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§8–610.

(a) In this part the following words have the meanings indicated.

(b) (1) “Construction phase” means the phase in which a highway project is advanced through detailed engineering, property acquisition, and construction to completion.

(2) This definition does not preclude the Administration from acquiring property during the project planning phase, and the completion of property acquisition does not constitute a commitment to the project’s alignment or construction.

(c) “Final project planning phase” means that portion of the project planning phase which follows the initial project planning phase. The final project planning phase includes:

- (1) Detailed review of alternatives;
- (2) Selection of final alignment and scope;
- (3) Preparation of final environmental impact documents;
- (4) Detailed design and engineering studies;
- (5) Any formal federal approval of design and location;
- (6) Full participation of the public; and
- (7) Full participation of local, State, and federal agencies.

(d) “Highway needs inventory” means an identification of needs for highway projects, based on the latest evaluation of highway conditions and transportation needs by the Administration.

(e) “Initial project planning phase” means that portion of the project planning phase which includes:

- (1) Notification of local, State, and federal officials;
- (2) Initial interagency review;
- (3) Initial systems planning;
- (4) Identification of alternatives, as set forth in § 8–102 of this title, for the scope and the location of the project;

(5) Estimates of right-of-way requirements, including available detail with respect to specific properties affected, and of cost;

(6) Public meetings for discussion of the foregoing; and

(7) Reports of consultants, if any have been retained for the analysis of preliminary alternatives.

(f) (1) “Local governing body” means:

(i) The county commissioners or county council of a county; or

(ii) If the charter of the county provides for a county executive, the county executive and the county council.

(2) For purposes of this part, action by the local governing body of a charter county with a county executive means a majority vote of the county council:

(i) With the approval of the county executive; or

(ii) If the county executive does not grant approval within 10 days of the council action, with subsequent confirmation of the council action by two thirds of the members of the council.

(g) (1) “Local legislative delegation” means those members of the State Senate and of the House of Delegates who represent any part of the county involved.

(2) For purposes of this part, a “majority” of the local legislative delegation means a majority of those members of the State Senate and a majority of those members of the House of Delegates, voting separately.

(3) In any county which is divided into more than one senatorial district, the vote of approval or disapproval for each Senator shall be in direct proportion to the number of residents living in his senatorial district to the total county population. The population figures for each county and senatorial district shall be taken from the preceding U.S. Census Report. However, if a Senator representing more than one county is voting to approve or disapprove a project in his senatorial district, he shall have the same voting authority as the Senator representing the largest percentage of the population in that county. However, in those counties represented by exactly two senators, if a project is located exclusively in one senatorial district, that Senator shall have the prevailing vote on the approval or disapproval of that project.

(h) “Municipality” means the governing body of a municipality as defined in § 1–101 of the Local Government Article.

(i) “Project planning phase” means the phase in which engineering and environmental studies and analyses are conducted with full participation of the public, in addition to local, State, and federal agencies, to determine the scope and location of

a proposed highway project.

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