


[FHWA Home](#) | [Feedback](#)
**JA Policy Memorandums - Manual on Uniform Traffic Control Devices**


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

# Memorandum

**Subject: INFORMATION: Adopt-a-Highway Signs - Interpretation**  
 (II- 477(I)--"Advertising on Adopt-a-Highway Signs")

Date: April 27, 2001

**From: Vincent F. Schimmoller**  
 Deputy Executive Director

Reply to: HOTO-1  
 Attn. of:

**To: Directors of Field Services**  
 Division Administrators

Currently, there are a number of State and local sponsored Adopt-A-Highway programs throughout the country. The program began as a means to allow States the authority to use various organizations to pick up litter along sections of streets and highways. The placement of Adopt-A-Highway signs was allowed along the roadway to identify "Adopt-A-Highway" sections and to acknowledge the organization that had taken responsibility for that section.

Recently, it has come to our attention that there are a significant number of Adopt-A-Highway signs throughout the country displaying commercial trade logos, slogans, telephone numbers, Internet addresses, and similar forms of commercial promotion. The signs also use various sizes and letter styles. These signs are clearly intended for advertising to the passing motorists rather than acknowledging the litter pickup services of an organization for which the program was intended. Additionally, we are aware of an Internet web site that openly promotes the sale of business and commercial sign advertisements on Interstates and other major highways in various States for adopt-a-highway/sponsor-a-highway programs (see <http://adoptahighway.com>). These actions concern us and we would like to clarify Federal Highway Administration's (FHWA) position on this subject.

Signs on rights-of-way are generally governed by 23 U.S.C. §109(d) which provides that:

On any highway project in which Federal funds hereafter participate . . . the location, form and character of informational, regulatory and warning signs, curb and pavement or other markings, and traffic signals installed or placed by any public authority or other agency, shall be subject to the approval of the State highway department with the concurrence of the Secretary, who is directed to concur only in such installations as will promote the safe and efficient utilization of the highways.

Pursuant to 23 U.S.C. §109(d), the FHWA promulgated the Manual on Uniform Traffic Control Devices (MUTCD) to provide national standards for traffic control devices on all Federal-aid highways 23 C.F.R. §655.603(a) provides:

National MUTCD. The MUTCD approved by the Federal Highway Administrator is the national standard for all traffic control devices installed on any street, highway, or bicycle trail open to public travel in accordance with 23 U.S.C. §109(d) and §402(a).

Under 23 U.S.C. § 402, the MUTCD applies to all highways open to the public.

The MUTCD defines Traffic Control Devices as:

"Traffic Control Devices - all signs, signals, markings, and other devices used to regulate, warn, or guide traffic placed on, over, or adjacent to a street, highway, pedestrian facility or bicycle path by authority of a public body or official having jurisdiction." (MUTCD, 2000 ed., section 1A.13 Definitions of Words and Phrases in this Manual).

The MUTCD gives a statement as to their purpose:

". . . Support: The purpose of traffic control devices, as well as the principles for their use, is to promote highway safety and efficiency by providing for the orderly movement of all road users on streets and highways throughout the Nation...

Standard: Traffic control devices or their supports shall not bear any advertising message or any message that is not related to traffic control." (MUTCD, 2000 ed., Section 1A.01 Purpose of Traffic Control Devices).

Adopt-A-Highway signs displaying commercial trade logos, slogans, telephone numbers, Internet addresses, and similar forms of commercial promotion are not in conformance with the 2000 MUTCD. Section 2D.47 General Information Signs in the Millennium edition of the MUTCD allows for use of Adopt-A-Highway signs. If a highway jurisdiction elects to participate in this program, the Adopt-A-Highway sign must be in accordance with signing policies established by the agency. Restrictions were placed in this section such that "messages, symbols, and trademarks, which resemble any official traffic control device, shall not be used." A generic State or local jurisdiction logo is permissible for Adopt-A-Highway signs within a jurisdiction. Business logos are not permissible. In other words, States, counties, and cities may put their logo on the sign; however, the sign text alphabet series and font, and the logo size must be the same for each sign. The lettering to indicate the sponsor (i.e., Joe's Cleaners, Mary's Restaurant, etc.) shall be the alphabet series and font in the Standard Highway Signs book.

Further, the placement of commercial advertisement within the roadway rights-of-way is a violation of Federal law and regulation. See the attached December 19, 1996, legal opinion furnished by the FHWA Chief Counsel that identifies the pertinent laws and regulations addressing the subject. Allowing the use of commercial advertising signs along the roadway is a disservice to the traveling motorist who is relying on roadside signs for regulatory, warning, and guiding information. The Specific Sign Logo program and Tourist Oriented Destination Sign programs, which are in compliance with the MUTCD, have been developed to provide guidance information to the traveling motorist.

Please inform your State and local highway agencies that advertising a business is not the intent of the Adopt-A-Highway program. The FHWA considers the use of any commercial message, including trade logos, slogans, telephone numbers, and Internet addresses, on an Adopt-A-Highway sign to be advertising and, therefore, not in conformance with the MUTCD. The sign text and lettering shall be the alphabet series (fonts) in the Standard Highway Signs book to indicate the sponsor.

If MUTCD reference purposes, this interpretation has been assigned official interpretation number and title, 11-(1)--Advertising on Adopt-A-Highway Signs. If you require additional information, please contact Mr. Ernie Huckaby at 202-366-9064.

#### Attachment

This page last modified on July 10, 2005



[FHWA Home](#) | [Manual on Uniform Traffic Control Devices](#) | [Feedback](#)  
United States Department of Transportation - **Federal Highway Administration**