



July 11, 2014

Ms. Margaret Lloyd
Vice President, Board of Directors
Scenic Texas

Re: Proposed TxDOT Rule §21.189(a) that would increase the current height from 42.5 to 65 feet.

Dear Ms. Lloyd:

I understand that you provided testimony before a TxDOT Public Hearing on June 24, 2014, concerning the Department's proposed rule change to allow an increase in the height of roadside billboards from 42.5 to 65 feet.

Your arguments in favor of an alternate proposal, one that would reduce billboard heights to 30 feet, are based primarily on environmental and aesthetics grounds. I would like to add another reason in favor of such a height reduction: a reduced level of driver distraction caused by such signs.

Billboards are intended and designed to attract the driver's attention long enough to communicate the advertiser's message. It is well understood, and supported by numerous scholarly articles and texts, that a shorter, simpler message, using clear fonts and proper image-to-background contrast, is far more successful at communicating than longer messages which are difficult to read. Yet advertisers using billboards as a medium continue to violate their own industry guidelines in the mistaken belief that the more time consuming or difficult the message is to read, the longer the driver will attend to it, and thus the more "effective" it will be. When coupled with billboards that are mounted high above the road surface, driver distraction is further increased because of the time necessary for the driver to lift his head and turn his eyes to view such a sign.

Since we cannot force advertisers to design their billboard messages to be short and simple, we should, at the very least, bring the billboards closer to eye level so that the total amount of time that a driver must take his or her eyes off the road to read a message is reduced to the extent possible.

The billboard industry's argument that billboards must be placed higher above the road surface to allow them to be read without obstruction from large trucks or buses in the traffic stream or from fixed objects such as trees and flyovers makes little sense, for two reasons promulgated by the industry: (1) The industry calculates the amount of time that a driver needs to read a billboard to include the time necessary for the driver to come to a complete stop;¹ and (2) the industry makes its calculations and decisions based on its position that the driver must have an uninterrupted time of five or eight seconds (depending upon the type of roadway) to view and read an

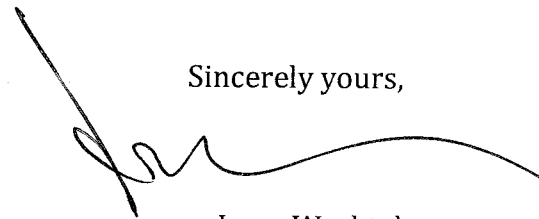
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advertising sign.² The absurdity of these arguments are apparent: we never expect (or condone) a driver stopping on a high speed roadway as assumed by the industry; and we know from recent research that when a driver takes his or her eyes off the roadway for two or more seconds, the likelihood of a crash or near crash increases by 2.8 times.

For these reasons, I believe that lowering billboard mounting heights to 30 feet will reduce the "eyes off road" time for drivers, while still permitting sufficient sight distance for properly designed billboards to be read. (It should be noted that official traffic control signs, which are typically much smaller than most roadside billboards, are rarely if ever mounted more than 17 feet above the road surface).

Please let me know if I can provide any additional information or clarification of my position in support of your proposal.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jerry Wachtel", with a long horizontal flourish extending to the right.

Jerry Wachtel

¹ See International Sign Association - *The Right Sign for Your Business*. © 2013.

² See United State Sign Council - *USSC Research Based Approach To: Sign Size, Sign Legibility, Sign Height*, © 2003.