

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 797 (Delegate McConkey, *et al.*)
Environmental Matters

Anne Arundel County - State Highway Rights-of-Way - Authority to Remove
Illegal Outdoor Signs

This bill authorizes any person to remove and dispose of an outdoor sign erected or maintained in Anne Arundel County that is in the right-of-way of a State highway and is erected or maintained in violation of State law.

Fiscal Summary

State Effect: None.

Local Effect: The bill would not materially affect Anne Arundel County finances.

Small Business Effect: None.

Analysis

Current Law: If any outdoor sign is erected or maintained in violation of State law the State Highway Administration may remove it after 15 days' written notice to the person owning or controlling the sign. All signs removed by the State Highway Administration become the property of the administration. A person who violates State law governing outdoor advertising is guilty of a misdemeanor and may be fined up to \$500.

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 State Highway Administration. Exceptions to this requirement include • a sign that is used only to advertise the sale or lease of the property on which it is located; • a sign that is on or within 100 feet of any building or the entrance to any building in which

the business advertised is carried on; • a sign that is used to advertise a Maryland historic shrine or institution; • a sign to advertise a county or church fair held in the State; or • a temporary outdoor sign that advertises the sale in season of fresh produce on property that adjoins a State highway by a person who has grown the fresh produce and who owns, rents, or has permission to sell on the property.

Election Signs

A permit is not required for a sign that advertises a candidate or the support or defeat of a proposition provided it complies with State election laws, public safety requirements, requirements applicable to outdoor signs along expressways and State highways that are part of the national federal-aid primary system, and all local restrictions and zoning requirements more restrictive than State law, including any time limitations. If there is not an applicable local time limitation, a sign may not be erected more than 45 days before an election and must be removed within 15 days after the general election or 15 days after the primary election if the candidate is not a candidate in the general election.

An electioneering boundary is set up jointly by an election judge from each principal political party as near as practicable to 100 feet from the entrance and exit of a polling place beyond which a person may not canvass, electioneer, or post any campaign material.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Anne Arundel County, Maryland Department of Transportation, Department of Legislative Services

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mcp/hlb

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