

TEXAS DEPARTMENT OF TRANSPORTATION 2025-2026 EDUCATIONAL SERIES

COMMERCIAL AND CAMPAIGN SIGNS

- Highway Beautification Act
- Commercial Sign Regulation
- Licensing and Permitting
- Scenic Byways Program
- Campaign Signs



Texas Department of Transportation (TxDOT): Public website offering information and resources for drivers, businesses, government officials, and anyone interested in learning about TxDOT.



TxDOT 2025-2026 Educational Series: Focuses on key transportation issues affecting TxDOT and Texas.





OVERVIEW

The federal Highway Beautification Act (HBA) of 1965 requires the Texas Department of Transportation (TxDOT) to regulate commercial signs, otherwise referred to as outdoor signs or outdoor advertising signs, along the federally designated National Highway System. Texas' State Rural Roads Act provides direction for outdoor advertising signs on all other public roads located outside of the corporate limits of cities, towns, and other local governments in Texas. The following provides an overview of the laws governing commercial signs and billboards, and the roles of TxDOT and municipalities have in regulating, licensing, and permitting these signs.

HIGHWAY BEAUTIFICATION ACT

Texas law authorizes TxDOT to administer and enforce the federal Highway Beautification Act and Texas's State Rural Roads Act. The Texas Legislature passed the Texas Highway Beautification Act in 1972 to comply with the Highway Beautification Act of 1965, which requires that each state regulate commercial signs along interstate and primary highways. In the same year, TxDOT entered into a federal-state agreement under which the state agreed to

enforce the "effective control" of commercial signs to meet federal requirements, or else be subject to the loss of up to 10 percent of certain federal transportation funding for the state.

The categories of funding jeopardized by failure to maintain effective control of commercial signs are the:

1. National Highway Performance Program;
2. Surface Transportation Block Grant Program;
3. Highway Safety Improvement Program;
4. Congestion Mitigation and Air Quality Improvement Program;
5. National Highway Freight Program;
6. Metropolitan Planning;
7. Carbon Reduction Program; and
8. PROTECT Formula Program.

In 2024, these categories of funding totaled \$5.355 billion of TxDOT's federal highway funding. If imposed, a 10 percent penalty could cost Texas \$535.5 million annually in federal transportation funding.



COMMERCIAL SIGN REGULATION

TxDOT's commercial sign regulations apply to any commercial sign within 660 feet of the highway right of way along interstate and primary highways inside incorporated areas. Outside of incorporated areas, regulations extend to any commercial sign visible from the main traveled highway. State law prohibits commercial signs within these boundaries unless the location falls in a defined, un-zoned commercial or industrial area.

In addition to regulation along interstate and primary highways, the State Rural Roads Act ensures the regulation of outdoor advertising signs along all other public roads on the state highway system outside of the incorporated area of a municipality. A municipality may seek certification to regulate commercial signs within their jurisdictional limits through TxDOT, which is ultimately reviewed and approved by the Federal Highway Administration. If TxDOT and the Federal Highway Administration certify a municipality to regulate commercial signs, TxDOT waives the state commercial sign permit requirement within the incorporated limits. A municipality's zoning ordinances and local regulations control where commercial signs may be located. Local ordinances vary in their restrictiveness compared to state regulations; however, local ordinances may not violate either federal regulations or the 1972 federal-state agreement.

LICENSING AND PERMITTING

Before a person or entity may erect or maintain a regulated commercial sign, they must obtain a commercial sign operator's license from TxDOT and renew the license annually. After TxDOT issues an operator's license, the commercial sign owner may apply for a permit, which is only valid for the location indicated on the original application.

When the Texas Legislature first adopted the original highway beautification laws, the legislation grandfathered the existing regulations for certain commercial signs and allowed those signs to remain in place as non-conforming commercial signs. If TxDOT permitted a commercial sign location under the provisions of the Highway Beautification Act, that sign may also become non-conforming due to a change in law, regulation, or commercial sign conditions.

Many restrictions apply to non-conforming commercial signs under both federal and state laws and regulations relating to commercial signs. The purpose of most of these restrictions is to ensure that these non-conforming commercial signs remain in substantially the same condition that they were in when they became non-conforming. The operator of a grandfathered commercial sign with a status of non-conforming cannot replace the sign with a new sign and can only maintain the non-conforming sign on a limited basis. If the operator of a non-conforming commercial sign does not properly maintain the sign under the non-conforming regulations and TxDOT cancels the permit for the sign at the non-conforming location, the operator will permanently lose that sign location.



**Commercial Signs
Regulatory Program**

<https://www.txdot.gov/business/right-of-way/commercial-signs-regulatory-program.html>



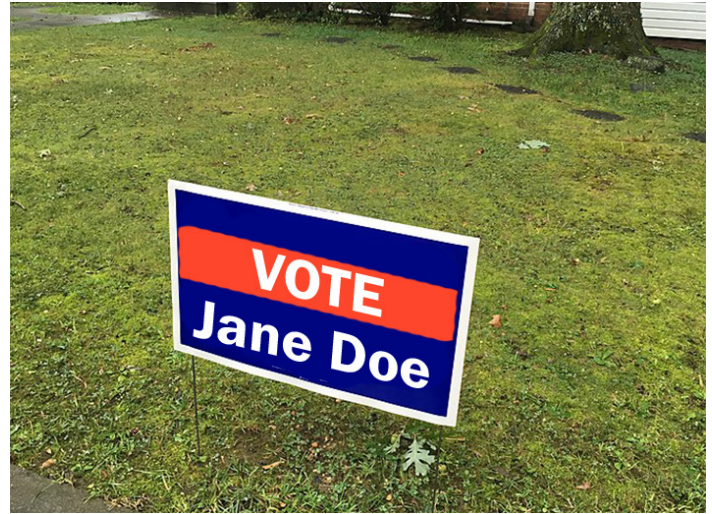
SCENIC BYWAYS PROGRAM

Texas Legislature during the 87th Regular Legislative Session in 2021 passed Senate Bill 941, which establishes a State Scenic Byways Program and provides that TxDOT may only designate the specific roadway segments listed in the Texas Transportation Code as a State Scenic Byway. Under the program, commercial signs are prohibited and may not be visible from those specified roadway segments, unless the commercial sign was already permitted before the law, then the commercial sign would have a non-conforming status. The program allows TxDOT to receive nominations for State Scenic Byways and National Scenic Byways, and applications for federal grant funding. This legislation did not alter TxDOT's operations related to commercial sign regulation as TxDOT already prohibited signs on these road segments, in accordance with existing law. Additionally, TxDOT does not administer the Federal Highway Administration's National Scenic Byways Program through the State Scenic Byways Program.



Scenic Byways Program

<https://www.txdot.gov/business/grants-and-funding/scenic-byways.html>



CAMPAIGN SIGNS

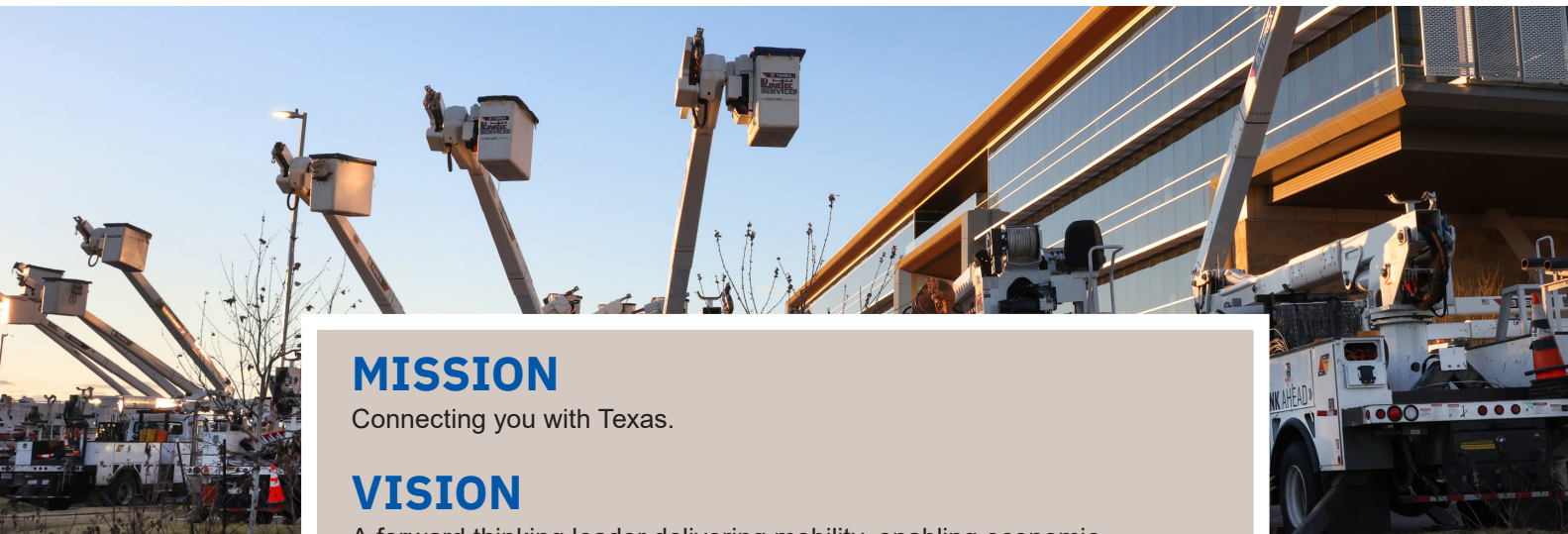
State law prohibits candidates and their supporters from placing campaign signs on public right of way including sign placement on trees, telephone poles, traffic signs, and other objects in the right of way. TxDOT controls the placement of signs on state highway right of way. TxDOT employees, a county sheriff, or a constable (depending upon the jurisdiction) can remove campaign signs that violate state law. If a sign is illegally placed in the public right of way, TxDOT will remove it without prior notice. All costs associated with sign removal will be the responsibility of the sign owner.

Campaign signs along Texas roads can be placed on private property with the owner's permission. A candidate considering placing a sign inside of incorporated municipal limits should check with the local government as the signs may also be subject to local ordinances.



Campaign Signs

<https://www.txdot.gov/business/right-of-way/campaign-signs.html>



MISSION

Connecting you with Texas.

VISION

A forward thinking leader delivering mobility, enabling economic opportunity, and enhancing quality of life for all Texans.



VALUES

People

People are the Department's most important customer, asset, and resource. The well-being, safety, and quality of life for Texans and the traveling public are of the utmost concern to the Department. We focus on relationship building, customer service, and partnerships.

Accountability

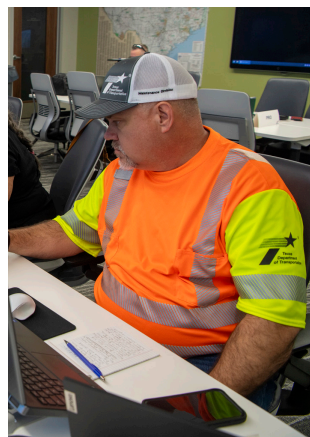
We accept responsibility for our actions and promote open communication and transparency at all times.

Trust

We strive to earn and maintain confidence through reliable and ethical decision-making.

Honesty

We conduct ourselves with the highest degree of integrity, respect, and truthfulness.



PRIORITIES

Safety

Design, build, operate, and maintain our transportation system with safety as our #1 priority.

Delivery

Responsible program execution throughout the transportation life cycle (planning, design, construction, maintenance, and operations).

Innovation

Forward-thinking, technology-focused, fostering a culture of continuous improvement.

Stewardship

Professional, responsible stewards of resources.

