

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-ninth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-ninth Legislature

1959

Chapter 339

AN ACT Relating to Outdoor Advertising Devices on the Interstate System.

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

Sec. 1. R. S., c. 23, § 142, amended. Section 142 of chapter 23 of the Revised Statutes, as amended by section 2 of chapter 267 of the public laws of 1957, is further amended to read as follows:

'Sec. 142. **Limitation on granting of permits.** No permit shall be granted for the erection, construction or maintenance of any outdoor advertising structure, device or display within a distance of 300 feet of the intersection or junction of a highway with another highway, or with a railway, at a point where it would obstruct or interfere with a view of a train or any vehicle on the intersecting or joining highway or railroad; or within 300 feet of any public park, reservation, public forest, public playground, school, church or cemetery and in public view therefrom; or within 50 feet from the nearer line of the traveled way of a public highway and in public view therefrom; or on any public highway, park or other public property; or which in the judgment of the commission is or would be injurious to property in the vicinity thereof, or would injuriously affect any public interest or endanger the safety of persons using any highway; or in a place wherein the erection, construction or maintenance thereof is or shall be prohibited by any municipal ordinance or regulation; or upon real property owned by or leased to a person other than the applicant, except with the consent of such owner or lessee; or whose area shall exceed 900 square feet; or which, in whole or in part, in its operation shall move or simulate motion, or has any animated or moving parts, or which contains, includes or is illuminated by any flashing intermittent or moving light or lights or which uses lighting in any way in connection with any sign unless it is so effectively shielded as to prevent beams or rays of light from being directed at any portion of the main-traveled way, or is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle, or which is or shall be painted upon or annexed to any rock or tree or any other natural features within the prohibited area. No permit shall be granted or renewed for the further maintenance of any billboard, sign or other advertising device unless the front, back, braces, anchors and lattice work thereof are kept in proper condition.'

Sec. 2. R. S., c. 23, § 147-A, additional. Chapter 23 of the Revised Statutes is amended by adding a new section to be numbered 147-A, and to read as follows:

'Sec. 147-A. **Interim restrictions.** Prior to the effective date of laws enacted by the 100th Legislature 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 emplaced 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.

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

Sec. 3. R. S., c. 23, § 148, amended. Section 148 of chapter 23 of the Revised Statutes, as amended by section 5 of chapter 267 of the public laws of 1957, is further amended to read as follows:

'Sec. 148. Penalty. Any person, firm or corporation who shall erect, maintain or display an advertisement, sign or billboard, or any structure designed for the display of advertising matter contrary to ~~the provisions of~~ sections 137 to 147, section 147-A and section 148 shall be punished by a fine of not less than \$10 nor more than \$100. The display of each sign shall constitute a separate offense. Whoever, after conviction for a violation of any of the provisions of sections 137 to 147, section 147-A, and section 148, unlawfully maintains any such advertisement, sign or billboard or structure designed for the display of advertising matter for 10 days after the conviction may be punished by a fine of not more than \$50 for each day upon which such advertisement, sign or billboard or structure designed for display of advertising matter is maintained. The fines and costs imposed and collected under ~~the provisions of~~ this section shall be paid to the Treasurer of State and deposited in accordance with ~~the provisions of~~ section 141.'