

## Article - Transportation

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§8-620.

(a) Subject to subsection (b) of this section, the Administration may designate any part of any existing State highway as an expressway.

(b) (1) This subsection applies to a State highway that the Administration:

(i) Proposes designating as an expressway; or

(ii) Designated as an expressway before October 1, 1999, but for which design and engineering funds have not been encumbered.

(2) Before designating any part of a State highway as an expressway, the Administration:

(i) Shall notify the governing body of each county and municipal corporation that may be affected by the designation and provide the officials representing governing bodies an opportunity to meet and confer with representatives of the Administration on the proposed designation; and

(ii) Within a reasonable proximity to the area affected by the proposed designation:

1. Shall hold a public informational meeting, to present to the community background information on the designation, the Administration's plans in relation to the highway, and the expected impact of the designation on the community; and

2. Not less than 30 days after the public informational meeting, shall hold a public hearing on the proposed designation to afford interested parties an opportunity to submit oral testimony and written comments.

(3) The Administration shall publish notice of the proposed designation of a State highway as an expressway and the time and place of the public informational meeting and the public hearing in at least one newspaper of general circulation in the areas affected by the proposed designation at least 2 weeks before the:

(i) Public informational meeting required under paragraph (2)(ii)1 of this subsection; and

(ii) Public hearing required under paragraph (2)(ii)2 of this subsection.

(4) The requirements of this subsection may be satisfied through the public notice provided, and the public informational meetings and public hearings

held, as part of the project planning phase as defined in § 8-610 of this subtitle.

(c) (1) If an existing highway is designated as an expressway and a property abutting the expressway is not served by any other reasonable access to another public road, the Administration may acquire the right of any owner of the property to access to or from the abutting land to or from the expressway by:

(i) Closing any existing access; or

(ii) Limiting the right of the owner to construct any new access or to enlarge or extend any existing access.

(2) If an existing highway is designated as an expressway and a property abutting the expressway has reasonable access to another public road, the Administration may:

(i) Acquire the right of any owner of that property abutting the expressway to continue to use an existing access to or from the abutting land to or from the expressway by closing any existing access; and

(ii) In its own discretion, prohibit new access to or from the abutting land to or from the expressway by limiting the right of the owner to construct any new access.

(3) An owner denied new access under paragraph (2)(ii) of this subsection is not entitled to any compensation for the denial of access if reasonable access to another public road is available at the time of the denial of access.

(4) The Administration, in its discretion, may designate points at which access will be permitted and may specify the terms and conditions of that access.

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