

ATTRACTION, IF THE SIGN CONFORMS TO NATIONAL STANDARDS FOR SUCH SIGNS UNDER TITLE 23 OF THE UNITED STATES CODE.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 89B, §253.

In subsection (a) of this section, for clarity and in conformity with the similar language in §8-735 of this subtitle, the phrase "shall acquire, by purchase, gift, or condemnation, and remove" is substituted for the present "shall be required to be removed".

In subsection (b) of this section, the present, erroneous reference to "the herein mentioned agreement" is corrected to refer to "any related agreement between the Administration and the federal government".

As to the removal of signs in violation of this part, see, Part VI of this subtitle.

8-735. PERMISSIVE REMOVAL OF PREEXISTING, NONCONFORMING SIGNS.

(A) GENERAL RULE.

THE ADMINISTRATION MAY ACQUIRE, BY PURCHASE, GIFT, OR CONDEMNATION, AND REMOVE ANY OUTDOOR SIGN:

(1) THAT LAWFULLY EXISTED ALONG OR NEAR ANY FEDERAL-AID PRIMARY HIGHWAY ON JULY 1, 1975;

(2) THAT WAS LAWFULLY ERECTED AND, AFTER JULY 1, 1975, BECAME NONCONFORMING; OR

(3) THAT LAWFULLY EXISTED ALONG OR NEAR ANY HIGHWAY THAT WAS MADE A PART OF THE FEDERAL-AID PRIMARY SYSTEM ON OR AFTER OCTOBER 22, 1965.

(B) COMPENSATION.

(1) THE ADMINISTRATION MAY PAY COMPENSATION UNDER THIS SECTION ONLY FOR:

(I) THE TAKING FROM THE OWNER OF THE OUTDOOR SIGN OF ALL INTEREST IN THE SIGN; AND

(II) THE TAKING FROM THE OWNER OF THE LAND ON WHICH THE OUTDOOR SIGN IS LOCATED OF THE RIGHT TO ERECT AND MAINTAIN OUTDOOR SIGNS AT THAT LOCATION.

(2) THE ADMINISTRATION MAY NOT SPEND FUNDS TO CONTROL OUTDOOR SIGNS UNDER THE FEDERAL HIGHWAY BEAUTIFICATION ACT OF 1965 AND THE FEDERAL-AID HIGHWAY AMENDMENT OF 1974, UNTIL APPROPRIATE MATCHING FEDERAL FUNDS ARE AVAILABLE TO THIS STATE UNDER THESE ACTS.