

Scenic America
1250 Eye Street NW Suite 750
Washington D.C. 20005

Chatham County Commission
124 Bull Street Suite 200
Savannah, Georgia 31401

May 25, 2011

Dear Commissioners:

We have recently learned that the Chatham County Board of Commissioners are considering a proposed text amendment to 7-3(c)(5) of the Chatham County Zoning Ordinance to permit digital billboard technology in certain zoning classifications.

On behalf of Scenic America, I urge you not to approve this amendment.

Scenic America is a national nonprofit organization dedicated to preserving and enhancing the visual character of America's communities and countryside. We have closely followed the many strategies being used by the industry to bring digital billboards to as many cities and towns as possible, before localities have a chance to explore the implications of the new technology.

Among the potential implications of digital signs:

- * They are by necessity very bright, having to overcome ambient sunlight during the daytime and becoming the brightest object on the landscape at night.
- * There are legitimate, well documented, safety concerns regarding the impact of digital signage on driver distraction.
- * They use enormous amounts of energy. A recent study showed one digital billboard can use as much energy as 15 average homes.
- * They are expensive to remove. Minnesota recently removed a digital billboard owned by Clear Channel to allow for roadway expansion. The state offered to reimburse the costs of the sign - roughly \$500,000. Clear Channel says the value of the sign includes lost revenues and is asking for **\$5,000,000**. The case has gone to court.

It is my understanding that Chairman Liakakis raised concerns during the May 13, 2011 hearing regarding the impact of digital signs on driver distraction. I applaud the Chairman's due diligence on this critical issue, but am distressed and very disappointed to read the poorly researched response from MPC Executive Director, Thomas L. Thomson, and his reliance on a ten year old report by Federal Highway Administration to justify these amendments (See letter dated May 23, 2011).

Although lobbyists for sign companies ask regulators to base their actions on industry sponsored studies that claim to show no adverse safety impacts of digital signage, these lobbyists fail to reveal that these industry studies have been soundly rejected as biased, erroneous, and indefensible by independent peer review performed on behalf of the Transportation Research Board (TRB) of the National Academy of Sciences.

A recent scholarly report funded by the National Cooperative Highway Research Program (NCHRP) and published by the American Association of State Highway and Transportation Officials (AASHTO) provides a comprehensive review of all prior research studies that have addressed driver distraction and digital billboards, and devotes 15 pages to a severe criticism and refutation of the industry studies. In this report "Safety Impacts of the Emerging Digital Display Technology for Outdoor Advertising Signs", the author, Jerry Wachtel, found that "nearly every empirical study undertaken since 1995...has demonstrated that there is an adverse relationship between distraction and digital signs." The AASHTO report is more recent than the one quoted by Tom Thomson, and more comprehensive.

The Wachtel study raised serious questions regarding the safety of digital billboards (DBB) along our highways. This report is significant for several reasons:

- * It is the first report produced by an organization whose sole purpose is to understand the safety implications of DBB.
- * It conducted a worldwide survey of experiences with DBB in other countries.
- * It relied on technical analysis rather than anecdotal data regarding the safety of DBBs.

In addition, a series of reports issued by the National Highway Traffic Safety Administration (part of the U.S. Department of Transportation), and collectively known as *The 100 Car Naturalistic Driver Study*, found that **any** source of distraction that removed the driver's eyes from the road ahead for more than two seconds greatly increased the risk of a crash or near-crash. Nearly 80 percent of all crashes and 65 percent of all near-crashes involved such driver inattention within 3 seconds

of the incident. Since numerous studies, including one sponsored by the outdoor advertising industry, have documented that digital billboards take drivers' eyes off the road for longer than this, the safety risk of such signs is apparent.

Both of the above referenced studies can be found on our website.

Ironically, the outdoor advertising industry promotes the distraction element of digital billboards when they sell them to advertisers. They proclaim that digital signs are "eye-catching" and drivers "won't be able to ignore" them. The job of a billboard is to take the eyes of drivers off the road, and if they don't do that they aren't doing their job.

Yet when talking to regulators and the public, the industry says their signs are not a distraction and points to studies it says show the signs pose no safety risks whatsoever. But these studies were paid for by the billboard industry, were discredited by the courts, and were rejected by peer reviewers due to flawed methodology. **These studies are presented by the industry as valid, but are not credible and should not be used to justify allowance of digital signs.**

At the same time, the conclusions reached in research sponsored by government agencies, insurance companies and auto safety organizations regularly demonstrate that the presence of roadside advertising signs such as digital billboards contributes to driver distraction at levels that adversely affect safe driving performance. Two additional research studies have been undertaken subsequent to the publication of the 2009 AASHTO report - one in Norway and one in Canada. Both reinforce these earlier conclusions that there is an adverse relationship between such roadside advertising and traffic safety.

The Federal Highway Administration has completed its own on-road research study looking at the levels of driver distraction as measured by eye movements in the presence and absence of digital billboards. This report is expected to be released in the coming months. We would respectfully ask the County Commissioners to wait until the results of this study before making any further decisions about digital signs.

Montana, Vermont, Maine, Alaska, and Hawaii prohibit digital signs; Minnesota and Michigan are considering a state-wide moratorium until more is known about the impact of what they call "weapons of mass distraction." Denver, San Francisco, Indianapolis, Atlanta, Houston, Saint Louis, Kansas City and Salt Lake City are just some of the cities that have banned digital billboards because of their impact on driver and pedestrian safety, aesthetics and quality of life.

The billboard industry sees digital billboards as the future of outdoor advertising, and its profits from these signs will rely on frequent message changes, bright displays, attention grabbing graphics and keeping the driver's eyes off the road as much as possible. **But their business model should not dictate highway safety policies.** The industry regularly threatens that any regulations that impact its business model will be challenged in court. The best solution is to retain a prohibition on these signs, like many cities, counties and states have already done.

You may also be interested in a recently completed study of outdoor advertising regulations in other countries:

Please contact Scenic America if we can be of any further assistance in refining the amendments. You may also want to read the International scan Report released on May 24, 2011, and available on line at www.international.fhwa.dot.gov/links/pub_details

Than you for your consideration.

Mary Tracy
President

Scenic America is the only national 501(c)(3) nonprofit organization dedicated solely to preserving and enhancing the visual character of America's communities and countryside. We accomplish this mission through national advocacy efforts and technical assistance services, local and national projects, and the support of our state and city affiliates.