

HIGHWAY ADVERTISING ACT OF 1972 (EXCERPT)
Act 106 of 1972

252.318 Prohibited signs or sign structures.

Sec. 18.

Except as otherwise provided in this section, the following signs or sign structures are prohibited:

- (a) Those that purport to regulate, warn, or direct the movement of traffic or that interfere with, imitate, or resemble any official traffic sign, signal, or device.
- (b) Those that are not adequately maintained and in a good state of repair.
- (c) Those that are erected or maintained upon trees or painted or drawn upon rocks or other natural resources.
- (d) Those that prevent the driver of a motor vehicle from having a clear and unobstructed view of approaching, intersecting, or merging traffic.
- (e) Those that are erected or maintained upon property in which the department has a highway easement or a similar property interest except where otherwise allowed under this act or state or federal statute or legal requirement.
- (f) Those that are erected or maintained in an adjacent area along a scenic byway that did not exist prior to the designation as a scenic byway. Notwithstanding any other provision of this act, a sign that is erected and maintained in a business area along a scenic byway prior to the designation as a scenic byway is not prohibited.
- (g) Those that are abandoned.
- (h) Those that involve motion or rotation of any part of the structure, running animation or displays, or flashing or moving lights. This subdivision does not apply to a sign or sign structure using a digital billboard with static messages or images that change if the rate of change between 2 static messages or images does not exceed more than 1 change per 8 seconds, each change is complete in 1 second or less, and the sign possesses and utilizes automatic dimming capabilities so that the maximum luminescence level is not more than 0.3 foot candles over ambient light levels measured at a distance of 150 feet for those sign faces less than or equal to 300 square feet, measured at a distance of 200 feet for those sign faces greater than 300 square feet but less than or equal to 378 square feet, measured at a distance of 250 feet for those sign faces greater than 378 square feet and less than 672 square feet, and measured at a distance of 350 feet for those sign faces equal to or greater than 672 square feet. In addition to the above requirements, signs exempted under this subdivision shall be configured to default to a static display in the event of mechanical failure.
- (i) Signs in violation of subdivision (h) shall be brought into compliance by the permit holder or its agent no later than 24 hours after receipt by the permit holder or its agent of an official written notice from the department. Failure to comply with this subdivision within this specified time frame shall result in a \$100.00 penalty being assessed to the sign owner for each day the sign remains out of compliance. The first repeat violation of subdivision (h), for a specific sign, shall also be brought into compliance by the permit holder or its agent within 24 hours after receipt of an official written notice from the department. Failure to comply with the official written notice within the 24-hour period for the first repeat violation subjects the sign owner to a \$1,000.00 penalty for each day the sign remains out of compliance. These penalties are required to be submitted to the department before the sign's permit is renewed under section 6. Second repeat violations of subdivision (h), for a specific sign, shall result in permanent removal of the variable message display device from that sign by the department or the sign owner.

History: 1972, Act 106, Imd. Eff. Mar. 31, 1972 ;-- Am. 2006, Act 448, Eff. Jan. 1, 2007 ;-- Am. 2009, Act 86, Imd. Eff. Sept. 3, 2009 ;-- Am. 2014, Act 2, Imd. Eff. Jan. 30, 2014