

---

By: **Chairman, Finance Committee (By Request - Departmental -  
Transportation)**

Introduced and read first time: January 20, 2005

Rules suspended

Assigned to: Finance

---

A BILL ENTITLED

1 AN ACT concerning

2 **State Highway Administration - Bus Passenger Shelters and Advertising**  
3 **Signs**

4 FOR the purpose of authorizing the State Highway Administration to enter into  
5 certain agreements for the construction, operation, and maintenance of certain  
6 public transit bus passenger shelters displaying certain commercial advertising  
7 signs on State rights-of-way; authorizing the Administration to establish  
8 certain conditions regarding advertising on bus passenger shelters and to  
9 receive certain compensation; providing for a right of termination of such  
10 agreements under certain circumstances; defining certain terms; and generally  
11 relating to commercial advertising signs on bus passenger shelters located on  
12 State rights-of-way.

13 BY adding to  
14 Article - Transportation  
15 Section 8-750 through 8-752, inclusive, to be under the new part "Part VII.  
16 Advertising Signs on Bus Passenger Shelters"  
17 Annotated Code of Maryland  
18 (2001 Replacement Volume and 2004 Supplement)

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

21 **Article - Transportation**

22 **PART VII. ADVERTISING SIGNS ON BUS PASSENGER SHELTERS.**

23 8-750.

24 (A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

25 (B) "BUS PASSENGER SHELTER" MEANS A SHELTER LOCATED AT A  
26 DESIGNATED TRANSIT BUS STOP FOR THE CONVENIENCE OF PASSENGERS OF A

1 PUBLIC TRANSPORTATION SYSTEM OWNED AND OPERATED BY A GOVERNMENTAL  
2 UNIT OR PUBLIC AUTHORITY.

3 (C) "COMMERCIAL ADVERTISING SIGN" MEANS ANY SIGN, DISPLAY, OR DEVICE  
4 DESIGNED, INTENDED, OR USED TO ENCOURAGE OR PROMOTE THE PURCHASE OR  
5 USE OF GOODS OR SERVICES.

6 8-751.

7 THE ADMINISTRATION MAY, CONSISTENT WITH DIVISION II OF THE STATE  
8 FINANCE AND PROCUREMENT ARTICLE, ENTER INTO AGREEMENTS FOR THE  
9 CONSTRUCTION, OPERATION, AND MAINTENANCE OF BUS PASSENGER SHELTERS  
10 DISPLAYING COMMERCIAL ADVERTISING SIGNS ON THE RIGHTS-OF-WAY OF STATE  
11 HIGHWAYS, SUBJECT TO EXISTING FEDERAL REQUIREMENTS AND TO ANY TERMS  
12 AND CONDITIONS PRESCRIBED BY THE ADMINISTRATION, INCLUDING THE PAYMENT  
13 OF COMPENSATION.

14 8-752.

15 (A) IF THE ADMINISTRATION, AFTER CONSULTATION WITH THE TRANSIT  
16 OPERATOR, DETERMINES THAT ANY BUS PASSENGER SHELTER DOES NOT SERVE  
17 THE PUBLIC INTEREST OR IS IN VIOLATION OF FEDERAL OR STATE LAW, THE  
18 ADMINISTRATION MAY TERMINATE THE PRIVILEGE OF MAINTAINING THAT BUS  
19 PASSENGER SHELTER AND ANY COMMERCIAL ADVERTISING SIGNS ON THE BUS  
20 PASSENGER SHELTER WITHOUT COMPENSATION TO THE VENDOR.

21 (B) IF A BUS PASSENGER SHELTER POSES AN IMMINENT SAFETY THREAT,  
22 THE ADMINISTRATION MAY REMOVE THE BUS PASSENGER SHELTER WITHOUT PRIOR  
23 CONSULTATION WITH THE TRANSIT OPERATOR.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
25 effect July 1, 2005.