

§1914. On-premises signs

1. License and permit. Except as provided in subsection 4, a license or permit may not be required for an on-premises sign.

[PL 2013, c. 529, §9 (AMD).]

2. Number. On-premises signs on any one property may 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 may not exceed 10 in number.

[PL 2013, c. 529, §9 (AMD).]

3. Location. On-premises signs must be located within 1,000 feet of the principal building or structure where the business or facility is carried on or practiced or within 1,000 feet of the point of interest.

[PL 2013, c. 529, §9 (AMD).]

4. Location; relation to public way; license. Unless a license is obtained from the commissioner pursuant to this subsection, on-premises signs are prohibited:

A. Within 33 feet of the center line of any public way; [PL 2013, c. 529, §9 (AMD).]

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; and [PL 2013, c. 529, §9 (AMD).]

C. Within the full width of the right-of-way of any public way. [PL 1981, c. 318, §4 (RPR).]

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

Neither the granting of a license nor the installation of a sign on the public way conveys permanent property rights relating to the public way. The Department of Transportation is not responsible for loss or damage to an on-premises sign under this subsection from the use of the right-of-way of the public way for highway purposes. An on-premises sign under this subsection may be removed by the department to accommodate highway uses at any time without compensation to the owner of the on-premises sign and at the owner's expense.

[PL 2013, c. 529, §9 (AMD).]

4-A. Waiver.

[PL 2013, c. 529, §9 (RP).]

5. Interstate highways. Not more than one on-premises 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, when that land is visible from any portion of the interstate system.

Not more than one on-premises 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-premises 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-premises sign located more than 50 feet from the principal building or structure where the business, facility or point of interest is carried on that displays any trade name that refers to or identifies any service rendered or product sold must display the name of the advertised business, facility or point of interest as conspicuously as such trade name.

[PL 2013, c. 529, §9 (AMD).]

6. On-premises signs prohibited. An on-premises sign is prohibited if it:

A. Attempts or appears to attempt to direct the movement of traffic or interferes with, imitates or resembles any official traffic sign, signal or device; [PL 1995, c. 390, §1 (AMD).]

B. Prevents the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic; [PL 1981, c. 318, §4 (RPR).]

C. Contains, includes or is illuminated by a flashing, intermittent or moving light or lights, except as provided in subsection 11-A; [PL 2001, c. 268, §1 (AMD).]

D. Uses lighting in any way unless the light is in the opinion of the commissioner effectively shielded 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 to otherwise interfere with any driver's operation of a motor vehicle; or [PL 1995, c. 390, §1 (AMD).]

E. Moves, has any animated or moving parts or has the appearance of movement, except as provided in subsection 11-A. [PL 2001, c. 268, §1 (AMD).]

[PL 2001, c. 268, §1 (AMD); PL 2011, c. 115, §4 (REV).]

7. Signs erected on natural features.

[PL 2013, c. 529, §9 (RP).]

8. Height. The maximum height of on-premises signs is 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.

[PL 2013, c. 529, §9 (AMD).]

9. Jurisdiction by local authority in compact areas. Except as otherwise provided in this chapter, administration of this chapter for on-premises advertisements located in compact areas of an urban compact municipality, as defined in section 754, is the responsibility of local authority. In compact areas of an urban compact municipality adjacent to the interstate, the Department of Transportation is responsible for the administration of this section.

[PL 2013, c. 529, §9 (AMD).]

10. Approach signs. Any business or facility whose principal building or structure, 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.

[PL 2013, c. 529, §9 (AMD).]

11. Changeable signs.

[PL 2001, c. 268, §2 (RP).]

11-A. Changeable signs. Notwithstanding subsection 6, paragraphs C and E, changeable signs are not prohibited as long as the sign complies with the applicable provisions of this subsection and rules adopted pursuant to this chapter. The Department of Transportation shall administer the provisions of this subsection, except as provided in paragraph B.

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

(1) "Changeable sign" means an on-premises sign created, designed, manufactured or modified in such a way that its message may be electronically, digitally or mechanically altered by the complete substitution or replacement of one display by another on each side.

(2) "Display" means that portion of the surface area of a changeable sign that is or is designed to be or is capable of being periodically altered for the purpose of conveying a message.

(3)

(4) "Message" means a communication conveyed by means of a visual display of text, a graphic element or pictorial or photographic image.

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

(6) "Time and temperature sign" means a changeable sign that electronically or mechanically displays the time and temperature by the complete substitution or replacement of a display showing the time with a display showing the temperature. [PL 2013, c. 529, §9 (AMD).]

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

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

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

(3) May consist of alphabetic or numeric text on a plain or colored background and may include graphic, pictorial or photographic images unless the municipality in which the sign is located adopts an ordinance to the contrary and notifies the Department of Transportation in writing of that ordinance. If a municipal ordinance is adopted, the municipality is responsible for the administration of that ordinance. [PL 2007, c. 124, §2 (AMD).]

C. [PL 2013, c. 529, §9 (RP).]

D. Only one changeable sign with 2 sides is allowed for each public way that provides direct vehicular access to the business, facility or point of interest. [PL 2013, c. 529, §9 (AMD).]

E. Changeable signs may not be located so that the message is readable from a controlled-access highway or ramp. [PL 2001, c. 268, §3 (NEW).]

F. The highest point of the display of a changeable sign may not exceed a height of 25 feet above either the centerline of the nearest public way or actual ground level adjacent to the sign, whichever is lower. [PL 2001, c. 268, §3 (NEW).]

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

(1) Are reasonably incapable of being modified or reprogrammed to comply with this section as amended; and

(2) Are not replaced, substantially rebuilt, reconstructed or repaired beyond routine maintenance. [PL 2001, c. 268, §3 (NEW).]

H. The size, intensity of illumination and acceptable rate of change between the time display and the temperature display of a time and temperature sign must comply with rules adopted by the Department of Transportation, except that time and temperature signs erected prior to September 29, 1995 need not comply with those rules. [PL 2013, c. 529, §9 (AMD).]

[PL 2013, c. 529, §9 (AMD).]

SECTION HISTORY

PL 1977, c. 494, §1 (NEW). PL 1977, c. 696, §197 (AMD). PL 1979, c. 477, §§8-11 (AMD). PL 1981, c. 318, §4 (RPR). PL 1995, c. 390, §§1-3 (AMD). PL 1999, c. 123, §1 (AMD). PL 1999, c. 473, §D7 (AMD). PL 2001, c. 268, §§1-3 (AMD). PL 2005, c. 195, §1 (AMD). PL 2005, c. 482, §3 (AMD). PL 2007, c. 124, §§1,2 (AMD). RR 2011, c. 1, §36 (COR). PL 2011, c. 115, §§2, 3 (AMD). PL 2011, c. 115, §4 (REV). PL 2013, c. 529, §9 (AMD).

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