

SENATE BILL 35

Unofficial Copy  
R7

1999 Regular Session  
9r0122

(PRE-FILED)

---

By: **Chairman, Finance Committee (Departmental - Transportation)**

Requested: July 27, 1998

Introduced and read first time: January 13, 1999

Assigned to: Finance

---

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Aviation Administration - Permits**

3 FOR the purpose of authorizing the Maryland Aviation Administration to issue a  
4 permit to certain persons for certain purposes provided the proposed activity  
5 complies with all applicable federal aviation regulations.

6 BY repealing and reenacting, with amendments,  
7 Article - Transportation  
8 Section 5-505(c)  
9 Annotated Code of Maryland  
10 (1993 Replacement Volume and 1998 Supplement)

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

13 **Article - Transportation**

14 5-505.

15 (c) (1) [The] EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (3) OF THIS  
16 SUBSECTION, THE Administration may not issue a permit unless every airport zoning  
17 regulation applicable to the airport zoning district in which the land or structure is  
18 located will be complied with fully.

19 (2) The Administration shall issue a permit as a matter of right for the  
20 replacement or alteration of a nonconforming use or structure, except that the  
21 Administration may not issue any permit that will allow a structure or tree or other  
22 vegetation to be higher than or to be a greater hazard to air navigation than it was  
23 when the applicable airport zoning regulation was adopted.

24 (3) THE ADMINISTRATION MAY ISSUE A PERMIT TO ANY PERSON ACTING  
25 ON BEHALF OF THE ADMINISTRATION OR ANY FEDERAL AGENCY ON LAND OWNED  
26 BY THE STATE OR THE FEDERAL GOVERNMENT IF THE PROPOSED ACTIVITY  
27 COMPLIES WITH ALL APPLICABLE FEDERAL AVIATION REGULATIONS.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
2 effect October 1, 1999.