

## Article - Transportation

[Previous][Next]

§8–313.

(a) (1) Any land may be acquired under this subtitle for any State highway construction purpose.

(2) Any land along or near any State highway may be acquired under this subtitle:

- (i) To protect the highway or any scenery along or near it;
- (ii) For landscaping the highway;
- (iii) To provide parking and service areas along the highway; or
- (iv) For any similar purpose.

(b) Land may not be acquired under this section by condemnation unless the Administration determines that the land is needed for immediate or proposed construction of a State highway or a related parking or service area. However, land may be acquired for a related parking or service area only if it is adjacent to a controlled access highway.

(c) (1) A motel, restaurant, or gasoline or automobile service station may not be operated or permitted by the Administration or by any other agency or political subdivision of this State on any highway or related parking or service area the land for which was acquired under this subtitle.

(2) This subsection does not apply to any toll highway.

(d) The interests in land that may be acquired under this section include easements restricting or subjecting to administrative regulation the right of the owner or other persons to:

- (1) Erect buildings or other structures;
- (2) Construct a private drive or road;
- (3) Remove or destroy shrubbery or trees;
- (4) Place trash or unsightly or offensive material on the land; or
- (5) Display signs, billboards, or advertisements on the land.

(e) If any land is acquired under this section, the instrument conveying the land shall set forth clearly the specific restrictions or other interests acquired. These

restrictions shall run with the land to which they apply and bind all subsequent holders, except as the instrument otherwise expressly provides.

[Previous][Next]