
By: **Montgomery County Delegation**
Introduced and read first time: February 12, 1998
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Transfer of Rights-of-Way for Highway**
3 **Construction - Prohibition**
4 **MC 807-98**

5 FOR the purpose of prohibiting the State from selling or otherwise transferring
6 certain portions of certain State-owned rights-of-way to Montgomery County, a
7 private developer, a government agency, or any other person to be used for
8 certain highway construction projects; providing that certain provisions of law
9 do not prohibit the construction of improvements to existing highways;
10 clarifying language; and generally relating to a prohibition against the transfer
11 of certain rights-of-way for use in certain highway construction projects in
12 Montgomery County.

13 BY repealing and reenacting, with amendments,
14 Article - Transportation
15 Section 8-601
16 Annotated Code of Maryland
17 (1993 Replacement Volume and 1997 Supplement)

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

20 **Article - Transportation**

21 8-601.

22 (a) The Administration shall construct, reconstruct, and repair State
23 highways as necessary and shall maintain them in good condition.

24 (b) The Department may not spend any further funds for the construction of
25 I-95 through Prince George's County that will involve a new or reconstructed
26 segment connecting it to any other highway in Prince George's County.

27 (C) (1) The Department may not spend any further funds for the
28 construction of a new highway, arterial, freeway, or expressway in the right-of-way

1 described in the 1980 highway needs inventory as the right-of-way reserved for the
2 project designated as the Rockville Facility in Montgomery County.

3 (2) THE STATE MAY NOT SELL OR OTHERWISE TRANSFER TO
4 MONTGOMERY COUNTY, A PRIVATE DEVELOPER, A GOVERNMENT AGENCY, OR ANY
5 OTHER PERSON FOR THE PURPOSE OF CONSTRUCTING A NEW HIGHWAY, ARTERIAL,
6 FREEWAY, OR EXPRESSWAY:

7 (I) ANY PORTION OF THE ROCKVILLE FACILITY RIGHT-OF-WAY
8 LOCATED BETWEEN PARKLAWN DRIVE AND VIERS MILL ROAD; OR

9 (II) ANY PORTION OF THE RIGHT-OF-WAY LOCATED ON THE
10 SOUTH SIDE OF MONTROSE ROAD BORDERING THE OLD FARM AND TILDEN WOODS
11 SUBDIVISIONS.

12 [(c)] (3) [This prohibition does] THIS SUBSECTION DOES not [preclude]
13 PROHIBIT the construction of improvements TO ANY EXISTING HIGHWAY, OR at grade
14 intersections and railroad crossings in the ROCKVILLE FACILITY right-of-way
15 [designated as the Rockville Facility], to facilitate traffic flow and highway safety.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 1998.