

Chapter 761

**(House Bill 1334)**

AN ACT concerning

**State Highway Administration – Traffic Control Devices – Decorative  
Treatments**

FOR the purpose of requiring the State Highway Administration to establish a certain policy regarding the application of decorative treatments on certain traffic control devices; authorizing a person to apply to a district office within the Administration for a certain permit to install certain decorative treatments; authorizing a district office to issue a permit to install certain decorative treatments on a traffic control device within the jurisdiction of the district office; requiring the Administration to adopt certain regulations; authorizing the Administration to adopt certain regulations; and generally relating to the installation of decorative treatments on traffic control devices.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 8–101(a) and (b)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

BY adding to  
Article – Transportation  
Section 8–659  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

Preamble

WHEREAS, Traffic signal cabinets are a magnet for graffiti; and

WHEREAS, Decorative treatments on traffic signal cabinets beautify public spaces, build community, and are a demonstrated method to mitigate and prevent graffiti; and

WHEREAS, Cities across the country have successfully implemented programs to transform graffitied traffic signal cabinets into works of art; and

WHEREAS, The State Highway Administration’s current methodology for addressing graffiti is ineffective and propagates additional graffiti; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That the Laws of Maryland read as follows:

**Article – Transportation**

8–101.

- (a) In this title the following words have the meanings indicated.
- (b) “Administration” means the State Highway Administration.

**8–659.**

**(A) IN THIS SECTION, “TRAFFIC CONTROL DEVICE” HAS THE MEANING STATED IN § 11–167 OF THIS ARTICLE.**

**(B) THE ADMINISTRATION SHALL ESTABLISH A POLICY THAT ALLOWS FOR THE INSTALLATION OF DECORATIVE TREATMENTS ON TRAFFIC CONTROL DEVICES THAT HAVE BEEN MARRED BY GRAFFITI OR VANDALISM THAT INCLUDES:**

- (1) ILLICIT WRITINGS OR DRAWINGS;**
- (2) ILLEGAL POSTINGS; OR**
- (3) BLIGHT FROM INCOMPLETE MITIGATION OF GRAFFITI.**

**(C) (1) A PERSON MAY APPLY TO THE APPROPRIATE DISTRICT OFFICE WITHIN THE ADMINISTRATION FOR A PERMIT TO INSTALL A DECORATIVE TREATMENT, INCLUDING A DIGITALLY PRINTED VINYL WRAP OR PAINT, ON A TRAFFIC CONTROL DEVICE.**

**(2) SUBJECT TO THE REQUIREMENTS OF THIS SECTION, A DISTRICT OFFICE MAY ISSUE A PERMIT TO INSTALL A DECORATIVE TREATMENT ON A TRAFFIC CONTROL DEVICE WITHIN THE JURISDICTION OF THE DISTRICT OFFICE.**

**(D) (1) THE ADMINISTRATION SHALL ADOPT REGULATIONS FOR THE INSTALLATION OF DECORATIVE TREATMENTS THAT PROHIBIT DECORATIVE TREATMENTS FROM:**

- (I) INTERFERING WITH THE OPERATION OR MAINTENANCE OF A TRAFFIC CONTROL DEVICE; OR**
- (II) OBSTRUCTING ACCESS TO AND VENTILATION OF A TRAFFIC CONTROL DEVICE.**

**(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE ADMINISTRATION SHALL ADOPT VIEWPOINT AND CONTENT NEUTRAL REGULATIONS THAT PROVIDE THE MINIMUM REQUIREMENTS FOR DECORATIVE TREATMENTS.**

**(II) A DECORATIVE TREATMENT MAY NOT:**

- 1. CONTAIN AN ADVERTISEMENT;**
- 2. CONTAIN AN IMAGE OR A DESCRIPTION OF GRAPHIC VIOLENCE;**
- 3. CONTAIN PROFANITY;**
- 4. CONTAIN PORNOGRAPHY, OBSCENE MATERIAL, OR IMAGES OF NUDITY;**
- 5. DEMEAN OR DISPARAGE AN INDIVIDUAL OR A GROUP OF INDIVIDUALS;**
- 6. VIOLATE A COPYRIGHT OR ANY OTHER LEGAL OWNERSHIP INTEREST; OR**
- 7. UNNECESSARILY ENGAGE THE ATTENTION OF DRIVERS OR CAUSE DRIVER DISTRACTION.**

**(3) THE ADMINISTRATION MAY ADOPT ANY ADDITIONAL REGULATIONS NECESSARY TO IMPLEMENT THIS SECTION.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

**Approved by the Governor, May 25, 2017.**