

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 315
PROPOSED COMMITTEE SUBSTITUTE S315-PCS85203-RV-18

Short Title: Roadside Campaign Signs.

(Public)

Sponsors:

Referred to:

March 14, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO PERMIT CAMPAIGN SIGNS IN HIGHWAY RIGHTS-OF-WAY WITH
3 REASONABLE TIME, PLACE, AND MANNER RESTRICTIONS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 136-32 reads as rewritten:

6 "**§ 136-32. ~~Other than official signs prohibited.~~ Regulation of signs.**

7 (a) Commercial Signs. – No unauthorized person shall erect or maintain upon any
8 highway any warning or direction sign, marker, signal or light or imitation of any official sign,
9 marker, signal or light erected under the provisions of G.S. 136-30, except in cases of
10 emergency. No person shall erect or maintain upon any highway any traffic or highway sign or
11 signal bearing thereon any commercial ~~advertising~~; or political advertising, except as provided
12 in subsections (b) through (e) of this section: Provided, nothing in this section shall be
13 construed to prohibit the erection or maintenance of signs, markers, or signals bearing thereon
14 the name of an organization authorized to erect the same by the Department of Transportation
15 or by any local authority referred to in G.S. 136-31. Any person who shall violate any of the
16 provisions of this section shall be guilty of a Class 1 misdemeanor. The Department of
17 Transportation may remove any signs erected without ~~authority~~; authority or allowed to remain
18 beyond the deadline established in subsection (b) of this section.

19 (b) Compliant Political Signs Permitted. – During the period beginning on the 30th day
20 before the beginning date of "one-stop" early voting under G.S. 163-227.2 and ending on the
21 10th day after the primary or election day, persons may place political signs in the right-of-way
22 of the State highway system as provided in this section. Signs must be placed in compliance
23 with subsection (d) of this section and must be removed by the end of the period prescribed in
24 this subsection.

25 (c) Definition. – For purposes of this section, "political sign" means any sign that
26 advocates for political action. The term does not include a commercial sign.

27 (d) Sign Placement. – The permittee must obtain the permission of any property owner
28 of a residence, business, or religious institution fronting the right-of-way where a sign would be
29 erected. Signs must be placed in accordance with the following:

- 30 (1) No sign shall be permitted in the right-of-way of a fully controlled access
31 highway.
32 (2) No sign shall be closer than three feet from the edge of the pavement of the
33 road.
34 (3) No sign shall obscure motorist visibility at an intersection.



- 1 (4) No sign shall be higher than 42 inches above the edge of the pavement of the
- 2 road.
- 3 (5) No sign shall be larger than 864 square inches.
- 4 (6) No sign shall obscure or replace another sign.
- 5 (e) Penalties for Unlawful Removal of Signs. – It is a Class 3 misdemeanor for a person
- 6 to steal, deface, vandalize, or unlawfully remove a political sign that is lawfully placed under
- 7 this section.
- 8 (f) Application Within Municipalities. – Pursuant to Article 8 of Chapter 160A of the
- 9 General Statutes, a city may by ordinance prohibit or regulate the placement of political signs
- 10 on rights-of-way of streets located within the corporate limits of a municipality and maintained
- 11 by the municipality. In the absence of an ordinance prohibiting or regulating the placement of
- 12 political signs on the rights-of-way of streets located within a municipality and maintained by
- 13 the municipality, the provisions of subsections (b) through (e) of this section shall apply."
- 14 **SECTION 2.** This act becomes effective January 1, 2012, and applies to any
- 15 primary or election held on or after that date.