

HOUSE BILL 6

G1

11r0470

(PRE-FILED)

By: **Delegate V. Turner**

Requested: October 22, 2010

Introduced and read first time: January 12, 2011

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Elections – Political Outdoor Signs – Removal and Destruction**

3 FOR the purpose of altering the number of days after an election within which an
4 outdoor sign that advertises a candidate or the support or defeat of a proposition
5 must be removed; authorizing the government of a county or municipality to
6 remove and destroy certain political outdoor signs that are not removed within
7 a certain time period; authorizing the government of a county or municipality to
8 charge certain individuals for the cost of removing and destroying certain
9 political outdoor signs; and generally relating to the removal and destruction of
10 political outdoor signs.

11 BY repealing and reenacting, with amendments,
12 Article – Transportation
13 Section 8–714
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2010 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Transportation**

19 8–714.

20 (a) Whether or not the person must be licensed under Part II of this subtitle,
21 a person may not erect or maintain any outdoor sign outside the limits of any
22 municipal corporation and within 500 feet of a State highway, unless the person has a
23 permit issued by the Administration for that sign.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) A permit is not required under this section to erect or maintain any
2 outdoor sign:

3 (1) That is used only to advertise the sale or lease of the property on
4 which it is located;

5 (2) That is on or within 100 feet of any building or the entrance to any
6 building in which the business advertised is carried on;

7 (3) That is used only to advertise:

8 (i) A Maryland historic shrine or institution; or

9 (ii) A county or church fair held in this State;

10 (4) That advertises a candidate or the support or defeat of any
11 proposition. This sign:

12 (i) Shall comply with all provisions of the Election Law Article;

13 (ii) Shall comply with public safety requirements as set forth in
14 § 8-716 of this subtitle;

15 (iii) Shall conform to all local restrictions and zoning
16 requirements which are more restrictive than this section, including any applicable
17 time limitations. In the absence of an applicable time limitation, the sign:

18 1. May not be erected more than 45 days prior to the
19 election; and

20 2. Shall be removed within [15] 5 days after the general
21 election, or within [15] 5 days after the primary election if the candidate is not a
22 candidate in the general election; and

23 (iv) Shall conform to the restrictions and requirements of Parts
24 IV and V of this subtitle; or

25 (5) That is only a temporary outdoor sign that advertises the sale in
26 season of fresh produce on property that adjoins a State highway by a person who has
27 grown the fresh produce and who owns, rents, or has permission to sell on the
28 property. This sign:

29 (i) Shall comply with public safety requirements as set forth in
30 § 8-716 of this subtitle;

1 (ii) Shall conform to all local restrictions and zoning
2 requirements that are more restrictive than this section, including any applicable time
3 limitation;

4 (iii) Shall conform to the restrictions and requirements of Parts
5 IV and V of this subtitle; and

6 (iv) Shall be removed or covered when produce is no longer for
7 sale.

8 (C) IF AN OUTDOOR SIGN THAT ADVERTISES A CANDIDATE OR THE
9 SUPPORT OR DEFEAT OF ANY PROPOSITION IS NOT REMOVED AS REQUIRED
10 UNDER SUBSECTION (B)(4)(III) OF THIS SECTION, THE GOVERNMENT OF THE
11 COUNTY OR MUNICIPALITY IN WHICH THE SIGN IS LOCATED MAY:

12 (1) REMOVE AND DESTROY THE SIGN; AND

13 (2) CHARGE THE CANDIDATE OR THE CHAIR OF THE POLITICAL
14 COMMITTEE THAT ERECTED THE SIGN FOR THE COST OF REMOVING AND
15 DESTROYING THE SIGN.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2011.