the sign shall, within twenty-four (24) hours after notification by the Department, reduce the intensity of the sign to an acceptable level. Failure to reduce lighting intensity on request may be cause for revocation of the permit.
- 8) A sign owner may modify existing, legal, conforming structures to an EMD only after filing an application and receiving approval by the Department.
- 9) Signs containing EMDs shall not be located closer than 1,500 linear feet along Interstate highways and 1,000 linear feet along non-Interstate state highways of another EMD when viewed from the same direction of the traveled way.
- 10) EMDs shall comply with all other requirements of Federal and State Outdoor Advertising Regulations.
- 11) Failure to adhere to any of these provisions may result in the revocation of the EMD portion of the permit [following due process including notice to comply].