



## WHY IS THE USE OF THE PUBLIC RIGHT OF WAY REGULATED?

Regulation of activities occurring within the right of way is necessary to help prevent:

- Distractions to motorists
- Unsafe pedestrian movement within travel lanes
- Sudden stoppage or slowdown of traffic
- Rapid lane changing and other dangerous traffic movements
- Increased vehicular accidents
- Motorist and pedestrian injuries and fatalities

## WHAT IS THE RIGHT OF WAY AND HOW DO I KNOW WHERE IT IS?

The right of way for a road or other transportation facility is the paved area of the road, the road shoulders, sidewalks, swales, and all the other property adjacent to the road owned by the government for the construction and operation of the road or other facility. It may extend far beyond the paved road surface and may or may not be mowed or fenced.

Maps showing the location of the right of way for state roads are available from the Florida Department of Transportation. Maps for local streets and roads are available from the appropriate county or city offices.

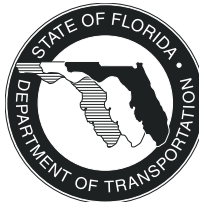


The Florida Highway Patrol, the Florida Department of Transportation, and local law enforcement agencies monitor the use of the public rights of way and may issue citations when unauthorized uses are found.

Each offense may result in a fine of up to \$500 or imprisonment of up to 60 days or both. Local ordinances may impose additional fines.

Each day an unauthorized use continues is a separate offense.

If you have questions or would like to report illegal use of the right of way, please call the FDOT State Maintenance Office at (850) 410-5757.



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GUIDELINES

FOR THE  
USE OF  
FLORIDA  
TRANSPORTATION  
RIGHTS OF WAY

GUIDELINES

—●—

*Unauthorized  
use of  
the public  
right of way is  
prohibited by  
Florida law.  
Illegal use of  
the right of way  
is a crime.  
Each day a  
violation  
continues is a  
separate offense.*

Section 337.406,  
Florida Statutes

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### PROHIBITED USES OF THE RIGHTS OF WAY

Any use which interferes with the  
safety and efficiency of the road.

—●—  
Display of advertising of any sort.

—●—  
Solicitation, including for  
charitable purposes.

—●—  
Sale, display, or free distribution  
of any merchandise, goods,  
property or services.

—●—  
Storage, servicing or non-emergency  
repairing of vehicles.



### USES OF THE RIGHTS OF WAY THAT MAY BE ALLOWED BY PERMIT

**Note:** None of these uses are allowed  
on Interstate Highways.

#### **Art festivals, parades, fairs, or other special events.**

These may be allowed with a permit from the appropriate county or city government. Road closure by the county or city government requires FDOT approval. Temporary banners or similar devices may be allowed upon approval by local government and FDOT.

#### **Temporary uses allowed by cities.**

Cities may issue permits within their limits to allow uses which are ordinarily prohibited if the use is of limited duration, will not interfere with the safe and efficient movement of traffic and will cause no danger to the public.

#### **Sales from vehicles standing on the right of way to occupants of abutting properties.**

Such sales are permitted by persons holding valid peddlers' licenses issued by a county or city.

#### **Solicitation for non-profit organizations.**

Permits for solicitation for non-profit organizations may be issued by local governments.