

## TRAFFIC AND SAFETY MANUAL

### Personal Opinion Signs



#### First Amendment

The First Amendment to the U.S. Constitution guarantees its citizens certain rights, including the right of free speech. If a landowner, or resident, wishes to express an opinion on a matter, a sign may be allowed on property owned or leased by that individual. These signs are generally referred to as “personal opinion” signs.

#### Limitations

This document is not intended to authorize or create a legal avenue for the posting of signs which may not be provided for by law.

Personal opinions may not be expressed through the posting of signs on the public right-of-way. Personal opinion signs should not obstruct the view for motorists at intersections or railroad crossings. The signs should not resemble or imitate official traffic control devices. Lighting should not be used in such a way that it causes glare on the roadway or impairs the vision of motorists.

Advertising products or services within the message is prohibited without a state outdoor advertising permit from the Iowa DOT, in accordance with Iowa Code Chapters 306B and 306C.

Sponsors, including private non-profit organizations should not be listed on the signs. However, if a church or service club desires recognition on the sign, a special permit can be obtained from the DOT for a portion of the face of the sign not to exceed eight-square feet in area.

Local regulations may be more restrictive than state regulations.

#### Political Campaign Signs

Previous to 1997, Iowa had enforced time limits on political campaign signs based on the date of the election. After a decision in Missouri by the Eighth Circuit Court of Appeals (*Whitton v. City of Gladstone*, 1995) the Iowa Attorney General’s office advised that the particular section of Iowa Code 306C containing the time limits was unenforceable. Since then, political campaign signs have been viewed simply as personal opinion signs. Iowa Code 68A contains additional location requirements. Questions pertaining to the enforcement of Iowa Code 68A should be directed to the Iowa Ethics and Campaign Disclosure Board.