

HOUSE BILL 1032

R1

4lr3048
CF 4lr3049

By: ~~Delegate Solomon~~ Delegates Solomon, Allen, Healey, Lehman, J. Long, Love, Ruth, Terrasa, and Ziegler

Introduced and read first time: February 7, 2024

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2024

CHAPTER _____

1 AN ACT concerning

2 **Highways – Tourist Area and Corridor Signage Program**

3 FOR the purpose of establishing the Tourist Area and Corridor Signage Program; requiring
4 the State Highway Administration, in collaboration with the Department of
5 Commerce, to administer the Program ~~and establish an Eligibility Committee to~~
6 ~~review attraction applications~~; requiring the Administration to notify certain
7 committees of the General Assembly if the Program is amended; and generally
8 relating to the Tourist Area and Corridor Signage Program.

9 BY adding to

10 Article – Transportation

11 Section 8–755 to be under the new part “Part VIII. Tourist Area and Corridor
12 Signage Program”

13 Annotated Code of Maryland

14 (2020 Replacement Volume and 2023 Supplement)

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

17 **Article – Transportation**

18 **8–753. RESERVED.**

19 **8–754. RESERVED.**

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.



PART VIII. TOURIST AREA AND CORRIDOR SIGNAGE PROGRAM.

8-755.

(A) (1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “DEPARTMENT” MEANS THE DEPARTMENT OF COMMERCE.

(3) “PROGRAM” MEANS THE TOURIST AREA AND CORRIDOR SIGNAGE PROGRAM.

(B) THERE IS A TOURIST AREA AND CORRIDOR SIGNAGE PROGRAM.

(C) THE PURPOSE OF THE PROGRAM IS TO CREATE A SYSTEM OF SUPPLEMENTAL GUIDE SIGNS TO DIRECT MOTORISTS TO ELIGIBLE INDIVIDUAL ATTRACTIONS BY DIRECTING THE MOTORISTS FIRST TO GROUPS OF ATTRACTIONS.

(D) THE ADMINISTRATION, IN COLLABORATION WITH THE DEPARTMENT ~~OF COMMERCE~~, SHALL:

~~(1) ADMINISTER~~ ADMINISTER THE PROGRAM; ~~AND~~

~~(2) ESTABLISH AN ELIGIBILITY COMMITTEE TO REVIEW ATTRACTION APPLICATIONS.~~

(E) (1) (I) ~~THE ELIGIBILITY COMMITTEE~~ ADMINISTRATION AND THE DEPARTMENT SHALL DEVELOP STANDARDS AND PROCEDURES FOR DETERMINING THE ELIGIBILITY OF AN ATTRACTION FOR A SIGN.

(II) ~~IF THE ELIGIBILITY COMMITTEE APPROVES~~ DEPARTMENT PROVIDES AN INITIAL APPROVAL OF AN ATTRACTION’S APPLICATION BASED ON THE CRITERIA ESTABLISHED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE ADMINISTRATION SHALL INVESTIGATE WHETHER THERE IS SPACE AVAILABLE FOR A SIGN FOR THE ATTRACTION.

~~(III) APPROVAL OF A SIGN IS SUBJECT TO SPACE AVAILABILITY BASED ON ADMINISTRATION REGULATIONS AND REQUIREMENTS.~~

~~(2) (I) THE ADMINISTRATION~~ THE DEPARTMENT, IN COORDINATION WITH THE REQUESTING ATTRACTION, SHALL PREPARE A SIGNAGE PLAN FOR ANY SIGNS IT DETERMINES ARE FEASIBLE AND SUBMIT THE SIGNAGE PLAN TO THE DEPARTMENT OF COMMERCE ADMINISTRATION FOR REVIEW.

1 (2) (I) THE ADMINISTRATION SHALL REVIEW THE SIGNAGE PLAN
2 FOR COMPLIANCE WITH FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS AND
3 RIGHT-OF-WAY LAWS AND REGULATIONS.

4 (II) IN REVIEWING A SIGNAGE PLAN, THE ~~DEPARTMENT OF~~
5 ~~COMMERCE~~ ADMINISTRATION MAY CONSULT WITH OTHER STATE AGENCIES AND
6 OFFICES.

7 (III) 1. AS PART OF THE REVIEW REQUIRED UNDER
8 SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE ADMINISTRATION SHALL
9 INVESTIGATE WHETHER THERE IS SPACE AVAILABLE AT THE PROPOSED SITE ALONG
10 THE STATE HIGHWAY FOR A SIGN FOR THE ATTRACTION.

11 2. APPROVAL OF A SIGNAGE PLAN IS SUBJECT TO SPACE
12 AVAILABILITY BASED ON THE ADMINISTRATION'S REGULATIONS AND
13 REQUIREMENTS.

14 (3) (I) 1. IF THE ~~DEPARTMENT OF COMMERCE~~
15 ADMINISTRATION APPROVES A SIGNAGE PLAN AND ISSUES A REQUIRED PERMIT TO
16 THE ATTRACTION, THE ADMINISTRATION ATTRACTION SHALL DESIGN, FABRICATE,
17 AND INSTALL THE SIGNS IN THE SIGNAGE PLAN WITHIN 3 MONTHS AFTER THE
18 APPROVAL USING STANDARDS AND SPECIFICATIONS APPROVED BY THE
19 ADMINISTRATION.

20 2. THE ATTRACTION SHALL BEAR ALL COSTS FOR THE
21 DESIGN, FABRICATION, AND INSTALLATION OF THE SIGNS IN THE SIGNAGE PLAN.

22 (II) AN ~~APPLICANT~~ ATTRACTION THAT APPLIES FOR A SIGN
23 SHALL PAY AN AMOUNT THE ADMINISTRATION CONSIDERS APPROPRIATE FOR THE
24 REVIEW OF EACH SIGN INCLUDED IN THE SIGNAGE PLAN AND THE ISSUANCE OF ALL
25 REQUIRED PERMITS.

26 (F) ~~THE ADMINISTRATION MAY REQUEST THAT THE APPLICANT DESIGN~~
27 ~~AND INSTALL THE SIGNS APPROVED IN THE SIGNAGE PLAN USING VENDORS AND~~
28 ~~SPECIFICATIONS APPROVED BY THE ADMINISTRATION.~~

29 ~~(G)~~ (1) THE ADMINISTRATION MAY CHARGE AN ~~APPLICANT~~ ATTRACTION
30 A REASONABLE ANNUAL ADMINISTRATIVE FEE TO ADMINISTER AND MANAGE THE
31 PROGRAM FOR THE DURATION THAT EACH SIGN IN THE SIGNAGE PLAN IS
32 INSTALLED.

33 (2) ~~EACH SIGN INSTALLED ON BEHALF OF AN APPLICANT~~

(I) AN ATTRACTION'S SIGN MAY BE REMOVED BY THE ADMINISTRATION IF THE ~~APPLICANT~~ ATTRACTION FAILS TO PAY THE ANNUAL ADMINISTRATIVE FEE.

(II) THE ATTRACTION SHALL BE RESPONSIBLE FOR MAINTAINING, REMOVING, AND REPLACING SIGNS AT THE DIRECTION OF THE ADMINISTRATION IF AN EXISTING APPROVED SIGN IS DETERMINED TO BE NONCOMPLIANT WITH PROGRAM REQUIREMENTS FOR REASONS INCLUDING DAMAGE, FADING, OR SAFETY CONCERNS.

(III) THE ADMINISTRATION MAY REMOVE ANY ATTRACTION SIGN THAT DOES NOT COMPLY WITH THE REQUIREMENTS OF THE PROGRAM.

(IV) AN ATTRACTION WHOSE SIGN IS REMOVED UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH SHALL RESUBMIT NEW OR REPLACEMENT SIGNAGE FOR REVIEW AND APPROVAL.

~~(H)~~ (G) (1) THE ADMINISTRATION MAY AMEND THE PROGRAM IF THE ADMINISTRATION DETERMINES THAT THE PROGRAM MAY RESULT IN A SANCTION BY THE FEDERAL HIGHWAY ADMINISTRATION, INCLUDING A DECREASE IN FEDERAL FUNDS PROVIDED TO THE STATE FOR HIGHWAY USE.

(2) THE ADMINISTRATION SHALL NOTIFY THE FOLLOWING LEGISLATIVE COMMITTEES AT LEAST 30 DAYS BEFORE ~~ANY AMENDMENTS ARE MADE TO THE PROGRAM AS A RESULT OF A POTENTIAL DECREASE IN FEDERAL FUNDS PROVIDED FOR HIGHWAY USE IN THE STATE~~ AMENDING THE PROGRAM TO AVOID A SANCTION:

(I) THE SENATE FINANCE COMMITTEE;

(II) THE SENATE BUDGET AND TAXATION COMMITTEE;

(III) THE HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE; AND

(IV) THE HOUSE APPROPRIATIONS COMMITTEE.

~~(I) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, TO BE ELIGIBLE FOR A SIGN, AN ATTRACTION SHALL, AT A MINIMUM:~~

~~(I) PROVIDE RECREATIONAL, HISTORICAL, CULTURAL, OR LEISURE ACTIVITIES TO THE PUBLIC;~~

~~(H) BE PRIMARILY A NONRETAIL ATTRACTION, WITH NOT MORE THAN 20% OF THE INTERIOR SQUARE FOOTAGE OF THE ATTRACTION DEVOTED TO RETAIL SALES;~~

~~(HH) BE OPEN TO RANDOM DAILY VISITATION WITHOUT ADVANCED RESERVATIONS OR A REQUIRED EXTENDED ATTENDANCE;~~

~~(IV) IF LOCATED IN A DESIGNATED URBAN AREA, MEET MINIMUM VISITOR ATTENDANCE MEASURES ESTABLISHED BY THE ELIGIBILITY COMMITTEE;~~

~~(V) BE OPEN AT LEAST:~~

~~1. 5 HOURS PER DAY;~~

~~2. 4 DAYS PER WEEK, INCLUDING SATURDAY OR SUNDAY;~~

~~3. 25 HOURS PER WEEK; AND~~

~~4. 8 MONTHS EACH YEAR;~~

~~(VI) 1. PUBLISH A BROCHURE OR HOST A WEBSITE THAT PROVIDES THE ATTRACTION'S HOURS OF OPERATION; AND~~

~~2. POST THE HOURS OF OPERATION AT THE ATTRACTION LOCATION, CONSISTENT WITH THE HOURS OF OPERATION PUBLISHED IN THE ATTRACTION'S BROCHURE OR ON ITS WEBSITE;~~

~~(VII) PROVIDE PUBLIC ACCESS TO ON-SITE RESTROOMS, WATER, TELEPHONES, AND PARKING;~~

~~(VIII) PROVIDE AN INTERPRETER OR A GUIDE, A PRINTED SELF-GUIDED TOUR, OR INTERPRETATIVE SIGNING DURING ALL HOURS OF OPERATION; AND~~

~~(IX) MEET FEDERAL AMERICANS WITH DISABILITIES ACT REQUIREMENTS FOR ACCESSIBILITY.~~

~~(2) (i) THE ELIGIBILITY COMMITTEE MAY APPROVE AN APPLICATION FOR AN ATTRACTION THAT DOES NOT MEET ALL OF THE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION IF THE ELIGIBILITY COMMITTEE DETERMINES THAT THE ATTRACTION IS IMPORTANT TO THE STATE OR THE LOCAL ECONOMY.~~

~~(II) AN ATTRACTION APPROVED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE LISTED ON THE PROGRAM'S WEBSITE.~~

~~(III) THE ELIGIBILITY COMMITTEE MAY WAIVE THE REQUIREMENT THAT AN ATTRACTION BE OPEN AT LEAST 8 MONTHS EACH YEAR FOR SEASONAL ATTRACTIONS.~~

~~(J)~~ (H) (1) TO BE ELIGIBLE FOR SIGNAGE, AN ATTRACTION MAY NOT, BASED ON A DETERMINATION BY THE ~~ELIGIBILITY COMMITTEE~~ ADMINISTRATION AND THE DEPARTMENT, ALREADY BE WELL-SIGNED ON A TOURIST AREA CORRIDOR.

(2) ~~THE FOLLOWING CATEGORIES OF ATTRACTIONS ARE ELIGIBLE~~
AN ATTRACTION MAY NOT BRING REPUTATIONAL HARM TO THE STATE.

(I) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A SIGN DEVELOPED UNDER THE PROGRAM MAY INCLUDE ONLY THE FOLLOWING ELEMENTS:

(I) THE NAME OF THE ATTRACTION;

(II) A DIRECTIONAL ARROW TO GUIDE INDIVIDUALS TO THE ATTRACTION; AND

(III) THE APPROXIMATE MILEAGE TO THE ATTRACTION FROM THE LOCATION OF THE SIGN.

(2) A SIGN MAY INCLUDE A GENERIC SYMBOL USED TO REPRESENT A CATEGORY OF ATTRACTIONS IDENTIFIED BY THE DEPARTMENT IF, ON THE REQUEST OF THE DEPARTMENT, THE ADMINISTRATION DETERMINES THAT THERE IS A GENERIC SYMBOL APPROVED FOR USE IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

~~FOR SIGNAGE WITH GENERIC SYMBOLS APPROVED FOR USE:~~

~~(I) VISITOR CENTERS;~~

~~(II) GOLF COURSES;~~

~~(III) ANTIQUES ROWS;~~

~~(IV) MARINAS;~~

1 ~~(v) WINERIES;~~

2 ~~(vi) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION,~~
3 ~~BREWERIES AND DISTILLERIES; AND~~

4 ~~(vii) ANY ADDITIONAL CATEGORY IDENTIFIED BY THE~~
5 ~~ELIGIBILITY COMMITTEE.~~

6 ~~(3) THE ADMINISTRATION AND THE DEPARTMENT OF COMMERCE~~
7 ~~SHALL DETERMINE THE GENERIC SYMBOLS AND CRITERIA FOR BREWERY AND~~
8 ~~DISTILLERY ELIGIBILITY IN CONSULTATION WITH A GEOGRAPHICALLY DIVERSE SET~~
9 ~~OF COMMUNITY STAKEHOLDERS, INCLUDING:~~

10 ~~(i) STATE LEADERS IN THE BREWING AND DISTILLING~~
11 ~~INDUSTRIES;~~

12 ~~(ii) LOCAL ELECTED OFFICIALS;~~

13 ~~(iii) LOCAL ECONOMIC DEVELOPMENT OFFICIALS; AND~~

14 ~~(iv) LEADERS IN THE TOURISM INDUSTRY.~~

15 ~~(k) THE ADMINISTRATION SHALL PRIORITIZE DESIGNING AND INSTALLING~~
16 ~~SIGNS FOR APPLICANTS THAT WERE APPROVED UNDER ANY SIMILAR~~
17 ~~ADMINISTRATION SIGNAGE PROGRAM BEFORE OCTOBER 1, 2024, IN THE ORDER OF~~
18 ~~APPROVAL AS FEASIBLE.~~

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.