

## Usage and Removal of Political Campaign Advertisements

- (1) Each candidate, whether for a federal, state, county, or district office, shall make a good faith effort to remove all of his or her political campaign advertisements within 30 days after:
- Withdrawal of his or her candidacy;
  - Having been eliminated as a candidate; or
  - Being elected to office.

However, a candidate is not expected to remove those political campaign advertisements which are in the form of signs used by an outdoor advertising business as provided in [chapter 479](#). The provisions herein do not apply to political campaign advertisements placed on motor vehicles or to campaign messages designed to be worn by persons.

(2) If political campaign advertisements are not removed within the specified period, the political subdivision or governmental entity has the authority to remove such advertisements and may charge the candidate the actual cost for such removal. Funds collected for removing such advertisements shall be deposited to the general revenue of the political subdivision.

(3) Pursuant to [chapter 479](#), no political campaign advertisements shall be erected, posted, painted, tacked, nailed, or otherwise displayed, placed, or located on or above any state or county road right-of-way.

(4) The officer before whom a candidate qualifies for office shall notify the candidate, in writing, of the provisions in this section.

(5) This provision does not preclude municipalities from imposing additional or more stringent requirements on the usage and removal of political campaign advertisements.

Reference: [Florida Statute 106.1435](#)

### **Municipalities**

***When placing signs within a municipality, check with the respective [Municipal Clerk](#) for information pertaining to municipal ordinances.***

### **Unincorporated Miami-Dade County Areas**

***Questions and complaints pertaining to signs on private and public property (right-of-ways) should be directed to Neighborhood Compliance at 786-315-2552 for enforcement.***

## Political Advertising

### Political advertisement

A political advertisement is a paid expression in a communications medium, whether radio, television, newspaper, magazine, periodical, campaign literature, direct mail, or display or by means other than the spoken word in direct conversation, which expressly advocates the election or defeat of a candidate or the approval or rejection of an issue. However, political advertisement does not include:

(a) A statement by an organization, in existence before the time during which a candidate qualifies or an issue is placed on the ballot for that election, in support of or opposition to a candidate or issue, in that organization's newsletter, which newsletter is distributed only to the members of that organization.

(b) Editorial endorsements by a newspaper, a radio or television station, or any other recognized news medium.

[\(F.S. 106.011\)](#)

### Candidate Disclaimers

Any political advertisement that is paid for by a candidate, and that is published, displayed, or circulated before, or on the day of, any election must contain the proper disclosure as described [in F.S. 106.143](#).

Any political advertisement not paid for by a candidate, including those paid for by a political party or affiliated party committee, other than an independent expenditure, offered on behalf of a candidate must be approved in advance by the candidate and follow the proper guidelines as described [in F.S. 106.143](#).

### Disclaimers on Novelty Items

None of the requirements of [F.S. 106.143](#) apply to novelty items having a retail value of \$10 or less which support, but do not oppose, a candidate or issue.

### Language other than English

Any political advertisement which is published, displayed, or produced in a language other than English may provide the information required in the language used in the advertisement.

[\(F.S. 106.143\)](#)

## **Electioneering Communications Disclaimers**

Any electioneering communication, other than a text message or a telephone call, must prominently state: *“Paid electioneering communication paid for by (Name and address of person paying for the communication).”*

[\(F.S. 106-1439\)](#)

## **Miscellaneous Advertisements**

Any advertisement, other than a political advertisement, independent expenditure, or electioneering communication, on billboards, bumper stickers, radio, or television, or in a newspaper, a magazine, or a periodical, intended to influence public policy or the vote of a public official, shall clearly designate the sponsor of such advertisement by including a clearly readable statement of sponsorship. If the advertisement is broadcast on television, the advertisement shall also contain a verbal statement of sponsorship. This section does not apply to an editorial endorsement.

[\(F.S. 106.1437\)](#)

## Illegal Signs in the Right-of-Way To Residents in Unincorporated Miami-Dade County

The Code of Miami-Dade County prohibits any person to erect any sign within the limits of any County right-of-way. ([Sec. 2-103.15 of the Miami-Dade County Code.](#))

The right-of-way includes, but not limited to, all roadsides, sidewalks, utility poles, and highway median strips. In other words, all roads and the land immediately next to them are considered rights-of-way unless they are in privately-owned developments where the land is not dedicated to Miami-Dade County.

Any person who places a sign in the right-of-way shall be subject to an immediate fine in the form of a civil citation. The schedule of signs is listed below.

([Chapter 33 of the Miami-Dade County Code](#) regulates signs on private property.)

Description	Fine
Illegal signs in right-of-way which penetrate or injure a tree, first offense	<b>\$50</b>
Illegal signs in right-of-way which penetrate or injure a tree, second offense	<b>\$200</b>
Illegal signs in right-of-way which penetrate or injure a tree, third or subsequent offense	<b>\$500</b>
Illegal signs in right-of-way equal to or less than 22 x 28 inches overall secured by any non-adhesive means including but not limited to a stake, metal rod, rope, nails, thumb tacks, bricks, or boulders in the right-of-way	<b>\$50</b>
Illegal signs in right-of-way equal to or less than 22 x 28 inches overall secured with any adhesive type of material including but not limited to material such as tape, glue, duct tape, or paste	<b>\$50</b>
Illegal signs in right-of-way of a size greater than 22 x 28 inches overall regardless of sign material or method of posting or attachment	<b>\$150</b>
Illegal banners, pennants or streamers in the right-of-way	<b>\$200</b>
Failure of sign retailer to post advisory notice	<b>\$500</b>

*Signs create visual obstructions for motorists and are a form of pollution.  
In an effort to maintain and improve the quality and appearance of your community,  
Neighborhood Compliance Officers regularly patrol your area to ensure compliance  
with County rules and regulations.  
For additional questions you may call (786) 315-2552.*



## Florida Department of Transportation

RON DESANTIS  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

JARED W. PERDUE, P.E.  
SECRETARY

November 8, 2023

### **Notice to candidates for election to offices in the State of Florida**

The Department of Transportation's Office of Right of Way would like to remind you of State Law regarding political campaign signs:

- (1) Signs placed on the state rights of way — Political campaign signs may not be placed in the right of way of any state or national highway [Chapter 479.11(8), Florida Statutes]. A joint effort by the Florida Department of Transportation and the Florida Highway Patrol produced a brochure explaining that the unauthorized use of the public right of way is prohibited by Florida law. This brochure further outlines how the right of way is regulated and how to recognize the location of the right of way line. The brochure is available on our website, <http://www.fdot.gov/rightofway/>. Please feel free to print and copy the brochure for distribution. We recommend campaigns make this brochure required reading for volunteers who post candidate signage.
- (2) Signs placed on private property — Temporary political campaign signs may be placed on private property with the permission of the owner. Such signs do not require a permit under state law.

Please advise your campaign workers to ensure that signs are placed on private property. Signs placed on the state rights of way must be picked up by Department staff and placed in one of the Department's maintenance yards. We will make every effort to place a courtesy call to your campaign office advising of sign removal and the location of the maintenance yard where the signs have been stored.

If you have any questions regarding this issue, please contact the Department's Outdoor Advertising Office in Tallahassee at (850) 414-4569.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott Foltz", is written over a light blue horizontal line.

Scott Foltz, Director  
Office of Right of Way