

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**SECOND SPECIAL SESSION**

**July 29, 2005**

**SECOND REGULAR SESSION**

**January 4, 2006 to May 24, 2006**

**THE GENERAL EFFECTIVE DATE FOR**

**SECOND SPECIAL SESSION**

**NON-EMERGENCY LAWS IS**

**OCTOBER 28, 2005**

**THE GENERAL EFFECTIVE DATE FOR**

**SECOND REGULAR SESSION**

**NON-EMERGENCY LAWS IS**

**AUGUST 23, 2006**

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

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**Penmor Lithographers**

**Lewiston, Maine**

**2006**

**Sec. 5. 22 MRSA §3789-C**, as enacted by PL 1995, c. 418, Pt. A, §36, is repealed.

See title page for effective date.

**CHAPTER 481**

**S.P. 670 - L.D. 1753**

**An Act To Set a Maximum on Penalties Imposed for Licensing Violations by Eating Establishments, Eating and Lodging Places, Lodging Places, Recreational Camps or Camping Areas**

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

**Sec. 1. 22 MRSA §2498, sub-§1, ¶C**, as amended by PL 2003, c. 673, Pt. X, §3, is further amended to read:

C. Any person, corporation, firm or copartnership that operates any eating establishment, eating and lodging place, lodging place, recreational camp or camping area without first obtaining a license as required by this chapter must be punished, upon ~~conviction~~ adjudication of unlicensed operation, by a fine of not less than \$25 nor more than \$200, and upon a 2nd or subsequent ~~conviction~~, adjudication of unlicensed operation must be punished by a fine of not less than \$200 nor more than \$500. Each day any such person, corporation, firm or copartnership operates without obtaining a license constitutes a separate offense.

See title page for effective date.

**CHAPTER 482**

**S.P. 667 - L.D. 1750**

**An Act To Amend Certain Transportation Laws**

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

**Sec. 1. 23 MRSA §708, sub-§3**, as enacted by PL 1991, c. 481, §2, is amended to read:

**3. Exceptions.** Exceptions from the provisions of this section are permitted only when:

A. Federal laws, rules and regulations take precedence over these provisions; ~~or~~

B. The commissioner determines that there is a compelling safety interest that can not be addressed by any other method; ~~or~~

C. The commissioner determines that a lighting installation is related to a department bridge project of state and regional significance and is supported by municipalities directly affected by the installation.

**Sec. 2. 23 MRSA §1912-B, first ¶**, as amended by PL 1995, c. 663, §1, is further amended to read:

Pursuant to rules adopted under this section, the commissioner may authorize the placement of logo signs within the right-of-way of the interstate system. A logo sign may not be larger than existing service information signs permitted on the interstate highway. Logo signs may be installed only on portions of the interstate highway that are rural in character or on certain connector highways where it is necessary to establish continuity for logo signs erected on the Maine Turnpike. A logo sign may include only logos for gas, food, lodging ~~and~~ camping and attractions. Applications from at least 3 qualified businesses must be approved before installation of a logo sign panel at an exit. Logos for 2 or more types of service may be displayed on the same sign panel. More than one logo sign panel may be installed at an exit only when 3 or more qualified businesses are available for each of 2 or more types of service. The number of logo sign panels at an exit may not exceed one for each type of service or a total of ~~4~~ 5 for all types of services. Rules adopted under this section must regulate the size, shape, manner and location of logo signs and must describe the procedure for applying to the department for permission to erect a logo sign and the criteria used by the department to select among applicants. The commissioner shall establish ~~an initial fee fees~~ fees for the production and placement of a logo sign and ~~an annual fee fees~~ fees to cover the maintenance costs. ~~Fees charged must approximate direct costs.~~

**Sec. 3. 23 MRSA §1914, sub-§11-A, ¶B**, as amended by PL 2005, c. 195, §1, is further amended to read:

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. If a municipal ordinance is adopted, the municipality is responsible for the administration of that ordinance;