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:

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1	Article - Transportation			
2	8-714.			
5 6	 (a) Whether or not the person must be licensed under Part II of this subtitle, AND SUBJECT TO SUBSECTION (B) OF THIS SECTION, a person may not erect or maintain any outdoor sign outside the limits of any municipal corporation and within 500 feet of a State highway, unless the person has a permit issued by the Administration for that sign. 			
8 9	8 (b) A permit is not required under this section to erect or maintain any 9 outdoor sign:			
10 11	(1) which it is located;	That is used only to advertise the sale or lease of the property on		
12 13	2 (2) 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;			
14	. (3)	That is u	used only to advertise:	
15		(i)	A Maryland historic shrine or institution; [or]	
16	i	(ii)	A county or church fair held in [this] THE State;	
17	,	(III)	A CHURCH OR OTHER PLACE OF RELIGIOUS WORSHIP;	
18	1	(IV)	A CIVIC OR FRATERNAL ORGANIZATION; OR	
19 20		(V) POINTS	A POLITICAL SUBDIVISION OF THE STATE, INCLUDING PUBLIC 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 24	[this] THE Code;	(i)	[Shall comply] COMPLIES with all provisions of Article 33 of	
25 26		(ii) § 8-716 d	[Shall comply] COMPLIES with public safety requirements as of this [article] SUBTITLE;	
29	requirements which a	(iii) are more : , EXCEP	[Shall conform] CONFORMS to all local restrictions and zoning restrictive than this section, including any applicable T THAT IN the absence of an applicable time limitation,	
31	and		1. May not be erected more than 45 days prior to the election;	

32 and

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 2. Shall be removed within 15 days after the general 2 election, or within 15 days after the primary election if the candidate is not a 3 candidate in the general election; and
4 (iv) [Shall conform] CONFORMS to the restrictions and 5 requirements of Parts IV and V of this subtitle; or
6 (5) That [is only a]:
7 (I) [temporary outdoor sign that advertises] ADVERTISES the sale 8 in season of fresh produce on property that adjoins a State highway by a person who 9 has grown the fresh produce and who owns, rents, or has permission to sell on the 10 property; OR
 (II) DIRECTS MOTORISTS TO A FARM OR OTHER LOCATION WHERE FARMERS OFFER FOR SALE PRODUCE AND OTHER GOODS DERIVED FROM THEIR FARMING OPERATIONS.
14 (C) [This] A sign DESCRIBED IN SUBSECTION (B)(5) OF THIS SECTION SHALL:
15 [(i)] (1) [Shall comply] COMPLY with public safety requirements 16 as set forth in § 8-716 of this [article] SUBTITLE;
 [(ii)] (2) [Shall conform] CONFORM to all local restrictions and zoning requirements that are more restrictive than this section, including any applicable time limitation;
20 [(iii)] (3)[Shall conform] CONFORM to the restrictions and 21 requirements of Parts IV and V of this subtitle; and
22 [(iv)] (4)[Shall be] BE removed or covered when produce is no 23 longer for sale.
24 21-205.
 (a) 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.
 (b) A person may not place, maintain, or display on or in view of any highway any unauthorized sign, signal, marking, or device that attempts to direct the movement of traffic.
31 (c) A person may not place, maintain, or display on or in view of any highway 32 any unauthorized sign, signal, marking, or device that hides or interferes with the 33 effectiveness of a traffic control device or a railroad sign or signal

33 effectiveness of a traffic control device or a railroad sign or signal.

34 (d) A person may not place, maintain, or display on or in view of any highway
35 any unauthorized sign, signal, marking, or device that, except as otherwise permitted
36 by law, contains:

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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.

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