

MAINE STATE LEGISLATURE

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Date: 3/20/14

L.D. 1721
(Filing No. H- 716)

TRANSPORTATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1231, L.D. 1721, Bill, "An Act To Make Changes to and Clarify Maine Traveler Information Services Laws"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 23 MRSA §1902, sub-§§3 and 4, as repealed and replaced by PL 1981, c. 318, §1, are amended to read:

3. Control outdoor advertising. Prohibit and control the indiscriminate use of outdoor advertising; ~~and~~

4. Protection of scenic beauty. Enhance and protect the natural scenic beauty of the State; and

Sec. 2. 23 MRSA §1902, sub-§5 is enacted to read:

5. Preserve public safety. Ensure that signs are erected in substantial compliance with national standards.'

Amend the bill by striking out all of section 3 and inserting the following:

'Sec. 3. 23 MRSA §1903, sub-§10-B, as enacted by PL 1997, c. 635, §1, is amended to read:

10-B. Producer. "Producer" means a person who produces, cultivates, grows or harvests ~~an agricultural product~~ farm and food products, as defined in Title 7, section 415, subsection 1, paragraph B.'

Amend the bill in section 6 in §1913-A in subsection 1 by striking out all of paragraphs J and K (page 2, lines 18 to 36 in L.D.) and inserting the following:

'J. Signs erected by a producer that direct travelers to the location where farm and food products, as defined in Title 7, section 415, subsection 1, paragraph B, are grown, produced and sold. A producer that sells farm and food products from a location with frontage on a numbered state highway may not erect a sign pursuant to this paragraph adjacent to that highway. A sign must be directional in nature, may

COMMITTEE AMENDMENT

1 not exceed 8 square feet in size and must be located within 5 miles of where the farm
2 and food product is sold. A producer may not erect more than 4 signs pursuant to this
3 paragraph, and the total number of signs erected by that producer pursuant to this
4 paragraph and section 1911, subsection 2 may not exceed 6; and

5 K. Signs erected for a farmers' market, as defined in Title 7, section 415, subsection
6 1, paragraph A, as long as the signs are directional in nature. A farmers' market may
7 not erect more than 4 signs pursuant to this paragraph, and the total number of signs
8 erected by that farmers' market pursuant to this paragraph and section 1911,
9 subsection 2 may not exceed 6. A farmers' market may erect a banner over a public
10 way if the farmers' market obtains municipal approval and complies with rules
11 adopted pursuant to this chapter.'

12 Amend the bill by striking out all of section 8 (page 8, lines 7 to 18 in L.D.) and
13 inserting the following:

14 'Sec. 8. 23 MRSA §1925, as amended by PL 2011, c. 344, §31, is further amended
15 to read:

16 **§1925. Administration of chapter**

17 The Except as otherwise provided in this chapter, the commissioner shall administer
18 this chapter. The commissioner may employ, subject to the Civil Service Law, clerical
19 and other assistants required for the administration of this chapter. The commissioner
20 may delegate to personnel of the Department of Transportation the authority to administer
21 this chapter. The commissioner may shall adopt rules to administer the various
22 provisions of this chapter that are consistent with the provisions of this chapter for the
23 implementation of this chapter that are substantially compliant with the Manual on
24 Uniform Traffic Control Devices published by the Federal Highway Administration and
25 other national engineering standards. Rules adopted pursuant to this section are routine
26 technical rules as defined in Title 5, chapter 375, subchapter 2-A. The commissioner may
27 execute contracts and other agreements to carry out the purposes of this chapter.

28 The Maine Turnpike Authority shall implement and administer the provisions of this
29 chapter relating to signs on the Maine Turnpike in accordance with section 1965.'

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

32 **SUMMARY**

33 This amendment adds complying with national standards to the purpose and policy
34 provisions of the Maine traveler information services laws. Instead of repealing the term
35 "producer," as proposed in the bill, the amendment redefines the term to include "farm
36 and food products" instead of "an agricultural product," which is in the current law. The
37 amendment removes the requirement that signs for farm and food products advertise only
38 products that are grown, produced and sold on the premises and are available for
39 immediate purchase and that signs for farmers' markets advertise only the farm and food
40 products that are available for purchase at the farmers' market. The amendment requires
41 the Commissioner of Transportation to adopt rules that are substantially compliant with
42 the Manual on Uniform Traffic Control Devices, published by the Federal Highway

1 Administration, and other national standards. Lastly, the amendment provides that
2 provisions of those laws relating to signs on the Maine Turnpike are to be implemented
3 and administered by the Maine Turnpike Authority.