

SENATE BILL 193

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1998 Regular Session
8r0647

By: **Senators Haines and Ferguson**
Introduced and read first time: January 28, 1998
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Highways - Placement of Signs**

3 FOR the purpose of providing that a permit issued by the State Highway
4 Administration is not required for the placement of an outdoor sign advertising
5 a church or other place of worship, a civic or fraternal organization, or a political
6 subdivision of the State; providing that a permit is not required for placement of
7 a sign that directs motorists to a farm or other location where farmers offer for
8 sale produce and other goods derived from their farming operations; requiring a
9 farm-related directional sign authorized under this Act to meet certain
10 requirements and restrictions; clarifying that an exemption from certain
11 provisions of law that regulate the placement of signs adjacent to highways
12 applies to the placement of signs for which a permit from the State Highway
13 Administration is not required; clarifying language; making stylistic changes;
14 and generally relating to the placement of signs along highways.

15 BY repealing and reenacting, with amendments,
16 Article - Transportation
17 Section 8-714
18 Annotated Code of Maryland
19 (1993 Replacement Volume and 1997 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article - Transportation
22 Section 21-205
23 Annotated Code of Maryland
24 (1992 Replacement Volume and 1997 Supplement)

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

1 **Article - Transportation**

2 8-714.

3 (a) Whether or not the person must be licensed under Part II of this subtitle,
4 AND SUBJECT TO SUBSECTION (B) OF THIS SECTION, a person may not erect or
5 maintain any outdoor sign outside the limits of any municipal corporation and within
6 500 feet of a State highway, unless the person has a permit issued by the
7 Administration for that sign.

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

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

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

14 (3) That is used only to advertise:

15 (i) A Maryland historic shrine or institution; [or]

16 (ii) A county or church fair held in [this] THE State;

17 (III) A CHURCH OR OTHER PLACE OF RELIGIOUS WORSHIP;

18 (IV) A CIVIC OR FRATERNAL ORGANIZATION; OR

19 (V) A POLITICAL SUBDIVISION OF THE STATE, INCLUDING PUBLIC
20 ACTIVITIES AND POINTS OF INTEREST WITHIN THE POLITICAL SUBDIVISION;

21 (4) That advertises a candidate or the support or defeat of any
22 proposition[. This sign] AND:

23 (i) [Shall comply] COMPLIES with all provisions of Article 33 of
24 [this] THE Code;

25 (ii) [Shall comply] COMPLIES with public safety requirements as
26 set forth in [Section] § 8-716 of this [article] SUBTITLE;

27 (iii) [Shall conform] CONFORMS to all local restrictions and zoning
28 requirements which are more restrictive than this section, including any applicable
29 time limitations[. In], EXCEPT THAT IN the absence of an applicable time limitation,
30 the sign:

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

1 (1) Any of the following words: "stop", "curve", "warning", "slow",
2 "danger", "listen", "look", or "school"; or

3 (2) Any other word used in directing the movement of traffic.

4 (e) A person may not place or maintain on any highway nor may any public
5 authority permit on any highway any traffic sign or signal that has any commercial
6 advertising on it.

7 (f) This section does not prohibit the placement on private property adjacent
8 to a highway of a sign giving useful directional information, if the sign [is of a type
9 that cannot]:

10 (1) CANNOT be mistaken for an official sign; and

11 (2) (I) [is] IS placed with the approval of the State Highway
12 Administration; OR

13 (II) IS AUTHORIZED UNDER § 8-714(B) OF THIS ARTICLE.

14 (g) Each sign, signal, marking, or device prohibited by this section is a public
15 nuisance, and the authority that has jurisdiction over the highway may remove it
16 without notice.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1998.