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By: **Delegates Rzepkowski, M. Burns, and Love**  
Introduced and read first time: February 13, 1998  
Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Airport Noise - Homeowners Assistance Pilot Program - Eligibility**

3 FOR the purpose of authorizing the Maryland Aviation Administration to select for  
4 participation in a certain noise assistance pilot program within the  
5 Baltimore-Washington International Airport noise zone, certain real property  
6 for which a specific easement was granted or that is subject to an avigation  
7 easement granted under certain circumstances; and generally relating to  
8 eligibility for participation in airport noise assistance pilot programs.

9 BY repealing and reenacting, with amendments,  
10 Article - Transportation  
11 Section 5-1205  
12 Annotated Code of Maryland  
13 (1993 Replacement Volume and 1997 Supplement)

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

16 **Article - Transportation**

17 5-1205.

18 (a) (1) [No] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, NO real  
19 property for which a specific variance has been granted by the Board under Subtitle  
20 8 of this title, or that is encumbered by an avigation easement granted to the  
21 Administration, may be selected for participation in the pilot program established by  
22 § 5-1204 of this subtitle.

23 (2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT PROHIBIT THE  
24 ADMINISTRATION FROM SELECTING, FOR PARTICIPATION IN THE PILOT PROGRAM  
25 ESTABLISHED UNDER § 5-1204 OF THIS SUBTITLE, REAL PROPERTY:

26 (I) FOR WHICH A SPECIFIC VARIANCE WAS GRANTED UNDER  
27 SUBTITLE 8 OF THIS TITLE TO A PREVIOUS OWNER OF THE PROPERTY BEFORE THE  
28 CURRENT OWNER TOOK TITLE TO THE PROPERTY; OR

1                   (II)        THAT IS ENCUMBERED BY AN AVIGATION EASEMENT GRANTED  
2 TO THE ADMINISTRATION BY A PREVIOUS OWNER OF THE PROPERTY BEFORE THE  
3 CURRENT OWNER TOOK TITLE TO THE PROPERTY.

4       (b)        The Board may not grant any variance under Subtitle 8 of this title from  
5 noise zone regulations for any proposed residential or educational use of real property  
6 during the period that the pilot program established by § 5-1204 of this subtitle is in  
7 operation.

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