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Date: (Filing No. S-)

TRANSPORTATION

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 363, L.D. 866, “An Act to Improve Visibility and Restore the Beauty of Maine’s Roadways by Limiting Signs in the Public Right-of-way”

Amend the bill by striking out the title and substituting the following:

'An Act to Allow Municipalities to Adopt Ordinances Governing Temporary Signs'

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 23 MRSA §1903, sub-§15-A, as enacted by PL 2015, c. 403, §2, is amended to read:

15-A. Temporary sign. "Temporary sign" means a sign bearing a noncommercial message that has been placed within the public right-of-way for a limited period of time and is less than 4 feet by 8 feet in size.

Sec. 2. 23 MRSA §1913-A, sub-§1, ¶G, as amended by PL 2015, c. 403, §4, is further amended to read:

G. Hand-held signs not affixed to the ground or buildings; and

Sec. 3. 23 MRSA §1913-A, sub-§1, ¶I, as amended by PL 2015, c. 403, §4, is further amended to read:

I. Adopt-A-Highway Program signs allowed under section 1117; and

Sec. 4. 23 MRSA §1913-A, sub-§1, ¶L, as amended by PL 2019, c. 594, §1, is repealed.

Sec. 5. 23 MRSA §1913-A, sub-§7 is enacted to read:

7. Temporary signs. A temporary sign may not be placed in any municipality unless allowed by municipal ordinance. If a municipality adopts an ordinance allowing temporary signs, the municipality shall provide notice of the adopted ordinance to the Department of Transportation.

COMMITTEE AMENDMENT

1 **Sec. 6. 23 MRSA §1917-B**, as enacted by PL 2015, c. 403, §6, is amended to read:

2 **§1917-B. Unlawful removal of temporary signs**

3 A person who takes, defaces or disturbs a sign placed within the public right-of-way in
4 accordance with section 1913-A, ~~subsection 1, paragraph 1~~ subsection 7 commits a civil
5 violation for which a fine of up to \$250 may be adjudged. This section does not apply to a
6 person authorized to remove signs placed within the public right-of-way in accordance with
7 ~~section 1913-A, subsection 1, paragraph 1~~ by municipal ordinance.

8 **Sec. 7. Effective date.** This Act takes effect May 1, 2024.'

9 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
10 number to read consecutively.

11 **SUMMARY**

12 This amendment, which is the minority report of the committee, replaces the bill. The
13 amendment retains the requirement in current law that limits the size of temporary signs to
14 less than 4 feet by 8 feet but bans the placement of temporary signs in municipalities unless
15 allowed by municipal ordinance and requires municipalities that allow temporary signs to
16 notify the Department of Transportation. The amendment adds an effective date of May 1,
17 2024.

18 **FISCAL NOTE REQUIRED**

19 **(See attached)**

COMMITTEE AMENDMENT