

761—117.2(306B,306C) General provisions.

117.2(1) Scope. This chapter of rules pertains to all advertising devices which are visible from the main traveled way of any interstate, freeway-primary, or primary highway, with the following exceptions:

a. Within incorporated areas, this chapter does not apply to advertising devices which are beyond 660 feet from the nearest edge of the right of way.

b. Except where specified otherwise, this chapter does not apply to official traffic control devices, logo signing, tourist-oriented directional signing, or private directional signing.

117.2(2) Contact information. Inquiries, requests for forms, and applications regarding this chapter shall be directed to the Advertising Management Section, Office of Traffic and Safety, Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

117.2(3) Unauthorized signs, signals, or markings. Any sign, signal, marking or device prohibited by Iowa Code section 321.259 is a public nuisance and shall be removed by the department if it is within the department's jurisdiction.

117.2(4) Advertising devices obstructing the view of a highway or railway. Any advertising device that obstructs the view of any portion of a public highway or railway track in violation of Iowa Code subsection 318.11(2) or 657.2(7) is a public nuisance, which shall be abated as provided in Iowa Code chapter 657.

117.2(5) Advertising devices within the right of way. Any advertising device placed or erected within the right of way of any interstate, freeway-primary, or primary highway, except signs or devices authorized by law or approved by the department, is an obstruction in the highway right of way and violates Iowa Code section 318.3 and subsection 318.11(1). In accordance with Iowa Code sections 318.4 and 318.5, the department shall remove the advertising device and assess the cost of removal against the owner of the device.