

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 drivers 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 non-reflectorized 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.

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 or 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-200B 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 NON-REFLECTORIZED 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 and contain no more than two lines of print.

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

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

DOT shall be responsible for the erection and maintenance of the sign and sign post.

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

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 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 for each type of sign requested. The initial permit fee will apply to installation for the remainder of the calendar year but will not be prorated for any fraction of the year.

D. Renewal Fees

Permits for each type of sign are to be renewed annually at a fee determined by the Commissioner.

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. Non-transferability

Permits for the installation of directional signs are not transferable. Except: Business name change, with same ownership, new ownership, but same business name; or change of legend.

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.