



CONTROL OF ROADSIDE ADVERTISING

ADJACENT TO
FEDERAL INTERSTATE
HIGHWAY SYSTEM



NS/KA8
HS/A3
1964

NEW JERSEY

Rules and Regulations

November 1964

NEW JERSEY STATE HIGHWAY DEPARTMENT

155.28

RULES AND REGULATIONS
FOR
CONTROL OF ROADSIDE ADVERTISING

NOVEMBER 1964

New Jersey State Highway Department
1035 Parkway Avenue
Trenton, New Jersey

FOREWORD

This publication has been prepared to provide information on roadside advertising adjacent to the Federal-aid highways in New Jersey.

It sets forth rules and regulations governing the placement of signs along interstate highways, in accordance with the provisions of New Jersey state laws.

It describes procedures for permit applications and the processing of such applications. Required applications are listed in the Offices of the Division of Maintenance and Construction.

FOREWORD

This publication has been prepared to assist those concerned with roadside advertising adjacent to the Federal Interstate Highway System in New Jersey.

It sets forth rules and regulations to control roadside advertising along interstate highways, in accordance with national standards and New Jersey state laws.

It describes procedures for permit applications but does not contain such applications. Required applications may be obtained from District Offices of the Division of Maintenance and Operations.

TABLE OF CO

Section:

A.	Introduction
B.	Definitions
C.	Classes of Signs
D.	General Restrictions
E.	Standard Requirements
F.	Permit Provisions
G.	Division of Maintenance and Ope District Offices
H.	Division of Maintenance and Ope District Boundaries
I.	Permit Fees
J.	Renewal of Permit
K.	Revocations
L.	Removal Provisions
M.	Penalties

TABLE OF CONTENTS

Section:	Page
A. Introduction	6
B. Definitions	7
C. Classes of Signs	8
D. General Restrictions	9
E. Standard Requirements	12
F. Permit Provisions	15
G. Division of Maintenance and Operations District Offices	16
H. Division of Maintenance and Operations District Boundaries	17
I. Permit Fees	18
J. Renewal of Permit	18
K. Revocations	19
L. Removal Provisions	19
M. Penalties	20

SECTION DEFINITION

SECTION A

INTRODUCTION

In 1930, New Jersey adopted its first law licensing outdoor advertising.

This law provided for issuance of permits to those desiring to erect or maintain a billboard or other structure for the display of advertising matter adjacent to our highways.

Today we have a National System of Interstate and Defense Highways. Congress deemed it in the public interest to encourage and assist the states to control the use of and to improve the areas adjacent to the System. The intent is to control the erection and maintenance of advertising signs, displays and devices along these highways.

To encourage adoption of the national policy by the states, Title 23,

United States Code, Section 131, was put into effect. It provided them additional federal aid under specified conditions.

On June 10, 1963, Chapter 93 of New Jersey law first authorized the State Highway Commissioner to enter into an agreement with the United States Secretary of Commerce to keep our countryside in its state of natural beauty, and to promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce through our state.

The purpose is to control roadside advertising within 660 feet of either edge of the right-of-way and visible from the main-traveled way of the Interstate Highway System.

1. The following terms, whenever used in the rules and regulations, shall have the meanings herein defined:
 - a. **Interstate System:** Those highways which are designated as an official portion of the National System of Defense Highways.
 - b. **Controlled portion of the Interstate System:** A roadway constructed upon right-of-way which was acquired after July 1, 1956, and which crosses commercial or industrial areas of incorporated municipalities, cities, towns or villages, on or after September 21, 1959.
 - c. **Protected Areas:** All areas inside the right-of-way which are adjacent to and within the right-of-way of all controlled portions of the Interstate System.
 - d. **Roadside Advertising:** The use of signs, displays and devices intended to attract the attention of motorists.
 - e. **Roadside Sign:** Any writing, display, sign, symbol, or device placed on or in the ground, or on a structure, and any lighting or related equipment used therewith.
 - f. **Main — Traveled Way:** The traveled way on which through traffic is carried on a highway, the traveled way of a highway carrying traffic in opposite directions does not include frontage roads or shoulders.
 - g. **Centerline of the Highway:** A line which divides the main-traveled roadways of a highway.
 - h. **Trade Name:** Includes brand name, trade name or other similar device or thing used to identify products or services.
 - i. **Turning Roadway:** A connecting roadway between two intersecting legs of a highway.
 - j. **Visible:** Capable of being seen by the unaided visual aid by a person with normal vision.

SECTION B DEFINITIONS

1. The following terms, whenever used or referred to in these rules and regulations, shall have the meanings given:
 - a. **Interstate System:** Those highways constructed within New Jersey and approved by the Secretary of Commerce of the United States as an official portion of the National System of Interstate and Defense Highways.
 - b. **Controlled portion of the Interstate System:** That portion of the roadway constructed upon right-of-way, the entire width of which was acquired after July 1, 1956. Excluded are roadway sections crossing commercial or industrial zones within the boundaries of incorporated municipalities, which zones existed prior to September 21, 1959.
 - c. **Protected Areas:** All areas inside the boundaries of New Jersey which are adjacent to and within 660 feet of either edge of the right-of-way of all controlled portions of the Interstate System.
 - d. **Roadside Advertising:** The use of any roadside sign which is intended to attract the attention of operators or passengers of motor vehicles.
 - e. **Roadside Sign:** Any writing, display, sign or other device whether placed on or in the ground, or on natural, or man-made structures, and any lighting or related accessories used in conjunction therewith.
 - f. **Main — Traveled Way:** The traveled way of an interstate highway on which through traffic is carried. In the instance of a divided highway, the traveled way of each of the separated roadways carrying traffic in opposite directions is a main-traveled way. It does not include frontage roads, turning roadways, or parking areas.
 - g. **Centerline of the Highway:** A line equidistant from the inner edges of the main-traveled roadways of an interstate highway.
 - h. **Trade Name:** Includes brand name, trademark, distinctive symbol, or other similar device or thing used to identify particular products or services.
 - i. **Turning Roadway:** A connecting roadway for traffic turning between two intersecting legs of an interchange.
 - j. **Visible:** Capable of being seen (whether or not legible) without visual aid by a person with normal vision.

- k. **Scenic Area:** Any public part or area of particular scenic beauty or historical significance.
- l. **Ground Structure:** Any advertising structure or display erected upon the ground.

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service and repair. Th
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SECTION C CLASSES OF SIGNS

Signs are grouped into four classes as follows:

- Class 1—Official Signs.**
- Class 2—On-Premise Signs.**
- Class 3—Signs within 12 miles of advertised activities.**
- Class 4—Signs more than 12 miles from advertised activities.**

Figure 1 illustrates the four sign classes and where they may be used.

The four classes of signs are defined:

Class 1—Official Signs

Directional or other official signs or notices erected and maintained by public officers or agencies in accordance with direction or authorization contained in state or federal law, for the purpose of carrying out an official duty or responsibility.

Class 2—On-Premise Signs

- a. Signs which advertise the sale or lease of property where the signs are located.
- b. Signs which advertise activities being conducted upon the property where the signs are located.

Class 3—Signs within 12 Miles of Advertised Activities

Signs not prohibited by state law and which advertise activities being conducted within 12 air miles of such signs. The name of the activity must be displayed on the signs as conspicuously as the trade name.

Class 4—Signs More than 12 Miles from Advertised Activities

This classification includes information about public places operated by federal, state or local governments, natural phenomena, historic sites, areas of natural scenic beauty or naturally suited for outdoor recreation

SECTION GENERAL REST

1. Roadside signs must not interfere or resemble any official traffic sign, flashing, intermittent or moving light, or reflectorized materials which are red or green color.
2. Roadside signs must not interfere with the operation of a motor vehicle to have a clear view of the road, turning roadways, official signs, signals, or other devices.
3. Illumination of roadside signs must not prevent light from being directed in the traveled way. All lighting must be so placed as not to cause glare or interference.
4. All roadside signs must be erected in a safe condition.
5. No roadside signs are to be erected which injure the public safety, health or property.
6. No roadside signs are to be erected in a protected area in a controlled parking area without permit obtained from the State.
7. No sign will be permitted which obscures or interferes with moving parts.
8. No sign may be permitted to be erected on, over, and such, or painted or drawn on, or over, natural features.
9. No roadside signs are to be erected which obstruct the right-of-way except for markers erected or maintained by the State.
10. No sign will be permitted which obscures or interferes with the view of the road.
11. No sign will be permitted that is

part or area of particular scenic beauty
advertising structure or display erected

and places for camping, lodging, eating, and vehicle service and repair. These signs must be of specific interest to the traveling public, but the name of the advertised activity need not be displayed as conspicuously as the trade name.

SECTION C TYPES OF SIGNS

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SECTION D GENERAL RESTRICTIONS

1. Roadside signs must not interfere with the movement of traffic, or resemble any official traffic signs, signals or devices, or include flashing, intermittent or moving lights, or utilize any lighting equipment or reflectorized materials which emit or reflect a red, amber or green color.
2. Roadside signs must not interfere with the ability of the operator of a motor vehicle to have a clear view of the highway ahead, turning roadways, official signs, signals or traffic control devices.
3. Illumination of roadside signs must be effectively shielded to prevent light from being directed at any portion of the main-traveled way. All lighting must be of such low intensity or brilliance as not to cause glare or impair vision.
4. All roadside signs must be erected and maintained in a safe condition.
5. No roadside signs are to be erected which tend to endanger or injure the public safety, health or morals, or be injurious to property.
6. No roadside signs are to be erected or maintained within any protected area in a controlled portion, except as authorized by a permit obtained from the State Highway Commissioner.
7. No sign will be permitted which moves or has any animated or moving parts.
8. No sign may be permitted to be erected or maintained upon trees and such, or painted or drawn or projected upon rocks or other natural features.
9. No roadside signs are to be erected or maintained within any portion of the right-of-way except those signs, public notices, or markers erected or maintained by the State Highway Department.
10. No sign will be permitted which is obsolete, inactive, or disused.
11. No sign will be permitted that is not clean and in good condition.

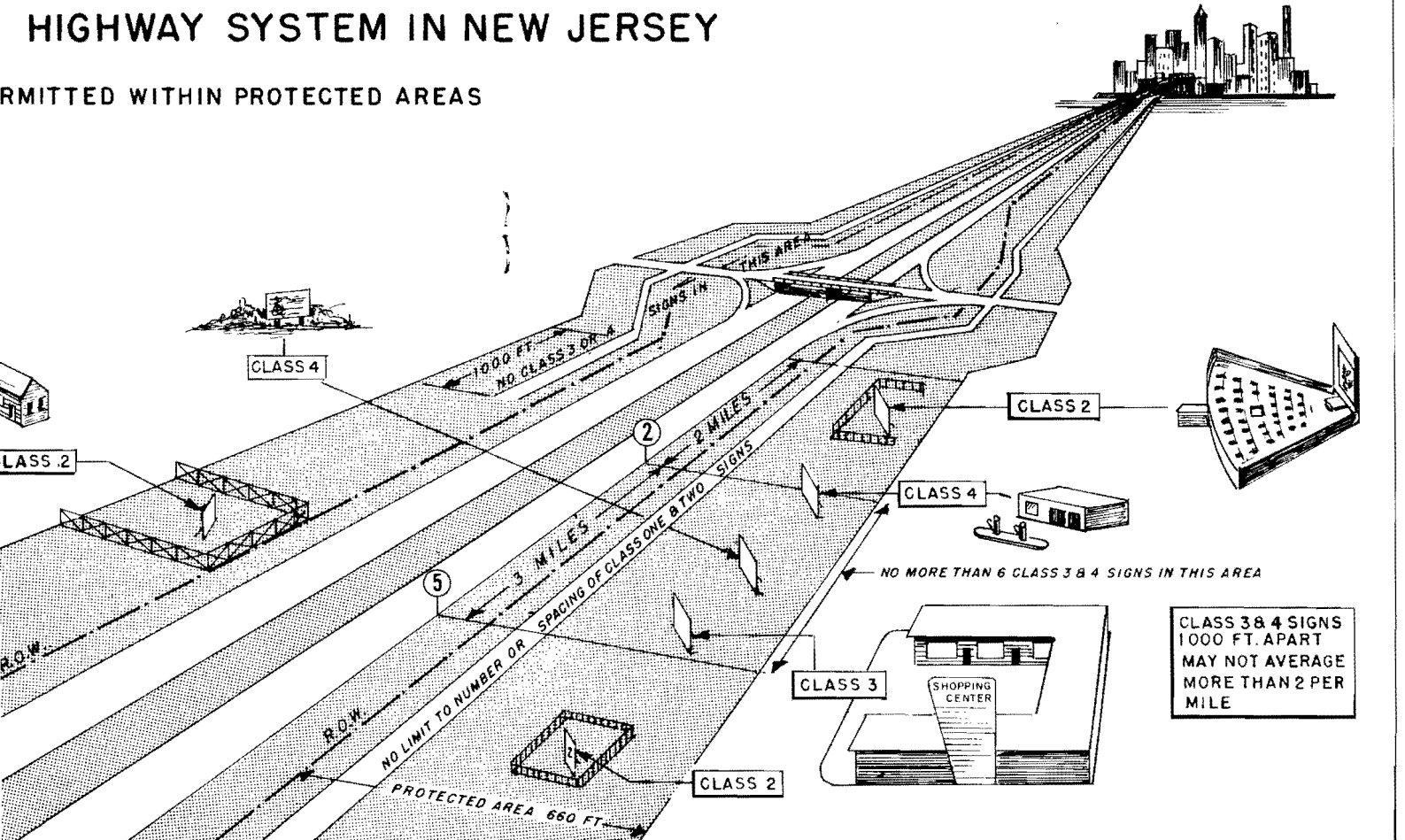


FIGURE 1
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Highway System.

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an official duty or responsibility.

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signs are located.

Class 3—Signs within 12 Miles of Advertised Activities: Signs not prohibited by state law which advertise activities being conducted with 12 air miles of such signs. The name of the activity must be displayed on the sign as conspicuously as the trade name.

Class 4—Signs More than 12 Miles from Advertised Activities: This classification includes information about public places operated by federal, state or local governments, natural phenomena, historic sites, areas of natural scenic beauty or naturally suited for outdoor recreation and places for camping, lodging, eating, and vehicle service and repair. These signs must be of specific interest to the traveling public, however, it will not be necessary that the name of the advertised activity be displayed as conspicuously as the trade name.

SECTION E STANDARD REQUIREMENTS

A sign is subject to the requirements of its class.

Class 1, or Official Signs, may be approved upon written request to the Division of Maintenance and Operations, New Jersey State Highway Department.

Class 2, or On-Premise Signs, are of two categories for which permits are not required.

- a. **Signs which advertise the sale or lease of property where the signs are located.** The sign must carry wording notifying the public that the property is for sale or lease, the name and address and telephone number of the owner or agent and a description of the area for sale or lease. No superfluous descriptive information will be permitted. The sign must not exceed a total area of one hundred and fifty (150) square feet, including border and trim, but excluding supports. Not more than one such sign advertising the sale or lease of the property will be allowed.

- b. **Signs which advertise activities being conducted upon the property where the sign is located.** Only one sign will be permitted a distance greater than fifty (50) feet from the advertised activity. Its message must be displayed in such a manner as to be visible only to traffic proceeding on the main-traveled way nearest to the advertised activity. The sign must not exceed twenty (20) feet in length, width or height, or 150 square feet in area including border and trim but excluding supports. Not more than one ground structure may be erected within fifty (50) feet of the advertised activity. The structure must not exceed twenty-five (25) feet in height, or sixty (60) feet in horizontal dimensions, or one thousand (1,000) square feet in area.

Any writings, displays, signs or other devices erected upon or attached or applied to a main building (the advertised activity) will not be limited in size, number, location or direction. All signs, displays, writing, or other advertisements are subject to Section D, General Restrictions.

Class 3 and 4 signs are defined in Section C and diagrammed for location, spacing and frequency limitations in Figure 2.

Class 3 and 4 signs may be erected with the following:

- a. Signs visible to interstate highway section of the main-traveled way an exit roadway must not exceed
Distance from Intersection
0-2 miles
2-5 miles
More than 5 miles Average
- b. The specified distances must be of the intersection of the exit main-traveled way of the interstate highway.
- c. Not more than two such signs distance (measured from any point) be less than 1,000 feet apart.
- d. Such signs must not be located way width at that point includes the main-traveled way.
- e. Within 1,000 feet beyond any must not be visible to interstate highway or has passed that exit.
- f. Such signs will not be permitted to be erected on the main-traveled way.
- g. Signs advertising activities being conducted upon the property must be limited to one facing each direction of travel on the main-traveled way highway and each must be erected in a manner that its message is visible in both directions of travel.
- h. Distance from the edge of a right-of-way horizontally along a line geometrically to the center line of the interstate highway.
- i. All distance for measurement of signs to each other or points along the main-traveled way measured along the center line of the main-traveled way vertical planes which are geometrically to and intersect the center line of the main-traveled way through the termini of the main-traveled way.
- j. A sign must not exceed 20 feet in height, or 150 square feet in area including supports.

SECTION E REQUIREMENTS

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d Operations, New Jersey State Highway

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ned in Section C and diagrammed for
cy limitations in Figure 2.

Class 3 and 4 signs may be erected within protected areas if consistent
with the following:

- a. Signs visible to interstate highway traffic approaching an inter-
section of the main-traveled way of an interstate highway and
an exit roadway must not exceed the following number:

Distance from Intersection	Number of Signs
0-2 miles	0
2-5 miles	6
More than 5 miles	Average of one sign per mile

- b. The specified distances must be measured to the nearest point
of the intersection of the exit roadways traveled way and the
main-traveled way of the interstate highway. See Figure 2.
- c. Not more than two such signs may be within any one mile of
distance (measured from any point), and no such signs may
be less than 1,000 feet apart.
- d. Such signs must not be located where any part of the right-of-
way width at that point includes an entrance or exit roadway.
- e. Within 1,000 feet beyond any entrance roadway, such signs
must not be visible to interstate highway traffic which is ap-
proaching or has passed that entrance roadway.
- f. Such signs will not be permitted in scenic areas.
- g. Signs advertising activities being conducted as a single enter-
prise or giving information about a single place shall be lim-
ited to one facing each direction of traffic on any one interstate
highway and each must be erected and maintained in such a
manner that its message is visible to traffic moving in any one
direction only.
- h. Distance from the edge of a right-of-way must be measured
horizontally along a line geometrically normal or perpendicular
to the center line of the interstate highway.
- i. All distance for measurement of location of signs in relationship
to each other or points along the interstate highway must be
measured along the center line of the highway between two
vertical planes which are geometrically normal or perpendicular
to and intersect the center line of the highway, and which pass
through the termini of the measured distance.
- j. A sign must not exceed 20 feet in length, width, or height, or
150 square feet in area including border and trim but excluding
supports.

- k. Signs must be consistent with all provisions of Section E, Standard Requirements, and must not be inconsistent with the national policy, an act, Title 23, United States Code, Section 131, and any laws of the State of New Jersey made and provided.

SECTION PERMIT PROV

1. **License, when required:** Any person using any roadside advertising structure for the maintenance of outdoor advertising objects must obtain a license from the Bureau, Division of Taxation, Department of New Jersey, Trenton.

2. **Permit, when required:** Any person using any roadside advertising structure as a Class 3 or 4 sign, see Section advertising matter in "Protected Area" the New Jersey State Highway Department.

3. **Application for Permit:** Application from the District Offices of the Division or from the principal offices of the Department, 1035 Parkway Avenue. Applications are to be forwarded to the Division over the area in which the advertising

4. **Permit Duration:** A permit shall be valid until the following March 31, unless renewed.

5. **Application Exceptions:** No application required for Class 1 (Official) or Class 2 (On-Premise) signs or markers. Upon written request to the Division, permission may be granted for the erection of signs or markers. The location must be described, but preferably beyond the limits of the Division of Maintenance and Operation. The design and size must meet the requirements of the Highway Department, or his authorized

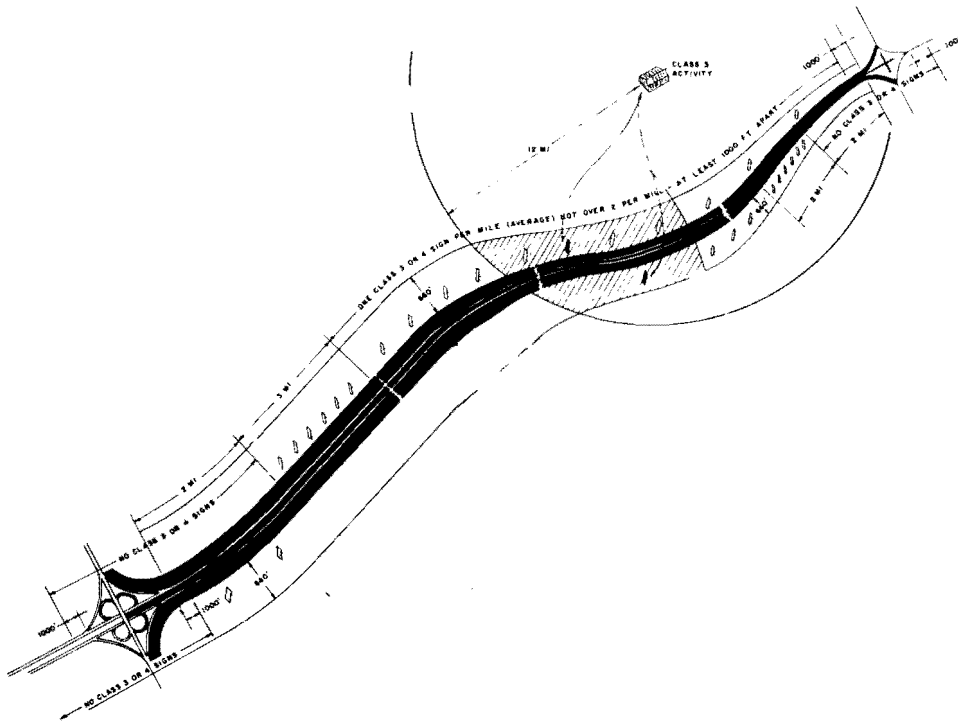


FIGURE 2

Controlled portion of an Interstate Highway, illustrating the general effect of the location, spacing, and frequency limitations for Class 3 and 4 signs.

1. License, when required: Any person engaged in the business of outdoor advertising or display for profit through the erection or the maintenance of outdoor advertising structures and other objects must obtain a license from the Outdoor Advertising Tax Bureau, Division of Taxation, Department of the Treasury, State of New Jersey, Trenton.

- 2. Permit, when required:** Any person before erecting, maintaining, or using any roadside advertising structure or other object (classified as a Class 3 or 4 sign, see Section C) for the display of roadside advertising matter in "Protected Areas," must obtain a permit from the New Jersey State Highway Department.
- 3. Application for Permit:** Application for a permit may be obtained from the District Offices of the Division of Maintenance and Operations or from the principal offices of the New Jersey State Highway Department, 1035 Parkway Avenue, Trenton. Completed applications are to be forwarded to the District Office having jurisdiction over the area in which the advertising sign is to be located.
- 4. Permit Duration:** A permit shall be in force from date issued to the following March 31, unless revoked.
- 5. Application Exceptions:** No application is required for Class 1 (Off-ficial) or Class 2 (On-Premise) signs, or historical monuments or markers. Upon written request to the proper District Office, permission may be granted for the erection of historical monuments or markers. The location must be adjacent to the historical point described, but preferably beyond the limits of the right-of-way. The design and size must meet the final approval of the Director, Division of Maintenance and Operations, State of New Jersey Highway Department, or his authorized representative.

FIGURE 2

Highway, illustrating the general effect of
 ay limitations for Class 3 and 4 signs.

SECTION G
DIVISION OF MAINTENANCE AND OPERATIONS
District Offices

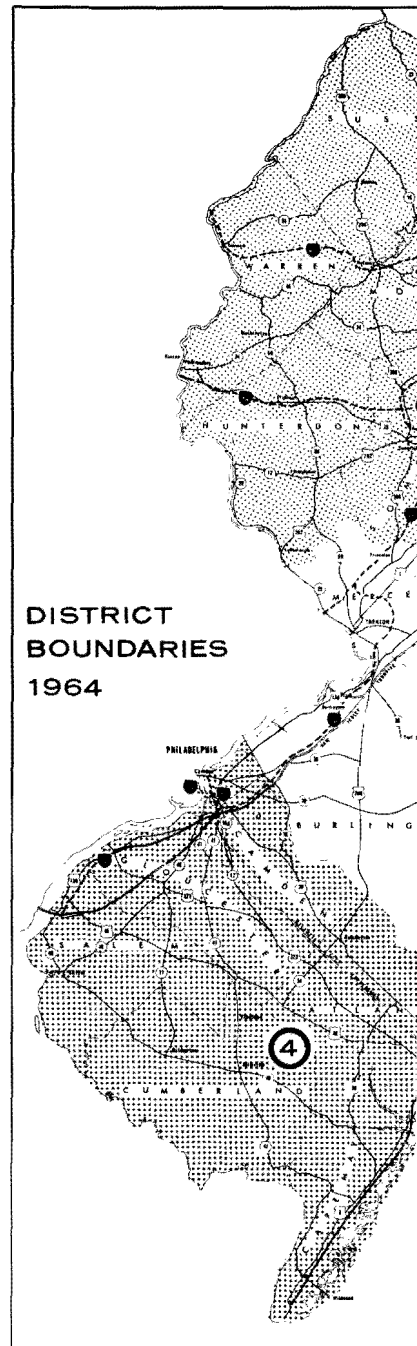
DISTRICT 1—New Jersey State Highway Department
Box 81
Netcong, New Jersey—Phone Number 347-4415

DISTRICT 2—New Jersey State Highway Department
Routes 1, and 21 and 22
Newark Junction
Newark, New Jersey—Phone Number 824-4500

DISTRICT 3—New Jersey State Highway Department
22 Throckmorton Street
Freehold, New Jersey—Zip Code 07728
Phone Number 462-9100

DISTRICT 4—New Jersey State Highway Department
Route 70 at New Jersey Turnpike
Cherry Hill, New Jersey—Zip Code 08034
Phone Number 428-6550

**DISTRICT
BOUNDARIES
1964**



**SECTION G
FINANCE AND OPERATIONS
District Offices**

Highway Department

Jersey—Phone Number 347-4415

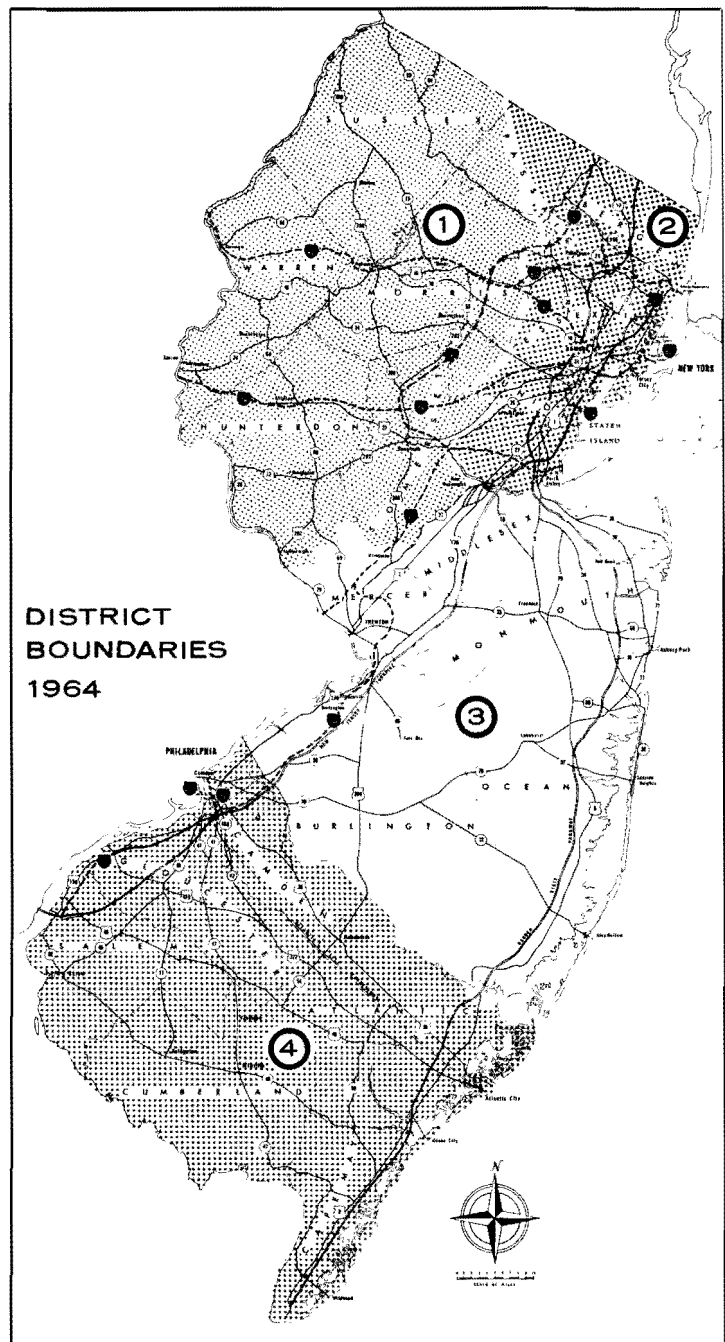
Highway Department
1 and 22

Jersey—Phone Number 824-4500

Highway Department
Street
Jersey—Zip Code 07728
62-9100

Highway Department
Jersey Turnpike
Jersey—Zip Code 08034
28-6550

SECTION H



SECTION I PERMIT FEES

1. Permit fees pertain to Class 3 and Class 4 signs (see Section C) only.
2. No fees are required for the erection of historical monuments or markers.
3. **Advertising Surface:** The advertising surface shall be the total surface area of a sign upon which advertising may be placed, including border and trim but excluding supports.
4. **Fees:** The fee for each sign permit will be based upon the size of the advertising surface area as follows:

Advertising Surface Area (in square feet)		Annual Fee	Interim Fee
Over	Not more than		
—	50	\$2.00	\$1.00
50	100	\$3.00	\$1.50
100	150	\$4.00	\$2.00

5. **Annual Fee:** An annual fee is required for a permit issued between April 1 and September 30 inclusive.
6. **Interim Fee:** An interim fee is required for a permit issued between October 1 and the following March 31 inclusive.
7. **Renewal Fee:** The renewal fee for a permit will be based on the annual rate and will be accepted under the same terms and conditions of the original application.
8. **Refunds:** No refund will be made after an application for a permit has been filed.

SECTION J RENEWAL OF PERMIT

1. **Renewal of Permit:** A permit may be renewed for the following year by application under the same terms and conditions of the original application and filed not later than March 15 preceding its expiration date.
2. **Application for the renewal of a permit:** Application will be subject to re-inspection of the location of the roadside advertising and will not be approved if altered from the original except for a change of permittee's address or for any other reason that the Department might consider rejection advisable.

3. **Failure to Renew:** A permittee who is required to remove the roadside sign must do so no later than the expiration date of the permit.

SECTION K REVOCATION

1. A permit will be revoked for any of the following reasons:
 - a. Whenever a license filed with the Department of Treasury, Division of Motor Vehicles, is suspended or annulled.
 - b. If a permittee is in violation of any of the provisions of the Act or any of these rules and regulations.
 - c. Whenever a structure is not in good condition or is altered at the location described in the permit.
 - d. For any conviction of a violation of the Act or any of these rules and regulations.
2. **Revocation of Permit Notice:** When a permit is revoked, the State Highway Commissioner will notify the permittee to correct the violation within fifteen days from the date of the notice.

SECTION L REMOVAL OF PERMIT

1. **Removal of Advertising Display:** After the expiration date or revocation thereof, the permittee must remove the structure or display.
2. **Notice to Remove:** The State Highway Commissioner will give written notice for removal of any sign in violation of the provisions of the Act or proper compliance within fifteen days of the date of the written notice.
3. **Removal of Roadside Advertising Display:** Should the premises be put to a different use, the permittee shall immediately so notify the Department of Transportation, Maintenance and Operations, New Jersey State Highway Department, and the sign must be removed within fifteen days of the date the State Highway Commissioner or his representative gives written notice to act in accordance with the law.

**SECTION I
PERMIT FEES**

Class 3 and Class 4 signs (see Section C)

the erection of historical monuments or

advertising surface shall be the total sur-
face on which advertising may be placed, including
the supporting structure.

Each permit will be based upon the size
of the area as follows:

Annual Fee	Interim Fee
\$2.00	\$1.00
\$3.00	\$1.50
\$4.00	\$2.00

is required for a permit issued between
January 1 and March 31 inclusive.

is required for a permit issued between
April 1 and March 31 inclusive.

fee for a permit will be based on the
display accepted under the same terms and condi-
tion.

made after an application for a permit

**SECTION J
RENEWAL OF PERMIT**

it may be renewed for the following
on the same terms and conditions of the
permit, not later than March 15 preceding its

Renewal of a permit: Application will be subject
to the provisions of the roadside advertising and will
be issued on the original except for a change
in any other reason that the Department
deems advisable.

3. **Failure to Renew:** A permittee who fails to renew a permit will be required to remove the roadside sign or advertising or both not later than the expiration date of the permit.

**SECTION K
REVOCATIONS**

1. A permit will be revoked for any of the following reasons:
 - a. Whenever a license filed with the Outdoor Advertising Tax Bureau, Department of Treasury, is invalid.
 - b. If a permittee is in violation of the requirements of the permit.
 - c. Whenever a structure is not maintained in a safe, sound and good condition or is altered appreciably in either the size or the location described in the permit application.
 - d. For any conviction of a violation of the Roadside Advertising Act or any of these rules and regulations.
2. **Revocation of Permit Notice:** Whenever a violation has occurred, the State Highway Commissioner or his authorized representative will notify the permittee to correct such violation within 15 days from the date of the notice.

**SECTION L
REMOVAL PROVISIONS**

1. **Removal of Advertising Display:** After the expiration date of a permit or revocation thereof, the permittee will be required to remove such structure or display.
2. **Notice to Remove:** The State Highway Department will take action for removal of any sign in violation if this sign is not brought into proper compliance within fifteen days after the Department's written notice.
3. **Removal of Roadside Advertising Due to Change in Use of Premises:** Should the premises be put to a different use of advertised activity, the permittee shall immediately so notify the Director, Division of Maintenance and Operations, New Jersey State Highway Department and the sign must be removed within 30 days thereafter or the State Highway Commissioner or his authorized representative will act in accordance with the law.

SECTION M

PENALTIES

1. Whoever erects any roadside sign in violation of the provisions or Chapter 93, New Jersey Laws of 1963, or these rules and regulations, as set forth, will after conviction, be liable to a penalty of not less than \$50.00, nor more than \$500.00 for each instance of violation and in default of the payment of such penalty will be imprisoned for a period not to exceed 30 days.
2. Should any part of these rules and regulations be held to be in violation of the laws made and provided, only that part which is invalid will be removed and the remaining rules and regulations will continue in full force and effect.

BUREAU OF PUBLIC INFORMATION

NEW JERSEY STATE HIGHWAY DEPARTMENT

1035 Parkway Avenue — Trenton 25, New Jersey