



U.S. Department
of Transportation
**Federal Highway
Administration**

Office of the Administrator

1200 New Jersey Ave., SE
Washington, D.C. 20590

August 16, 2016

In Reply Refer To:
HOTO-1

The Honorable Jared Huffman
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Huffman:

Thank you for your letter of June 17, cosigned by Congressman Farr, regarding commercialization of the highway right-of-way as a means of funding transportation infrastructure. Specifically, you expressed opposition to a California legislative proposal (SB 1397), which would allow for the display of commercial advertisements on electronic changeable message highway signs.

The legislative proposal is contingent upon approval from the Federal Highway Administration (FHWA). The FHWA is responsible for new commercial advertising on messaging signs along the right-of-way in California by the *Manual on Uniform Traffic Control Devices for Streets and Highways* (MUTCD), which is incorporated by reference in the Code of Federal Regulations. The MUTCD explicitly prohibits the display of advertisements on any traffic control device.

I wish to assure you that I take very seriously your concerns about commercialization of the right-of-way and traffic safety and operation. If such a request should be made of FHWA, all pertinent safety and policy implications, along with Federal regulations, will be considered. If I can provide any further information, please do not hesitate to contact me.

A similar response has been sent to Congressman Farr.

Sincerely,

Gregory G. Nadeau
Administrator