

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE LAW LIBRARY

ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 1356

S. P. 417

In Senate, February 8, 1961

Referred to Committee on Highways. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Cole of Waldo.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Relating to Outdoor Advertising on the Interstate System.

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

Sec. 1, R. S., c. 23, § 146, amended. Section 146 of chapter 23 of the Revised Statutes, as amended by section 1 of chapter 279 of the public laws of 1955, is further amended to read as follows:

Sec. 146. "Display" defined. The word "display" as used in sections 137 to 148 and in other laws of the State relating to advertisements and signs shall mean erecting, maintaining, pasting, painting and posting any advertisement or sign out of doors or erecting or maintaining any billboard or other structure designed and intended for the display of advertising matter where the same may be seen by the public or allowing any such advertisement, billboard or other structures, erected or displayed either before or after July 6, 1935, to remain exposed, in whole or in part, to public view, and shall include the act itself and the causing of such act to be done. The obligation to pay license and permit fees required by law shall apply and be in force for such time as such advertisement or sign or any part thereof shall remain visible and as long as any board or structure or any part thereof erected or built for the purpose of displaying advertising matter thereon shall remain exposed to public view. Warning or directional signs upon or near highways erected by the State or political subdivisions thereof or other signs erected or intended exclusively for the safety of persons using such highways, or temporary signs or posters for political or agricultural fair purposes, shall not be deemed to be outdoor advertising structures, devices or displays within the meaning of sections 137 to ~~148~~ 147 and **section 148**, but they shall not be painted upon or annexed to any rock or tree and are subject to regulation and supervision by the commission to prevent or

remove whatever will injuriously affect any public interest or endanger the safety of persons using any highway. Signs or posters located on railroad property and intended for display to the public using such railroad, and signs erected, maintained or displayed under the provisions of any statute, and directional signs erected by authority of the commission upon designs determined by it and not exceeding 48 inches in length and 9 inches in width, except in cases where the commission shall decide that a larger directional sign is necessary for control of traffic, designating places of interest within 20 miles of the location of said sign shall not be deemed outdoor advertising structures, devices or displays within the meaning of sections 137 to 148.

Sec. 2. R. S., c. 23, § 147, amended. The first sentence of section 147 of chapter 23 of the Revised Statutes is amended to read as follows:

'Except for outdoor advertising in areas adjacent to the interstate system, These these regulations shall not apply to outdoor advertising in the compact or built up section of any town or city but such advertising is subject to regulation by town or city by-laws or ordinances.'

Sec. 3. R. S., c. 23, § 147-A, amended. Section 147-A of chapter 23 of the Revised Statutes, as enacted by section 2 of chapter 339 of the public laws of 1959, is amended to read as follows:

'Sec. 147-A. Restrictions on interstate system. Prior to the effective date of laws enacted by the 100th Legislature no No person shall erect or maintain in the rural area within 660 feet of the nearest right-of-way boundary line of any portion of the interstate system, including ramps and interchange areas, any advertising sign or advertising structures or devices of any kind. As used in this section "advertising signs or advertising structures or devices" shall mean any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, or other thing which is designed, intended, or used to advertise or inform, traffic on the main-travelled way, including ramps and interchange areas of the interstate system.

This section shall not apply to the following:

I. Official signs. Directional or other official signs or notices erected and maintained by the State Highway Commission for the purpose of directing the movement of or control of traffic or intended exclusively to provide for the safety of persons using such highways.

II. On-premise signs. Signs which advertise the sale or lease of property or activity being conducted upon the real property where the signs are located. Not more than one such sign advertising the sale or lease of the same property may be permitted which is visible to traffic proceeding in any one direction on any portion of the interstate system, including ramps and interchange areas. Not more than one such sign advertising activities being conducted upon the real property where the sign is located which is visible to traffic proceeding in any one direction on any portion of the interstate system, including ramps and interchange areas, may be permitted more than 50 feet from the building, structure or permanently placed fixture where the goods advertised are sold

or the business or profession advertised is carried on. No sign shall exceed 20 feet in length, width or height, or 150 square feet in area, including border and trim, but excluding supports, and no sign that displays any trade-name which refers to or identifies any service rendered or product sold, or otherwise handled, may be permitted unless the name of the advertised activity is displayed as conspicuously as such trade-name; except that this sentence shall not apply to signs located not more than 50 feet from the building, structure or permanently emplaced fixture where the goods advertised are sold, or the business or profession advertised is carried on.

~~III. Signs in urban areas. Advertising signs or advertising structures or devices in the area contiguous to or near the interstate system, including ramps and interchanges, which is within the urban areas of municipalities.~~

III. Areas adjacent to interstate system. Advertising signs or advertising structures or devices in areas adjacent to segments of the interstate system which traverse commercial or industrial zones legally designated as such by incorporated municipalities on or before September 21, 1959.

IV. Outside incorporated municipalities. Advertising signs or advertising structures or devices outside incorporated municipalities where the land use as of September 21, 1959, was legally established as commercial or industrial.

~~IV.~~ V. Right-of-way acquired prior to 1956. Any portion of the interstate system for which the right-of-way was initially acquired prior to July 1, 1956.'

Sec. 4. R. S., c. 23, § 147-B, additional. Chapter 23 of the Revised Statutes is amended by adding a new section, to be numbered 147-B, to read as follows:

'Sec. 147-B. Agreements. The State Highway Commission is authorized to enter into agreements with the Secretary of Commerce of the United States to control outdoor advertising in accordance with national standards and sections 137 to 150.'