
By: **Delegate La Vay**
Introduced and read first time: February 9, 2001
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Highways - Violation of Outdoor Advertising Laws - Penalty**

3 FOR the purpose of providing for a civil penalty for a violation of certain laws relating
4 to outdoor advertising on highways; establishing a rebuttable presumption, for
5 purposes of the civil penalty, that an outdoor sign erected in violation of certain
6 laws relating to outdoor advertising on highways was erected by the person
7 being advertised by the sign; establishing that a person may not be subject to a
8 civil penalty if the person has been prosecuted for a violation of certain laws
9 relating to outdoor advertising; and generally relating to a civil penalty for a
10 violation of certain laws relating to outdoor advertising on highways.

11 BY repealing and reenacting, with amendments,
12 Article - Transportation
13 Section 8-749
14 Annotated Code of Maryland
15 (1993 Replacement Volume and 2000 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 8-749.

20 (A) [Any] UNLESS THE PERSON HAS PAID A CIVIL PENALTY UNDER
21 SUBSECTION (B) OF THIS SECTION FOR THE SAME VIOLATION, ANY person who
22 violates any provision of this subtitle is guilty of a misdemeanor and on conviction is
23 subject to a fine not exceeding \$500.

24 (B) (1) UNLESS THE PERSON HAS BEEN PROSECUTED UNDER SUBSECTION
25 (A) OF THIS SECTION FOR THE SAME VIOLATION, A PERSON WHO ERECTS A SIGN IN
26 VIOLATION OF A PROVISION OF THIS SUBTITLE SHALL BE SUBJECT TO A CIVIL
27 PENALTY NOT EXCEEDING \$100.

1 (2) FOR PURPOSES OF THE CIVIL PENALTY PROVIDED IN THIS
2 SUBSECTION ONLY, THERE SHALL BE A REBUTTABLE PRESUMPTION THAT AN
3 OUTDOOR SIGN ERECTED IN VIOLATION OF ANY PROVISION OF THIS SUBTITLE WAS
4 ERECTED BY THE PERSON BEING ADVERTISED BY THE SIGN.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2001.