

## **CAUTION ON POLITICAL SIGNS**

Political campaign committees, and candidates are being reminded again about restrictions on where their signs can be placed. Signs on highway fences, utility poles, and otherwise on state right of way are not allowed, and are being removed by Department of Transportation crews.

With landowner's consent, political signs may be placed alongside the highway on privately owned land. Many signs are being placed in ditches or on the highway side of fences. State crews must remove them, and store them until the owners can pick them up. Candidates, and their supporters should make sure their signs are placed on private property.

Federal law requires that any sign intended to be read from the highway must be regulated by the state. In Montana, as in other states, controlling signs is the responsibility of the Department of Transportation. Failure to control signs brings the threat of federal sanctions, and can disrupt highway improvement projects.

It is unsafe, and illegal to drive or park in a ditch along a highway to install a sign on private property.

Within 30 days following the applicable election the signs should be removed.

The candidates' cooperation in adhering to the regulations, and statutes will benefit the Department of Highways, and the taxpayers of Montana.

If you have any questions, I can be reached in Helena at (406) 444-6068.

Patrick J Hurley  
Administrative Officer  
Outdoor Advertising Control

copies: Rob Stapley- R/W Bureau Chief  
Jon Swartz – Maintenance Administrator  
District Maintenance Chiefs  
Montana Election Administrators  
File

# **POLITICAL SIGNS**

## **CAUTION**

### **18.6.246 POLITICAL SIGNS**

**(1) Signs promoting political candidates or issues shall be placed on private property only and cannot be placed without the permission of the property owner. Political signs must comply with sign standards found in 75-15-113, MCA, and ARM 18.6.231, unless otherwise specified in this rule.**

**(2) Political signs must not:**

**(a) be placed on or allow any portion to intrude in the public right-of-way or on public property; and**

**(b) be placed within 100 feet of any entrance to the building in which a polling place is located.**

**(3) Political signs will not be considered in determining the spacing required between conforming off-premises outdoor advertising signs.**

**(4) Political signs must be removed within 14 days following the applicable election. The department shall notify the landowner of illegal signs which are not removed within 14 days. The signs shall be removed by the department 24 hours after notification to the landowner. The department shall retain removed political signs for five working days after notification of removal before their destruction. The sign owner may retrieve the signs during this period.**

**(5) Signs that pose a traffic hazard may be removed by the department without prior notification to the sign owner.**

**(6) Political signs do not require permits and are not subject to permit fees.**

**History:** 75-15-121, MCA; IMP, 75-15-111, MCA; NEW, 1996 MAR p. 1855, Eff. 7/4/96; AMD, 2008 MAR p. 2476, Eff. 11/27/08; AMD, 2012 MAR p. 185, Eff. 1/27/12; AMD, 2016 MAR p. 1440, Eff. 8/20/16.