



September 13, 2018

Updated Guidance Regarding Political Campaign Signs

The Alaska Department of Transportation & Public Facilities (DOT&PF) routinely informs and reminds campaign organizers of state and federal laws regarding outdoor advertising within and along state highway rights-of-way. On September 10, 2018, the Alaska Superior Court issued an order in a lawsuit filed by the Alaska Chapter of the American Civil Liberties Union against DOT&PF addressing the issue of small, temporary political campaign signs. The order requires DOT&PF to issue this updated guidance to all current candidates and campaigns regarding the display of signs within and outside of state highway rights-of-way.

In accordance with this recent order, DOT&PF issues the following guidance to candidates and campaigns, which supersedes the September 7, 2017, letter previously issued by DOT&PF:

- **Small, temporary political campaign signs are allowed on private property:** The order specifically allows the display of small, temporary political campaign signs on private property outside state highway rights-of-way. Under the order, these signs cannot be larger than 4 feet x 8 feet in size. They must be located on private property by the owner or occupant, who may not be paid to display them. DOT&PF will continue its practice of not removing such signs. However, the order allows DOT&PF to make an exception if a sign poses a legitimate safety hazard.
- **Signs within state highway rights-of-way are prohibited:** The order requires DOT&PF to enforce the current prohibition on outdoor advertising equally on both unauthorized commercial signs and political campaign signs placed within state highway rights-of-way.
- **DOT&PF may continue to remove signs that pose a safety concern:** Any sign of any size that poses a safety concern may be removed by DOT&PF, regardless of what the sign says or where it is located.
- **Paid, off-premises outdoor advertising remains prohibited:** The court specifically stated that Alaska's prohibition on paid, off-premises outdoor advertising, such as billboards, remains intact.

The order otherwise leaves Alaska's Outdoor Advertising Law, AS 19.25.075-19.25.180, intact. Please thoroughly review the information available on our updated webpage, which includes a link to the court's order, at <http://dot.alaska.gov/campaignsigns/>. The lawsuit is still pending and additional information will be available on our website as the case progresses.