

BEFORE THE TRANSPORTATION COMMISSION  
OF THE STATE OF MONTANA

In the matter of the amendment of       ) NOTICE OF PUBLIC HEARING ON  
ARM 18.6.246 pertaining to Political     ) PROPOSED AMENDMENT  
Signs   )

TO: All Concerned Persons

1. On April 1, 2024, at 10:00 a.m., the Transportation Commission will hold a public hearing, with the option to join via remote conferencing, in the Transportation Commission meeting room, Room 200 of the Department of Transportation building, 2701 Prospect Avenue, Helena, Montana, to consider the proposed amendment of the above-stated rule.

Please use the following link to join by Teams

[Click here to join the meeting](#)

Meeting ID: 243 542 017 698

Passcode: GJxLHe

[Join on the web](#)

Join with a video conferencing device

[291818717@t.plcm.vc](https://291818717@t.plcm.vc)

Video Conference ID: 113 179 063 0

Or call in (audio only)

[+1 406-318-5487](tel:+14063185487), 155368341# United States, Billings

Phone Conference ID: 155 368 341#

2. The Department of Transportation will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Department of Transportation no later than 5:00 p.m., March 29, 2024, to advise us of the nature of the accommodation that you need. Please contact Aliselina Strong, Department of Transportation, P.O. Box 201001, Helena, Montana; telephone (406) 444-9415; TTY Service (800) 335-7592 or through the Montana Relay Service at 711; or e-mail [astrong@mt.gov](mailto:astrong@mt.gov).

3. The rule as proposed to be amended provides as follows, new matter underlined, deleted matter interlined:

18.6.246 POLITICAL SIGNS (1) remains the same.

(2) Political signs must not:

~~(a)~~ be placed on or allow any portion to intrude in the public right-of-way or on public property; ~~and~~

~~(b) be placed within 100 feet of any entrance to the building in which a polling place is located.~~

(3) remains the same.

~~(4) Political signs must be removed within 14 days following the applicable election. The department shall notify the landowner of illegal signs which are not removed within 14 days. The signs shall be removed by the department 24 hours after notification to the landowner. The department shall retain removed political signs for five working days after notification of removal before their destruction. The sign owner may retrieve the signs during this period.~~

(5) and (6) remain the same but are renumbered (4) and (5).

AUTH: 75-15-121, MCA

IMP: 75-15-111, MCA

REASON: The rule amendment is necessary to delineate the department's ability to ensure that the placement of political signs does not adversely impact the safety of the traveling public. However, the regulation of electioneering activities, including political signs, is within the purview of the Commissioner of Political Practices.

4. Concerned persons may submit their data, views, or arguments concerning the proposed action in writing to: Aliselina Strong, Department of Transportation, P.O. Box 201001, Helena, Montana; telephone (406) 444-9415; TTY Service (800) 335-7592 or through the Montana Relay Service at 711; or e-mail [astrong@mt.gov](mailto:astrong@mt.gov), and must be received no later than 5:00 p.m., April 5, 2024.

5. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Written requests may be mailed or delivered to the contact person in paragraph 4 or may be made by completing a request form at any rules hearing held by the department.

6. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sosmt.gov/ARM/Register>.

7. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

8. The special notice requirements of 2-4-303, MCA, have been fulfilled. On February 27, 2024, written contact with Transportation Interim Committee staff members was made by email.

9. With regard to the requirements of 2-4-111, MCA, the department has determined that the amendment of the above-referenced rule will not significantly and directly impact small businesses.

10. With regard to the requirements of 2-15-142, MCA, the department has determined that the amendment of the above-referenced rule will not have direct tribal implications.

/s/ Valerie A. Balukas  
Valerie A. Balukas  
Rule Reviewer

/s/ Loran Frazier  
Loran Frazier  
Chair  
Transportation Commission

Certified to the Secretary of State February 27, 2024.