

# HOUSE BILL 1334

R1

7lr2837

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By: **Delegates A. Washington, Jalisi, McCray, Sanchez, Tarlau, Valderrama, and Valentino-Smith**

Introduced and read first time: February 10, 2017

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

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

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

13 BY repealing and reenacting, without amendments,  
14 Article – Transportation  
15 Section 8–101(a) and (b)  
16 Annotated Code of Maryland  
17 (2015 Replacement Volume and 2016 Supplement)

18 BY adding to  
19 Article – Transportation  
20 Section 8–659  
21 Annotated Code of Maryland  
22 (2015 Replacement Volume and 2016 Supplement)

23 Preamble

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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.**

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

4                       **(I) INTERFERING WITH THE OPERATION OR MAINTENANCE OF**  
5 **A TRAFFIC CONTROL DEVICE; OR**

6                       **(II) OBSTRUCTING ACCESS TO AND VENTILATION OF A TRAFFIC**  
7 **CONTROL DEVICE.**

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

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

12                               1.    **CONTAIN AN ADVERTISEMENT;**

13                               2.    **CONTAIN AN IMAGE OR A DESCRIPTION OF GRAPHIC**  
14 **VIOLENCE;**

15                               3.    **CONTAIN PROFANITY;**

16                               4.    **CONTAIN PORNOGRAPHY, OBSCENE MATERIAL, OR**  
17 **IMAGES OF NUDITY;**

18                               5.    **DEMEAN OR DISPARAGE AN INDIVIDUAL OR A GROUP**  
19 **OF INDIVIDUALS;**

20                               6.    **VIOLATE A COPYRIGHT OR ANY OTHER LEGAL**  
21 **OWNERSHIP INTEREST; OR**

22                               7.    **UNNECESSARILY ENGAGE THE ATTENTION OF**  
23 **DRIVERS OR CAUSE DRIVER DISTRACTION.**

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

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