

Article - Transportation

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§8-627.

(a) (1) In this section the following words have the meanings indicated.

(2) “Defense-related activity” means:

(i) The preparation of the United States or a state for defense or war;

or

(ii) The prosecution of war by the United States or a country with which the United States maintains friendly relations.

(3) “Highway authority” means a governing body or individual with the authority under law to restrict or close a highway to the public.

(4) “Political subdivision” means a county, municipal corporation, special taxing district, or public corporation of the State.

(5) “Public utility” includes a pipeline, gas, electric, heat, water, oil, sewer, communication, radio, transportation, railroad, airplane, or other system owned or operated for public use.

(b) This section applies to property owned by a person, the State, or a political subdivision:

(1) Engaged in, or preparing to engage in, the manufacture, transportation, or storage of a product to be used in a defense-related activity;

(2) Engaged in, or preparing to engage in, the manufacture, transportation, distribution, or storage of gas, oil, coal, electricity, or water; or

(3) Operating a public utility.

(c) An owner of property described in subsection (b) of this section, who believes that the property will be endangered if public use and travel is not restricted or prohibited on a highway abutting the property, may petition the highway authority of the State or a political subdivision, as appropriate, to close or restrict public use of and travel on the highway.

(d) On receiving the petition, the highway authority shall:

(1) Set a hearing date; and

(2) Provide notice of the hearing at least 7 days before the hearing by publication in a newspaper of general circulation in the political subdivision where the

property is located.

(e) (1) After the hearing, the highway authority may by order close or reasonably restrict the use of a public highway if the highway authority determines that the public safety and the safety of the property require the closure or restriction.

(2) The highway authority shall conspicuously post a notice in letters at least 3 inches high at each end of a highway that the highway authority closes or restricts.

(f) The highway authority may issue a written permit to persons to travel on a closed or restricted highway under conditions that the highway authority establishes.

(g) The highway authority may revoke or modify an order issued under this section.

(h) A person who violates an order issued under this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both.

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