

# HOUSE BILL 1334

R1

7lr2837

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By: **Delegates A. Washington, Jalisi, McCray, Sanchez, Tarlau, Valderrama, and Valentino-Smith**

Introduced and read first time: February 10, 2017

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Highway Administration – Traffic Control Devices – Decorative**  
3 **Treatments**

4 FOR the purpose of requiring the State Highway Administration to establish a certain  
5 policy regarding the application of decorative treatments on certain traffic control  
6 devices; authorizing a person to apply to a district office within the Administration  
7 for a certain permit to install certain decorative treatments; authorizing a district  
8 office to issue a permit to install certain decorative treatments on a traffic control  
9 device within the jurisdiction of the district office; requiring the Administration to  
10 adopt certain regulations; authorizing the Administration to adopt certain  
11 regulations; and generally relating to the installation of decorative treatments on  
12 traffic control devices.

13 BY repealing and reenacting, without amendments,  
14 Article – Transportation  
15 Section 8–101(a) and (b)  
16 Annotated Code of Maryland  
17 (2015 Replacement Volume and 2016 Supplement)

18 BY adding to  
19 Article – Transportation  
20 Section 8–659  
21 Annotated Code of Maryland  
22 (2015 Replacement Volume and 2016 Supplement)

23 Preamble

24 WHEREAS, Traffic signal cabinets are a magnet for graffiti; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, Decorative treatments on traffic signal cabinets beautify public spaces,  
2 build community, and are a demonstrated method to mitigate and prevent graffiti; and

3 WHEREAS, Cities across the country have successfully implemented programs to  
4 transform graffitied traffic signal cabinets into works of art; and

5 WHEREAS, The State Highway Administration's current methodology for  
6 addressing graffiti is ineffective and propagates additional graffiti; now, therefore,

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

9 **Article – Transportation**

10 8–101.

11 (a) In this title the following words have the meanings indicated.

12 (b) “Administration” means the State Highway Administration.

13 **8–659.**

14 (A) IN THIS SECTION, “TRAFFIC CONTROL DEVICE” HAS THE MEANING  
15 STATED IN § 11–167 OF THIS ARTICLE.

16 (B) THE ADMINISTRATION SHALL ESTABLISH A POLICY THAT ALLOWS FOR  
17 THE INSTALLATION OF DECORATIVE TREATMENTS ON TRAFFIC CONTROL DEVICES  
18 THAT HAVE BEEN MARRED BY GRAFFITI OR VANDALISM THAT INCLUDES:

19 (1) ILLICIT WRITINGS OR DRAWINGS;

20 (2) ILLEGAL POSTINGS; OR

21 (3) BLIGHT FROM INCOMPLETE MITIGATION OF GRAFFITI.

22 (C) (1) A PERSON MAY APPLY TO THE APPROPRIATE DISTRICT OFFICE  
23 WITHIN THE ADMINISTRATION FOR A PERMIT TO INSTALL A DECORATIVE  
24 TREATMENT, INCLUDING A DIGITALLY PRINTED VINYL WRAP OR PAINT, ON A  
25 TRAFFIC CONTROL DEVICE.

26 (2) SUBJECT TO THE REQUIREMENTS OF THIS SECTION, A DISTRICT  
27 OFFICE MAY ISSUE A PERMIT TO INSTALL A DECORATIVE TREATMENT ON A TRAFFIC  
28 CONTROL DEVICE WITHIN THE JURISDICTION OF THE DISTRICT OFFICE.

1           **(D) (1) THE ADMINISTRATION SHALL ADOPT REGULATIONS FOR THE**  
2 **INSTALLATION OF DECORATIVE TREATMENTS THAT PROHIBIT DECORATIVE**  
3 **TREATMENTS FROM:**

4                   **(I) INTERFERING WITH THE OPERATION OR MAINTENANCE OF**  
5 **A TRAFFIC CONTROL DEVICE; OR**

6                   **(II) OBSTRUCTING ACCESS TO AND VENTILATION OF A TRAFFIC**  
7 **CONTROL DEVICE.**

8           **(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**  
9 **ADMINISTRATION SHALL ADOPT VIEWPOINT AND CONTENT NEUTRAL REGULATIONS**  
10 **THAT PROVIDE THE MINIMUM REQUIREMENTS FOR DECORATIVE TREATMENTS.**

11                   **(II) A DECORATIVE TREATMENT MAY NOT:**

12                           1.   **CONTAIN AN ADVERTISEMENT;**

13                           2.   **CONTAIN AN IMAGE OR A DESCRIPTION OF GRAPHIC**  
14 **VIOLENCE;**

15                           3.   **CONTAIN PROFANITY;**

16                           4.   **CONTAIN PORNOGRAPHY, OBSCENE MATERIAL, OR**  
17 **IMAGES OF NUDITY;**

18                           5.   **DEMEAN OR DISPARAGE AN INDIVIDUAL OR A GROUP**  
19 **OF INDIVIDUALS;**

20                           6.   **VIOLATE A COPYRIGHT OR ANY OTHER LEGAL**  
21 **OWNERSHIP INTEREST; OR**

22                           7.   **UNNECESSARILY ENGAGE THE ATTENTION OF**  
23 **DRIVERS OR CAUSE DRIVER DISTRACTION.**

24           **(3) THE ADMINISTRATION MAY ADOPT ANY ADDITIONAL**  
25 **REGULATIONS NECESSARY TO IMPLEMENT THIS SECTION.**

26           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2017.