

# OUTDOOR ADVERTISING SIGN CONTROL

## District 8-0 Outreach

### ***Why are Outdoor Advertising Signs Regulated?***

- PennDOT is required to administer the program to meet Federal Highway Administration (FHWA) regulations related to the Control of Outdoor Advertising section of the Highway Beautification Act. The regulation is governed by The Outdoor Advertising Control Act of 1971, Act No. 160 (Act 160) and Title 67, Pa. Code, Chapter 445 (Chapter 445). PennDOT is required to control outdoor advertising signs adjacent to interstate and primary highways in order to receive its full share of federal highway funds. In addition, some municipalities have local ordinances that may be more restrictive.

### ***Can a Private Sign be placed within PennDOT Right-Of-Way?***

- No. Only official traffic signs can be put in the right-of-way areas. This includes signs placed on utility poles, small temporary or portable signs, and political election signs. PennDOT is responsible for the safety of the motoring public, which doesn't begin and end "between the painted lines"; the areas beyond the highway pavement are also of concern. We must ensure that the highway right-of-way area, including the shoulder and beyond, is free and clear of any objects that might distract motorists and cause accidents.

### ***Is a permit needed for a sign?***

- Whether a permit is needed depends on whether the sign is an on-premise or off-premise sign along a primary highway or interstate.
- On-premise signs, which advertise products or services available on the property where the sign will be located, have few restrictions. They generally do not require an application or permit; however, if such a sign will be located further than 50 feet from the building or parking lot or the property is along an interstate highway, other factors may need to be considered.
- Off-premise signs are those which advertise something not sold on the property where the sign will be located. These signs DO require permits, and must meet size, lighting, and spacing requirements. An annual permit fee is also required.

### ***How are "For Sale/Lease", Yard Sale, or Political signs handled?***

- Small temporary signs which are placed on private property (**off the highway right-of-way**) with the property owner's permission, are generally regarded as on-premise signs and therefore do not require a permit. They should be removed immediately after the event.



Permitted Sign



"JLG Gradall" Sign Is On-Premise  
"Fireworks" Trailer Sign Is Off-Premise



Illegal Signs

### ***Are flashing lights, arrows, and electronic message displays acceptable?***

- Flashing lights and arrows are prohibited, because they could distract motorists and pose a safety hazard. Electronic message displays may be acceptable, but the message or lights may not be animated, flash or appear to move, and the brightness of the display cannot distract drivers.

### ***How will the District address illegal signs?***

- PennDOT is obligated by state and federal law to remove illegal signs. The person who erects or maintains an illegal sign, as well as the individual who allows an illegal sign to exist on his or her property is responsible for the sign. PennDOT will work with all sign owners to permit the sign if it can be permitted. If the sign cannot be permitted, we will first send a written request to the responsible person(s) to remove the sign. If not removed, PennDOT is authorized by law to enter private property to remove the illegal sign and to collect the cost of removal from the responsible person(s). State law also provides for a \$500 per day fine for the person(s) responsible for the illegal sign, upon summary conviction.
- Since the Department has limited resources to maintain its right-of-way in a condition where it is entirely free of illegal signs and while recognizing that compliance efforts need to increase to meet FHWA requirements, the following will be used to guide priorities and focus efforts:
  - Priority #1 - Interstates and Limited Access Highways - Address All Illegal Off Premise Signs on Private Property and in the Right-of-Way.
  - Priority #2 - 2 Digit and 3 Digit Traffic Routes - Address All Illegal Off Premise Signs that are placed for profit as part of an Advertising Business and remove all illegal signs in the Right-of-Way.
  - Priority #3 - 2 Digit and 3 Digit Traffic Routes - Address All Illegal Off Premise Signs not addressed as priority #2.
  - Priority #4 - 2 Digit and 3 Digit Traffic Routes - Small directional signs placed on private property by a local business in the immediate area of the business will not be a priority unless a specific complaint is received.

### ***Additional information may be obtained by contacting the following District staff:***

#### Outdoor Advertising Issues and Permitting

Tim Ketterer, Outdoor Advertising Manager  
717-772-2171  
tketterer@pa.gov

#### PennDOT Right-of-Way Details

Douglas Brown, Draftsman  
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Signs Within Right-Of-Way Causing Sight Distance Issue



Flashing Arrow Signs Are Prohibited Due To Distraction Potential