

Article - Transportation

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§8-612.

(a) (1) The Administration may engage in project planning for any item in the current highway needs inventory and for each item, shall conduct studies to determine, among other things, the scale, location, environmental impact, and citizen reaction.

(2) During the project planning phase, the Administration shall consult with the local governing body, municipalities, and local legislative delegation.

(3) The Administration may include in its annual budget request the funds required to implement the project planning provided for in this subsection.

(b) (1) (i) In calendar year 1979 and in each year following, the Administration shall submit to the local governing body and the local legislative delegation a list of items for which the initial phase of project planning has been completed.

(ii) An information copy of the list shall be provided to the municipalities in the county.

(iii) The list shall contain, as to each item, information necessary for the local governing body and local legislative delegation to determine whether the project may advance to the final project planning phase.

(iv) Receipt of the list constitutes notice that the initial project planning phase has been completed for each item contained in it.

(2) (i) Each listed item for a primary system shall be considered approved for the final project planning phase unless, within 90 days from submission of the list, the local legislative delegation and the local governing body disapproves that item in writing.

(ii) Any item for a primary system deleted by this action may be reinstated at any time by act or resolution of the General Assembly.

(3) Each listed item for a secondary system shall be considered approved for the final project planning phase unless, within 90 days from submission of the list, a majority of the local legislative delegation or a majority of the local governing body disapproves that item in writing.

(c) (1) The local governing body and a majority of the local legislative delegation shall establish a list of priorities from among those secondary system projects listed in the needs inventory and the Administration shall engage in initial project planning upon the request of the local governing body and a majority of the local legislative delegation in the order established in the list of priorities.

(2) On completion of the initial project planning phase for the item, it shall be approved for the final project planning phase and for construction on request of the local governing body and a majority of the local legislative delegation.

(d) (1) After an item is approved for the final project planning phase under this section, it may not be deleted by the local legislative delegation or the local governing body.

(2) Any item for the primary or secondary system may be deleted if the Secretary, with the approval of the local legislative delegation and the local governing body, determines that deletion of it is desirable.

(3) Notwithstanding the above, any item for the primary system may be deleted if the Secretary, after consultation with the local legislative delegation and local governing body, determines that the deletion of that primary project is desirable because of changes in economic or environmental conditions or because of a demonstrated lack of available funds for both that project and any alternative primary highway project.

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