

JAN 2 - 1990

HFP-08

Memorandum

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U.S. Department
of Transportation
**Federal Highway
Administration**

Subject: Commercial Electronic Variable Message
Signs -- Off-Premise Advertising

Date: JAN 19 1990

From: Director
Office of Right-of-Way
Washington, D.C. 20590

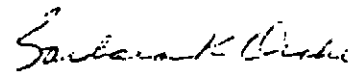
Reply to
Attn. of: HRW-10

To: Regional Federal Highway Administrators

We have received several inquiries concerning the off-premise advertising use of commercial electronic variable message signs (CEVMS) which change their advertising messages by electronic process or remote control. These outdoor advertising signs use various types of evolving technology such as lights, glow cubes, rotating slats, moving reflective disks, etc.

FHWA has interpreted the Federal law as implemented under individual State/Federal agreements to prohibit off-premise variable message signs, irrespective of the method used to display the changing message. The prohibited CEVMS must be considered to be illegal signs.

Signs that purport to be on-premise CEVMS, but include messages advertising activities not conducted on the premises on which they are located, and thus cannot meet the definition of permitted on-premise signs, are also prohibited. They may be allowed to remain only if they agree to limit their messages to advertising activities located on the premises.


Barbara K. Orski