



U.S. Department  
of Transportation  
Federal Highway  
Administration

# Memorandum

Subject: **INFORMATION:** Installation of Wind  
Turbines and Solar Panels on Outdoor  
Advertising

Date: April 8, 2011

From: Nelson Castellanos  
Director, Office of Real Estate Services

In Reply Refer To:  
HEPR-20

To: Division Administrators  
Attn: Division Realty Specialists

The purpose of this message is to address the growing interest in placing wind turbines and solar panels on outdoor advertising to generate electricity. We want to let you know our conclusion that such installations can be consistent with the Highway Beautification Act (HBA).

Alternative energy ideas have found their way into many areas of contemporary society, including outdoor advertising. Outdoor advertisers and the alternative energy industry have expressed interest in attaching mechanisms such as wind turbines and solar panels to billboards or placing them near billboards outside the right-of-way. In fact, the Office of Real Estate Services recently found that several States have been approached by the energy and advertising industries and are considering such installations or have approved them, some with U.S. Department of Energy funds.

In principle, the installation of these alternative energy mechanisms on conforming signs for the sole purpose of generating electricity complies with the HBA, as they are not added "signs, displays or devices" under 23 U.S.C. 131 or 23 CFR Part 750. In practice, the alternative energy mechanisms may not display logos or advertising or be made part of the message area. If they do, they are subject to control and HBA compliance.

States and/or local jurisdictions that are considering the placement of these mechanisms on or near a billboard need to adopt policies and procedures for such installations. The States should develop these policies and procedures in consultation with the FHWA division office to ensure compliance with the conditions in their State/Federal agreement. The State policies should prohibit attachment of alternative energy mechanisms to non-conforming signs, as this would constitute a substantial change in violation of 23 CFR 750.707(d)(ii)(5).



If you have any questions, please contact Mr. Janis Gramatins at 202-366-2030 or at [Janis.gramatins@dot.gov](mailto:Janis.gramatins@dot.gov).

FHWA:HEPR:N. Castellanos:rw:6-2058:03/24/11

File Name: Billboard/Alternative Energy Devices.Guidance

FHWA Control No.

cc: HOAES

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Mr. Lindley HOP-1

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Files E76-334

Mr. Toole HSA-1