Main Roads Western Australia: Review of the Policy and Application Guidelines for Advertising Signs

Submission from the Outdoor Media Association

1 INTRODUCTION

The Outdoor Media Association (OMA) is the national industry body representing the majority of Australia's Out of Home (OOH) media display and media production companies, as well as some media display asset owners.

The OMA welcomes the opportunity to provide input to the review by Main Roads Western Australia (MRWA) of the *Policy and Application Guidelines for Advertising Signs Within and Beyond State Road Reserves* (the Guidelines). Below, the OMA has provided a general response to some key themes. We have also provided additional specific comments on relevant clauses in the attached table.

The OMA believes that this is an ideal time to review the Guidelines given the technological advancements and updated research regarding driver performance around OOH signage that has been published, both by MRWA and others, since the guidelines were originally written. The OMA is supportive of an update to future proof the policy, and to ensure a vibrant and suitably regulated OOH industry that benefits the public, government and the industry.

2 SUMMARY OF RECOMMENDATIONS

1. That the MRWA adopts a more neutral tone throughout the Guidelines, focusing on promoting safety rather than on mitigating an assumed negative, ensuring statements are supported with research.
2. That restrictions on content be removed from the Guidelines to ensure consistency and clarity with the AANA and Ad Standards as well as other prevailing legislation.

3. That MRWA introduces a standard 10 second dwell time across digital billboards and other digital roadside advertising.
4. That MRWA introduces clear guidance on how and in which circumstances vegetation can be pruned to prevent or reduce obstruction of a legal sign.
5. That digital street names signs be clearly identified and permitted within the Guidelines, with appropriate dwell time and luminance guidelines in line with other forms of digital advertising.
6. That specific commentary permitting digital street furniture signs, such as bus shelters and payphones, be included in the guidelines with clear direction on dwell times and luminance levels in accordance with industry best practice. These requirements should be aligned with the requirements set for other digital signage, and in line with the OMA's dwell time recommendation of 10 seconds.
7. That the crash calculation is based on the following reasonable standards:
    a. The crash rate calculation to commence from the lesser of 500m or when the sign is first visible on approach.
    b. The crash rate calculation continues 5 seconds beyond the sign calculated at the posted traffic speed (e.g. 150m 100km/hr, 110m 80km/hr).

3 GOOD OOH ADVERTISING MAKES ROADS SAFER

3.1 Driver Behaviour

Recent research shows that roadside advertising has a neutral or even positive impact on driver behaviour and road safety.

In 2015, the OMA conducted an on-road study to explore the relationship between drivers' viewing behaviour towards outdoor advertising signs and their subsequent driving performance in a live, real world environment. The study showed that drivers maintain their focus on the road 78–79 per cent of the time, regardless of what signage is present.[1] It also found that 99 per cent of fixations on advertising signs last less than 750 milliseconds, the minimum time needed by a driver to perceive and react to an unexpected event.[2] Overall, the study showed that drivers maintained a safe average headway and there were no lane departures.

In 2018, the OMA commissioned research by the Australian Road Research Board (ARRB), this time focussing on an in-depth study of the impact of digital roadside signs at two intersections. The methodology of this study was based upon ARRB's previous research on behalf of MRWA assessing

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[1] Samsa, C. (2015). *"Digital Billboards 'Down Under': Are They Distracting to Drivers and Can Industry and Regulators Work Together for A Successful Road Safety Outcome?"* 4th International Driver Distraction and Inattention Conference, Sydney, New South Wales, November 2015.
[2] Ibid

the safety of a digital billboard at Bull Creek.

The 2018 ARRB study tested a range of dwell times and the impact of these along with the presence of a digital billboard on driver behaviour and road safety. The results showed that, at all dwell times, vehicle lateral control performance either improved or was unaffected by the presence of digital billboards.[3] Similar results were obtained for stopping over the line instances with five of the six dwell time combinations demonstrating an improvement.[4] At both locations, the presence of the digital billboard appeared to have a positive effect on stopping over the line violations.[5]

For more detailed descriptions of the aforementioned research and its findings, as well as other relevant research see *Appendix 1.*

3.2 Government Revenue & Road Safety

Roadside advertising raises significant revenue for governments with approximately 60 per cent of OOH signs situated on government land and public benefit contributions forming part of most development approvals.

Both the public benefit and the revenue raised for government through OOH advertising are channelled into road safety measures such as improving road quality and infrastructure, funding towards improved public transport, running driver awareness campaigns and other public benefits. This means that the presence of advertising contributes to the ability of governments to deliver road improvements and road safety messaging.

Furthermore, government road safety campaigns run on OOH are particularly effective as they reach drivers at the time when they are engaging in potentially unsafe behaviours.

4 OVERALL COMMENTS

4.1 Tone of Voice

The OMA fully supports MRWA's focus on ensuring road user safety and avoiding any undue risks. However, we are concerned that the language used in the introduction, and to some extent throughout the Guidelines, conveys assumptions about the impact of roadside advertising on road safety. Specific examples are detailed in Clause 2.1 of the OMA *Clause Analysis and Recommendations* document, which is attached. The implication of the language used inaccurately surmises that advertising signs have an automatic negative impact on driver behaviour and road safety that must be mitigated.

The tone of the document is important because the Guidelines (and their tone) shape the approach that frontline staff take in their dealings with

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[3] Australian Road Research Board (ARRB) (2018). *"On-Road Evaluation of The Driving Performance Impact of Digital Billboards at Intersections"* November 2018.
[4] Ibid
[5] Ibid

advertising and OOH advertising companies as well as the decisions made with reference to the Guidelines. A more neutral tone can help to shape a more collaborative and open approach to negotiation to the benefit of all parties.

Recommendation: *that the MRWA adopts a more neutral tone, focusing on promoting safety rather than on mitigating an assumed negative, ensuring statements are supported with research.*

4.2 Content Restrictions

Road safety is paramount to the OOH industry; however, the OMA contends that content is rightly restricted and monitored by national bodies such as Ad Standards and the Australian Association of National Advertisers (AANA), whose Code of Ethics is subscribed to by all OMA members.

The OMA submits that unnecessary restrictions of the content of advertising be removed from the Guidelines to ensure consistency and clarity across Australia. In particular, the OMA is concerned that a number of clauses which dictate the style of content displayed is contradictory to other legislative requirements.

For example, currently section 5.3.1 notes that "no more than seven words on any single sign display shall be readable by such drivers at any one time". The section continues that "any additional legend displayed on the sign shall have a letter height that renders the wording decisively illegible to passing motorists". Further section 4.1.4.3 prohibits advertising signs displaying "complicated/long website, social media or email addresses, and text messaging instructions".

These instructions are directly at odds with state-based legislation regarding the advertisement of gambling products which state:

> *All gambling advertising must contain gambling help counselling service details.*
>
> *Advertisements that are published in any other form (newspaper, magazine, posters etc) must include the:*
>
> - *telephone number of the national problem gambling help line (1800 858 858); and*
> - *national on-line problem gambling counselling website (www.gamblinghelponline.org.au).*

These contradictions would likely mean that these advertisements cannot be displayed at the roadside, which is an unfair restriction on the content which can be displayed on Outdoor media, creating an unfair advantage to other media types such as digital.

Recommendation: *that restrictions on content be removed from the Guidelines to ensure consistency and clarity with the AANA and Ad Standards as well as other prevailing legislation.*

5 DWELL TIMES

The dwell times for digital signage detailed in the current Guidelines are unnecessarily complex, providing for different minimum dwell times with reference to speed and requiring that the dwell times be adjusted when traffic congestion means the average speed of drivers is less than the speed limit.

It is OMA's assertion that a single minimum dwell time of 10 seconds is appropriate for all traffic conditions. Recent research, referenced above and detailed in *Appendix 1*, found that vehicle lateral control performance either improved or was unaffected by the presence of a digital billboard, regardless of dwell times. Similar results were obtained for stopping over the line instances, with five of the six dwell time combinations demonstrating an improvement.[6]

As per this research, the creation of a single minimum dwell time will provide certainty and clarity for OOH providers whilst maintaining road user safety. As road safety continues to be of paramount importance to the OMA and its members, the Association intends to continue research into how dwell times affect driver performance through future proposed analysis of crash data around digital billboards.

A single dwell time has added benefits to the utility and viability of Outdoor media. Certainty and appropriate dwell times are an important factor in maintaining competitiveness with a largely unregulated digital media environment with signs restrictions on frequency or the type of content that can be displayed presenting a less attractive 'buy' for advertisers looking for return on investment.

It should also be noted that given local and state governments make up the vast majority of OOH location landlords across Australia, the viability of the industry is linked directly to government revenue. Currently, state and local government own 60 per cent of all OOH assets and collect approximately $377 million each year in rent and taxes.[7] For more information about government expenditure and revenue from OOH advertising, please see *Appendix 2.*

Recommendation: that MRWA introduces a standard 10 second dwell time across digital billboards and other digital roadside advertising.

6 VEGETATION MANAGEMENT

It is important that vegetation around a sign is well managed. Partially obscured signs can present a risk to driver performance if people must strain to view them. Without a clear vegetation management policy in place, it can be difficult for the road authority, the planning authority and the signage owner to take clear and decisive action when vegetation

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[6] ARRB 2018.

[7] Deloitte Access Economics (2016). "Out of Home Adds Value: Out of Home Advertising in the Australian Economy," Deloitte Access Economics, Deloitte Australia.

encroaches on a sign. This is an inappropriate outcome for a permitted land-use.

Recommendation: that MRWA introduce clear guidance on how and in which circumstances vegetation can be pruned to prevent or reduce obstruction of a legal sign.

7 DIGITAL STREET NAME SIGNS

The current Guidelines appear to prohibit digital street name advertising signage, stating that the display of illuminated street name signs shall be "restricted to static display".

The OMA contends that this is now out of date, as digital street name advertising signage is becoming more common. Not only does this type of signage commonly benefit local businesses – providing cost effective advertising options and directional advice to those looking for a specific business' location – but it also provides additional revenue and public awareness opportunities for local councils.

Recommendation: that digital street names signs be clearly identified and permitted within the Guidelines, with appropriate dwell time and luminance guidelines in line with other forms of digital advertising.

8 DIGITAL SIGNAGE ON STREET FURNITURE

There is currently no commentary in the Guidelines on digital advertising on street furniture such as bus shelters and payphones, making the regulations around such advertising unclear.

This type of digital signage is a commonly available method of advertising and public awareness raising. It delivers public benefit through infrastructure and can also be an important source of revenue for state and local government authorities.

Bus shelters, for example, are built and maintained by the OOH industry on behalf of local councils. The financing for this major infrastructure investment is a direct return from the advertising revenue. The evolution of this signage type from static to digital offers greater public utility. This can also be seen in payphone advertising structures where digital signs offer phone charging stations, public Wi-Fi and the capability for local authorities to delivery emergency messaging.

Recently, street furniture has been increasingly used in innovative ways to share important charitable and government messaging. For example, in NZ bus shelter advertising was used to generate immediate donations for the Breast Cancer Foundation NZ. The shelter was configured to allow passers-by to tap their phones to immediately donate.

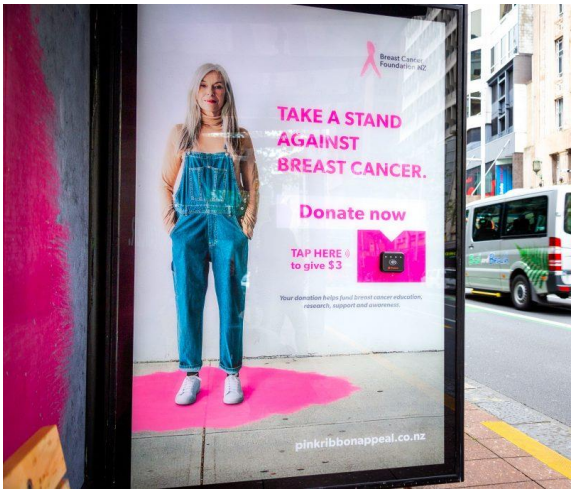

Figure 1: Breast Cancer Foundation NZ advertisement allowing passers-by the ability to tap and make an immediate donation. Picture: https://www.marketingmag.com.au/news-c/news-donate-oohmedia-bcfoundation/

Further, digital roadside advertising can be used to create dynamic messaging which is current and can be updated at a whim. The NSW government has utilised this to create UV Index information and warnings that displayed the current UV index and suggestions for how people can mitigate the effects of sub exposure.

This has also been utilised by the QLD government in the trial of the Amber Alert system which utilises dynamic messaging across multiple product types to alert the public to a missing child. The OMA is currently working to roll this program out nationally.

Dynamic street furniture advertising has also been utilised by the private sector with advertisements from Telstra updating with the current temperature and creative from ANZ referring to next bus times at the location of the bus shelter.

Figure 2: Telstra advertisement whose message updated depending on the local temperature.

Picture: Telstra 2019

Figure 3: ANZ advertisement that links to expected bus wait times.

Picture: ANZ 2019

This demonstrates a need to ensure that various types of advertising are correctly considered within the Guidelines and that the ability of street furniture to provide dynamic but safe messaging is acknowledged with its own commentary.

Recommendation: that specific commentary permitting digital street furniture signs, such as bus shelters and payphones, be included in the guidelines with clear direction on dwell times and luminance levels in accordance with industry best practice. These requirements should be aligned with the requirements set for other digital signage, and in line with the OMA's dwell time recommendation of 10 seconds.

9 CRASH RATE CALCULATION

Currently, the crash rate calculation commences from 1km before an OOH sign to 500m beyond the sign, in 100m segments. This distance does not consider visibility of the sign 1km ahead, and is very sensitive to a single crash, which can take the calculation from a low to a high risk.

Recommendation: that the crash calculation is based on the following reasonable standards:

- *The crash rate calculation to commence from the lesser of 500m or when the sign is first visible on approach.*
- *The crash rate calculation continues 5 seconds beyond the sign calculated at the posted traffic speed (e.g. 150m 100km/hr, 110m 80km/hr).*

10 CONCLUSION

MRWA's stated purpose in reviewing the Guidelines is to ensure that they are clear and easy to interpret, that they address all relevant aspects of advertising and that they keep up with innovation and safety requirements.

The OMA echoes the need for road safety to be paramount when considering roadside advertising, however, as recent research has shown, roadside advertising can be inherently safe.

It is therefore important that the Guidelines reflect updated thinking and technological advancements in the sector.

Our aim is to ensure the most transparent policy possible, while ensuring that MRWA can continue to enjoy the advantages that innovative OOH advertising can bring in terms of direct community benefit, public awareness raising and government revenue.

The OMA and its members want to continue to work collaboratively with MRWA and local government bodies to deliver innovative and safe roadside advertisements.

We very much appreciate the opportunity to contribute to this process. Please let us know if you have any questions or would like to discuss and expand upon any points.

For further queries or comments, please contact:
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APPENDIX 1: DRIVER BEHAVIOUR RESEARCH

In 2015, the OMA conducted the first ever Australian on-road study to compare drivers' eye fixations and driving performance when advertising signs were present.[8]

The study aimed to explore the relationship between drivers' viewing behaviour towards outdoor advertising signs and their subsequent driving performance in a live, real world environment. It compared driver performance in the presence of third-party signage (both digital and static) and on-premise signage.

The study showed that:

- drivers maintain their eyes on the road 78–79 per cent of the time, regardless of what signage is present;
- 99 per cent of fixations at advertising signs last less than 750 milliseconds, the minimum time needed by a driver to perceive and react to an unexpected event; and
- drivers maintained a safe average headway and there were no lane departures.

Acknowledging the benefit of ongoing research into establishing a correlation between dwell times and driver safety, the OMA engaged the Australian Road Research Board (ARRB) in 2018 to undertake an in-depth study of the impact of digital roadside signs at two Queensland intersections.[9] The study assessed the impact on before-after driving performance of new digital billboards at two intersections – Phillip St / Dawson Hwy intersection in Gladstone, and Elkhorn Ave / Surfer's Paradise Blvd in Surfer's Paradise – using three different dwell times: 30 secs, 20 secs and 10 secs, and 24 secs, 16 secs and 8 secs respectively.

At both locations, video data of vehicle movement approaching the cameras was collected continuously. The video was then coded to extract relevant vehicle movements for the periods 6am – 9am, 3pm – 6pm and 8pm – 11pm. These times were chosen to capture both free flow and congested traffic conditions at each site. The data was coded to extract:

- Lane drift: number of instances of drifting outside of the lane in each time period;
- 'Stopping-over-the-line': number of instances of stopping over the stop line in each time period; and
- Incidents: number of instances in each time period.

Lane drift and stopping over the line measures are plausible precursors to the kinds of crashes likely to occur when attention is inappropriately

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[8] Samsa, C. (2015). "Digital billboards 'down under': Are they distracting to drivers and can industry and regulators work together for a successful road safety outcome?" 4th International Driver Distraction and Inattention Conference, Sydney, New South Wales, November 2015.

[9] Australian Road Research Board (ARRB) (2018). "On-road evaluation of the driving performance impact of digital billboards at intersections," November 2018.

focussed in a multiple lane, signal-controlled intersection environment; that is, sideswipe and rear end. Increases in stopping over the line behaviour are likely to signal an increased risk of red light running with the concomitant increase in risk of high severity right angle crash types.

Contrary to the persistent ideology that digital billboards at demanding locations will inevitably create enough distraction to negatively affect vehicle control performance, the study found that, at all dwell times, vehicle lateral control performance either improved or was unaffected by the presence of digital billboards. Similar results were obtained for stopping over the line instances with five of the six dwell time combinations demonstrating an improvement; at both locations, the presence of the digital billboard appeared to have a positive effect on stopping over the line violations.

In their Final Report, the ARRB noted that "these results beg the question of why previous research has often demonstrated a negative impact on vehicle control from visual distraction. A possible explanation is that the source of visual distraction in these studies usually comes from an in-vehicle device that requires drivers to take their eyes off the forward roadway in order to interact with the device." This account is supported by the Australian Naturalistic Driving Study (ANDS), a joint research initiative between the University of New South Wales and Monash University.[10]

The ANDS looked at 379 drivers from Victoria and NSW, who collectively undertook nearly 200,000 trips and covered around 1.95 million kilometres. Analysts viewed video footage of entire driving trips and manually coded sections where drivers were engaging in at least one secondary task.[11] Over the research period:

- 1603 secondary tasks were identified;
- drivers engaged in a secondary task every 96 seconds; and
- drivers were engaged in secondary tasks for 45 per cent of their total driving time.

Interestingly, 87.8 per cent of secondary events took place inside the car and included: adjusting vehicle devices; eating and drinking; holding, reaching for or talking on a mobile phone; personal hygiene; and interacting with passengers. With drivers twice as likely to have a crash or near crash if they glance away from the road for more than two seconds,[12] the study concluded that "safety-related incidents involving driving errors, unsafe driving behaviours and conflicts with other road users appeared to

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[10] Young, K. (2018). "What are Australian drivers doing behind the wheel? An overview of secondary task data from the ANDS," Monash University, Accident Research Centre, Australasian Road Safety Conference, 3 October 2018.

[11] As part of the study, a secondary task was defined as "a discretionary task, performed concurrently with driving, but that is not critical to the primary driving task".

[12] Klauer, S.G., Dingus, T.A., Neale, V.L., Sudweeks, J.D., Ramsey, D.J. (2006). "The impact of driver inattention on near-crash/crash risk: An analysis using the 100-car naturalistic driving study data," National Highway Traffic Safety Administration. DOT HS 810 594. April 2006.

be directly caused by engagement in these secondary task(s)."

Specifically, the distraction caused by the in-car secondary tasks was directly responsible for the following serious road incidents:

- apparent failure to see traffic lights change from red to green/vehicle ahead move off (48 incidents);
- poor situation awareness (other) (20 incidents);
- lane excursion (11 incidents);
- swerving in lane (8 incidents);
- failure to indicate (5 incidents);
- hard braking (2 incidents); and
- failure to yield to pedestrians (1 incident).

The 2018 Safe Driving Report examined the behaviours of Australian drivers and found that 10.9 million people admitted to engaging in secondary tasks while driving, including: using a mobile phone while driving (25 per cent); eating take away food while driving (38 per cent); reaching back to deal with children (15 per cent); driving with their knees (10 per cent); and having a microsleep while driving (7 per cent).[13]

Combined, these results offer a startling insight into driver behaviour and clearly demonstrate the strong correlation between in-car distraction and poor on-road behaviour. More importantly, they provide an invaluable juxtaposition with the results from the 2015 and 2018 OMA and ARRB studies that demonstrate negligible impact and *improvement* to driver behaviour in the presence of digital roadside advertising, at a range of dwell times.

In addition to the Australian research discussed above, a series of longitudinal studies were conducted across the United States, analysing traffic and crash data for roads near digital billboards.[14] The studies concluded that:

- The number and rates of crashes near the digital billboards decreased in all vicinity ranges for both 8 and 10 second dwell locations.
- The difference in crash data before and after the conversion of the billboards to digital was not statistically significant.

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[13] Finder.com (2018). "Safe Driving Report 2018: Australia," available at: https://www.finder.com.au/car-insurance/road-safety-statistics

[14] Tantala, M.W. & Tantala, A.M. (2009). An update of a study of the relationship between digital billboards and traffic safety in Cuyahoga County, Ohio. Submitted to the Foundation for Outdoor Advertising Research and Education (FOARE); Tantala, M.W. & Tantala, A.M. (2009). Digital billboards and traffic safety in Rochester, Minnesota. Submitted to the Foundation for Outdoor Advertising Research and Education (FOARE); and, Tantala, M.W. & Tantala, A.M. (2010). A study of the relationship between digital billboards and traffic safety in Albuquerque, New Mexico. Submitted to the Foundation for Outdoor Advertising Research and Education (FOARE).

- The total number of accidents after the conversion of the signs to digital billboards was approximately equivalent to what would have been statistically expected without the introduction of digital technology.

APPENDIX 2: GOVERNMENT REVENUE & EXPENDITURE

Government is the outdoor industry's largest landlord, owning 60 per cent of all OOH assets and collecting $377 million each year in rent and taxes.[15]

OOH road safety campaigns demonstrably improve driver performance metrics and using the powerful medium of OOH advertising has proven that the industry is an effective partner for road safety campaigns.

In addition, the revenue raised by OOH advertising is a major contributor to the cost of providing public transport and road, with revenue used for a range of improvements and services. As an example:

- Black Spot funding: The Black Spot program targets road locations with a history of crashes to deliver safety improvements such as road widening, increased lighting and signage, and installing traffic lights and roundabouts. Fixing the average Black Spot costs around $230,000.
- Ambulances: A new, fully-equipped ambulance costs in the order of $250,000.

MOVE

The OMA has introduced MOVE (Measurement of Outdoor Visibility and Exposure), Australia's first national industry-wide audience measurement system for Out of Home media.[16] Unlike other media which report total potential audiences – that is, people with the opportunity to see (OTS) an advertisement – MOVE calculates and reports the probable audiences – that is, only people with the likelihood to see (LTS) an advertisement based on a range of visibility factors, including dwell time.

[15] Deloitte Access Economics (2016). "Out of Home Adds Value: Out of Home Advertising in the Australian Economy," Deloitte Access Economics, Deloitte Australia.
[16] MOVE is the audience measurement branch of the Outdoor Media Association http://www.oma.org.au/audience-measurement/what-is-move