



# INDIANA DEPARTMENT OF TRANSPORTATION

*Driving Indiana's Economic Growth*

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Mitchell E. Daniels, Jr., Governor  
Michael B. Cline, Commissioner

DATE: April 12, 2012

TO: District Deputy Commissioners  
District Highway Maintenance Directors  
District Technical Services Directors  
Deputy Commissioner, Operations

OPERATIONS MEMORANDUM 12-02  
MAINTENANCE

FROM: Jason L. Jones,  
Director, Division of Maintenance Management and District Support

SUBJECT: **Removal of Political Campaign Signs from the Right-of-Way**

**Purpose:**

To establish uniform guidance for maintenance crews in the treatment of campaign signage encountered in the right of way.

**Procedure:**

Maintenance personnel should remove campaign signs from the right-of-way as they encounter them, per IC 9-21-4-6 (attached), the same as any other illegal sign. Campaign signs should be taken to the nearest Maintenance Unit, where they will be kept until after the election. Campaign signs may be claimed by the owner up until that time, after which the signs may be disposed of.

Unless they pose an immediate safety risk, crews should not go out of their way to "forage" for campaign signs. Signs should be pulled as they are encountered in normal activities. Immediate safety risks may include being too close to the roadway or creating a sight distance issue.

The right-of-way areas which should remain "sign-free" include:

- All interstates and their interchanges; and
- All intersections; and
- All rights-of-way along federal or state highways
- Where right-of-way is not clearly marked, it may be estimated as the back of the ditch, to the fence line or up to utility poles).

Campaign signs placed off the right-of-way not to be pulled.

Attachment: IC 9-21-4-6

JLJ/dts

cc:

JD Brooks  
Linda McGrannahan-Robison  
Will Wingfield

Subdistrict Managers (311)  
Dave Boruff  
Jeff Parker

Ryan Gallagher  
Ed King  
District Communications Directors

Attachment

**IC 9-21-4-6**

**Advertising signs, signals, and devices; placement on or over roadway; prohibition; removal**

Sec. 6. (a) A person may not place, maintain, or display an advertising sign, signal, or device on or over the roadway of a highway.

(b) A person may not place, maintain, or display an advertising sign, signal, or device on a highway in a city between the curb and sidewalk. If the curb and sidewalk join, a person may not place, maintain, or display on the sidewalk an advertising sign, signal, or device closer than ten (10) feet from the curb line. Overhanging signs may not overhang the curb.

(c) A person may not place, maintain, or display an advertising sign or device of any character within one hundred (100) feet of a highway outside the corporate limits of an incorporated city or town that obstructs the view of:

(1) the highway; or

(2) an intersecting highway, street, alley, or private driveway;

of a person traveling the highway for a distance of five hundred (500) feet or less from the sign or device as the person approaches the highway or intersecting highway.

*(d) A person may not place, maintain, or display an advertising sign or a device of a permanent or semipermanent character on a highway right-of-way.*

(e) Each sign, signal, or marking prohibited under this section is declared to be a public nuisance. The authority having jurisdiction over the highway may remove or cause to be removed the prohibited sign, signal, or marking without notice.