

Maintenance Memorandum

Date: July 28, 2000

Subject: Temporary and Political Signs Adjacent to State Trunkline Right of Way

Michigan Department of Transportation Real Estate Division Utilities and Permits Section Highway Advertising Manual	9.05 TEMPORARY AND POLITICAL SIGNS ADJACENT TO STATE TRUNKLINE RIGHT OF WAY July 28, 2000
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Purpose To provide guidance relative to the control of temporary signs, such as political campaign signs, adjacent to state trunkline right of way.

Information

Encroachment Removal See section 7.18 of the Construction Permit Manual.

Control Act 106 PA 1972, as amended, provides the statutory authority for the control of outdoor advertising devices adjacent to certain highways.

Freedom of Speech It has been held that control of the placement of temporary political signs *may* constitute an abridgment of freedom of speech.

Removal While they are generally not intended to be permanent installations, political campaign signs placed in areas adjacent to; but outside, trunkline right of way are technically subject to the provisions of Act 106 PA 1972. Because the removal process of mailing notice, hearings, etc., involves a substantial amount of time, these signs *may* be left in place during the campaign period unless they pose a hazard. Upon completion of the election, should such signs not be removed by the parties involved, the normal removal notices and procedures should be effected.