

SENATE BILL 226

R1

0lr0793

By: **Senator Waldstreicher**

Introduced and read first time: January 17, 2020

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 29, 2020

CHAPTER _____

1 AN ACT concerning

2 **Highways – Prohibition on Outdoor Signs Along Expressways – ~~Exception~~**
3 **Modification**

4 FOR the purpose of ~~establishing that~~ modifying a certain ~~exception to the~~ prohibition
5 against ~~placing the erection or maintenance of~~ outdoor signs along or near
6 expressways ~~for signs that are placed in accordance with certain local zoning laws~~
7 ~~and ordinances applies to off-premises signs; making certain conforming and~~
8 stylistic changes; ~~clarifying certain language; and generally relating to exceptions to~~
9 ~~the prohibition against placing certain~~ the placement of outdoor signs along
10 expressways.

11 BY repealing and reenacting, without amendments,
12 Article – Transportation
13 Section 8–701(a), (d), and (e)
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2019 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Transportation
18 Section 8–741, ~~8–742~~, and 8–744
19 Annotated Code of Maryland
20 (2015 Replacement Volume and 2019 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Transportation

8–701.

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

(d) “On premise outdoor sign” means any outdoor sign that, regardless of content, is designed, intended, or used to advertise or inform the traveling public of:

(1) The sale or lease of the property on which it is located;

(2) The sale or lease of a product grown, produced, or manufactured on the property on which it is located;

(3) The sale or lease of a service performed on the property on which it is located; or

(4) The name of the owner, agent, assignee, or lessee of the property on which it is located.

(e) “Outdoor sign” means any outdoor sign, display, light, structure, figure, painting, drawing, message, plaque, placard, poster, billboard, device, or other thing that is designed, intended, or used to advertise or inform the traveling public.

8–741.

~~[A] EXCEPT AS PROVIDED IN § 8-742 OF THIS SUBTITLE,~~ A person THAT OWNS PROPERTY may not use [his] THE property or allow [his] THE property to be used by any other person for the erection or maintenance of any outdoor sign along or near any expressway, unless the sign is LOCATED IN AN URBAN AREA AND:

(1) ~~In an urban area; and~~

(I) IS 660 FEET OR LESS FROM THE NEAREST EDGE OF THE RIGHT-OF-WAY OF THE EXPRESSWAY;

(II) IS LOCATED IN A COMMERCIAL OR INDUSTRIAL ZONE THAT IS WITHIN A LOCALLY DESIGNATED GEOGRAPHIC AREA OF SIGNAGE CONTROL THAT HAS BEEN ADOPTED AS PART OF COMPREHENSIVE REZONING REGARDING SIGNAGE; AND

(III) HAS RECEIVED A PERMIT FROM THE ADMINISTRATION IN ACCORDANCE WITH § 8-744 OF THIS SUBTITLE; OR

(2) More than 660 feet from the nearest edge of the right-of-way of the expressway.

~~§ 742.~~

~~This part does not prohibit the erection or maintenance of:~~

~~(1) Any [on premise] outdoor sign that complies with § 8-744 of this subtitle;~~

~~(2) Any outdoor sign used to identify a church or a historical monument or location, if the sign is erected in accordance with the rules and regulations of the Administration; or~~

~~(3) Any outdoor sign along a highway that is not an expressway, even if the highway runs parallel or partially parallel to an expressway, if the sign faces that highway.~~

~~8-744.~~

(a) ~~[On premise outdoor]~~ **OUTDOOR** signs are permitted along expressways in accordance with the local zoning laws or ordinances that are in effect in the political subdivision through which the expressway passes, if these local zoning laws or ordinances embrace and regulate outdoor advertising.

(b) For any area in which local zoning laws or ordinances are not in effect or for which the local zoning laws or ordinances do not embrace outdoor advertising:

(1) The Administration may adopt rules and regulations governing on premise signs along expressways; and

(2) If local zoning laws or ordinances embracing outdoor advertising later are adopted, the local zoning prevails.

(c) (1) A person may not erect or maintain any [on premise] outdoor sign along or near any expressway unless the person has a permit issued by the Administration for that sign.

(2) There is no fee or bond requirement for a permit issued under this subsection.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.