
By: Senators Trotter and Pinsky

Introduced and read first time: March 4, 1996

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Railroads - Municipal Corporations - Authorization to Prohibit Long Stops at Crossings**

3 FOR the purpose of authorizing a municipal corporation to prohibit a train from stopping
4 or standing at a crossing within the boundaries of the municipal corporation for a
5 certain amount of time; and generally relating to trains stopping at a crossing within
6 a municipal corporation.

7 BY repealing and reenacting, with amendments,
8 Article 23 - Miscellaneous Companies
9 Section 199
10 Annotated Code of Maryland
11 (1994 Replacement Volume and 1995 Supplement)

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

14 **Article 23 - Miscellaneous Companies**

15 199.

16 (A) If it is necessary, in the location of any part of any railroad, to occupy any
17 road, street, alley or public way, or ground of any kind, or any part thereof, it is
18 competent for the municipal or other corporation, or public officer, or public authorities,
19 owning or having charge thereof, and the railroad company to agree upon the manner and
20 upon the terms and conditions upon which the same may be used or occupied; and if the
21 parties are unable to agree thereon, and it is necessary, in the judgment of the directors
22 of the railroad company, to use or occupy the road, street, alley or other public way or
23 ground, the company may condemn so much of the same as may be necessary for the
24 purposes of the road in accordance with the provisions of Title 12 of the Real Property
25 Article of the Code; provided, that every railroad company laying down any track or
26 tracks upon any public street, road, alley or other public ground, is responsible for
27 injuries done to private property by that location, lying upon or near to the public ground,
28 which may be recovered by civil action brought by the owner or owners at any time within
29 two years from the completion of the track or tracks, before the proper court; and
30 provided further, that no railroad company shall be allowed to pass through the City of
31 Baltimore without the consent of the municipal authorities.

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1 (B) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (A) OF THIS
2 SECTION, A MUNICIPAL CORPORATION MAY PROHIBIT A TRAIN FROM STOPPING OR
3 STANDING AT ANY CROSSING WITHIN ITS CORPORATE BOUNDARIES FOR 10
4 MINUTES OR LONGER.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 1996.