

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Allow a Waiver for On-premise Signs

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 23 MRSA §1914, sub-§4, as repealed and replaced by PL 1981, c. 318, §4, is amended to read:

4. Location, relation to public way. ~~No on-premise~~On-premise signs may be permitted~~are~~ prohibited:

- A. Within 33 feet of the center line of any public way if the highway is less than 66 feet in width;
- B. ~~Within~~Except as provided in subsection 4-A, within 20 feet from the outside edge of the paved portion of any public way with more than 2 travel lanes and a total paved portion in excess of 24 feet in width; ~~or~~and
- C. Within the full width of the right-of-way of any public way.

Paragraphs A and B shall~~do~~ not apply to signs erected before September 1, 1957.

Sec. 2. 23 MRSA §1914, sub-§4-A is enacted to read:

4-A. Waiver. The commissioner may grant a person a written waiver of the prohibition under subsection 4, paragraph B for an on-premise sign when the owner of property on which the on-premise sign is to be located assumes all costs for removal and installation of the on-premise sign and provides a written statement of this fact to the registry of deeds for the county where the on-premise sign is to be located if:

- A. The majority of on-premise signs on either edge of the public way within 1,000 feet of the location of the proposed on-premise sign are located within 20 feet from the outside edge of the paved portion of the public way; or
- B. The proposed on-premise sign replaces an existing on-premise sign at the same location within 20 feet from the outside edge of the paved portion of the public way.

SUMMARY

Current law prohibits on-premise signs within 20 feet from the outside edge of the paved portion of any state or state aid highway with more than 2 travel lanes and a total paved portion in excess of 24 feet in width. This bill gives the Commissioner of Transportation the authority to grant a person a waiver of this requirement if the majority of on-premise signs on either edge of the public way within 1,000 feet of the location of the proposed on-premise sign are located within 20 feet from the outside edge of the paved portion of the public way or the proposed on-premise sign replaces an on-premise sign at the same location within 20 feet from the outside edge of the paved portion of the public way.

The bill also requires that the property owner assume all costs for removal and installation of the on-premise sign and record this fact with the registry of deeds.