

MAR 7 2003  
STATE GOVERNMENT

HOUSE FILE 484  
BY THOMAS

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the removal of political signs from the  
2 primary highway right-of-way and establishing a fee.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 484

1 Section 1. Section 319.13, Code 2003, is amended to read  
2 as follows:

3 319.13 ~~RIGHT-AND-DUTY-TO-REMOVE~~ REMOVAL OF TEMPORARY  
4 OBSTRUCTIONS -- POLITICAL SIGNS.

5 1. If the following constitute an immediate and dangerous  
6 hazard, all billboards, advertising signs or devices, fences  
7 other than ~~right-of-way~~ right-of-way boundary fences, or any  
8 temporary obstruction, including abandoned vehicles except  
9 signs or devices authorized by law or approved by the highway  
10 authorities, placed or erected upon the ~~right-of-way~~ right-of-  
11 way of any public highway shall without notice or liability in  
12 damages be removable and the costs thereof assessed against:

13 ~~1-~~ a. The owner of any billboard, advertising sign or  
14 device so removed.

15 ~~2-~~ b. The vehicle owner in the case of abandoned vehicles.

16 ~~3-~~ c. The abutting property in the case of fences other  
17 than ~~right-of-way~~ right-of-way line fences and other temporary  
18 obstructions placed by the owner of or tenant on said  
19 property.

20 ~~4-~~ d. The owner or person responsible for placement of all  
21 other obstructions.

22 2. Any such obstruction not constituting an immediate and  
23 dangerous hazard shall be removed without liability after  
24 forty-eight hour notice served in the same manner in which an  
25 original notice is served, or in writing by certified mail, or  
26 in any other manner reasonably calculated to apprise the  
27 person responsible for the obstruction that the obstruction  
28 will be removed at the expense of such person after the notice  
29 is given.

30 3. Such removal and assessment of cost in the case of  
31 primary roads shall be by the department and in the case of  
32 secondary roads by the board of supervisors.

33 4. Upon removal of the obstruction, the highway authority  
34 may immediately send a statement of the cost of removal to the  
35 person responsible for the obstruction. If within ten days

1 after sending the statement the cost is not paid, the highway  
2 authority may institute proceeding in the district court  
3 system to collect the cost of removal.

4 5. If the obstruction is a political sign placed or  
5 erected on the right-of-way of a highway under the  
6 jurisdiction of the department, the department shall charge a  
7 fee of twenty-five dollars in addition to the department's  
8 costs for removal of the sign. The department shall remove a  
9 political sign that constitutes an immediate hazard without  
10 notice as provided in subsection 1, or if the sign does not  
11 constitute an immediate hazard, the department shall provide  
12 the notice required in subsection 2 to the political committee  
13 or candidate's committee that owns the sign or is responsible  
14 for placement of the sign stating that the sign will be  
15 removed and that costs and a fee will be assessed against the  
16 political committee or candidate's campaign fund. Upon  
17 removal of the political sign and assessment of the costs and  
18 fee, the department shall notify the ethics and campaign  
19 disclosure board by ordinary mail or comparable electronic  
20 communication that the costs and fee were assessed against the  
21 political committee or candidate's campaign fund.

22 Fees collected by the department pursuant to this  
23 subsection shall be deposited in the keep Iowa beautiful fund  
24 created in section 314.28.

25 Sec. 2. Section 319.15, Code 2003, is amended to read as  
26 follows:

27 319.15 ~~DEFINITION~~ DEFINITIONS.

28 As used in this chapter, unless the context otherwise  
29 requires, ~~"department"~~:

30 1. "Department" means the state department of  
31 transportation.

32 2. "Political sign" means an outdoor sign of a temporary  
33 nature erected for the purpose of soliciting votes or support  
34 for or in opposition to any candidate or any political party  
35 under whose designation any candidate is seeking nomination or

1 election or any public question on the ballot in an election  
2 held under the laws of this state.

3 EXPLANATION

4 This bill requires that a political committee or  
5 candidate's committee shall be charged a \$25 fee, plus actual  
6 costs, for removal of a political sign owned or placed by the  
7 committee on a highway right-of-way under the jurisdiction of  
8 the state department of transportation. Unless the political  
9 sign constitutes an immediate hazard, the department is  
10 required to give 48 hours' notice that the political sign will  
11 be removed and a fee and costs assessed. Upon removal of a  
12 political sign and assessment of the costs and fee, the  
13 department shall notify the Iowa ethics and campaign  
14 disclosure board that the costs and fee were assessed against  
15 the political committee or candidate's campaign fund. Fees  
16 collected for removal of political signs shall be deposited in  
17 the keep Iowa beautiful fund.

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