

TRANSPORTATION
TITLE 8. HIGHWAYS
SUBTITLE 6. CONSTRUCTION AND MAINTENANCE
PART I. GENERAL PROVISIONS

§ 8-605. Informational and directional signs, signals, and markers

(a) General power to place. -- Along any State highway, the Administration may place signs, signals, or markers to inform the traveling public of directions, distances, danger, or other information.

...

(f) Unauthorized signage on State highway right-of-way. --

(1) Except for a sign placed or maintained by the Administration or with the authorization of the Administration, a person may not place or maintain a sign or direct, consent to, or approve the placement or maintenance of a sign, within a State highway right-of-way.

(2) (i) Without resort to legal proceedings, a sign placed or maintained in violation of this subsection may be removed and destroyed by the Administration, a law enforcement officer, or the government of the county or municipal corporation in which the sign was located.

(ii) The Administration or the government of the county or municipal corporation that removed or destroyed the sign may, if the sign is a commercial sign:

1. Collect the civil penalty provided for under paragraph (3) of this subsection from the person that placed or maintained the commercial sign; and

2. Seek an injunction against further violations of this subsection in a civil action in the District Court.

(3) (i) A person that places or maintains a commercial sign within the right-of-way of a State highway in violation of this subsection is subject to a civil penalty not exceeding \$ 25 per commercial sign, which, if not paid after being cited and assessed by the Administration, county, or municipal corporation, may be recovered in a civil action in the District Court by the Administration or by the county or municipal corporation in which the commercial sign was located.

(ii) As to a county or a municipal corporation in which the commercial sign was located, the civil action in the District Court may be brought by the county attorney or, if the commercial sign was located in a municipal corporation, the municipal corporation attorney.

(iii) The Administration, a county, or a municipal corporation:

1. May enforce this subsection only by the issuance of a warning for the first 3 months after initiating a sign removal program; and

2. Shall enforce this subsection on a viewpoint and content neutral basis.

(4) For the purposes of enforcing this subsection, the presence of a sign within a State highway right-of-way shall be evidence that the sign was placed or maintained at the direction of, or with the consent and approval of, the person or the person's agent or representative in the State whose name, business, location, or product representation is displayed on the sign.

(5) The Administration, a county, or a municipal corporation shall retain any civil penalties that it collects under this subsection.

HISTORY: An. Code 1957, art. 89B, §§ 26, 71, 71B; 1977, ch. 13, § 2; 1984, ch. 761; 1985, ch. 10, § 3; ch. 619; 2000, ch. 447; 2011, chs. 466, 467; 2015, ch. 141, § 7; 2016, ch. 338, § 6.

Current as of May 23, 2017