

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TENTH LEGISLATURE
4

5 **Legislative Document**

No. 1882

7 H. P. 1907 House of Representatives, January 27, 1982
Filed by the Joint Standing Committee on Business Legislation
pursuant to Joint Rule 18. Approved by the Legislative Council June 4,
1981.

8 Reported by Representative Brannigan from the Committee on
Business Legislation and 1,600 ordered printed under Joint Rules No.
18.

EDWIN H. PERT, Clerk

9
10 STATE OF MAINE
11

12 IN THE YEAR OF OUR LORD
13 NINETEEN HUNDRED AND EIGHTY-TWO
14

15 **AN ACT to Amend the Maine Traveler**
16 **Information Services Act.**
17

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

19 **Sec. 1. 23 MRSA §1903, sub-§12, as repealed and**
20 **replaced by PL 1981, c. 318, §1, is repealed.**

21 **Sec. 2. 23 MRSA §1904, sub-§3, first sentence, as**
22 **repealed and replaced by PL 1981, c. 318, §1, is amended to**
23 **read:**

24 The Travel Information Advisory Council shall have 8 9 mem-
25 bers as follows: One representing the lodging industry, one
26 representing the restaurant industry, one representing the
27 recreational industry, one representing the Keep Maine
28 Scenic Committee, one representing agriculture, one repre-
29 senting environmental organizations, one representing non-
30 profit historical and cultural institutions, one repre-
31 senting sign design and fabrication artisans and one repre-
32 senting the general public.

1 Sec. 3. 23 MRSA §1906, sub-§2, as repealed and
2 replaced by PL 1981, c. 318, §1, is repealed and the follow-
3 ing enacted in its place:

4 2. Agreements with municipalities. The commissioner
5 may:

6 A. Enter into contractual or other arrangements with
7 any municipality of this State providing for the erection
8 of official business directional signs distinctive
9 to that municipality upon finding that:

10 (1) The municipality has in effect an ordinance
11 or regulation establishing a mandatory program of
12 distinctive official business directional signs;

13 (2) The ordinance or regulation is administrable
14 and enforceable and will be properly administered
15 and enforced; and

16 (3) The ordinance or regulation is consistent
17 with the policy and purposes of this chapter; and

18 B. Contract or arrange with any municipality for
19 administration by that municipality within its bounda-
20 ries of any appropriate matter under this chapter. Any
21 contract or arrangement made under this paragraph and
22 any action taken pursuant to it shall comply with the
23 policy and purposes of this chapter.

24 Whenever any of the conditions set forth in this subsection
25 are no longer being met, the commissioner shall promptly
26 resume the administration of the official business direc-
27 tional sign program under this chapter. The commissioner
28 shall provide written notice of his action to the municipal-
29 ity and may require nonconforming signs to be removed
30 immediately.

31 Sec. 4. 23 MRSA §1910, 2nd sentence, as repealed and
32 replaced by PL 1981, c. 318, §1, is repealed.

33 Sec. 5. 23 MRSA §1911, sub-§2, as repealed and
34 replaced by PL 1981, c. 318, §1, is amended to read:

35 2. Number limited. Notwithstanding section 1918, the
36 commissioner shall not issue more than 6 licenses for offi-
37 cial business directional signs for any one place of busi-
38 ness, facility or point of interest eligible therefor under

1 section 1909, not more than one such official business sign
2 shall be visible to traffic moving in any one public way
3 leading toward the place of business, facility or point of
4 interest nor shall any license be issued for a sign located
5 more than 10 miles radius from the place of business, facil-
6 ity or point of interest, nor shall more than 2 licenses be
7 issued to any one place of business, facility or point of
8 interest for signs of the maximum size specified under
9 section 1910.

10 Sec. 6. 23 MRSA §1913, as amended by PL 1981, c. 311,
11 §§1 and 2 and as repealed by PL 1981, c. 318, §2, is
12 repealed.

13 Sec. 7. 23 MRSA §1921, 2nd sentence, as repealed and
14 replaced by PL 1981, c. 318, §4, is amended to read:

15 The commissioner may implement the removal of signs for
16 which compensation is paid on an area by area basis, pro-
17 vided all signs from which compensation is paid shall be
18 removed within 4 years from the effective date of this chap-
19 ter by January 1, 1982 if federal funds are sufficient under
20 section 1915.

21 Sec. 8. 23 MRSA §1924, sub-§3, as repealed and
22 replaced by PL 1981, c. 318, §4, is amended to read:

23 3. Existing directional signs. Upon implementation of
24 this chapter, the commissioner may remove, or require to be
25 removed, any existing directional sign erected and main-
26 tained pursuant to section 1153, Title 32, section 2722
27 prior to its repeal, and any sign erected and maintained
28 pursuant to Title 32, section 2715 prior to its repeal,
29 which does not qualify as an on-premise sign as defined by
30 section 1914, or as an official business directional sign as
31 defined by this chapter, no later than 6 years after January
32 1, 1978.

33 STATEMENT OF FACT

34 This bill amends the Maine Traveler Information Ser-
35 vices Act to permit the Department of Transportation to
36 develop more flexible guidelines concerning the installation
37 of directional signs. The bill's provisions are, in large
38 part, based on the suggestions of businesses and the public
39 at 3 public workshop sessions conducted by the Department of

1 Transportation in August, 1981. This bill also corrects
2 some technical errors.

3 Section 1 repeals the definition of "residential direc-
4 tional sign," which category is no longer in the law.

5 Section 2 adds a representative of the sign design and
6 fabrication industry to the Traveler Information Advisory
7 Council.

8 Section 3 will permit the department to enter into
9 agreements with municipalities for distinctive, local direc-
10 tional signs which conform to the policy and purposes of the
11 Act. Such agreements will exempt the municipality from
12 strict conformity to the department's directional sign regu-
13 lations, and will permit flexibility and creativity in com-
14 pliance with the law's purposes. The Traveler Information
15 Advisory Council will not longer be required to review each
16 agreement.

17 Section 4 eliminates the requirement that all direc-
18 tional signs be totally uniform and will permit the depart-
19 ment to adopt more flexible regulations. This change will
20 particularly aid small businesses by allowing for less
21 expensive signs.

22 Section 5 eliminates the prohibition that prevents each
23 business from erecting no more than 2 directional signs of
24 the maximum size.

25 Section 6 repeals the remaining provisions of Title
26 23, section 1913, which are in conflict with Title 23,
27 section 1913-A. The exemptions granted by Public Law 1981,
28 chapter 311 are no longer necessary since the department
29 will now be able to adopt more flexible rules providing the
30 option of less expensive signs to all businesses.

31 Section 7 reestablishes the time schedule as set forth
32 by the first Maine Traveler Service Information Act, Public
33 Law 1977, chapter 494. This time schedule was inadvertently
34 not properly referenced when the 2nd Maine Traveler Informa-
35 tion Services Act, Public Law 1981, c. 318, was enacted.

36 Section 8 permits directional signs erected under prior
37 law which are conforming with existing law to remain.

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