

# Digital Billboard Permit Application Guidelines

On January 30, 2014, Michigan's Highway Advertising Act (HAA), MCL 252.301 *et seq.*, was amended by 2014 PA 2. Among other changes, the amended law now requires additional permits for digital signs. Because the law requires a new digital application, for existing digital signs as well as signs that may be converted to digital signs, the Michigan Department of Transportation (MDOT) has prepared the following guidelines to offer guidance to sign owners to apply for digital permits.

These guidelines are intended to explain the amended law, but the statutory provisions themselves are what sign owners must comply with. Applicants should consult the language of the law with concerns about the digital permitting process.

Under the new law all existing digital signs and proposed digital signs must have digital permits. MCL 252.306. Until MDOT's online system, the Internet Highway Advertising Program (IHAP), is capable of handling online digital permit applications, a temporary application process has been put in place, and is described below. When the IHAP program is fully capable of receiving applications for digital permits, MDOT will post a second advisory to sign owners on MDOT's website.

## Digital Application Process

The following information is intended to guide applicants through the new digital permitting process.

1. Digital Billboard application packets will be available to sign owners at the following website: [http://michigan.gov/mdot/0,1607,7-151-9623\\_26662\\_26679\\_27267\\_48606-182170--,00.html](http://michigan.gov/mdot/0,1607,7-151-9623_26662_26679_27267_48606-182170--,00.html). It is the sign owner's responsibility to complete the application, which must include:
  - Digital Billboard Application:
    - Existing Non Standard Static Conversion to Digital; Existing Non Standard Digital; or Existing Digital (Form 2223-D), OR
    - New Construction (Form 2223-ND) and Commercial Billboard Application (Form 2223).
  - Copy of the issued Building or Construction Permit from the local municipality
  - Most current zoning map showing the location of the proposed or existing billboard
  - Photo of the existing sign (does not apply when submitting forms 2223-ND and 2223, together, for new construction)
  - *Additional requirements as described below, Digital Sign Types*

All completed Digital Billboard Application packets may be submitted to the Michigan Department of Transportation (MDOT) either by facsimile (517-373-2209) or by email to [staffeldm@michigan.gov](mailto:staffeldm@michigan.gov), and [stambaughk@michigan.gov](mailto:stambaughk@michigan.gov). PLEASE NOTE: Once MDOT's IHAP system is capable of accepting digital permit applications online, MDOT will no longer accept applications via email or facsimile. MDOT will notify sign owners when the IHAP system becomes a requirement.

The date and time stamp on the facsimile or e-mail will be the date MDOT utilizes as the submitted date. Completed application packets will be processed according to the date and time stamp. Incomplete applications will be returned to the applicant in the manner it had been received with an explanation.

2. MDOT will review and either approve or deny each complete application. If an application is approved, MDOT will notify the applicant of preliminary approval pending receipt of necessary application fees. If an application is denied, MDOT will provide basis for the denial in the manner the application was received. After MDOT issues preliminary approval, the applicant must mail application fees to the following address, postmarked within 14 days:  
Michigan Department of Transportation  
Attention: Cashier  
425 W. Ottawa Street  
Lansing, Michigan 48933

If the application fee(s) is not received within that time frame, the application packet will be denied.

3. Within 90 days after application fees are received, MDOT will email the applicant an issued digital permit.

## Digital Sign Types

The amended HAA identifies several categories of digital signs, which applicants must identify on their applications. The specific application requirements for each type of sign are described below:

### **EXISTING LEGAL CONFORMING DIGITALS SIGNS - MCL 252.306(4)**

**For a legal conforming digital billboard (that is not a non-standard sign), erected prior to January 30, 2014:**

- A Digital Billboard Permit Application, (Form 2223-D) may be submitted any time before May 1, 2014
- If MDOT receives a digital permit application for a legal conforming digital sign before May 1, 2014, the spacing requirements of MCL 252.317(3), requiring 1,750 feet between permitted digital signs, will not apply.
- No interim permits need to be surrendered.

### **UNCONSTRUCTED SIGNS - MCL 252.306(5)**

**When an applicant possesses a “MDOT location approval” to construct a digital billboard at a specific location issued before January 30, 2014:**

- A Digital Billboard Permit Application, (Form 2223-D) shall be submitted.
- If MDOT receives a digital permit application for a legal conforming digital sign before May 1, 2014, the spacing requirements of MCL 252.317(3), requiring 1,750 feet between permitted digital signs, will not apply.
- The digital billboard permit, along with the location approval, shall be cancelled one year after the date of permit issuance, unless the digital sign is erected.
- No interim permits need to be surrendered.

### **NONSTANDARD STATIC (TO BE CONVERTED) - MCL 252.306(6)**

**For a billboard legally erected prior to March 23, 1999, (not a non-conforming sign per MCL 252.302(w)), that does not comply with the 500 foot minimum spacing requirement on non-freeways, or that does not comply with the 1,000 foot minimum spacing requirement on freeways, but otherwise complies with P.A. 106 of 1972:**

- A Digital Billboard Permit Application, (Form 2223-D) shall be submitted.
- The existing nonstandard sign must be 1,750 feet away (on either side of the highway facing the same direction of oncoming traffic) from any sign utilizing a digital billboard permit. See MCL 252.317(3).
- Pursuant to MCL 252.306(6)(a), for existing nonstandard signs, three (3) interim permits shall be surrendered to obtain one (1) digital billboard permit.
- For sign locations within counties with populations over 750,000, when applications are received after January 31, 2014, the following exception applies:
  - billboard owners can apply for a digital billboard permit, without surrendering any interim permits, for the first eight (8) nonstandard digital billboards owned, that are spaced a minimum of 1,000 feet from any other permitted digital billboard location. Owners must apply by February 2, 2015 to take advantage of this provision. After February 2, 2015, applicants must comply with MCL 252.306(6)(a) and MCL 252.317(3).

**EXISTING NONSTANDARD DIGITAL SIGN – MCL 252.306(4)**

For a billboard legally erected prior to March 23, 1999, (not a non-conforming sign per MCL 252.302(w)), that has a digital sign face as of the effective date of 2014 PA 2, that does not comply with the 500 foot minimum spacing requirement on non-freeways, or that does not comply with the 1,000 foot minimum spacing requirement on freeways, but otherwise complies with P.A. 106 of 1972:

- A Digital Billboard Permit Application, (Form 2223-D) may be submitted any time before May 1, 2014.
- If MDOT receives a digital permit application for an existing nonstandard digital sign before May 1, 2014, the spacing requirements of MCL 252.317(3), requiring 1,750 feet between permitted digital signs, will not apply.
- No interim permits need to be surrendered.

**NEW DIGITAL SIGN (NO EXISTING DIGITAL SIGN AND/OR NO EXISTING SIGN) - MCL 252.306(1) and MCL 252.306(3)**

For a new digital sign, applied for after January 30, 2014:

- A Digital Billboard Permit Application, (Form 2223-ND)
- A Commercial Billboard Permit Application (if no sign exists) (Form 2223)
- No interim permits need to be surrendered for Digital Billboard Permit Application
- The Commercial Billboard Permit Application (Form 2223) needs to comply with MCL 252.307a
- The minimum 1,750 foot spacing requirement, between permitted digital billboards, shall apply MCL 252.317(3)

**COMMERCIAL BILLBOARD PERMIT APPLICATION**  
**STATIC, DIGITAL, & TRI-VISION**  
**APPLICATION TO ERECT MAINTAIN A COMMERCIAL SIGN ADJACENT TO STATE**  
**TRUNKLINE**

*This information is required by authority of P.A. 106 of 1972 in order to obtain a permit.*

*Pursuant to P.A. 561 of 2002, all permit fees are **non** refundable*

*Sign to be constructed one year from the date of issuance. If not constructed approval will be rescinded*

IHAP Application No. \_\_\_\_\_

**APPLICANT DATA**

SIGN OWNER			LAND OWNER		
MAILING ADDRESS			MAILING ADDRESS		
CITY	STATE	ZIP CODE	CITY	STATE	ZIP CODE
TELEPHONE NO.			TELEPHONE NO.		
EMAIL ADDRESS			EMAIL ADDRESS		

1. INTERIM PERMIT NUMBER: \_\_\_\_\_

2. LOCATION: State Hwy. No. \_\_\_\_\_ Side of Road \_\_\_\_\_ (N, S, E, W); \_\_\_\_\_ feet back from the pavement or fence.

Nearest crossroad or overpass: \_\_\_\_\_.

The sign will be \_\_\_\_\_ feet (or fraction of a mile) \_\_\_\_\_ (N, S, E, W) of that Crossroad. If Rural, Town \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_

The sign location will be in the political jurisdiction of \_\_\_\_\_ (City/Village/Township), in \_\_\_\_\_ County.

If visible from second highway, please list that State Highway Number: \_\_\_\_\_ Direction of Travel \_\_\_\_\_ (NB, SB, EB, WB)

3. ZONED: \_\_\_\_\_, according to the zoning ordinance of the above municipality or county (**Include most current zoning map with application**).

*If within 1 mile of the local municipality complete a.; or beyond 1 mile of the local municipality, or unzoned complete b:*

a. The location is within one mile of \_\_\_\_\_, an **incorporated** municipality.

b. The location is within 800 feet of a **structure devoted to commercial or industrial purposes**, on the same side of the road, which is \_\_\_\_\_.

4. SPACING:

☐ a. The sign will be more than 500 feet from the nearest off-premises sign or sign permit on the same side of the road (non-freeway).

☐ b. The sign will be more than 1,000 feet from the nearest off-premises sign or sign permit on the same side of the road (freeway).

☐ c. The sign is located at least 500 feet from any interchange, intersection at grade or rest area along an interstate highway or freeway and is not inside an incorporated municipality.

☐ d. The digital sign will be at least 1,750 feet from other permitted digital signs facing the same direction of oncoming traffic on either side of the highway.

5. ILLUMINATION (*lights shining on sign face*): ☐ Yes ☐ No

6. MESSAGE DISPLAY: ☐ Static ☐ Tri Vision ☐ Digital ☐ Business Owned and Operated\*

**\*For business Owned and Operated signs (product, service, attraction, destination or retail business), provide evidence that applicant owns and operates what will be displayed.**

7. SIZE OF SIGN INCLUDING BORDER AND TRIM: Width \_\_\_\_\_ ft. x Height \_\_\_\_\_ ft. = \_\_\_\_\_ sq. ft.  
**New construction of a Business owned and operated sign cannot exceed 150 square feet (MCL 252.307a(15))**

8. SIGN CONFIGURATION:

☐ 1 Panel

☐ 2-Panel back to back

☐ 2-Panel V-shape

CERTIFICATION: I affirm, under penalty of law, that the information given in this application is accurate and correct and that the sign or sign structure complies with P.A. 106 of 1972, as amended. I hereby certify that I have secured the necessary authorization or permission from those who have an interest in the sign location to erect and maintain the sign described in this application. I have read, I accept and I will comply with all permit conditions.

SIGN OWNER OR AUTHORIZED AGENT – SIGNATURE	DATE
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