

**Department of Legislative Services**  
Maryland General Assembly  
2024 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

Senate Bill 1166

(Senator Folden)

Judicial Proceedings

Rules and Executive Nominations

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**Frederick County - Scenic Byways - Signs**

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This bill authorizes the State Highway Administration (SHA), in conformance with federal law, to issue a permit for an outdoor sign along or near a scenic byway located on a federal-aid primarily highway in Frederick County if the sign (1) was erected on or before January 1, 2008 or (2) is a directional sign for a facility that sells principally local agricultural or aquacultural products and is located within a five-mile radius of the sign. Any such sign must be erected and maintained in a manner that is safe and does not detract from the scenic or cultural character of the scenic byway along which the sign is located.

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**Fiscal Summary**

**State Effect:** Transportation Trust Fund (TTF) expenditures increase, likely minimally, for SHA to issue additional permits, as discussed below. TTF revenues are not materially affected, as discussed below.

**Local Effect:** The bill does not directly affect local government operations or finances.

**Small Business Effect:** Minimal overall, but potential meaningful impact for any small business in Frederick County that can advertise more effectively as a result of the bill.

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**Analysis**

**Current Law:** SHA is responsible for more than 5,200 miles or approximately 16,800 lane miles of road, 2,500 bridges, 3,500 small stream crossing structures, and 80 miles of sound/noise barriers in the State. It also has responsibility for planning, designing, constructing, and maintaining these roads and bridges to safety and performance standards while considering sociological, ecological, and economic concerns. SHA must

construct, reconstruct, and repair State highways as necessary and maintain them in good condition.

A person may not erect or maintain any outdoor sign along or near any federal aid primary highway unless the person has been issued a permit to do so by SHA. SHA may not issue a permit for any outdoor sign along or near any federal-aid primary highway if the sign:

- imitates or resembles any official traffic sign, signal, or device;
- is erected or maintained on any tree or painted or drawn on any rock or other natural features;
- is erected or maintained in a way that (1) obscures or otherwise interferes with the effectiveness of any official traffic sign, signal, or device or (2) obstructs or interferes with a driver's view of approaching, merging, or intersecting traffic;
- is located within 250 feet of any public park, public forest, playground, or cemetery that is adjacent to a federal-aid primary highway; or
- is along or near a scenic byway located on the federal-aid primary highway.

In Calvert and St. Mary's counties, SHA may, in conformance with federal law, issue a permit for an outdoor sign along or near a scenic byway located on a federal-aid primary highway if the sign (1) was erected on or before January 1, 2008, or (2) is a directional sign for a facility that sells principally local agricultural or aquacultural products and is located within a five-mile radius of the sign. Any such sign must be erected and maintained in a manner that is safe and does not detract from the scenic or cultural character of the scenic byway along which the sign is located.

**State Fiscal Effect:** To obtain a sign permit through SHA's [Statewide Outdoor Advertising Control Program](#), an applicant must submit a [sign tag permit application](#) to SHA that includes, among other things, a detailed site plan showing all property lines, the distance from the State's right of way, and the location of the sign on the property. SHA then reviews the application over a period of approximately two weeks.

Under the bill, SHA anticipates additional applications for sign permits in Frederick County, resulting in an increase in workload – and TTF expenditures – as SHA reviews applications and conducts related inspections. A reliable estimate of any increase in TTF expenditures cannot be made at this time, as it depends on the number of additional permit applications submitted to SHA under the bill, which is unknown. However, the bill is not anticipated to have a significant impact on TTF expenditures.

TTF revenues are not materially affected; the current annual fee per sign is \$1 for each advertising face.

## **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - March 21, 2024  
rh/lgc Third Reader - April 8, 2024

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