

# 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 electronic originals  
(may include minor formatting differences from printed original)

**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

---

---

**Penmor Lithographers**  
**Lewiston, Maine**  
**2005**

A rule authorized or provisionally adopted pursuant to this Title after January 1, 2005 that proposes to regulate private schools is a major substantive rule and subject to legislative review in accordance with Title 5, chapter 375, subchapter 2-A. An amendment to a rule adopted pursuant to this Title prior to January 1, 2005 is considered a major substantive rule when the amendment pertains to private schools, and it is subject to legislative review in accordance with Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

## CHAPTER 195

### H.P. 373 - L.D. 498

#### An Act to Amend the Laws Relating to Changeable Signs

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

**Sec. 1. 23 MRSA §1914, sub-§11-A**, as enacted by PL 2001, c. 268, §3, is amended to read:

**11-A. Changeable signs.** Notwithstanding subsection 6, paragraphs C and E, changeable signs are not prohibited as long as the sign complies with all the terms of this subsection. The Department of Transportation shall administer the provisions of this subsection ~~unless the municipality in which the sign is located and the Department of Transportation have agreed in writing that the municipality shall oversee that particular sign.~~

A. As used in this subsection, unless the context otherwise indicates, the following terms have the following meanings.

- (1) "Changeable sign" means an on-premise sign created, designed, manufactured or modified in such a way that its message may be electronically, digitally or mechanically altered by the complete substitution or replacement of one display by another on each side.
- (2) "Display" means that portion of the surface area of a changeable sign that is, or is designed to be or is capable of being periodically altered for the purpose of conveying a message.
- (3) "Lot of record" means a lot for which the deed was legally recorded, or which was created by a plan legally recorded, in the registry of deeds for the county where the lot is located. Contiguous lots of record

in the same ownership are considered one lot.

(4) "Message" means a communication conveyed by means of a visual display of text.

(5) "Sign assembly" means the display, border, trim and all supporting apparatus, including posts, columns, pedestals and foundation.

(6) "Time and temperature sign" means a changeable sign that electronically or mechanically displays the time and temperature by the complete substitution or replacement of a display showing the time with a display showing the temperature.

B. The display on each side of a changeable sign:

(1) May be changed no more than once every 20 minutes, unless the municipality in which the sign is located adopts an ordinance to the contrary and notifies the Department of Transportation in writing of that ordinance;

(2) Must change as rapidly as technologically practicable, with no phasing, rolling, scrolling, flashing or blending, unless the municipality in which the sign is located adopts an ordinance to the contrary and notifies the Department of Transportation in writing of that ordinance. Notwithstanding this subparagraph, a municipality may not adopt an ordinance that allows the sign to flash; and

(3) May consist only of alphabetic or numeric text on a plain background and may not include any graphic, pictorial or photographic images.

C. The display may comprise no more than 50% of the surface area of a changeable sign.

D. No more than one changeable sign with 2 sides is allowed per lot of record.

E. Changeable signs may not be located so that the message is readable from a controlled-access highway or ramp.

F. The highest point of the display of a changeable sign may not exceed a height of 25 feet above either the centerline of the nearest public way or actual ground level adjacent to the sign, whichever is lower.

G. Changeable message board signs existing in accordance with the requirements of former subsection 11 continue to exist if the signs:

- (1) Are reasonably incapable of being modified or reprogrammed to comply with this section as amended; and
- (2) Are not replaced, substantially rebuilt, reconstructed or repaired beyond routine maintenance.

H. The size, intensity of illumination and acceptable rate of change between the time display and the temperature display of a time and temperature sign must comply with rules, policies or guidelines adopted by the Department of Transportation. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter ~~H-A~~ 2-A. Time and temperature signs erected prior to September 29, 1995 need not comply with those rules, policies or guidelines.

See title page for effective date.

---



---

## CHAPTER 196

H.P. 456 - L.D. 623

### An Act To Ensure Participation by Voters with Disabilities in the Electoral Process

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

**Sec. 1. 21-A MRSA §1, sub-§40-A** is enacted to read:

**40-A. Signature.** "Signature" includes a signature stamp and a signature written by another registered voter on behalf of an individual in accordance with the procedure set forth in section 153-A and, for an individual who is unable to sign that individual's own name, a mark.

**Sec. 2. 21-A MRSA §153**, as amended by PL 1985, c. 614, §10, is repealed.

**Sec. 3. 21-A MRSA §153-A** is enacted to read:

**§153-A. Alternative registration procedure for voters with disabilities**

**1. Alternative application for voter who is unable to sign.** An applicant who is unable to sign that applicant's name because of a physical disability may use a signature stamp or authorize another person to sign on behalf of the applicant on an application to

register to vote or to enroll or make any changes to the applicant's voter registration status, as provided by this Title. The individual assisting the applicant shall prepare and sign the registration application or form, along with an alternative registration signature statement, at the applicant's direction, in the presence of the applicant and one corroborating witness. The individual assisting the applicant and the corroborating witness must be registered to vote in the State, but neither may be a candidate, the applicant's employer or an agent of that employer or an officer or agent of the applicant's union. The alternative registration signature statement form must be designed by the Secretary of State and must indicate that:

A. The applicant is unable to sign the applicant's name because of a physical disability;

B. The applicant meets all the qualifications to become a registered voter in the State or to make the requested changes to the voter's registration; and

C. The information supplied on the form concerning the applicant is true.

**2. Alternative application for voter who becomes unable to sign after being registered.** A voter who becomes unable to sign that voter's name because of a physical disability after being registered to vote and who wishes to change the voter's registration or enrollment status may do so by using a signature stamp or by authorizing another registered voter to sign on the voter's behalf if the voter files with the voter registration application or form an alternative registration signature statement prepared in accordance with subsection 1.

**3. Signing petitions.** Once an alternative registration signature statement is on file with the registrar, the voter may authorize any other Maine-registered voter to sign candidate petitions and any Maine Clean Election Act forms requiring a voter's signature in the presence and at the direction of the voter, except that the individual assisting the voter may not be the circulator of the petition or form, the voter's employer or an agent of that employer or an officer or agent of the voter's union. In addition to using the voter's signature stamp or signing for the voter, the individual assisting the voter must print and sign the individual's own name and residence address on the petition or form and attest that the individual is signing on the voter's behalf. This method of signing satisfies the requirements in this Title that voters personally sign candidate petitions.

**4. Registrar assistance.** An applicant or voter described in subsection 1 or 2 who does not have another registered voter available to assist the applicant or voter may request the registrar to provide