

# MAINE STATE LEGISLATURE

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**REPORT OF THE  
MAINE  
TRAVEL INFORMATION  
ADVISORY COUNCIL  
TO  
THE 115th LEGISLATURE  
JANUARY 1991**

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Summary of Report of the  
Maine Travel Information Advisory Council  
to the 115th Legislature  
Pursuant to Public Law 735, 1990 (L.D. 2092)  
January, 1991

Public Law 735, 1990, "An Act Concerning the Travel Information Advisory Council", requires that the Council conduct a study of the provisions of the Maine Revised Statutes, Title 23, Chapter 21, Sections 1901-1925, "The Maine Traveler Information Services Act" Sections 1901-1925 and the Rules & Regulations adopted by the Department of Transportation to implement this act.

Maine has had laws controlling outdoor advertising (Billboards) in various degrees dating back to 1935. In 1961, Maine entered into an agreement with the Federal Bureau of Public roads to control outdoor advertising in accordance with the "Bonus Act" passed by Congress in 1958. Again, in 1969, Maine enacted legislation to comply with the 1965 Federal Highway Beautification Act. Of the 5000± off-premise signs (Billboards), 2200 were found to be non-conforming and were subsequently removed over the years. In 1977, the Maine Legislature enacted the Maine Traveler Information Services Act. The law provided for the elimination of all general off-premise advertising (Billboards). The law also provides for a system of uniform Official Business Directional Signs (OBDS), and manned and unmanned Travel Information Centers as major alternatives to billboard advertising. In 1984, the last billboard was removed.

The purpose of this law - "To promote the public health, safety, economic development and other aspects of the general

welfare, it is in the public interest to provide tourists and travelers with information and guidance concerning public accommodations, facilities, commercial services, and other businesses and points of scenic, cultural, historic, educational and religious interest." the law also calls for information publications (Maps, guide books, etc.) prohibits indiscriminate outdoor advertising and to enhance and protect the natural scenic beauty of the state.

The Department of Transportation held statewide hearings in 1978 to establish the Rules & Regulations pertaining to OBDS.

The purpose of the Travel Information Advisory Council, appointed by the Governor, is to advise the Department of Transportation on the implementation of the Maine Traveler Information Services Law.

It is the consensus of the Council, after a year's study, that the Maine Traveler Information Services Act has been very successful in carrying out the purposes of the law in conjunction with the Rules & Regulations. We propose to present an amendment to the present law that would allow for Seasonal Agricultural Signs.

Because the permit fees for Official Business Directional Signs are not covering the cost of carrying out the law, we are proposing that the law be amended to raise the present statutory maximum permit fee of \$30. That the Rules & Regulations be changed to raise the present \$5 permit fee for non-reflectorized signs and \$25 for reflectorized signs. The reasons for these proposals is further explained in the full report. It is further

recommended by the Travel Information Advisory Council that an additional Tourist Information Center on Route 2 in the Bethel area is needed and warranted when funding is available.

Other areas addressed in the report are OBDS Clutter, OBDS Systems administered by Municipalities, Local Ordinances, Official Information Centers, Chamber of Commerce and Private Information Centers, Published Information including Maps, Brochures, etc.

*Marion Fuller Brown*

Marion Fuller Brown

Chair, Maine Travel Information  
Advisory Council





# TRAVEL INFORMATION ADVISORY COUNCIL

## Report to the 115th Legislature

Pursuant to Public Law 735, 1990 (L.D. 2092)

The following is in response to Public Law 735, 1990 (L.D. 2092), "An Act Concerning the Travel Information Advisory Council." This Act was enacted as emergency legislation by the 114th Legislature and was signed into law by Governor McKernan on March 23, 1990. This Law, in part, mandated the following:

Study and Report. The Travel Information Advisory Council is required to conduct a study of the provisions of the Maine Traveler Information Services Act codified under Title 23 M.R.S.A., Chapter 21, Sections 1901-1925 and the rules adopted by the Department of Transportation to implement the Act. The purpose of the study is to determine:

1. The degree to which the provisions of Title 23, Chapter 21 and the rules adopted pursuant to that chapter meet the needs and serve the best interest of the public;
2. The need for additional signs better to assist the traveling public and the criteria by which the need for additional signs for specific sites and facilities is to be determined; and
3. Whether there are alternatives to existing law and rules or changes that need to be made to existing law

and rules better to serve the needs of the traveling public, the citizens of Maine and the State.

The Travel Information Advisory Council is required to report its findings and recommendations, along with any necessary implementing Legislation, to the First Regular Session of the 115th Legislature. Following is the Council's report in this regard.

### **Report to the 115th Legislature**

#### **Pursuant to Public Law 735, 1990 (L.D. 2092)**

#### **I. Official Business Directional Sign System (OBDS)**

In its considerations and deliberations, the Travel Information Advisory Council (TIAC) considered the effectiveness of the OBDS system since, in effect, this system is the only means available to businesses or other facilities to display signs directing the traveling public to their respective locations. It was felt that this system is not only adequate to meet directional signing needs of all eligible facilities but the OBDS system is deemed to be fair to all businesses from the largest corporate entity to the smallest of businesses since one has no advantage over the other in terms of eligibility for signing.

#### **A. Seasonal Agricultural Sign Recommendation**

The Council, as mandated by Public Law 735, 1990 (L.D. 2092), studied the need for additional signs to better serve Maine's interests and the traveling public. While the Official Business Directional Sign (OBDS) system met these needs in most cases, bills kept surfacing

in the Legislature year after year seeking to create an exemption for agricultural signs. None of these bills passed because it was felt that the proposed exemptions were too broad and would have given agriculturally oriented businesses an unfair advantage over other businesses. In the majority of cases, OBDS are sufficient to provide ample directional signing to these businesses. The Council, however, recognized a unique need to supplement OBDS signing to accommodate farmers who sell their perishable crops in season such as fruit, berry and vegetable crops. These crops, for the most part, are very short lived such as berry crops in particular which last only a few weeks. This means that the small farmer must have the means of marketing his crop in a very short period of time in order to survive in business. In the absence of having a ready market for his produce, the farmer must rely in large part on impulse buying by the passing motorist. It then becomes critical that they have signing advising the motorist of what produce, berries, fruits or vegetables are ready and available for sale or for "pick your own" type operations.

While OBDS adequately perform the function of directing the motorist to the farm location, these signs are not designed to advertise the various produce available at the farm at any given time.

In view of the above, the Council is recommending Legislation which proposes an exemption for farmers advertising fresh fruit, berry and vegetable crops in season as follows:

Add the following paragraph to Title 23 M.R.S.A. Section 1913-A, Subsection 2:

F. Signs erected by farmers advertising fresh fruit, berry and vegetable crops in season from June 15th through November 1st of each year. These signs must be erected on private property with the landowner's permission, and the signs must be removed by November 1st of each year.

Further, these signs are limited to 2 signs not exceeding 16 square feet per sign, and located within 5 miles of the farm stand. This exemption shall apply only to farmers primarily selling their own produce raised on their respective farms and not for commercial fruit and produce stands.

**B. Official Business Directional Sign (OBDS) Permit Fees**

During the Council's study of the "Billboard Law", it became evident that the costs of administering the OBDS program far exceeds income from permit fees. The original intent of the 1977 Law was that permit fees should meet the cost of the program.

In 1989, expenses relating to OBDS were \$353,000 (See Attachment #5, Job Cost Analysis Project PIN 1414.20 1989) Of this amount, approximately \$191,000 was attributable to locating, erection and maintenance of OBDS by the DOT Traffic Division and sign crews from DOT's seven division offices. The remaining expenses of \$162,000 are attributable to the Right-of-Way Division in its efforts towards control of outdoor advertising and administration of the OBDS program. Approximately half of the \$162,000 in expense by the Right-of-Way Division are OBDS related. Hence, it is reasonable to say that the total cost of

the OBDS program in 1989 was \$353,000 minus \$81,000 resulting in a net cost of \$272,000. OBDS income from permit fees in 1989 was \$94,880 for 8,268 permits issued as follows: 2,677 reflectorized signs at \$25 = \$66,925 and 5,591 non-reflectorized signs at \$5 = \$27,955. The resulting deficit is  $\$272,000 - \$94,880 = \$177,120$ . A chart showing fees from 1980-1989 shows a dramatic increase in the non-reflectorized \$5 signs after fees were revised pursuant to legislation passed in 1982 allowing for small 12x48 \$5 signs; in 1982, there were 126 such signs versus 5,591 in 1989 (See OBDS Permit Summary Attachment #6). It is obvious that the \$5 permit fee in no way meets the administration cost. It is apparent that the businesses which have \$5 sign permits are being subsidized.

A review of the costs for OBDS signs in other states shows that Maine permit fees are considerably lower. They range all the way from \$10 to \$125 for annual fees, \$10-\$500 for application fee (See Attachment #7).

It is felt that OBDS permit fees must be raised in order to offset, in part, the cost of administering the program. The Council recommends that OBDS fees be raised from the present \$25.00 to \$50.00 per year for reflectorized signs and from \$5.00 to \$25.00 for non-reflectorized signs. We further recommend that the present statutory limit on OBDS fees be raised from the present \$30.00 to \$100.00. This would allow the Department of Transportation to raise OBDS fees in the future, if found to be necessary to meet program costs, without having to go back to the Legislature. Hence, it is recommended that Title 23 M.R.S.A., Section 1919 be amended as follows:

**\$1919. FEES.**

An applicant for an official business directional sign shall pay to the Commissioner an initial license fee not to exceed ~~\$30~~ \$100 for each sign, and an annual renewal fee not to exceed ~~\$30~~ \$100. The amount of each fee shall be determined for each year by the Commissioner in advance of such year and shall approximate to the extent practicable the amount computed by dividing the cost of the administration of the official business directional sign program by the number of signs in existence in the prior licensing year.

The fees so collected by the Commissioner shall be deposited with the Treasurer of State and appropriated to carry out this chapter. Such funds shall not lapse but shall remain a continuing carrying account.

**C. Official Business Directional Sign Clutter**

A concern of the Council was reported OBDS clutter in areas of high demand for OBDS. At the request of the Council, DOT reviewed and videotaped sample areas of high demand for OBDS on U.S. Route 1 in the Damariscotta/Newcastle area at the intersections of business Route 1 northbound/southbound and River Road, and Route 109 in Wells at the intersection of U.S. Route 1. The Damariscotta/Newcastle area was deemed to present the most "clutter" due to the large numbers of signs in place and the close spacing between sign assemblies. It was felt that this was probably the result of DOT trying to accommodate all area businesses desiring OBDS. OBDS on the Route 109 approach to

Route 1 in Wells was found to be neatly spaced and did not give the appearance of "clutter".

The Council discussed this matter at length and considered whether or not it would be necessary to eliminate OBDS in areas of high demand and erect alternative off-road sign plazas or generic type signing in order to resolve the issue of "clutter". After due consideration, the Council felt that the problem was not widespread and no action was necessary at this time. The Council unanimously passed the following motion: "Whereas it is felt that OBDS clutter is limited to very few areas of the State, the Council moves not to take any action on this matter at this time".

#### **D. OBDS Systems Administered by Municipalities**

Nine municipalities have taken advantage of the local option under Title 23 M.R.S.A., Section 1906, Subsection 2, which provides that the Commissioner of DOT may enter into agreement with municipalities desiring to administer their own directional signing system for signs distinctive to their respective municipalities. At the Council's request, DOT reviewed and videotaped directional signing systems administered by the Towns of Yarmouth and Freeport as sample systems representative of the nine directional signing systems administered by municipalities. It was felt that while each system differed in some respects, each was effective in its own way and the Council saw no reason to recommend any changes.



## **E. Local Ordinances**

Title 23 M.R.S.A., Section 1922, provides that municipalities may have more stringent requirements applicable to signing than that provided by state law. It provides in part, "It shall not be inconsistent with this chapter if such statute, regulation, ordinance or resolution prohibits official business directional signs."

Many municipalities throughout the state have ordinances restricting or controlling placement of signs in varying degrees. These vary from minimal restrictions to total prohibition of official business directional signs. Prohibition of OBDS is mostly in larger cities such as Portland and South Portland where placement of OBDS would be impractical due to the highly developed nature of these cities where everything is brick and concrete, making it very difficult to install structures to support OBDS not to mention the extremely high demand for OBDS which would result if they were allowed due to a heavy concentration of businesses in such areas. The Town of Edgecomb solved a "clutter" problem by banning OBDS's for businesses outside of the Town of Edgecomb. The original intent and purpose of the Law was to provide directional signing to businesses or facilities located off major highways or off the beaten path so to speak, hence, prohibition of OBDS in the major cities does not appear to have any serious impact on businesses.

## **II. Official Tourist Information Centers**

The Maine Publicity Bureau has continuously operated information services for the traveling public since March, 1922.

State owned information centers have existed in Maine since 1937 when a year-round facility was built in Portland with Federal and State funds.

More recently, State sponsored Bureau operated facilities have been built. Maine's first manned official tourist information center was established on I-95 northbound in Kittery in 1973. This very attractive facility, well maintained, makes an excellent first impression on tourists entering the State of Maine from the south.

During the past decade, Maine has made great strides in establishing five additional centers located in Houlton (1982), Calais (1986), Yarmouth (1988) and two in Hampden which opened in 1990. It is the concensus of the Travel Information Advisory Council that an additional Tourist Information Center on Route 2 in the Bethel area is needed and warranted when funding is available.

During the past, visitors have been using Maine's information network in significantly increasing numbers. Since 1970, walk-in visits have grown nearly five fold. Total walk-in traffic has increased from 198,116 to 1,005,120 in 1989.

Recognition should also be given to the numerous Tourist Information Centers operated throughout the State by local Chambers of Commerce and other tourist oriented organizations including the Maine Publicity Bureau. These Information Centers constitute an excellent alternate method of providing information to the traveling public.

The distribution of literature in both state owned and privately owned centers has grown at the same impressive rate. In 1989, the roughly one million visitors to the State owned centers carried away more than 3.2 million pieces of printed material. (See Attachment #8, "A Summary of the Growth Pattern of Visitor Traffic, #9 , Annual Walk-in Traffic Totals at Kittery, and #10 , A List of All Information Centers in Maine.)

The Council recognizes the ever growing importance of manned Tourist Information Centers and feels they are providing an excellent alternative to commercial signing, providing the traveling public with a wealth of information as well as personal guidance by trained staff. It is absolutely vital that there be adequate state funds to maintain and man these attractive Tourist Information Centers.

### **III. Published Information/Maps**

The Travel Information Advisory Council made an in-depth study of the feasibility of bringing back an official State Highway Map. It was agreed by Council members that such a map would generate much goodwill for the State of Maine. It was determined that Maine is one of only two states in the Nation which does not publish an official state highway map, the other being Alaska. Alaska publishes an air route map which is more appropriate to their needs due to a very limited highway system.

At the request of the Council, MDOT sent a questionnaire regarding publication, distribution and costs of State Highway Maps to thirteen states, ten of which responded. (See Attachment #11)

The Council obtained cost estimates for publishing a state map as follows:

1. MDOT - Kevin Reilly, DOT Cartographer, estimated that a state map could be produced at an approximate cost of \$100,000 per year based on a printing of 850,000 maps.
2. Maine Publicity Bureau - Peter Bachelder, Maine Publicity Bureau, stated that their costs for producing a Maine map was 31 cents per map or \$62,000 for an amount of 200,000 maps per year.
3. Hartnett House - Bob Hartnett of Hartnett House stated that his company publishes a state map for the State of New Hampshire at an annual cost of \$150,000 for 500,000 maps or 30 cents per map.

While the Council strongly emphasized the importance of publishing an official state highway map, it also recognized the reality of present budgetary restraints on the state level, which would make it very difficult, if not impossible, to obtain funding for this purpose. The Council felt that an official state map would be well warranted when funding is available considering the good public relations and goodwill it would generate. The Council emphasized the importance of a good

distribution and control system if and when an official state map is published.

The Council requested an analysis of map component parts which might better serve tourists and travel interests if they were added to the DeLorme maps and the Maine Publicity Bureau map. This analysis was conducted by MDOT Public Information Director John Stanley, MDOT Cartographer Kevin Reilly and Maine Publicity Bureau Researcher Gayle Briggs.

The Council reviewed the list of possible additional component parts of a map presented by John Stanley and after due deliberation, recommended the following 12 items of that list be included on a map:

1. Acadia and Baxter Parks - regulations and phone number information - specifically, how these differ from other parks regarding RV use, pets, reservations, fees, etc.
2. Airports - front of map - symbol indicator only showing locations.
3. Chamber of Commerce Locations - symbol only.
4. Covered Bridges Locations - symbol only.
5. Custom Station Locations - symbol only.
6. Ferry Services - Route (and perhaps rate) information on State of Maine and Casco Bay Systems, plus symbols for regularly scheduled, private operations.
7. Hospital symbols within cities and towns index - for quick ready identification of hospital locations. Might or might not be restricted to those with emergency room facilities.

8. Lighthouses - symbol only for the 10 or 12 accessible.

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9. Mileage table - showing distances from major out of state cities.

10. Scenic Highways - face of map identification and/or listing indicating locations and features.

11. Ski areas - map face identification and/or information table for all major areas.

12. State Police Barracks - listing of locations and telephone numbers.

The Council met with representatives of DeLorme Mapping of Freeport and the Maine Publicity Bureau regarding the possibility of adding the Council's recommended component items to their respective Maine maps. Both DeLorme Mapping and Maine Publicity Bureau have agreed to add many of these items to their respective maps.

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The Maine Travel Information Advisory Council in submitting this Report believes that their study substantiates, with the exception of the two proposed amendments and OBDS fee changes in the Rules & Regulations that the provisions of the Maine Traveler

Information Services Act, along with the Department of Transportation Regulations pertaining to OBDS, very effectively meets the needs and serves the interests of the traveling public.

This Law is respected nationwide and has set an example for eliminating visual pollution on our roadsides and provides a meaningful alternative by way of our uniform Official Business Directional Signs (OBDS) system.

Respectfully submitted,

*Marion Fuller Brown*

Marion Fuller Brown

Chair, Travel Information

Advisory Council

Members:

Marion Fuller Brown, Chair, representing Garden Clubs

Maitland E. Richardson, representing General Public

John Druce, representing Lodging Industry

Joyce A. Harding, representing Restaurant Industry

Rosa Prime, representing Agriculture

Laurel Kersteen, representing Recreation Industry

Merrill Gogan, representing Sign Designers & Fabrication Artisans

Senator Donald R. Twitchell, Senate Member

Representative Robert J. Tardy, House Member

## Fact Sheet

## Billboard Control in Maine

1. Maine has had laws controlling Outdoor Advertising in various degrees dating back to 1935.
2. In 1958, Congress enacted the "Bonus Act" which provided for control of Outdoor Advertising adjacent to the National System of Interstate and Defense Highways. The "Act" offered a bonus of  $\frac{1}{2}$  of 1% of construction costs of the Interstate System to those states which became "Bonus" states. In 1961 Maine entered into agreement with the Bureau of Public Roads to control advertising in accordance with National policy. Maine subsequently received approximately 1.1 million dollars of Federal Bonus funds.
3. In 1965 Congress enacted the Federal Highway Beautification Act which required control of Outdoor Advertising along the Primary Highway System as well as Interstate. It also provided for compensation for removal of non-conforming signs in existence as of the date of the act. Failure to comply subjected the states to a 10% penalty on its Federal Highway funds. In 1967, Maine entered into agreement with the U.S. D.O.T. to control Outdoor Advertising consistent with National policy. Maine subsequently enacted compliance legislation to the Federal Act in 1969.
4. In 1969 approximately 5000 off-premise advertising signs existed under permit in Maine along its highways, 2200 of which were found to be nonconforming to the 1969 law. Of the 2200 nonconforming signs, approximately 550 were found to be non-compensable under the law, the law provided a 5 year amortization period for removal of these signs as opposed to direct compensation. After a favorable decision by the Maine Supreme Court, the last of this group of signs were removed in 1980 following almost 6 years of litigation on the question of compensation between Maine and National Advertising Company.

By the end of 1977, Maine had removed approximately 1,050 signs with compensation at a cost of 1.1 million dollars, 75% of which was paid for with Federal funds under the terms of the Federal Act. The remainder of nonconforming signs were removed by their owners for various reasons.

5. The Maine legislature enacted the Maine Traveler Information Services Act which became effective January 1, 1978. The act provided for elimination of all general off-premise advertising signs over a period of 6 years, providing for removal with compensation of signs on Interstate and Primary Highways within 4 years while allowing a 6 year amortization period for signs on all other public ways.

As of December 31, 1980, Maine has acquired approximately 750 billboards at a cost of 2 million dollars (75% Fed/25% State). This brings Maine about halfway through its billboard acquisition program. Approximately 500 additional signs remain which are subject to the amortization provision of the law.

The law provides for a system of uniform directional signs, manned or unmanned travel information centers or plazas as the major alternatives to billboard advertising.



6. In January 1978 Maine's new billboard law was challenged in the courts by National and Donnelly Advertising Companies. The U.S. District Court upheld the law, however on appeal to the First Circuit Court in Boston, on December 22, 1980, the court found the statute to be unconstitutional as it applied to signs of a non-commercial nature such as political and ideological speech signs. This had the effect of rendering the entire statute unconstitutional since the statute contained no disclaimer which would permit the remainder of the statute to stay in effect.

On January 7, 1981, the state filed a notice of appeal to the U.S. Supreme Court and also filed a "Motion for a stay of the Circuit Court's Mandate". This action will continue the statute in effect until either the appeal is heard or the statute is amended.

The Department, in cooperation with Governor Brennan's office intends to introduce legislation as an emergency item which will eliminate those issues with which the court took exception.

#### SUPPLEMENT OF 1981 FACT SHEET 3/86

In the spring of 1981, the Legislature enacted, as emergency legislation, an amended version of the M.T.I.S.A. which was essentially a carbon copy of the original law except for amendments to that part of the statute relating to control of political, religious and ideological speech signs. This was done in order to satisfy the court's concerns of constitutionality while still retaining the basic intent of the original law. Passage of the new law made it possible for D.O.T. to resume its billboard acquisition/removal effort.

As of December, 1984, Maine had acquired/removed approximately 1,400 billboards under the provisions of the 1978/1981 law at a total cost of 3.5 million dollars with a mix (75/25) of federal/state funds. Approximately 500 signs were caused to be removed under the amortization provision of the law.

Maine implemented the Official Business Directional Sign (OBDS) system coincidentally with removal of billboards in the interest of an orderly transition and to accommodate those businesses needing directional signing. In 1985, D.O.T. issued 3,152 permits for non-reflectorized OBDS and 2,015 reflectorized for a total of 5,167 signs. (61% non-reflectorized/39% reflectorized).

#### SUPPLEMENT JANUARY 1990

As of January 1, 1990, there are 8,268 OBDS in place along our highways. The OBDS are broken down into 5,591 non-reflectorized signs and 2,677 reflectorized signs. Approximately 68% non-reflectorized and 32% reflectorized.

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY

—  
H.P. 1512 - L.D. 2092

An Act Concerning the Travel Information Advisory Council

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this Act requires a study with a report to the First Regular Session of the 115th Legislature; and

Whereas, commencing the study as soon as possible will facilitate its completion in a timely fashion; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 23 MRSA §1904, sub-§3, as amended by PL 1983, c. 812, §141, is repealed and the following enacted in its place:

3. Membership. The Travel Information Advisory Council is composed of 9 members appointed by the Governor as follows:

- A. One representative of the lodging industry;
- B. One representative of the restaurant industry;
- C. One representative of garden clubs;

D. One representative of agriculture;

E. One representative of the recreation industry;

F. One representative of environmental organizations;

G. One representative of nonprofit historical and cultural institutions;

H. One representative of sign designers and fabrication artisans; and

I. One representative of the general public.

These members are appointed to 2-year terms of office expiring on January 16th, with the terms of those members appointed under paragraphs A, B, C, and D expiring in odd-numbered years and the terms of those members appointed under paragraphs E, F, G, H, and I expiring in even-numbered years.

The council shall also have two legislative members until the adjournment of the First Regular Session of the 115th Legislature, to be appointed as follows:

J. One Senator appointed by the President of the Senate to a term concurrent with the term to which the member of the Senate is elected;

K. One member of the House of Representatives appointed by the Speaker of the House of Representatives to a term concurrent with the term to which the member of the House of Representatives is elected;

If a vacancy occurs prior to the expiration of a term of any member, including legislative members, that vacancy must be filled by the appointing authority as provided in this subsection for the remainder of that term.

Sec. 2. 23 MRSA §1904, sub-§§4 and 5, are enacted to read:

4. Meetings and compensation. Meetings must be held at the call of the chair or at the call of more than 1/2 of the membership. Members of the council, except state employees, are entitled to compensation according to the provisions of Title 5, chapter 379. All council expenses must be paid from the account established by section 1919.

5. Chair. The Governor shall appoint the chair of the council.

Sec. 3. Study and report. The Travel Information Advisory Council shall conduct a study of the provisions of the Maine

Revised Statutes, Title 23, chapter 21 and the rules adopted by the Department of Transportation to implement Title 23, chapter 21. The purpose of the study is to determine:

1. The degree to which the provisions of Title 23, chapter 21 and the rules adopted pursuant to that chapter meet the needs and serve the best interests of the public;

2. The need for additional signs better to assist the traveling public and the criteria by which the need for additional signs for specific sites and facilities is to be determined; and

3. Whether there are alternatives to existing law and rules or changes that need to be made to existing law and rules better to serve the needs of the traveling public, the citizens of Maine and the State.

The Travel Information Advisory Council shall report its findings, along with any necessary implementing legislation, to the First Regular Session of the 115th Legislature.

Sec. 4. Current membership. Nothing in this Act may be construed to require the appointment of an entirely new Travel Information Advisory Council. The current members of the council shall serve until the terms to which they were appointed expire.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

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In House of Representatives, ..... 1990

Read twice and passed to be enacted.

..... Speaker

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In Senate, ..... 1990

Read twice and passed to be enacted.

..... President

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Approved ..... 1990

..... Governor

MAINE TRAVELER INFORMATION SERVICES ACT  
(as Amended through 1990)  
23 Maine Revised Statutes Annotated §1901 - 1925

§1901. Legislative Findings

The Legislature of this State makes the following findings of fact.

1. Tourist industry. A large and increasing number of tourists has been coming to Maine and, as a result, the tourist industry is one of the important sources of income for Maine citizens, with an increasing number of persons directly or indirectly dependent upon the tourist industry for their livelihood.

2. Information discrimination. Very few convenient means exist in the State to provide information on available public accommodations, commercial services for the traveling public and other lawful businesses and points of scenic, historic, cultural, educational and religious interest. Provision of those facilities can be a major factor in encouraging the development of the tourist industry in Maine.

3. Scenic resources. Scenic resources of great value are distributed throughout the State, and have contributed greatly to its economic development by attracting tourists, permanent and part-time residents and new industries and cultural facilities.

4. Preservation of scenic resources. The scattering of outdoor advertising throughout the State is detrimental to the preservation of those scenic resources and so to the economic base of the State, and is also not an effective method of providing information to tourists about available facilities.

5. Proliferation of outdoor advertising. The proliferation in number, size and manner of outdoor advertising is hazardous to highway users.

§1902. Policy and purpose.

To promote the public health, safety, economic development and other aspects of the general welfare, it is in the public interest to provide tourists and travelers with information and guidance concerning public accommodations, facilities, commercial services and other businesses and points of scenic, cultural, historic, educational, recreational and religious interest. To provide this information and guidance, it

is the policy of the State and the purpose of this chapter to:

1. Official information centers; signs. Establish and maintain official information centers and a system of official business directional signs;
2. Information publications. Provide official directories, guidebooks, maps and other tourist and traveler information publications;
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.

#### §1903. Definitions

As used in this chapter, unless the context otherwise indicates, the following words have the following meanings.

1. Commissioner. "Commissioner" means the Commissioner of Transportation.
2. Erect. "Erect" means to construct, build, raise, assemble, place, affix, attach, create, paint, draw or in any other way bring into being or establish.
3. Interstate system or interstate highway. "Interstate system" or "interstate highway" means any state highway which is or does become part of the national system of interstate or defense highways, as described in the United States Code, Title 23, section 103(d) and amendments thereto or replacements thereof.
4. Logo. "Logo" means a single or multicolored symbol or design used by a business as a means of identifying its products or services.
5. Maintain. "Maintain" means to allow to exist.
6. Motor vehicle. "motor vehicle" means a self-propelled vehicle capable of legal operation on the traveled portion of the state highways.
7. Official business directional sign. "Official business directional sign" means a sign erected and maintained in accordance with this chapter, to indicate to the traveling public the route and

distance to public accommodations, facilities, commercial services for the traveling public and points of scenic, historical, cultural, recreational, educational and religious interest. Other information may be displayed by means of logos authorized pursuant to section 1910.

8. On-premise sign. "On-premise sign" means a sign which is erected and maintained according to the standards set forth in section 1914 upon the same real property that the business, facility or point of interest is located or an approach sign as permitted by section 1914, subsection 10. The signs shall only advertise the business, facility or point of interest conducted thereon or the sale, rent or lease of the property upon which it is located.
9. Person. "Person" means an individual, corporation, joint venture, partnership or any other legal entity.
10. Primary system or primary highway. "Primary system" or "Primary highway" means any state highway which is or does become part of the federal aid primary system, as described in the United State Code, Title 23, section 103(b) and amendments thereto and replacement thereof.
- 10-A Private way. "Private way" means a private road, driveway or public easement as defined in section 3021.
11. Public way. "Public way" means any road capable of carrying motor vehicles, including, but not limited to, any state highway, municipal road, county road, unincorporated territory road or other road dedicated to the public.
12. Repealed
13. Secondary system or secondary highway. "Secondary system" or "secondary highway" means any state highway, but which is not part of the interstate or primary systems.
14. Sign. "Sign" means any structure, display, logo, device or representation which is designed or used to advertise or call attention to any thing, person, business, activity or place and is visible from any public way. It does not include the flag, pennant or insignia of any nation, state or town. Whenever dimensions of a sign are specified they shall include frames.



15. State highway or highway. "State highway" or "highway" means any public way which is so designated by this Title, including interstate, primary and secondary highways.
16. Traffic control sign or device. "Traffic control sign or device" means an official route marker, warning sign, sign directing traffic to or from a community, bridge, ferry or airport, or sign regulating traffic, which has been erected by officers having jurisdiction over the public way and these signs shall be exempt from the requirements of this chapter.
17. Visible "visible" means capable of being seen without visual aid by a person of normal visual acuity.

§1904. Travel Information Advisory Council

1. Creation. The Travel Information Advisory Council, established by Title 5, section 12004, subsection 10, shall advise the commissioner with respect to the administration of this chapter. The commissioner shall cooperate with the council by providing necessary assistance.
2. Powers and duties. The Travel Information Advisory Council shall advise the commissioner on rules relating to the determination of location, size, color and lettering for official business directional signs and on all other matters necessary and appropriate for the administration of this chapter.
3. MEMBERSHIP. The Travel Information Advisory Council is composed of 9 members appointed by the Governor as Follows:
  - A. One representative of the lodging industry;
  - B. One representative of the restaurant industry;
  - C. One representative of garden clubs;
  - D. One representative of agriculture;
  - E. One representative of the recreation industry;
  - F. One representative of environmental organizations;
  - G. One representative of nonprofit historical and cultural institutions;

H. One representative of sign designers and fabrication artisans; and

I. One representative of the general public.

These members are appointed to a 2-year terms of office expiring on January 16th, with the terms of those members appointed under paragraphs A, B, C, and D expiring in odd-numbered years and the terms of those members appointed under paragraphs E, F, G, H, and I expiring in even-numbered years.

The council shall also have two legislative members until the adjournment of the First Regular Session of the 115th Legislature, to be appointed as follows:

J. One Senator appointed by the President of the Senate to a term concurrent with the term to which the member of the Senate is elected;

K. One member of the House of Representatives appointed by the Speaker of the House of Representatives to a term concurrent with the term to which the member of the House of Representatives is elected;

If a vacancy occurs prior to the expiration of a term of any member, including legislative members, that vacancy must be filled by the appointed authority as provided in this subsection for the remainder of that term.

4. Meetings and compensation. Meetings must be held at the call of the chair or at the call of more than 1/2 of the membership. Members of the council, except state employees, are entitled to compensation according to the provisions of Title 5, chapter 379. All council expenses must be paid from the account established by section 1919.

5. Chair. The Governor shall appoint the chair of the council.

#### §1905. Official tourist information centers

To the extent funds are available or contracts can be entered into, the commissioner shall establish official tourist information centers near the principal entrance points into the State, as determined by the commissioner, and at such other locations as the commissioner deems appropriate in order to provide information about public accommodations, facilities, commercial services and other businesses for the traveling public, and points of scenic, historic, cultural, recreational, educational and religious interests.

§1906. Official business directional signs

1. Erection and maintenance. The commissioner, with the advice of the Travel Information Advisory Council, shall designate locations for and erect official business directional signs licensed under this chapter. The official business directional signs shall be furnished and preserved by the applicant thereafter and shall conform to regulations issued the commissioner with the advice of the Travel Information Advisory Council. Such regulations shall be consistent with section 1910.
2. Agreements with municipalities. The commissioner may:
  - A. Enter into contractual or other agreements with any municipality of this State providing for the erection of official business directional signs distinctive to that municipality upon finding that:
    - (1) The municipality has in effect an ordinance or regulation establishing a mandatory program of distinctive official business directional signs;
    - (2) The ordinance or regulation is administrable and enforceable and will be properly administered and enforced; and
    - (3) The ordinance or regulation is consistent with the policy and purposes of this chapter; and
  - B. Contract or arrange with any municipality for administration by that municipality within its boundaries of any appropriate matter under this chapter. Any contract or arrangement made under this paragraph and any action taken pursuant to it shall comply with the policy and purposes of this chapter.

Whenever any of the conditions set forth in this subsection are no longer being met, the commissioner shall promptly resume the administration of the official business directional sign program under this chapter. The commissioner shall provide written notice of his action to the municipality and may require nonconforming signs to be removed immediately.

§1907. Published information

§1907. Published information

To the extent funds are available or contracts are entered into, the commissioner shall provide directories, guidebooks, maps and other published information, showing the location of routes and available public accommodations, facilities, commercial services for the traveling public and other businesses and points of scenic, recreational, historic and cultural interest.

He may include in those guidebooks, and other published materials, paid advertising, identified as such, and shall make them available to visitors and to the general public at information centers and booths, service stations and garages, hotels, motels and restaurants, historical attractions and educational facilities, and such other places as he may find desirable. The commissioner shall cooperate with other state, federal and local agencies that provide information to travelers in the administration of this section.

§1908. Regulation of outdoor advertising

No person may erect or maintain signs visible to the traveling public from a public way except as provided in this chapter.

§1909. Eligibility for official business directional signs

Lawful businesses and points of interest and cultural, historic, recreational, educational and religious facilities are eligible for official business directional signs, subject to this chapter and to rules promulgated by the commissioner with the advice of the Travel Information Advisory Council, and to any federal law, rule or regulation affecting the allocation of federal highway funds or other funds to or for the benefit of the State or any agency or subdivision thereof.

§1910. Types and arrangements of signs

Subject to this chapter, the commissioner, with the advice of Travel Information Advisory Council, shall regulate the size, shape, color, lighting, manner of display and lettering of official business directional signs. A symbol may be specified for each type of eligible service or facility for inclusion upon official business directional signs.

§1911. Number and location of signs

1. Location limited. Official business directional signs shall only be located in those vicinities where the traveler must change direction from one

### §1911. Number and location of signs

1. Location limited. Official business directional signs shall only be located in those vicinities where the traveler must change direction from one public way to another to reach the business, facility or point of interest.
2. Number limited. Notwithstanding section 1918, the commissioner shall not issue more than 6 licenses for official business directional signs for any one place of business, facility or point of interest eligible therefor under section 1909, not more than one such official business sign shall be visible to traffic moving in any one public way leading toward the place of business, facility or point of interest nor shall any license be issued for a sign located more than 10 miles radius from the place of business, facility or point of interest.
3. Waiver of requirements. The commissioner may waive the specific requirements of this section if an applicant for a license can show unusual hardship due to conditions of topography, access or other physical characteristics.

### §1912. Permitted locations

In adopting regulations relating to locations for official business directional signs, the commissioner shall take into consideration such factors as the effect upon highway safety, the convenience of the traveling public and the preservation of scenic beauty.

When appropriate, because of the number of signs at one location, the signs shall be displayed in tiers or on panels. Subject to the traffic safety regulations adopted by the commissioner for the purposes of this chapter, the commissioner shall also specify by regulation the general types of locations where such posts, signs or panels may be erected and maintained, and the size, shape, lighting and other characteristics of the panels and posts, including the locations of signs thereon.

### §1913-A. Categorical signs

1. Types of signs. The following signs may be erected and maintained without license or permit under this chapter as follows:

- A. Signs of a duly constituted governmental body, a soil and water conservation district or regional planning district;
  - B. Signs located on or in the rolling stock of common carriers, except those which are determined by the commissioner to be circumventing the intent of this chapter. Circumvention shall include, but not be limited to, signs which are continuously in the same location or signs that extend beyond the height, width or length of the vehicle;
  - C. Signs on registered and inspected motor vehicles, except those which are determined by the commissioner to be circumventing the intent of this chapter. Circumvention shall include, but not be limited to, signs which are continuously in the same location or signs that extend beyond the height, width or length of the vehicle;
  - D. Signs, with an area of not more than 260 square inches, identifying stops or fare zone limits of motor buses;
  - E. Signs showing the place and time of service or meetings of religious and civic organizations, in the municipality or township. Each religious or civic organization may erect no more than 4 signs. No sign may exceed in size 24 inches by 30 inches;
  - F. Memorial signs or tablets;
  - G. Hand-held or similar signs not affixed to the ground or buildings; and
  - H. Signs bearing political messages relating to an election, primary or referendum, provided that these signs may not be placed within the right-of-way prior to 6 weeks before the election, primary or referendum to which they relate and must be removed by the candidate or political committee not later than one week thereafter.
2. Types of signs outside the right-of-way. The following signs may be erected and maintained outside of the public right-of-way without license or permit under this chapter as follows:

- A. Signs erected by a public, civic, philanthropic, charitable or religious organization announcing an auction, public supper, lawn sale, campaign or drive other like event or soliciting contributions;
  - B. Signs erected by fairs and expositions within the county where the activity is located;
  - C. Signs bearing religious messages and signs showing the time and place of services or meetings of religious and civic organizations;
  - D. Signs erected by nonprofit historical and cultural institutions. Each institution, which has certified its nonprofit status with the commissioner, may erect not more than 2 signs with a surface area not to exceed 50 square feet per sign; and
  - E. Signs bearing political messages.
3. Regulations. The commissioner may promulgate regulations and orders, including prohibitions, to protect highway safety and implement the intent of this chapter.
- The signs referred to in this section shall be subject to regulation, including prohibition, as set forth in section 1922.
4. Zones. The commissioner may promulgate regulations permitting signs, including signs bearing commercial messages, in any zone or area of the State, together with regulations concerning the dimensions, construction, illumination and other characteristics of such signs if the Attorney General certifies to the commissioner that the United States Supreme Court has determined that signs in such zones or area must be permitted.
5. Prohibited practices. None of the signs referred to in this section may be erected or maintained on any traffic control signs or devices, public utility poles or fixtures or upon any trees. None of these signs may be painted or drawn upon rocks or other natural features.

6. Interstate system. None of the signs referred to in this section, other than signs conforming with subsection 1, paragraphs B and C, may be located within the right-of-way limits of the interstate system or within 660 feet of the nearest edge of the interstate system and erected in such a fashion that the message may be read from the interstate highway.

§1914. On-premise signs

1. License and permit. No license or permit may be required for an on-premise sign.
2. Number. On-premise signs on any one property shall not exceed 10 in number, except in the case of more than one business, facility or point of interest being conducted on one property, signs for each business, facility or point of interest shall not exceed 10 in number.
3. Location. On-premise signs shall be located within 1,000 feet of the principal building where the business or facility is carried on or practiced or within 1,000 feet of the point of interest. Storage areas, warehouses and other auxiliary structures and fixtures are not deemed to be buildings where the business, facility or point of interest is carried on or practiced.
4. Location, relation to public way. No on-premise signs may be permitted:
  - A. Within 33 feet of the center line of any public way if the highway is less than 66 feet in width;
  - B. Within 20 feet from the outside edge of the paved portion of any public way with more than 2 travel lanes and a total paved portion in excess of 24 feet in width; or
  - C. Within the full width of the right-of-way of any public way.

Paragraphs A and B shall not apply to signs erected before September 1, 1957.



5. Interstate highways. Not more than one on-premise sign, advertising the sale or lease of the property, may be permitted on land adjacent to any portion of the interstate system, including ramps and interchange areas, which is visible therefrom.

Not more than one on-premise sign visible from any portion of the interstate system including ramps and interchange areas, may be permitted more than 50 feet from the principal building or structure where the business, facility or point of interest is carried on.

No on-premise advertisement, located more than 50 feet from the principal building or structure where the business, facility or point of interest advertised is carried on, may exceed 20 feet in length, width or height or 150 square feet in area, including border and trim, but excluding supports.

Any on-premise sign located more than 50 feet from the principal structure where the business, facility or point of interest is carried on that displays any trade name which refers to or identifies any service rendered or product sold shall display the name of the advertised business, facility or point of interest as conspicuously as such trade name.

6. On-premise signs prohibited. An on-premise sign shall be 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;

- 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 portion of the public way or is of such intensity or brilliance as to cause glare or impair the vision of the operator of any motor vehicle or as to otherwise interfere with any driver's operation of a motor vehicle; or
  - E. Moves or has any animated or moving parts.
7. Signs erected on natural features. No on-premise sign may be permitted which is erected or maintained upon trees or painted or drawn upon rocks or other natural features.
  8. Height. The maximum height of on-premise signs shall be 25 feet above the ground level of land upon which it is located or if the sign is affixed to or is part of a building, the maximum is 10 feet above the roof of the building.
  9. Jurisdiction by local authority in, compact or built-up sections. Administration of this chapter by the Department of Transportation shall not apply to on-premise advertisements located in compact or built-up sections, the administration of which shall be the responsibility of local authority. In compact or built-up areas adjacent to the interstate, the Department of Transportation shall be responsible for the administration of this section. The compact or built-up section" of any town or city shall be the territory contiguous to any highway which is built up with buildings devoted to business or dwelling purposes which are situated less than 200 feet apart for a distance of at least 1/4 of a mile.
  10. Approach signs. Any business or facility whose principal building, or a point of interest, which is located on a private way more than 1,000 feet from the nearest public way, or is not visible to traffic from the nearest public way, may erect no more than 2 approach signs with a total surface area not to exceed 100 square feet per sign. These signs are to be located outside the public right-of-way limits within 300 feet of the junction of the public and private ways.

## §1915. Compensation

1. Payment of compensation. Compensation shall be paid for the removal of any sign lawfully erected as of January 1, 1978, and which is visible from the interstate or primary systems, except no compensation may be paid if such sign is exempt as provided in section 1913-A and no compensation may be paid for the removal of signs subject to immediate removal pursuant to section 1924, subsection 3.
2. Procedures. The purchase, condemnation, negotiation, assessment of damage and appeal procedures shall be in accordance with this section and sections 153 through 159.
3. Acceptance of federal funds. The commissioner may accept any allotment of funds by the United States, or any agency thereof, appropriated to carry out the United States Code, Title 23, section 131 and amendments thereto or replacements thereof. Any such funds will be applied to effectuate this chapter.
4. Availability of federal funds. No sign may be required to be compensated if the federal share of the compensation to be paid under this section is not available.
5. Removal pursuant to other law. Nothing in this section may provide compensation for the removal of signs which are lawfully removed pursuant to any other statute, regulation, ordinance or resolution of any governmental entity having jurisdiction.
6. Maintenance of lawfully erected signs. Any sign lawfully erected as of January 1, 1978, in accordance with section 1924, subsections 1 and 2 may be maintained until removed by the commissioner under subsection 7 or by section 1916.
7. Removal of signs for which compensation is paid. The commissioner shall remove a sign for which compensation is to be paid under this section when title to such sign is acquired by the State pursuant to section 154.

§1916. Removal of signs by amortization

1. Exclusions. This section shall not apply to:
  - A. Signs for which compensation is paid under section 1915;
  - B. On-premise signs as provided in section 1914;
  - C. Exempt signs under section 1913-A;
  - D. Signs licensed under this chapter;
  - E. Signs to be removed under section 1917; and
  - F. Signs subject to immediate removal pursuant to section 1924, subsection 3.
2. Six years amortization. Any sign lawfully erected as of January 1, 1978, may be maintained in accordance with section 1924 for 6 years after that date in order to amortize the value thereof. The owner of the sign shall remove the sign within 30 days of a receipt of a final order specified in subsection 3.
3. Procedure for notice, hearing, appeal. The procedure for notice, hearing and appeal is as follows.
  - A. The commissioner shall send to the sign owner notice by certified mail, return receipt requested, that a sign is to be removed pursuant to subsection 2.

Such notice shall be a final order if not appealed under paragraph B.

If the identity of such owner is not known or reasonable ascertainable by the commissioner, such notice may instead be sent to the owner of the land on which the sign is placed.

- B. The person owning or controlling the sign may, within 30 days of his receipt of the notice to remove, appeal the order of removal to the commissioner and receive a hearing thereon, with a record made of the hearing. The commissioner shall render a decision within 60 days of the hearing. If no appeal is taken from the commissioner's decision, it shall be a final order. Any person aggrieved by the decision of the commissioner made subsequent to the hearing may, within 30 days of the receipt of notice of such decision, appeal to the Superior Court in the county where the sign is located. The appeal shall not be de novo and shall be subject to the Maine Rules of Civil Procedure, Rule 80b. For the purposes of this section, "person aggrieved" shall include the person owning or controlling the sign and any other person who is a resident of the county where the sign is located. A final judgment of a court shall be a final order for purposes of subsection 2.

§1917. Removal of unlawful signs

1. Notice to remove. The owner of a sign which was or is unlawfully erected or maintained either prior to or after the effective date of this chapter shall be in violation of this chapter until the sign is removed. The owner of the sign shall remove the sign within 30 days of receipt of a notice to remove, sent by certified mail, return receipt requested, by the commissioner. If the identity of such owner is not known or reasonably ascertainable by the commissioner, such notice may instead be sent to the owner of the land on which the sign is placed.
2. Commissioner to remove sign. If the owner fails to remove the sign as required, the commissioner shall remove the sign at the expense of the owner without any further notice or proceeding and may recover the expense of this removal from the owner.

3. Interpretation of chapter. Nothing in this chapter may be interpreted to alter, abridge or in any way interfere with any duty or obligation of a sign owner to remove signs which were nonconforming and illegal prior to January 1, 1975, under the United States Code, Title 23, section 131, as enacted by Public Law 89-285, 89 Congress S. 2084, the "agreement for carrying out National Policy relative to Control of Outdoor Advertising in Areas adjacent to the National System of Interstate and Defense Highways and the Federal-Aid Primary System" dated December 27, 1967, and as amended on January 3, 1968, executed by and between the United States of America and the State of Maine, under the Maine Revised Statutes, Title 32, sections 2711 to 2723.

The intent of this subsection is to preclude any presumption that this chapter is intended to extend the period of use of any sign which became nonconforming and illegal before January 1 1975, under the state agreement of December 27, 1967, as amended January 3, 1968, and Title 32, sections 2711 to 2723.

4. Compensation subject to litigation. Whenever the compensation to be paid for removal of any sign is the subject of litigation, pending the litigation such sign shall be removed as provided :n subsections 1 and 2.
5. Summary removal of illegal signs within the public right-of-way. Signs which are erected in nonconformance with this chapter and which are within the limits of any public right-of-way shall be subject to immediate removal by the commissioner.

§1918. Applications licensing of official business directional signs.

1. Submitting applications. Any person who is eligible under section 1909 for an official business directional sign may submit to the commissioner a written application therefor, on a form prescribed by the commissioner. The application shall set forth the name and address of the applicant, the name, nature and location of the business, the location where an official business directional sign is desired and such other information as the department may require. The applicant shall tender with the application the standard license fee stated in section 1919 for each sign required.

2. Granting licenses. following receipt of an application for an official business directional sign, the commissioner shall approve or disapprove the application. The commissioner shall not approve an application unless the requested location conforms to the regulations of the commissioner adopted pursuant to this chapter. The granting of licenses for official business directional signs on the interstate systems by the commissioner is contingent upon any requirement precedent to such approval, such as the concurrence of federal officials.

If the application is approved, the commissioner shall issue the license. If it is not approved, the commissioner shall return the application and fee, stating the reasons for refusal and giving the applicant an opportunity to correct any defects or to be heard, within 30 days, by the commissioner. Upon written request by the applicant, the commissioner shall hear the matter and notify the applicant of his findings and decision. Any person aggrieved by the decision of the commissioner may, within 30 days of receipt of the notice thereof, appeal to the Superior Court in the county where the sign is proposed to be located. The appeal shall not be de novo and shall be pursuant to the Maine Rules of Civil Procedure, Rule 80b.

#### §1919. Fees

An applicant for an official business directional sign shall pay to the commissioner an initial license fee not to exceed \$30 for each sign, and an annual renewal fee not to exceed \$30. The amount of each fee shall be determined for each year by the commissioner in advance of such year and shall approximate to the extent practicable the amount computed by dividing the cost of the administration of the official business directional sign program by the number of signs in existence in the prior licensing year.

The fees so collected by the commissioner shall be deposited with the Treasurer of State and appropriated to carry out this chapter. Such funds shall not lapse but shall remain a continuing carrying account.

#### §1920. Penalty

Any person, firm, corporation or other legal entity who shall erect, maintain or display a sign contrary to and in violation of this chapter, or the rules and regulations promulgated by the commissioner, shall be punished by a fine of not more than \$100 together with the cost of removal of the signs. The unlawful maintenance or display of each sign or advertising structure for any one day shall constitute a separate offense.

In addition to other penalties, the commissioner may, in the name of the state, institute any appropriate action, injunction or other proceeding to prevent, restrain, correct or abate any violation of this chapter, or any orders or the rules and regulations issued or promulgated hereunder.

#### §1921. Start of enforcement

To provide for the orderly implementation of this chapter, the State shall be divided by the commissioner into traveler information service areas which shall correspond to the Maine highway districts. The commissioner may implement the removal of signs for which compensation is paid on an area by area basis, provided all signs from which compensation is paid shall be removed by January 1, 1982 if federal funds are sufficient under section 1915.

#### §1922. Local ordinance

This chapter shall not supersede the provisions of any other statute, regulation, ordinance or resolutions, the requirements of which are more strict than those of this charter and not inconsistent therewith, whether such ordinance, bylaw, regulation, resolution or statute was enacted before or after the effective date of this chapter. It shall not be inconsistent with this chapter if such statute, regulation, ordinance or resolution prohibits official business directional signs.

#### §1923. Agreements with United States

The commissioner is authorized, empowered and directed to enter into agreements with the United States or its agencies and subdivisions to control signs in accordance with national standards, this chapter and the best interests of the State. Nothing in this chapter may abridge any agreements with the United States in force on the effective date of this chapter.



§1924. License or permits under repealed Title 32, Chapter 38

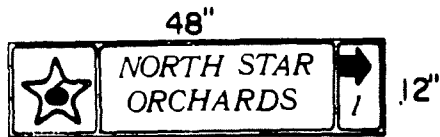
1. License. Any license issued pursuant to repealed Title 32, section 2713, shall remain in effect for 6 years from January 1, 1978, provided a licensee shall apply annually and pay the annual fee to the commissioner provided in repealed Title 32, section 2713. This subsection shall not allow the erection of any sign, pursuant to that license, after January 1, 1978, nor shall this subsection allow the maintenance of any sign removed pursuant to sections 1915 and 1916.
2. Fee permit. Any permit for which a fee is paid and which is issued pursuant to repealed Title 32, section 2714, shall remain in effect until the sign for which it is issued is removed pursuant to this chapter, provided a permittee shall apply annually and pay the annual fee to the commissioner provided in repealed Title 32, section 2714.
3. Existing directional signs. Upon implementation of this chapter, the commissioner may remove, or require to be removed, any existing directional sign erected and maintained pursuant to section 1153, Title 32, section 2722 prior to its repeal, and any sign erected and maintained pursuant to Title 32, section 2715 prior to its repeal, which does not qualify as an on-premise sign as defined by section 1914, or as an official business directional sign as defined by this chapter, no later than 6 years after January 1, 1978.

§1925. Administration of Chapter

The commissioner shall administer this chapter with the advice of the Travel Information Advisory Council. The commissioner may employ, subject to the Personnel Law, clerical and other assistants required for the administration of this chapter. The Commissioner may delegate to personnel of the Department of Transportation the authority to administer this chapter. The commissioner may promulgate rules to administer the various provisions of this chapter that are consistent with the provisions thereof. The commissioner may execute contracts and other agreements to carry out the purposes of this chapter.

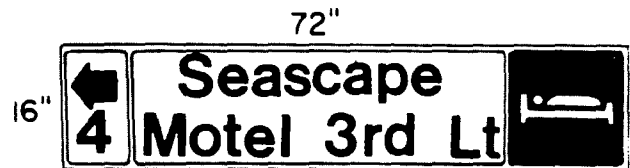
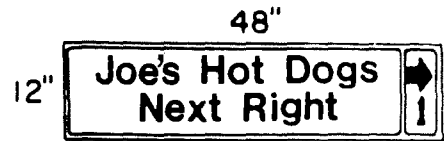
## HIGHLIGHTS OF OBDS REGULATIONS

### NONREFLECTORIZED



1. \$ 500 ANNUAL FEE.
2. POST TO BE ERECTED BY D.O.T. SIGN MAY BE ERECTED BY APPLICANT.
3. SIGNS PERMITTED ON ALL HIGHWAYS EXCEPT INTERSTATE AND FULLY CONTROLLED ACCESS HIGHWAYS.
4. ANY COLORS MAY BE USED.
5. LOGO MAY BE OF ANY COLOR AND OCCUPY THE ENTIRE SIGN FACE.
6. LETTERING AND LAYOUT TO CONFORM TO GOOD GRAPHIC PRACTICES

### REFLECTORIZED



1. \$ 25.00 ANNUAL FEE
2. SIGN AND POST TO BE ERECTED BY D.O.T.
3. SIGNS PERMITTED ON ALL HIGHWAYS EXCEPT INTERSTATE AND FULLY CONTROLLED ACCESS HIGHWAYS.
4. WHITE LETTERING ON A BLUE BACKGROUND; ENGINEERING GRADE REFLECTIVE SHEETING.
5. LOGO MAY BE OF ANY COLOR.
6. HELVETICA MEDIUM LOWER-CASE LETTERING WITH INITIAL UPPER-CASE REQUIRED. LAYOUT SPECIFIED.

NOTE: SIGN(S) MUST BE FURNISHED BY THE APPLICANT.

PLEASE DO NOT HAVE SIGN(S) MADE UNTIL YOU HAVE RECEIVED A PERMIT.

17 - DEPARTMENT OF TRANSPORTATION  
229 - OFFICE OF COMMISSIONER

CHAPTER - 200 - REGULATIONS FOR THE INSTALLATION OF OFFICIAL  
BUSINESS DIRECTIONAL SIGNS.

SUMMARY: The purpose of these regulations is to regulate the installation and maintenance of official business directional signs on public ways throughout the State. These regulations set forth comprehensive standards for the location, number, design, size, maintenance and permit procedures for the installation and maintenance of such signs.

These regulations do not cover directional signs distinctive to a municipality in which the Department has an agreement with the municipality pursuant to 23 M.R.S.A. 1906, sub-§2.

200.01 DEFINITIONS

- A. Logo. A single or multicolored symbolic design of a business, service facility, or point of interest used to identify its product or services.
- B. Official Business Directional Sign. An official business directional sign is a sign erected and maintained in accordance with the Maine Traveler Information Services Act and these regulations to indicate to the traveling public the route and distance to public accommodations, facilities, commercial services for the traveling public, and points of scenic, historical, cultural, recreational, educational, and religious interest. The second line of the legend may be used to indicate additional directional information such as next right or left, route number, or the name of the street.
- C. Public Way. Public way means any road capable of carrying motor vehicles, including, but not limited to, any State highway, municipal road, county road, unincorporated territory, or other road dedicated to the public.
- D. Sign Assembly. A sign assembly is the tiering of more than one official business directional sign on a support assembly.

- E. Symbol. A symbol is a design used to identify traveler services approved for use by the National Advisory Council on Uniform Traffic Control Devices or by the Maine Department of Transportation as set forth in Figure 1.
- F. Traffic Control Sign or Device. Traffic control sign or device means an official route marker, warning sign, sign directing traffic to or from a community, bridge, ferry, or airport, or sign regulating traffic which has been erected by officials having jurisdiction over the public way.

## 200.02 LOCATION

### A. General Requirements

Official business directional signs shall be located within the highway right-of-way on approaches to intersections where travelers must change direction from one public way to another to reach a business, service, or point of interest or where appropriate at the end of T intersections. A business, service facility, or point of interest shall not be permitted more than one sign at any one intersection approach. Each place of business, service, or point of interest shall be eligible for a maximum number of six official business directional signs. To qualify for an official business directional sign, the business, service, or point of interest must be within a ten mile radius of the proposed location of the sign.

Official business directional signs shall be located so as to avoid visual conflict with other signs, to have the least impact on the scenic environment and to take advantage of the natural terrain. Official business directional signs shall not be permitted at locations where the directional information contained thereon may be misinterpreted, misleading, or otherwise confusing to the traveling public.

### B. Interstate and Controlled Access Highways

Official business directional signs shall not be permitted within the right-of-way of the interstate highway system and fully controlled access highways.

### C. Lateral Clearances

The near edge of official business directional signs shall be located at least ten feet outside the highway shoulder except that

in areas where insufficient right-of-way exists to maintain this clearance, or where physical obstructions make such a distance impossible, the near edge shall be located the maximum practical lateral distance from the edge of the traveled way. In urban areas signs shall be at least one foot from the curb face.

#### D. Distances

Official business directional signs must be within 2,500 feet of the intersection where a change in direction is required unless otherwise permitted under Section 200.06.

Official business directional signs shall be located so as not to interfere with, obstruct, or divert a driver's attention from a traffic control sign or device. Traffic control signs or devices placed at intersection approaches subsequent to the placement of official business directional signs shall have precedence as to location and may require the relocation of official business directional signs. Unless traffic safety is not adversely affected, official business directional signs in general shall be at least 200 feet from traffic control signs or devices.

Successive business directional sign assemblies shall be spaced sufficiently apart for drivers to comprehend the messages contained thereon.

#### E. Sign Assemblies

There shall be a maximum of three official business directional signs per assembly and each sign shall be mounted three inches from the next sign below or above it. Reflectorized and nonreflectorized signs shall not be mounted on the same sign assembly.

#### F. Sign Clusters

Notwithstanding 200.02E, sign clusters may be permitted whenever the Department determines that highway safety and visual quality will not be adversely affected.

#### G. Vertical Distances

Sign assemblies shall be erected so as to provide a minimum of five feet vertical clearance between the lower edge of the bottom sign and the surface of the highway. Signboards located near pedestrian and parking areas may be required to have a vertical clearance of seven feet.

## 200.03 MATERIALS

Sign panel material shall be high density overlaid plywood a minimum of one-half inch thick or other material sufficiently stable not to deform under normal conditions of weather and use. All materials furnished under this Section shall be durable and weather resistant.

## 200.04 REFLECTORIZED SIGNS

### A. General

Reflectorized signs shall be standard in design, color, and reflectorization.

Sign legends shall be specific in identifying the name of the appropriate business or other service. Messages, symbols, and logos which interfere with, imitate, or resemble any official traffic control device or serve to advertise rather than identify a business are prohibited.

### B. Size

Sign sizes, layout, and letter sizes shall conform to the dimensions and details shown in Figure 2. To protect highway safety and visual quality, the Department may require smaller signs than 12 by 48 inches for certain intersections and areas.

All signs in a sign assembly shall be the same size. Sign sizes at a particular location must be consistent with the visual and aesthetic character of that location and with sign sizes which have been previously approved.

### C. Color

The background color of all signs shall be blue and shall be in accordance with highway blue color tolerance charts PR-Color #3.

All legend and border shall be silver. The edges and back of the signboards shall be sealed and painted brown. Specific color requirements shall be in accordance with the latest color tolerance charts published by the Federal Highway Administration and available for view at the office of the Maine Department of Transportation in Augusta.

### D. Lettering and Layout

All lettering used in the name of the business or service, including the directional legend, shall be Helvetica medium lower-case lettering with initial upper-case. Letter sizes shall be as shown in Figure 2.

Sign legends shall begin in the upper left-hand corner of the space provided. Single line legends, if used, shall occupy the top line of the space starting in the upper left-hand corner.

Directional legend shall be located on the left edge or the right edge of the sign depending upon whether a left turn or a right turn is required. The distance in miles from the intersection to the business, service facility, or point of interest shall be shown below the directional arrow.

The logo or symbol, if used, shall be located on the opposite end of the sign from the directional arrow.

Layout of the signboard and legend including the logo and symbol shall conform to good graphic layout practices.

#### E. Symbols and Logos

A symbol or logo may be used at the owner's option which may be of any color or colors. If a symbol is used, it shall be identical to the appropriate design as set forth in Figure 1.

#### F. Reflectorization

The background, sign legend, and border of all signs shall be reflectorized with reflective sheeting to show the same shape and color for both day and night. Reflective sheeting shall consist of a smooth, flat exterior film with spherical glass lens elements embedded beneath the surface and a precoated adhesive backing protected by a removable liner. Reflective sheeting shall meet the requirements of Federal specifications LS-300B available for view at the office of the Department of Transportation (DOT) in Augusta.

Illumination by special interior or exterior supplemental lighting is not permitted.

#### G. Installation and Maintenance

Official business directional signs shall be furnished by the owner or the applicant. The signs shall be installed by DOT at approved locations on sign posts furnished by DOT. DOT shall be responsible for maintenance of the sign supports.

Signboards which become lost, stolen, defaced, or otherwise damaged or deteriorated shall be replaced by the owner and reinstalled by DOT.

The owners of official business directional signs which represent businesses, service facilities, or points of interest no longer

offering such traveler assistance, or signs which are no longer applicable because of business name changes, business relocations, or for any other reason, shall notify DOT to have such signs removed.

Failure to properly maintain the sign panel by the owner or to notify DOT that signs are no longer applicable may result in removal of such signs by DOT.

## 200.05 NONREFLECTORIZED SIGNS

### A. General

Sign legends shall be specific in identifying the name of the appropriate business or other service. Messages, symbols, and logos which interfere with, imitate, or resemble any official traffic control device or serve to advertise rather than identify a business are prohibited.

### B. Size

Each sign shall be 12 inches vertical and 48 inches horizontal. The Department may authorize smaller sized signs which are consistent with an area's visual character.

### C. Color

Any color or colors may be used provided, however, that the lettering of the legend shall be one color and the background shall be a uniform second color.

The edges and back of the signboards shall be sealed and painted a dark color such as brown.

### D. Lettering and Layout

Lettering and layout, including logo or symbol, shall conform to good graphic layout practices.

Directional legend shall be located on the left edge or the right edge of the sign depending upon whether a left turn or a right turn is required. The distance in miles from the intersection to the business, service facility, or point of interest shall be shown below the directional arrow. The directional legend may be incorporated as part of the sign's logo.

Borders shall conform to the layout for the twelve inch by forty-eight inch sign shown in Figure 2.



E. Symbols and Logos

The logo or symbol, if used, may be located on all or part of the signboard and may be of any color or colors. If a symbol is used, it shall be identical to the appropriate design as set forth in Figure 1.

F. Installation and Maintenance

Official business directional signs may be erected by the owner or the applicant at locations approved by the Department. DOT shall be responsible for the erection and maintenance of the sign post.

Signboards which become lost, stolen, defaced, or otherwise damaged or deteriorated shall be replaced and reinstalled by the owner.

The owners of official business directional signs which represent businesses, service facilities, or points of interest no longer offering such traveler assistance, or signs which are no longer applicable because of business name changes, business relocations, or for any other reason, shall notify DOT to have such signs removed.

Failure to properly maintain the sign panel by the owner or to notify DOT that signs are no longer applicable may result in removal of such signs by DOT.

200.06 WAIVER

Whenever the Commissioner determines that at a particular approach to an intersection the standards for sign assemblies as set forth in Section 200.02 will adversely affect highway safety or the visual quality of the immediate neighborhood, the Commissioner may impose more stringent standards including prohibition.

Whenever the Commissioner determines that a change in the distances, number of signs per assembly, and number of assemblies at an approach to an intersection will not interfere with highway safety nor adversely impact the visual quality of the immediate neighborhood, the Commissioner may waive the requirements contained in Section 200.02D and E.

The Commissioner may waive the specific requirements for location and number if an applicant can show unusual hardship due to conditions of topography, access or other physical characteristics.

In place of official business directional signs, the Commissioner may order the installation of an Official Information Center to be located within a reasonable distance of the intersection. Once a

center is established, no official business directional sign shall be permitted at such intersection.

The Commissioner may designate members of the Department to exercise the responsibilities of this section.

#### 200.07 SEASONAL BASIS

##### A. General

The owner of a business, service, or point of interest which is temporarily or seasonally closed may cover the sign during the off-season. The cover will be held firmly in place so as not to injure or deface the signboard.

#### 200.08 PERMITS

##### A. Review and Approval of Application

Application for an official business directional sign shall be made on forms furnished by DOT. Applications will be processed and permits issued in the order of receipt of applications by DOT.

Any application for an official business directional sign is subject to review by the Department. The Department shall have final responsibility and authority to determine the specific size and location of any sign. Signs not deemed to meet the intent and purpose of the law or the criteria established in these regulations shall not be approved or erected.

##### B. Conformity with Laws

The owner of each business, service facility, or point of interest identified on an official business directional sign shall provide written assurance to the State that the existence of the business is in conformity with all applicable laws concerning licensing, zoning, and nondiscrimination.

The applicant for an official business directional sign shall provide certification from an appropriate municipal official that the proposed sign is in conformity with all applicable municipal sign ordinances.

C. Application Fees

Applications shall be accompanied by an initial permit fee of \$25.00 for each reflectorized sign and \$5.00 for each nonreflectorized sign. The initial permit fee will apply to installation for the remainder of the calendar year but will not be prorated for any fraction of a year.

D. Renewal Fees

Permits are to be renewed annually on January 1 at an annual cost of \$25.00 for each reflectorized sign and \$5.00 for each nonreflectorized sign.

Failure to pay renewal fees within thirty days will result in removal of signs by the State. Renewal fees are not refundable for installations of less than a full year.

E. Nontransferability

Permits for the installation of directional signs are not transferable. Any change in ownership of a business, service, or point of interest shall require reapplication and approval.

F. Variances

The Commissioner or his designee may alter the specific requirements for the number and location of signs as set forth in Section 200.02A if an applicant for a license can show unusual hardship due to conditions of topography, access, or other physical characteristics and may grant variances from the requirements of this regulation for sign clusters as set forth in Section 200.02 F provided such variances are consistent with the policy and purposes of the Maine Traveler Information Services Act..

200.09 HEARINGS

In instances where an application is not approved, the Commissioner shall return the application and fee stating the reasons for refusal and giving the applicant an opportunity to correct any defects or to be heard by the Commissioner or his designee within thirty (30) days. Upon written request by the applicant, the Commissioner or his designee shall hear the matter and notify the applicant of his findings and decision. Any person aggrieved by the decision of the Commissioner may, within thirty (30) days of receipt of the notice thereof, appeal to the Superior Court in the county where the sign is proposed to be located.

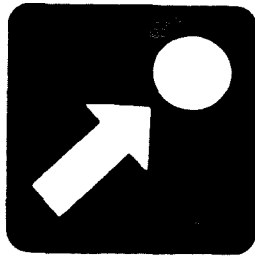
BASIS STATEMENT: The Commissioner of the Department of Transportation, with the advice of the Travel Information Advisory Council, is authorized by 23 M.R.S.A. 1910 to regulate the size, shape, color, lighting, manner of display and lettering of official business directional signs and by 23 M.R.S.A. 1906 and 1912 the location of such signs.

No representative comments were received.

AUTHORITY: Maine Traveler Information Services Act, 23 M.R.S.A. 1901-1925 (as amended); Maine Transportation Act, 23 M.R.S.A. 4206.

EFFECTIVE DATE\*: Adopted by the Commissioner on May 18, 1982, effective May 24, 1982.

\*HISTORICAL DERIVATION: This rule was originally adopted on September 5, 1978 and filed on September 18, 1978 and has been repealed and replaced by the above rule.



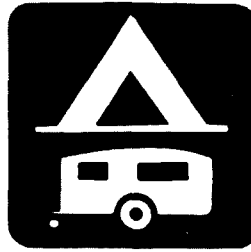
**POINT OF INTEREST**



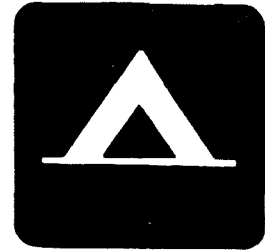
**INFORMATION**



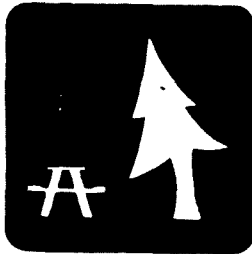
**CAMPING (TRAILERS ONLY)**



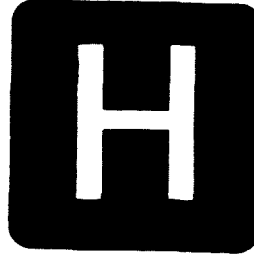
**CAMPING (ALL FACILITIES)**



**CAMPING (LIMITED FACILITIES)**



**PICNIC AREA**



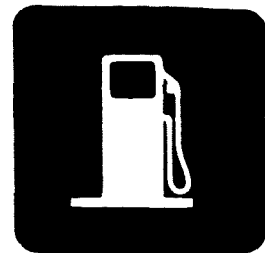
**HOSPITAL**



**RESTAURANTS**



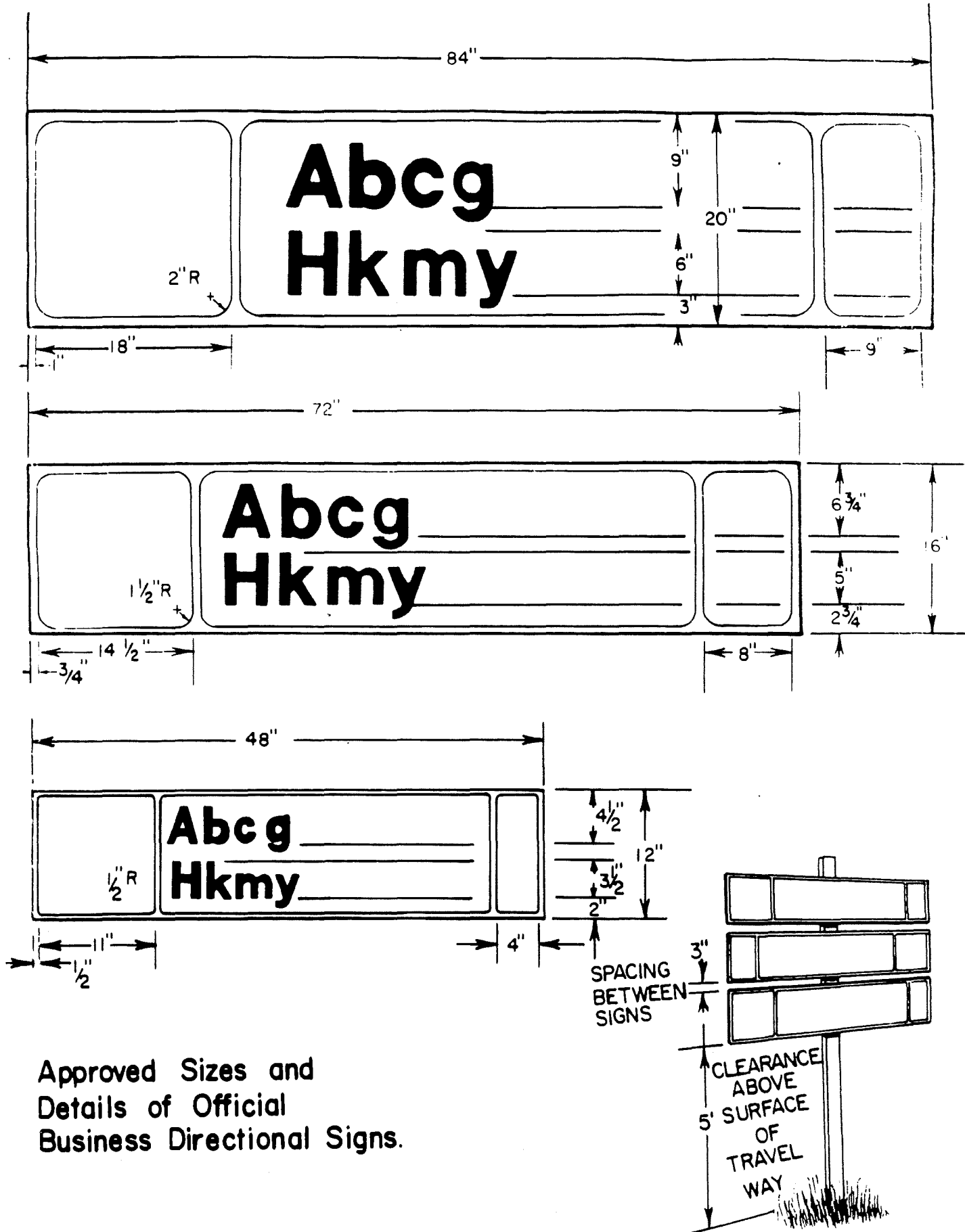
**OVERNIGHT ACCOMMODATIONS**



**GASOLINE**

## **Approved Symbols for Traveler Services**

**Figure 1**



Approved Sizes and  
Details of Official  
Business Directional Signs.

Figure 2



Maine Dept. of Transportation  
Bureau of Finance and Administration  
Job Cost Analysis  
Project/PIN 1414.10

Explanation	Salaries	Overhead	State Employee Expenses	State Vehicle Expenses	Materials	Other	Total
Office Review R/W	52,437.39	27,279.21		908.50			80,625.10
Field Review R/W	48,757.53	25,364.87	8,837.63	22,977.63			105,937.66
Litigation Em. Domain	380.40	197.87	35.20				613.47
Legend Marking				440.58			440.58
Minor Sign Maint.	2,872.06	1,494.10		3,028.65			7,394.81
Sign Removal	2,081.75	1,082.95		2,314.64			5,479.34
Erection of OBDS	47,075.03	24,489.58	2,211.44	29,954.64	4,707.43		108,438.12
Traffic Services	16,777.57	8,728.10	3,038.20	512.19	175.71		29,231.77
Miscellaneous	796.97	414.62	325.40			1,807.93	3,344.92
	171,178.70	89,051.30	14,447.87	60,136.83	4,883.14	1,807.93	341,505.77

## Project/PIN 1414.20

Explanation	Salaries	Overhead	State Employee Expenses	State Vehicle Expenses	Materials	Other	Total
Litigation Em. Domain	193.10	102.55					295.65
Office Review R/W	48,744.93	25,889.83		221.75	175.00		75,031.51
Field Review R/W	41,595.61	22,092.67	3,341.29	20,129.77	83.59	59.34	87,302.27
Property Management	78.76	41.85					120.61
Sign Installation	500.28	265.71		505.09			1,271.08
Minor Sign Maint.	3,864.92	2,052.79		3,655.07			9,572.78
Traffic Signals	712.83	378.56		739.26			1,830.65
Sign Removal	2,404.05	1,276.81		2,248.61			5,929.47
Erection of OBDS	69,252.85	36,782.20	4,045.00	31,367.20	3,884.28	187.00	145,518.53
Other Traffic Services	233.00	123.72		104.93			461.65
Traffic Services	13,147.71	6,983.12	3,276.06	77.25			23,484.14
Admin. - Design	69.90	37.13					107.03
Admin. - Location/Envir.					2,000.00		2,000.00
Miscellaneous	332.35	176.53	33.00			8.80	550.68
	181,130.29	96,203.47	10,695.35	59,048.93	6,142.87	255.14	353,476.05





OFFICIAL BUSINESS DIRECTIONAL SIGN PERMITS

<u>YEAR</u>	<u>PERMITS</u>	<u>FEE</u>	<u>TOTAL</u>
1980	29	\$30.00	\$ 870.00
1981	184	30.00	5,528.00

OBDS PERMIT FEES REVISED 3/22/82 - REFLECTORIZED \$25.00 - NON-REFLECTORIZED \$5.00

<u>YEAR</u>	<u>\$30.00</u>	<u>\$25.00</u>	<u>\$5.00</u>	<u>TOTAL</u>	<u>TOTAL PERMIT FEES</u>	<u>OBDS PROGRAM COSTS</u>
1982	220	159	126	505	11,205	
1983		1122	1125	2247	33,675	
1984		1732	2139	3871	53,995	
1985		2015	3152	5167	66,135	
1986		2217	3784	6091	74,795	
1987		2351	4494	6845	81,245	
1988		2339	4744	7083	82,195	\$341,505.77
1989		2677	5591	8268	94,880	353,476.05



**ATTACHMENT #7**

<u>STATE</u>	<u>1st year installation/permit fee</u>	<u>Annual renewal/maint. fee</u>
Maine	\$5 non-reflectorized \$25 reflectorized	\$5 non-reflectorized \$25 reflectorized
New Hampshire	\$10 permit fee	\$10 annual
Massachusetts	\$50	\$50
Vermont	\$75	\$56 (1990) \$60 max.
Iowa	\$500	\$25
Oregon	\$125	\$125
Washington	\$75 application fee System A - business provides signs - \$80 installation fee  System B - State provides signs - \$145 manufactured & installed	\$10  \$40
Montana	no program accepted yet - due June 22	
Alaska	\$100 arbitrary application (applicant installs sign)	none - looking at privatization
Colorado	\$50 application fee \$300 installation fee (unused portion returned to applicant)	\$50 maintenance \$50 vandalism/damage fee



## A SUMMARY OF THE GROWTH PATTERN OF VISITOR TRAFFIC AT MAINE'S TOURIST INFORMATION CENTERS

The Maine Publicity Bureau has continuously been operating information centers as a service to Maine travelers since March 1922, when it opened (in Portland) the first in a network of its own centers within the state of Maine. Since that time, the Bureau has managed and operated statewide information centers in sixteen Maine communities and in two out-of-state locations.

State-owned information centers have existed in Maine since 1937, when state and federal funds were used to build a year-round facility (run by the Publicity Bureau) in Portland. More recently, state-sponsored, bureau-operated facilities have been put up at:

<i>Kittery</i>	<i>1950 and 1972</i>
<i>Houlton</i>	<i>1982</i>
<i>Calais</i>	<i>1986</i>
<i>Yarmouth</i>	<i>1988</i>
<i>Hampden</i>	<i>1990</i>

During the past two decades, visitors have been using Maine's information center network (including both state-owned and MPB-operated locations) in significantly increasing numbers, reflecting their growing dependence on over-the-road travel-related assistance. Since 1970, walk-in visits to these centers have grown nearly five-fold:

<i>Year</i>	<i>Total Walk-In Traffic</i>
<i>1970</i>	<i>198,116</i>
<i>1975</i>	<i>409,849</i>
<i>1980</i>	<i>527,983</i>
<i>1985</i>	<i>728,993</i>
<i>1989</i>	<i>1,005,120</i>

This dramatic increase in the visitor count over a nineteen-year span is certainly impressive from the standpoint of sheer numbers of inquiries handled. Realistically, though, it is not really indicative of the actual growth of Maine's tourism industry, which is roughly twice the size it was two decades ago. Rather, it confirms what Maine Publicity Bureau's information center staffers have witnessed during this time period - i.e., the public's increased awareness of, and greater dependence on, the manned information center as the primary source for its travel planning assistance.

Americans today are enjoying more leisure time than ever before, and seem almost anxious to actively pursue recreational interests as a way to pleaurably occupy themselves. As a result, many travel more frequently, although not necessarily for extended periods or with any set or predetermined patterns or ideas.

Most take a rather nonchalant approach to their travel and recreation planning. And while they may have a basic notion of the places they would like to visit and the kinds of things they would like to see and do, the majority seems open to suggestions, willingly seeking information and advice at Information Centers if they are first-time visitors, and just as willingly returning to them again and again if they have found the help they sought during previous visits.

Here in Maine, the ever growing importance of the manned Tourist Information Center is best exemplified by the state-owned one in Kittery. This impressive structure is located between Interstate 95 and Route One, at the primary entry point into Maine and via which between 85% and 90% of all non-resident visitors come into the state.

Although there has been a center at one location or another in the Kittery area since 1930, the present facility was opened to the public in December 1972. During its first full year of operation (1973), staff there serviced 206,625 inquiries. Three years later, during the nation's Bicentennial Celebration, that figure had more than doubled - to 446,675. By 1982, the annual total had climbed to 574,151, and in 1988 it reached 669,686.

Although their length of existence is much less than Kittery's, the three other state-owned centers have already shown remarkable growth of their own in terms of visitor traffic:

	<i>Houlton</i>	<i>Calais</i>	<i>Yarmouth</i>
1983	22,346		
1984	24,967		
1985	29,206		
1986	35,065		
1987	42,654	35,385	
1988	60,382	40,250	127,305
1989*	59,333	44,159	229,842

*\*Annual totals for 1989 would likely have been 10 to 15 percent greater than these, had the centers been open the same number of hours as in previous years. After July 1, 1989, summer/early fall hours of operation were reduced (due to budgetary constraints) from 17 to 23 percent, depending on the location.*

These annual totals show that visitors to the Houlton Center have increased by more than two-and-one-half times since 1983. The increase at Calais has been 25 percent in two years (perhaps diminished by lack of adequate signing to direct visitors to it — a problem just recently solved), while at Yarmouth, the gain was 80 percent in a single year!

The growth in literature distribution at the state-owned centers is at least as impressive as that for visitor traffic. During the seventeen years MPB has operated in the present Kittery building, visitor traffic has increased more than threefold, while literature distribution is up by a factor of *nine*. This same traffic/distribution ratio of increase is already establishing itself at the newer state-owned centers, as well. In 1989, the roughly one million visitors to the network of centers carried away more than 3.2 million pieces of printed material.

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The kinds of increases described in this summary represent a far more rapid growth rate than the state's overall tourism industry has achieved, and demonstrate, among other reasons, that more people travel today without making firm plans or having a fixed route of travel, choosing instead to rely on the services available at an Information Center to help them make their ultimate decisions. As a result, Information Centers that provide a high degree of service, both in terms of a wide selection of informative literature and a helpful, knowledgeable staff, actually become significant attractions (and even destinations) in and of themselves, often prompting repeat visits by travelers, who return to learn more about what they can see and do within a given area.

First-time visitors to Maine will continue to locate and use one or another of Maine's Tourist Information Centers. However, it is the continuous flow of positive comments reaching MPB officials from repeat visitors (ones who have visited them before and are using them again), which reinforces the Bureau's realization that its efforts at these facilities form an integral part of the state's overall Tourist Information Distribution Services endeavor and which, in turn, lend ongoing support to the existence of a healthy tourist business here in Maine.

May 10, 1990





November 29, 1990

TO: Victor Bilodeau  
Supervisor, Right-of-Way Control, MDOT

FROM: Peter Bachelder  
Director of Information Services, MPB

SUBJECT: Annual walk-in traffic totals at Kittery (1983-1989)

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At the request of the TIAC, I'm submitting the following annual walk-in traffic totals for the Kittery Information Center, so that you may include them in the Council's upcoming report to the legislature:

1983	580,106
1984	603,018
1985	603,693
1986	627,591
1987	647,613
1988	669,686
1989	623,403

I might note that the decline shown by the 1989 figure is correct. It does not, however, indicate either a lessening of interest in the center by travelers or a poor tourist season. Prior to 1989, the center was open from 8am until 9pm from early June through Labor Day. Due to budgetary constraints in 1989, the summer hours were reduced to an 8am until 6pm schedule.

Please let me know if there's anything else I can do to assist your efforts.



Town	Business Name	Address	phone	season
Augusta	Kennebec Valley C of C	University Dr	623-4559	Yr-rd M-F
Bangor	Maine Publicity Bureau	519 Main St	945-5717	Statewide Info; May-Oct
Bar Harbor	Bar Harbor C of C Info Ctr	119 Main St(in Mary Jane Restmnt bldg)	288-3393	5/14-mid Oct: 9-5; July-Aug: 9-8
Bar Harbor	Bar Harbor C of C Info Ctr	Bluenose Ferry Terminal	288-3393	6/23-9/23:4pm-11pm
Bar Harbor	MDI Joint C of C	Thompson Island(1st ctr after brdg)	288-3411	5/30-7/3:10-6; 7/4-9/3:10-8; 9/4-10/15: 10-6
Bath	Bath C of C Info Center	Rt 1 (Witch Hill)		End May-Mid June: Fri- Sun 10-6; 6/22-9/7: daily 10-7; 9/7-10/4:Fri-Sun 10-6
Bath	Bath Chamber Building	45 Front St	443-9751	Yr-rd: Mon-Fri 9-noon, 1-5
Belfast	Belfast Info Center	Cntr of Main & Water St.	338-5900	4/1-5/30: 1-4, Mon-Fri; 5/31-10/15: daily 10-6; 10/16-3/31: closed
Bethel	Bethel Area Chamber	Minview Mall, Main & Cross St.	824-2282	Yr-rd:7/1-Labor Day: daily 9-5; balance of year: 9-5, Mon-Sat
Biddeford	Biddeford Saco Chamber of Commer	170 Main Street	282-1567	Yr-rd: M-F 9-5
Bingham	Upper Kennebec Valley C of C	Rt 201	672-4100	End May-Mid Sept: daily 9-5
Boothbay	Boothbay Region Info Center	Rt 27	633-4743	5/25-6/10: F-Su, 9-6; 6/15-9/3: M-F, 9-9, Sat-Sun 9-6; 9/7-10/9: wkends 9-6
Boothbay Harbor	Boothbay Harbor C of C	Rt 27 (near downtown)	633-2353	Yr-rd: M-F 8-5; Mem Day-2nd wk Sep: M-F 8:30-6:30, Sa-Su 11-4:30
Bridgton	Bridgton Information Center	Portland Rd	647-3472	Memorial Day-7/1: Fri-Sun, 9-8; 7/2 to Labor Day, 9-8
Brunswick	Brunswick Area C of C	59 Pleasant St	725-8797	Yr-rd: M-F 8:30-4:30; 6/22-9/3: M-TH 8:30-6, Fri-8:30-8, Sat 9-5
Calais	Maine Publicity Bureau	7 Union St	454-2211	Statewide: Yr-rd daily 9-5; Mid-Jun-Labor Day 8-6
Camden	Rockport Camden Lincolnville C of C	Commercial St/Public Landing	236-4404	Yr-rd M-F 9-5, Sat ck hrs; Mem Day-Columbus Day: M-Fri 9-5,Sat 1-5, Sun 12-4;
Caribou	Caribou C of C	111 High St	498-6156	Yr-rd: M-F 8-5
Carrabassett Valley	Sugarloaf Area C of C	Route 27	235-2500	Yr-rd: daily, 9-5
Damariscotta	Damariscotta Reg Info Bureau	Jct Rt 130&129	563-3175	Jun-end Sept: M-Sat 10-6
Dover Foxcroft	Southern Piscataquis Cty C of C	Rt 7	564-7533	Yr-rd; Mar-Nov: 9-4 daily; Dec-Feb: 9-4 M-Sa
Ellsworth	Ellsworth C of C	163 High St	667-2617	Yr-rd:mid Jun-Jul: M-Sat, 9-5; Jul-Aug: daily, 9-7; 9/1-mid Sep:M-Sat, 9-5; mid Sep-mid Jun:M-F, 9-5
Fort Fairfield	Fort Fairfield C of C	79 Main St	472-3381	Yr-rd: M-F 8:30-5
Fort Kent	Fort Kent Info Center	Blockhouse Rd	834-3866	Mem Day - Labor Day: 8-8
Fryeburg	Maine Publicity Bureau	Rt 302	935-3639	Statewide; end May-mid Oct: Wed-Mon 9-5
Greenville	Moosehead Lake Region C of C	Rt 6 & 15	695-2702	Yr-rd:Mem Day-10/15: daily; 10/15-Mem Day: M-F 10-4
Hampden	Maine Publicity Bureau	1-95 Northbound (mile 169)	862-6628	Statewide; Yr-rd daily 9-5; mid June-Labor Day 8-6
Hampden	Maine Publicity Bureau	1-95 Southbound(mile 172)	862-6638	Statewide; Yr-rd daily 9-5; mid June-Labor Day 8-6
Houlton	Maine Publicity Bureau	Ludlow Rd	532-6346	Statewide; Yr-rd daily 9-5; mid June-Labor 8-6
Jackman	Jackman Moose River Info Ctr	Main St		Mem Day-Labor Day: Tues-Sun, 10-6
Kennebunk	Kennebunkport C of C Bldg	Rt 9&35	967-0857	Yr-rd: M-F
Kennebunk	Kennebunkport C of C Info Ctr	Lower Village	967-8400	6/22-9/3: M-Sat 9-9, Sun 11-4
Kittery	Kittery/Eliot C of C	9 Gov't St	439-7545	Yr-rd: M-F 9-5
Kittery	Maine Publicity Bureau	Rt 1 & I-95	439-1319	Statewide; Yr-rd daily 9-5;mid June-Labor Day 8-6
Lewiston	Lewiston Auburn Area C of C	179 Lisbon St	783-2249	Yr-rd: M-Th 8-5, Fr 8-3
Lincoln	Lincoln Area Chamber of Commerce	75 Main St(Town Hall lobby)	794-8065	Yr-rd:daily (lobby kiosk)
Lisbon Falls	Lisbon Area C of C	10 School St	353-5026	Yr-rd: M-F mornings only
Little Deer Isle	Deer Isle Stonington C of C	Rt 15	348-6124	Jul 4-Labor Day: 10-4
Machias	Machias Bay Area C of C	Rt 1	255-4402	Yr-rd: Jun-Labor Day:M-Sa 9-5;Labor Day-Columbus Day:Th-Sa 10-3;Colmbs Dy-Jun: M-F
Madawaska	Madawaska Tourist Infor	16 Legion St	728-7000	Yr-rd: M-F 8-4
Millinocket	Millinocket C of C	1st bldg on rt, entering town	723-4443	5/30-9/30: 10-5
Naples	Naples Info Booth	Rt 302	693-3285	Mem Day-End Jun: wkends; End Jun-Labor Day: daily 9-5
Nowcastlo	Damariscotta Hog Info Bureau	Rt 1	563-3176	Jun-end Sept:M-Sat 10-6
Northwest Harbor	Mount Desert C of C & Yachtsman's	End of Sea St at Harbor	276-5040	6/16-9/30: 9-5
Norway	Oxford Hills C of C Info Ctr	70 Main St	743-2281	Yr-rd: M-F 9-5
Ogunquit	Ogunquit Information Bureau	Route One South	646-5533	5/11-6/17:M-F 12-5, Sat 9-5; 6/18-9/9: M-Sa 9-5, S 10-2; 9/10-10/6:M-F -5, Sa 10-4.
Old Orchard Beach	Old Orchard Beach C of C	First St	934-2500	Mid Jun-Labor Day: daily 9-5
Portland	Convention & Visitors Bureau	142 Free St	772-4994	Yr-rd: Mon-Fri, 9-5
Presque Isle	Presque Isle Area C of C	572 Main St	764-6561	Yr-rd: M-F 9-5
Rangoloy	Rangoloy Lakes Region C of C	Main St	864-5364	Yr-rd: Mon-Sat, 9-5
Rockland	Rockland Area C of C	Harbor Pk	596-0376	Yr-rd: Jun-Sept: daily 8-5; Oct-May:M-F 8-4

Town	Business Name	Address	phone	season
Rumford	Greater Rumford C of C	PO box 598	364-3241	7/1-8/30
Scarborough	Scarborough C of C	Rt 1	772-2811	Yr-rd Kiosk sign
Searsport	Searsport Chamber of Commerce	Route 1	548-6510	Mem Day-7/4: wkends 10-5; 7/4-Labor Day: M-Sa 10-5; Labor Day-Col Day: wkends 10-5
Skowhegan	Skowhegan Information Center	Russell St	474-3621	Yr-rd: M-F 8:30-4:30
Southwest Harbor	Southwest Hbr/Tremont Info Ctr	Main St(X from school)	244-9264	5/21-10/12: 10-5; 10/6-5/20: 10-noon
Van Buren	Van Buren C of C	65 Main St	868-5059	Yr-rd: T-F 9-4
Waldoboro	Waldoboro C of C	Main St	832-4883	1991: anticipate May -Oct
Waterville	Mid Maine C of C	One Post Office Sq	873-3315	Yr-rd: M-F 9-5
Wells	Wells Information Ctr	Route 1, South	646-2451	mid June-mid Oct: daily, 9-5; mid Oct-mid June: Tues-Sat, 10-4
Wilton	Western Maine Mtn C of C	Rt 2 & 4	645-3932	Yr-rd: new operation for 1991
Windham	Windham Info Booth	845 Roosevelt Trail	892-8265	5/26-9/9: 9-5
Yarmouth	Maine Publicity Bureau	Rt 1	846-0833	Statewide; Yr-rd daily 9-5; mid June-Labor Day 8-6
Yarmouth	Yarmouth C of C	Rt 1	846-3984	Yr-rd: M-F, 9-3
York	York Chamber Bldg	44 Woodbridge Rd	363-4422	Yr-rd:M-F
York	York Info Center	Rt 1 (Exit 1, I-95)	363-4422	6/23-9/1: M-Th 10-5, Fri-Sat 10-7, Sun 10-2; 9/3-10/21: M-Th 1-5, Fr-1-7, Sat 10-7

STATES CONTACTED:  
 \*indicates response  
 received

Alabama*	New Mexico*
Colorado*	New Jersey*
Connecticut	Oregon*
Indiana*	Texas*
Michigan*	Vermont
Missouri*	Virginia*
New Hampshire	

1. Does your department, or some other state agency, make available to the public an official tourism map of your state?

AL - Yes	<del>NM - Yes</del>
CO - Yes	NJ - Yes
IN - Yes	OR - Yes
MI - Yes	TX - Yes
MO - Yes	VA - Yes
NM - Yes	

2. If your answer to question # 1 is yes, is this map produced in house by your own personnel, or is the cartographic and layout work contracted out to a private mapping and graphics firm? If produced by your state, are several agencies involved, or is the map solely your department's responsibility?

AL - Map and layout - DOT Tourist Info - Tourism Office	<del>NM - Contracted to Rand McNally</del>
CO - Highway Dept. alone, with	NJ - DOT alone
IN - DOT alone	OR - DOT alone out
MI - DOT alone with state advisory board input.	TX - Contracted out by bid board input
NM - Contracted to Rand McNally	VA - DOT Alone, with state advisory board input

2b. If your answer to question # 1 is no, what provisions exist for making such a map available to the public?

Not applicable

3. Are there any established rules or guidelines regarding the content of the non-cartographic information that appears on your tourism map? Any restrictions concerning the listing of private businesses or organizations on a state publication?

- AL - DOT designates space allowed for tourism information. Filled by Tourism Bureau.
- CO - State advisory board determines content. Museums must meet standards for attendance, hours open, etc.
- IN - No rules or guidelines. Had private sponsor of map this year.
- MI - No private sector promotion.
- MO - Map not considered a tourism promotion tool; only travel related information shown.
- NM - No rules or guidelines.
- NJ - All entries are solely state, county, or federal entities.
- OR - Map not considered a tourism promotion tool; no listings of any kind.
- TX - No private businesses or organization.
- VA - Private businesses or tourist destinations must meet strict guidelines.

4. Approximately how many copies of your map are printed each year? How often are new editions of this map produced? Approximately how much money is budgeted per year for this map's production and distribution.

- |                     |   |   |
|---------------------|---|---|
| AL - a. 700,000/yr. | b. every 2 years                                    | c. not disclosed                                      |
| CO - a. 1.3 million | b. every year                                       | c. \$240,000/yr.                                      |
| IN - a. 2,000,000   | b. every year                                       | c. \$250,000 (of which Pepsi Corp. provided \$40,000) |
| MI - a. 2 million   | b. every 2 years                                    | c. \$500,000/yr. (production only)                    |
| MO - a. 2.5 million | b. every 2 years                                    | c. \$350,000/yr.                                      |
| NM - a. 500,000     | b. every 4 years                                    | c. \$250,000/yr.                                      |
| NJ - a. 1 million   | b. every 2 years                                    | c. \$140,000/yr.                                      |
| OR - a. 500,000     | b. every year                                       | c. \$120,000/yr. (production only)                    |
| TX - a. 1,950,000   | b. minor changes on 2nd and 3rd printing each year. | c. \$325,400/yr                                       |
| VA - a. 2,750,000   | b. every year                                       | c. \$450,000/yr.                                      |

5. Are there any restrictions to distribution of these maps, such as quantity limits on individual requests, distribution limited to state and local government facilities and tourist information centers only, or other similar rules?

- AL - "Distributed upon request and limited according to purpose and use."
- CO - From Highway Dept., 100 per year. Bulk maps from Tourism Board according to their restrictions.
- IN - 1 per request by mail, 25 if requestor picks them up. Next year, out-of-state requests only by mail. Maps are available at government facilities throughout state.
- MI - "Reasonable requests are granted."
- MO - 25 copies limit to out-of-state requests.
- NM - No restrictions
- NJ - 2 copy maximum for free.
- OR - Distributed only through Tourist Information Centers or through ODOT.
- TX - 1 per request, except 25 to school teacher. Bulk quantities available at cost.
- VA - No Restrictions.

6. Are any charges related to distribution passed on to the requester, such as charges for the maps themselves (either individual copies or bulk requests), or postage and handling costs?

- AL - Maps are free; shipped free of charge.
- CO - No charges for maps or shipping.
- IN - No charges for maps or shipping.
- MI - No charges for maps or shipping.
- MO - No charges for maps or shipping.
- NM - No charges for maps or shipping.
- NJ - Amounts over 2 copies; requestor is responsible for postage and shipping costs.
- OR - No charges for maps or shipping.
- TX - All bulk requests are available only through case lot sales at cost plus sales tax, postage, and handling.
- VA - No charges for maps or shipping.



7. Are private businesses or individuals allowed to overprint an advertisement, address, or some other message onto your maps before they are re-distributed?

- AL - No overprints by private individuals or businesses permitted.
- CO - No overprints permitted.
- IN - No overprints permitted
- MI - Yes, but private users must reprint map removing all official designations.
- MO - No overprints permitted.
- NM - Yes, with no restrictions.
- NJ - No overprints permitted.
- OR - No overprints permitted.
- TX - Only if private firm contracts with map's printer and reprints removing official designations.
- VA - No overprints permitted.

8. Is your map fully copyrighted?

- |           |          |
|-----------|----------|
| AL - No   | CO - Yes |
| IN - No   | MI - NO  |
| MO - Yes  | NJ - Yes |
| NM - Yes  | OR - No  |
| TX - No   | VA - Yes |
| VA - Yes. |          |