

HOUSE BILL 1195

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HB 1311/00 - HRU

2002 Regular Session
2r1526

By: **Delegate Glassman**

Introduced and read first time: February 8, 2002

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Highways - Placement of Seasonal Farm-Related Directional 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 within a
5 certain distance of a State highway if the sign directs motorists to a farm or
6 other location where farmers offer for sale produce and other goods derived from
7 their farming operations; requiring a farm-related directional sign authorized
8 under this Act to meet certain requirements; clarifying that an exemption from
9 certain provisions of law that regulate the placement of signs adjacent to
10 highways applies to the placement of directional signs for which a permit from
11 the State Highway Administration is not required; clarifying language; making
12 stylistic changes; and generally relating to the placement of signs along
13 highways.

14 BY repealing and reenacting, with amendments,
15 Article - Transportation
16 Section 8-714
17 Annotated Code of Maryland
18 (2001 Replacement Volume)

19 BY repealing and reenacting, with amendments,
20 Article - Transportation
21 Section 21-205
22 Annotated Code of Maryland
23 (1999 Replacement Volume and 2001 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 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 (4) That advertises a candidate or the support or defeat of any
18 proposition[. This sign] AND:

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

21 (ii) [Shall comply] COMPLIES with public safety requirements as
22 set forth in § 8-716 of this subtitle;

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

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

29 2. Shall be removed within 15 days after the general
30 election, or within 15 days after the primary election if the candidate is not a
31 candidate in the general election; and

32 (iv) [Shall conform] CONFORMS to the restrictions and
33 requirements of Parts IV and V of this subtitle; or

34 (5) That [is only a]:

1 (I) [temporary outdoor sign that advertises] ADVERTISES the sale
2 in season of fresh produce on property that adjoins a State highway by a person who
3 has grown the fresh produce and who owns, rents, or has permission to sell OR
4 ADVERTISE on the property; OR

5 (II) 1. DIRECTS MOTORISTS TO A FARM OR OTHER LOCATION
6 WHERE FARMERS OFFER FOR SALE PRODUCE AND OTHER GOODS DERIVED FROM
7 THEIR FARMING OPERATIONS;

8 2. IS INTENDED TO BE DISPLAYED ON A SEASONAL BASIS
9 ONLY, BUT NOT EXCEEDING 60 CONSECUTIVE DAYS;

10 3. IS SET BACK 10 FEET OR MORE FROM THE PROPERTY LINE
11 OR HIGHWAY;

12 4. HAS A MAXIMUM SIGN AREA OF 32 SQUARE FEET;

13 5. HAS A MAXIMUM HEIGHT OF SIX FEET.

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 subtitle;

17 [(ii)] (2) [Shall conform] CONFORM to all local restrictions and
18 zoning requirements that are more restrictive than this section, including any
19 applicable time limitation; AND

20 [(iii)] (3) [Shall conform] CONFORM to the restrictions and
21 requirements of Parts IV and V of this subtitle[; and

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

23 21-205.

24 (a) A person may not place, maintain, or display on or in view of any highway
25 any unauthorized sign, signal, marking, or device that purports to be, is an imitation
26 of, or resembles a traffic control device or a railroad sign or signal.

27 (b) A person may not place, maintain, or display on or in view of any highway
28 any unauthorized sign, signal, marking, or device that attempts to direct the
29 movement of traffic.

30 (c) A person may not place, maintain, or display on or in view of any highway
31 any unauthorized sign, signal, marking, or device that hides or interferes with the
32 effectiveness of a traffic control device or a railroad sign or signal.

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

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] 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 June 1, 2002.