

HOUSE BILL 1466

N1

2lr3265

By: **Delegate R. Jones**

Introduced and read first time: February 25, 2022

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Gates or Barriers on Shared Private Roads or Driveways –**
3 **Requirements**

4 FOR the purpose of prohibiting the installation or maintenance of a gate or other barrier
5 on a shared private road or driveway without the permission of a certain property
6 owner; and generally relating to private roads or driveways.

7 BY adding to

8 Article – Real Property

9 Section 14–133

10 Annotated Code of Maryland

11 (2015 Replacement Volume and 2021 Supplement)

12 BY repealing and reenacting, without amendments,

13 Article – Transportation

14 Section 21–101(n)

15 Annotated Code of Maryland

16 (2020 Replacement Volume and 2021 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Real Property**

20 **14–133.**

21 **(A) IN THIS SECTION, “PRIVATE ROAD OR DRIVEWAY” HAS THE MEANING**
22 **STATED IN § 21–101 OF THE TRANSPORTATION ARTICLE.**

23 **(B) THIS SECTION APPLIES TO A PRIVATE ROAD OR DRIVEWAY THAT**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 PROVIDES ACCESS TO TWO OR MORE RESIDENTIAL PROPERTIES.

2 (c) NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR THE TERMS OF
3 ANY CONTRACT, DEED, COVENANT, RESTRICTION, INSTRUMENT, DECLARATION,
4 RULE, BYLAW, LEASE AGREEMENT, RENTAL AGREEMENT, OR ANY OTHER DOCUMENT
5 CONCERNING THE USE OF A PRIVATE ROAD OR DRIVEWAY, A PERSON MAY NOT
6 INSTALL OR MAINTAIN A GATE OR OTHER BARRIER ON A SHARED PRIVATE ROAD OR
7 DRIVEWAY THAT RESTRICTS ACCESS TO ANOTHER PROPERTY WITHOUT THE
8 PERMISSION OF THE PROPERTY OWNER WHOSE ACCESS WILL BE AFFECTED.

9 **Article – Transportation**

10 21–101.

11 (n) “Private road or driveway” means any way or place that:

12 (1) Is privately owned; and

13 (2) Is used for vehicular travel by its owner and by those having express or
14 implied permission from the owner, but not by other persons.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2022.