

MAINE STATE LEGISLATURE

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R. of S.

L.D. 1335

DATE: 6/13/95

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TRANSPORTATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 946, L.D. 1335, Bill, "An Act to Amend Laws Pertaining to On-premises Signs by Allowing for Changeable Signs"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 23 MRSA §1914, sub-§6, as repealed and replaced by PL 1981, c. 318, §4, is amended to read:

6. On-premise signs prohibited. An on-premise sign shall ~~be~~ is prohibited if it:

A. Attempts or appears to attempt to direct the movement of traffic or ~~which~~ interferes with, imitates or resembles any official traffic sign, signal or device;

B. Prevents the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic;

C. Contains, includes or is illuminated by a flashing, intermittent or moving light or lights, except as provided in subsection 11;

D. Uses lighting in any way unless the light is in the opinion of the commissioner effectively shielded as to prevent beams or rays of light from being directed at any

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2 portion of the public way or is of such intensity or
brilliance as to cause glare or impair the vision of the
4 operator of any motor vehicle or as to otherwise interfere
with any driver's operation of a motor vehicle; or

6 E. Moves ~~or~~, has any animated or moving parts or has the
appearance of movement, except as provided in subsection 11.

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10 **Sec. 2. 23 MRSA §1914, sub-§9**, as repealed and replaced by PL
1981, c. 318, §4, is amended to read:

12 **9. Jurisdiction by local authority in compact or built-up**
sections. Administration Except as otherwise provided in this
14 chapter, administration of this chapter by the Department of
Transportation shall does not apply to on-premise advertisements
16 located in compact or built-up sections, the administration of
which ~~shall--be~~ is the responsibility of local authority. In
18 compact or built-up areas adjacent to the interstate, the
Department of Transportation ~~shall--be~~ is responsible for the
20 administration of this section. The "compact or built-up
section" of any town or city ~~shall--be~~ is the territory contiguous
22 to any highway ~~which~~ that is built up with buildings devoted to
business or dwelling purposes ~~which~~ that are situated less than
24 200 feet apart for a distance of at least 1/4 of a mile.

26 **Sec. 3. 23 MRSA §1914, sub-§11** is enacted to read:

28 **11. Changeable signs.** Notwithstanding subsection 6,
paragraphs C and E, changeable signs are not prohibited as long
30 as the sign complies with all the terms of paragraph A or B.

32 A. For the purpose of this subsection, changeable message
board signs are those signs in which the message may be
34 electronically, mechanically or manually changed by the
complete substitution or replacement of one display by
36 another. The message on changeable message board signs may
not be changed more than once in any 4-hour period.

38 B. For the purposes of this subsection, time and
40 temperature signs are signs that electronically or
mechanically display the time and temperature by the
42 complete substitution or replacement of a display showing
the time with a display showing the temperature.

44 This size, intensity of illumination and acceptable rate of
46 change between the time display and the temperature display
must comply with rules, policy or guidelines adopted by the
48 Department of Transportation. Time and temperature signs
erected before the effective date of this subsection need
50 not comply with the rules, policy or guidelines.

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C. This subsection is administered by the Department of Transportation unless the municipality in which the sign is located and the Department of Transportation have agreed in writing that the municipality may administer this subsection.'

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

The Department of Transportation will incur some minor additional costs to enforce the provisions pertaining to changeable signs. These costs can be absorbed within the department's existing budgeted resources.'

STATEMENT OF FACT

This amendment replaces the bill. The amendment allows for changeable message board signs where the message can change once every 4-hour period.