

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

Senate Bill 729 (Senator Middleton. *et al.*)

Finance

**State Highways - Expressway Designation Process and Regulation of Highway
Access**

This bill requires the State Highway Administration (SHA), before designating a highway as an expressway, to notify the county and municipal government affected by the designation and to publish a public notice of the proposed designation. SHA must provide an opportunity for the affected local governments to meet and confer with SHA representatives on the proposed designation. Additionally, SHA must hold public informational meetings and public hearings in specified time frames to allow interested parties an opportunity to submit oral and written testimony. This requirement may be satisfied by the public meetings held as part of the planning phase of the project.

The bill prohibits SHA from denying an owner of property abutting a State highway all access to the highway if the abutment is within the boundaries of a municipal corporation. However, SHA may deny access if: (1) the property abuts another public road to which access can be granted; (2) the denial is based on an access management plan that has been agreed to by SHA and the municipality; or (3) SHA pays just compensation to the property owner as part of the exercise of eminent domain.

Fiscal Summary

State Effect: Potential minimal increase in Transportation Trust Fund expenditures and revenues.

Local Effect: None.

Small Business Effect: Minimal.

Fiscal Analysis

State Effect: The bill requires SHA to hold public meetings and hearings before the designation of a highway as an expressway. It is estimated that the costs for materials, advertising, and related administrative expenses would be about \$2,500 per project. Generally, there is only one such project per year. In most cases, however, SHA will not be required to hold additional meetings as the requirement of the bill may be satisfied through the public meetings held as part of the planning phase of the projects.

The bill also prohibits SHA from denying access to highways except under specified circumstances, which could increase the number of access permits issued by SHA. The fee for such permits is \$50. However, SHA advises that the bill would not significantly change the manner in which access to highways is granted within municipal corporations. Accordingly, the revenue associated with an increase in permits is expected to be minimal.

Under current law, SHA may exercise the power of eminent domain in which it must pay just compensation to the owner of any property that is taken. This bill will ensure that SHA retains this option in regards to property within the boundaries of a municipal corporation. This provision is not expected to increase the number of cases in which this option is exercised.

Information Source(s): Maryland Department of Transportation (State Highway Administration), Department of Legislative Services

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dmm/jr

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