



DELAWARE

DEPARTMENT OF TRANSPORTATION

DelDOT Public Relations

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Questions and Answers about the Sign Law

Question: When can we place signs on private property?

Answer: Right now. If you receive permission from the landowner, you can place a campaign sign on their property. Just make sure that the sign meets the other state and municipal sign regulations. For further assistance regarding county and municipal sign regulations, please contact that municipality.

Question: Does my private property line begin at the edge of the roadway?

Answer: No. In most cases, the State of Delaware owns an area of land called right-of-way that is adjacent to the roadway and can vary in width on different roads.

Question: What is the DelDOT right-of-way?

Answer: The DelDOT right-of-way is property along the roads that is owned by the State of Delaware. It can be difficult to know exactly where the state-owned land ends. Chances are that the land between the utility poles and the road is owned by the State of Delaware. A good rule of thumb is that the utility poles are typically one foot within the State's right-of-way.

Question: Can I put up campaign signs along the DelDOT right-of-way now?

Answer: Yes. Signs are allowed 30 days before and 30 days after any election recognized by the Delaware Department of Elections. Due to the variety of elections this year and the Presidential Primary being delayed, signs are now able to be displayed and can continue to be displayed until December 3 (30 days after the Nov. 3 general election).

Question: Can I put up signs anywhere, as long as it is more than ten feet from the edge of the pavement?

Answer: No. Signs can never be placed on light poles, sign poles, or on overpasses. Signs are never allowed in the median or in the small concrete islands that we call splitter islands, or in a gore area. Remember, never in the median and never on poles, overpasses, islands, or gore areas.

--MORE--

Page 2 of 3

Question: What is a gore area?

Answer: A gore area is an oversized “island” of right of way, typically where an on/off ramp from an interstate or freeway meets with another roadway; however, gore areas can also be found on conventional roadways. The area between these sections of roadways normally is large enough to support the placement of signs beyond the ten foot clear zone. Signs are prohibited to be placed in these areas.

Question: Does that mean we can place signs anywhere between the utility poles and the edge of the road?

Answer: No. Signs can never be placed within ten feet of the edge of pavement. That area is called the clear zone (the first ten feet of the unpaved part of the right of way), and no matter how soon an election is pending, no signs are allowed in the clear zone. Signs cannot overhang the clear zone. It might be helpful to issue your supporters a tape measure so they will not have to guess while they are placing signs.

Question: How much is the fine?

Answer: Signs that are in violation will be removed and violation notices issued. The fine is \$25 per violation, and a fee of \$15 per sign to have the sign released.

Question: If the sign was put up by an overzealous supporter, does the candidate still pay the fine?

Answer: Yes. The candidates are responsible for any violations of their campaign signs. To help avoid these problems, please print out the graphic we attached, and hand it out to your supporters who are placing signs.

Question: Can we put signs along the major highways?

Answer: Signs placed outside of the clear zone themselves are not illegal, but it is illegal to stop along a limited-access highway unless it is an emergency. Examples of limited-access highways in Delaware are Interstates 95, 295, 495, the new Route 301 and Route 1, north of Dover. Secondly, even though you may not be cited by the Delaware State Police, it is extremely dangerous to stop along those highways, especially if you are not trained, or have the proper safety equipment. For those two reasons, please re-consider before placing signs along busy highways.

Question: So where *can* I put my signs?

Answer: Right now, you can place them on private property and in the DelDOT right-of-way, as long as they remain out of the clear zone. As mentioned previously, signs can never be placed within ten feet of the edge of pavement, never on light poles, sign poles, or on overpasses, and signs are never allowed in medians, the small concrete islands, or in gore areas.

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Page 3 of 3

If you have any questions that are not addressed here, please call the Roadside Enforcement Hotline at (302) 326-4688.