

**North Carolina Department of Transportation  
Division of Highways  
Transportation Mobility and Safety Division**

**STANDARD PRACTICE  
for  
Banners on State Maintained Roadways or Structures**

**A. TOPIC OWNER**

Transportation Mobility and Safety Division

**B. PURPOSE**

It is NCDOT's Policy to not hang banners regardless of the nature of the banner across state-maintained roadways. This include attaching banners, regardless of the size of the banner, to an NCODT bridge, or sign.

**C. OVERVIEW**

NCDOT fully supports the constitutional rights of freedom of speech and expression as provided by law. NCDOT also recognizes that we too must follow the laws established by congress and the North Carolina Legislature. These rules and laws do not permit advertising in the right of way.

If NCDOT finds such a banner placed in the NCDOT right of way, we will determine if the banner is an imminent hazard or needs to be removed immediately. Those that are not deemed an imminent hazard will follow a practice to notify the owner and to allow the owner to retrieve their property.

**D. REQUIREMENTS**

**Imminent Hazard or Derogatory Banners**

Banners that pose a direct and imminent hazard to the public are violations to state statutes 136-91 and will be removed immediately. Banners that display derogatory messages and/or symbols will be removed immediately. The banners are in violation of the state law and pose a risk to the safety of the public or is disrupting the peace. NCDOT will dispose of the banner in the same manner as all other debris removed from the rights of way. These include but are not limited to:

1. Banners that are poorly secured and may fall into traffic, or other transportation facilities such as navigable waters, railroads, and shared use paths
2. Banners that are made to look like official traffic control devices in violation of G.S. 136-32.1
3. Banners that use language, messages, or symbols that are generally believed to be hateful, slurs, or incite violence.

4. Banners that are creating strains and stress on a structure that may be caused by excessive weights or wind loads.

### **Non-Imminent Hazard Banners**

Banners that NCDOT has determined not to be an imminent hazard or contain derogatory messages and/or symbols.

1. NCDOT will attempt to contact the owner of the banner and direct them to have the banner removed.
2. Once NCDOT has contacted the owner or responsible party, they will have 96 hours following notification to remove the banner.
3. If the banner has not been removed within the designated time, NCDOT will schedule a time that is convenient for the Department to remove the banner.
4. If the banner becomes an imminent hazard before the time provided, NCDOT will remove and dispose of the banner as a hazard.
5. If NCDOT cannot determine who the owner or responsible party is within 7 days, NCDOT will schedule a time that is convenient for the Department to remove the banner.
6. The banner will be removed and disposed of as other debris removed from the roadway.
7. Any banner placed illegally in the state right of way and needs to be removed, NCDOT will not be responsible for repair or replacement costs.