
By: Delegate Fry

Introduced and read first time: February 2, 1996

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 Transportation - Highways - Outdoor Signs - Temporary Directional Signs

3 FOR the purpose of providing an exemption for a "temporary directional sign" from the
4 requirement that a certain permit be obtained from the State Highway
5 Administration that otherwise is required to erect or maintain an outdoor sign on
6 certain highways; defining a certain term; and generally relating to the exemption of
7 temporary directional signs from certain permit requirements of the State Highway
8 Administration.

9 BY repealing and reenacting, with amendments,
10 Article - Transportation
11 Section 8-701 and 8-714
12 Annotated Code of Maryland
13 (1993 Replacement Volume and 1995 Supplement)

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

16 **Article - Transportation**

17 8-701.

18 (a) In this subtitle the following words have the meanings indicated.

19 (b) (1) "Erect" means, except as provided in paragraph (2) of this subsection, to
20 construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other
21 way bring into being or establish.

22 (2) "Erect" does not include any of the activities described in paragraph (1)
23 of this subsection when performed only as an incident to a change of advertising message
24 or the customary maintenance or repair of an outdoor sign or outdoor sign structure.

25 (c) (1) "Main traveled way" means:

26 (i) That part of a roadway that is used for the movement of vehicles
27 and on which through traffic is carried; and

2

1 (ii) In the case of a divided highway, that part of each of the separated
2 roadways that is used for the movement of vehicles and on which throughtraffic is carried
3 in opposite directions.

4 (2) "Main traveled way" does not include:

5 (i) Shoulders; or

6 (ii) Frontage roads, turning roadways, parking areas, or similar
7 facilities.

8 (d) "On premise outdoor sign" means any outdoor sign that, regardless of content,
9 is designed, intended, or used to advertise or inform the traveling public of:

10 (1) The sale or lease of the property on which it is located;

11 (2) The sale or lease of a product grown, produced, or manufactured on the
12 property on which it is located; or

13 (3) The name of the owner, agent, assignee, or lessee of the property on
14 which it is located.

15 (e) "Outdoor sign" means any outdoor sign, display, light, structure, figure,
16 painting, drawing, message, plaque, placard, poster, billboard, device, or other thing that
17 is designed, intended, or used to advertise or inform the traveling public.

18 (F) "TEMPORARY DIRECTIONAL SIGN" MEANS A SIGN THAT:

19 (1) DOES NOT EXCEED FOUR SQUARE FEET IN SIZE;

20 (2) CONTAINS THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE
21 PERSON RESPONSIBLE FOR THE SIGN;

22 (3) MAY BE USED ONLY BETWEEN THE HOURS OF 5:00 P.M. ON FRIDAY
23 THROUGH 8:00 A.M. ON THE FOLLOWING MONDAY, UNLESS MONDAY IS A LEGAL
24 HOLIDAY, IN WHICH CASE, UNTIL 8:00 A.M. ON THE FOLLOWING TUESDAY; AND

25 (4) DIRECTS THE PUBLIC TO THE LOCATION OF PERSONAL OR REAL
26 PROPERTY FOR SALE OR LEASE.

27 [(f)] (G) "Visible" means capable of being seen, whether or not legible, without
28 visual aid by a person of normal eyesight.

29 8-714.

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

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

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

3

1 (2) THAT IS A TEMPORARY DIRECTIONAL SIGN;

2 [(2)] (3) That is on or within 100 feet of any building or the entrance to any
3 building in which the business advertised is carried on;

4 [(3)] (4) That is used only to advertise:

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

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

7 [(4)] (5) That advertises a candidate or the support or defeat of any
8 proposition. This sign:

9 (i) Shall comply with all provisions of Article 33 of this Code;

10 (ii) Shall comply with public safety requirements as set forth in § 8-716
11 of this article;

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

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

17 2. Shall be removed within 15 days after the general election, or
18 within 15 days after the primary election if the candidate is not a candidate in the general
19 election; and

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

22 [(5)] (6) That is only a temporary outdoor sign that advertises the sale in
23 season of fresh produce on property that adjoins a State highway by a person who has
24 grown the fresh produce and who owns, rents, or has permission to sell on the property.
25 This sign:

26 (i) Shall comply with public safety requirements as set forth in § 8-716
27 of this article;

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

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

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

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 1996.