Article - Transportation

[Previous][Next]

§2–106.

(a) The Attorney General is legal adviser to the Department.

(b) The Attorney General shall assign to the Department the number of assistant attorneys general authorized by law to be assigned to the Department and any additional ones necessary to render effective legal advice and counsel. The Attorney General also shall designate an assistant attorney general as counsel to the Department.

(c) The counsel to the Department may have no duty other than to render the legal aid, advice, and counsel required by the Secretary and any other official of the Department, to supervise the other assistant attorneys general assigned to the Department, and to perform for the Department the duties assigned to him by the Attorney General. The counsel shall perform these duties subject to the control and supervision of the Attorney General. After the Attorney General designates the counsel to the Department, the Attorney General may not reassign the counsel without consulting the Secretary.

(d) (1) The counsel and every other assistant attorney general assigned to the Department shall perform for the Department the legal duties assigned to them by the Attorney General. Subject to his discretion and control, the Attorney General may assign to them any duty with respect to the Department that is required of the Attorney General by law.

(2) The counsel and every other assistant attorney general shall be a practicing lawyer of this State in good standing and is entitled to the salary provided in the State budget.

(e) This section does not apply to any unit in the Department:

(1) To the extent that the unit is authorized by law to employ its own legal adviser or counsel; and

(2) Only if those legal services cannot be provided feasibly or economically by the Attorney General.

[Previous][Next]