

Department of Legislative Services

Maryland General Assembly

2002 Session

FISCAL NOTE

House Bill 1079

(Delegates Dembrow and La Vay)

Judiciary

**Highways - Display of Unauthorized Signs, Signals, Markings, or Devices -
Enforcement**

This bill establishes that certain signs, signals, markings, or devices on or in view of any highway that are currently prohibited as public nuisances are also a private nuisance. It also establishes a rebuttable presumption that an outdoor sign, signal, marking, or device erected in violation of certain advertising laws was erected by the person being advertised.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenue to the extent that the bill facilitates enforcement of certain outdoor advertising laws. The maximum fine for violations under Maryland Vehicle Law is \$500.

Local Effect: None. The bill's requirements could be handled with existing resources.

Small Business Effect: None.

Analysis

Current Law: A person may not place, maintain, or display on or in view of any highway any unauthorized sign, signal, marking, or device that:

- purports to be, is an imitation of, or resembles a traffic control device or a railroad sign or signal;
- attempts to direct the movement of traffic;

- hides or interferes with the effectiveness of a traffic control device or a railroad sign or signal; or
- contains any of the following words: “stop,” “curve,” “warning,” “slow,” “danger,” “listen,” “look,” or “school;” or any other word used in directing the movement of traffic.

A person may not place or maintain on any highway nor may any public authority permit on any highway any traffic sign or signal that has any commercial advertising on it. Each prohibited sign, signal, marking, or device is a public nuisance, and the authority that has jurisdiction over the highway may remove it without notice. Any person who violates provisions related to outdoor advertising signs is subject to a fine not exceeding \$500 under Maryland Vehicle Law. The prepay penalty for violating these provisions is \$120.

Local Fiscal Effect: Allegany, Prince George’s, and Montgomery counties and Baltimore City advise that the bill would have minimal or no impact on their jurisdictions.

Additional Information

Prior Introductions: A bill was introduced last year as HB 847 that would have established a rebuttable presumption that an outdoor sign erected in violation of any outdoor advertising law was done so by the person being advertised by the sign. Unlike the current bill, it would also have imposed a civil penalty for violations of outdoor advertising laws unless the person had been convicted of a misdemeanor. The Judiciary Committee gave it an unfavorable report.

Cross File: None.

Information Source(s): Allegany County, Montgomery County, Prince George’s County, Department of Transportation, Department of Legislative Services

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