



TRAFFIC AND SAFETY MANUAL

Advertising on Vehicles



Definition of Advertising Device

Iowa Code 306C defines advertising device as “any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, or any other device designed, intended, or used to advertise or give information in the nature of advertising, and having the capacity of being visible from the traveled portion of any interstate or primary highway.”

Myth

All advertisements attached to licensed vehicles are exempt from outdoor advertising regulations.

Control of Advertising on Private Property

The Highway Beautification Act (HBA) and Iowa Code chapters 306B and 306C subject all outdoor advertising to control, provided the advertising is visible to a state highway and, if within city limits, within 660’ of the right of way. There are certain exemptions, including on-premise signs and official signs. However, there is no exemption for the manner in which the advertising device is supported and displayed. If the message is not an on-premise message, and is affixed to a stationary licensed vehicle that is positioned with the intent to serve in the capacity of outdoor advertising, then it is subject to outdoor advertising regulations and permit requirements.

Control of Advertising on Moving Vehicles

The primary emphasis of the HBA is the control of outdoor advertising on private property, and not the control of company logos or business names on moving vehicles. State regulations do prohibit advertising within the right of way, but extending this enforcement to vehicles in motion would be impractical and in some ways undesirable. Federal Highway Administration has informed the Department that it has no interest in the control of advertising on moving vehicles.



Determining Intent

A question frequently asked is whether the Department should enforce these same standards on the many trucks and semi-trailers parked at truck stops or other locations visible from the highway. In the definition above, it's clear that "intent" is considered. Additionally, an administrative law judge recently determined that the Iowa Code's definition of "erect" (the word used when referring to the installation of outdoor advertising devices) includes the word "place", which is defined by the Oxford English Dictionary as "to put (a thing) into a suitable or desirable place for some purpose." Therefore, once a vehicle is placed in a strategic position and serving in the capacity of an outdoor advertising device, it is treated as such.