

FOR IMMEDIATE RELEASE

## Appeal filed in lawsuit over federal ruling on digital billboards

WASHINGTON, January 7, 2014 – Scenic America has filed an appeal in federal court in its lawsuit seeking to overturn a 2007 Federal Highway Administration (FHWA) ruling that allowed commercial digital billboards to proliferate along federal highways nationwide. The lawsuit, filed on behalf of Scenic America and its members by Georgetown University Law Center’s Institute for Public Representation, asserts that FHWA’s ruling violates the lighting standards established under the customary use provisions of the Highway Beautification Act (HBA).

Scenic America’s appeal follows dismissal of the suit in June 2014 by Judge James Boasberg in the U.S. District Court for the District of Columbia. “Scenic America’s mission compels us to fight for the public’s interest in America’s roadways and landscapes rather than stand by while the government hands them to the outdoor advertising industry,” said Mary Tracy, president of Scenic America.

Digital billboards, brightly-lit signs with commercial ads that change intermittently every few seconds, appeared along federal highways around 2005. State transportation officials, charged with controlling outdoor advertising and following FHWA’s longstanding prohibition on intermittent commercial message lighting, turned to FHWA for additional guidance. Under immense pressure from a powerful billboard lobby to approve the signs, FHWA reversed its long-held position that they were prohibited.

“FHWA continues to ignore the standards established by the Highway Beautification Act. If enforced, these standards would protect citizens from the negative impacts of digital billboards: less-safe roads, diminished quality of life and lower property values,” said Tracy.

The American Planning Association, the Garden Club of America, the Sierra Club and the International Dark-Sky Association filed an amici curiae brief in support of Scenic America’s position.

Representing Scenic America are Daniel H. Lutz, Staff Attorney, and Hope Babcock, Director, of the Institute for Public Representation, Georgetown University Law Center.

\*\*\*

For more information contact Max Ashburn, Communications Director, at 202.463.1294 or [ashburn@scenic.org](mailto:ashburn@scenic.org).

Appeal, Amicus Brief, and lawsuit background information on the web: <http://scenic.org/billboards-a-sign-control/digital-billboards/scenic-america-lawsuit-on-fhwa-ruling>

*Scenic America is the only national nonprofit organization dedicated to preserving and enhancing the visual character of America’s roadways, countryside and communities.*