
By: **Delegates Burns, Barkley, Barve, Benson, Branch, Cardin, C. Davis, D. Davis, Franchot, Fulton, Goodwin, Griffith, Haynes, Heller, Holmes, Howard, Hubbard, Jones, Kelley, Lee, Madaleno, Marriott, McDonough, McMillan, Minnick, Morhaim, Nathan-Pulliam, Oaks, O'Donnell, Paige, Parker, Patterson, Proctor, V. Turner, Vallario, Vaughn, Weir, and ~~Zirkin~~ Zirkin, Hurson, Hammen, Boteler, Boutin, Bromwell, Costa, Donoghue, Elliott, Frank, Goldwater, Kach, Kullen, Mandel, Murray, Pendergrass, Rudolph, and Weldon**

Introduced and read first time: January 21, 2005
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 1, 2005

CHAPTER _____

1 AN ACT concerning

2 **Transportation - Baltimore-Washington International Airport - Renaming**

3 FOR the purpose of renaming the Baltimore-Washington International Airport as the
4 Thurgood Marshall Baltimore-Washington International Airport; providing that
5 expenditures to implement this Act may not exceed a certain amount during a
6 certain fiscal year; requiring the Maryland Aviation Commission to change
7 certain signs to reflect the renaming of the airport according to a certain
8 schedule; providing that letterhead, business cards, and other documents
9 reflecting the renaming of the airport may not be used until all letterhead,
10 business cards, and other documents already in print and reflecting the name of
11 the airport prior to the effective date of this Act are used; prohibiting the
12 expenditure of certain funds for certain purposes; and generally relating to the
13 renaming of the Baltimore-Washington International Airport.

14 BY repealing and reenacting, with amendments,
15 Article 2B - Alcoholic Beverages
16 Section 8-202(g) and 9-102(h-1)
17 Annotated Code of Maryland
18 (2001 Replacement Volume and 2004 Supplement)

19 BY repealing and reenacting, with amendments,

1 Article 24 - Political Subdivisions - Miscellaneous Provisions
2 Section 9-807
3 Annotated Code of Maryland
4 (2001 Replacement Volume and 2004 Supplement)

5 BY repealing and reenacting, with amendments,
6 Article - Public Utility Companies
7 Section 10-209(b)
8 Annotated Code of Maryland
9 (1998 Volume and 2004 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article - Tax - Property
12 Section 9-216
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2004 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article - Transportation
17 Section 4-208.1, 5-201(b), 5-413, 5-414, 5-509, 5-822, 5-824, 5-1201,
18 and 10-203, Title II, Article XI, Section 2
19 Annotated Code of Maryland
20 (2001 Replacement Volume and 2004 Supplement)

21 BY repealing and reenacting, without amendments,
22 Article - Transportation
23 Section 5-201(a)
24 Annotated Code of Maryland
25 (2001 Replacement Volume and 2004 Supplement)

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

28 **Article 2B - Alcoholic Beverages**

29 8-202.

30 (g) (1) There is an airport concessionaire license.

31 (2) (i) An individual, association of individuals, or a corporation which
32 is a lessee, sublessee, or a concessionaire at any airport, without further residential,
33 voting or locative qualifications, may obtain an airport concessionaire license for the
34 sale of any and all alcoholic beverages within the airport terminal buildings.

35 (ii) 1. This subparagraph does not apply to duty free shops.

1 (i) The second license is a Class H (beer, wine and liquor) license or
2 a Class H (beer and wine) license; and

3 (ii) Either the restaurant for which the Class H license under item
4 (i) of this paragraph is sought or to which the original Class B or Class H license
5 applies is located within:

6 1. A suburban community center designated by Anne
7 Arundel County in accordance with Bill Nos. 36-96 and 70-96 of the ordinances of
8 Anne Arundel County; or

9 2. One of the following locations as they existed on October 1,
10 1999:

11 A. The Glen Burnie Urban Renewal Area;

12 B. The Parole Town Center Growth Management Area;

13 C. The Odenton Town Center Growth Management Area;

14 D. The THURGOOD MARSHALL Baltimore-Washington
15 International Airport State Priority Funding Area, as designated by Anne Arundel
16 County in accordance with Article 83A, § 5-1101(k)(6) of the Code;

17 E. A shopping center with a gross area of at least 1 million
18 square feet that is zoned C3 General Commercial by the zoning article of the Anne
19 Arundel County Code; or

20 F. The Route 198 corridor, consisting of properties located
21 within 500 feet of the right-of-way of Maryland Route 198, from Route 32 on the east
22 to the Prince George's County-Anne Arundel County line on the west.

23 (2) A person who does not hold a retail alcoholic beverages license in
24 Anne Arundel County may be issued a maximum of two licenses by the Anne Arundel
25 County Board of License Commissioners if:

26 (i) Each license is a Class H (beer and wine) license or a Class H
27 (beer, wine and liquor) license; and

28 (ii) The restaurant for which one of the Class H licenses under item
29 (i) of this paragraph is sought is located within:

30 1. A suburban community center designated by Anne
31 Arundel County in accordance with Bill Nos. 36-96 and 70-96 of the ordinances of
32 Anne Arundel County; or

33 2. One of the following locations as they existed on October 1,
34 1999:

35 A. The Glen Burnie Urban Renewal Area;

- 1 B. The Parole Town Center Growth Management Area;
- 2 C. The Odenton Town Center Growth Management Area;
- 3 D. The THURGOOD MARSHALL Baltimore-Washington
4 International Airport State Priority Funding Area, as designated by Anne Arundel
5 County in accordance with Article 83A, § 5-1101(k)(6) of the Code;
- 6 E. A shopping center with a gross area of at least 1 million
7 square feet that is zoned C3 General Commercial by the zoning article of the Anne
8 Arundel County Code; or
- 9 F. The Route 198 corridor, consisting of properties located
10 within 500 feet of the right-of-way of Maryland Route 198, from Route 32 on the east
11 to the Prince George's County-Anne Arundel County line on the west.

12 (3) A franchisor may not have a direct ownership interest, as defined by
13 the Board, in more than 2 licenses under this section.

14 (4) The Board may not issue more than 30 additional Class H licenses
15 under this subsection.

16 (5) The Anne Arundel County Board of License Commissioners shall
17 adopt regulations:

18 (i) To carry out this subsection; and

19 (ii) That define "direct ownership interest" for the purposes of
20 paragraph (3) of this subsection.

21 (6) The Anne Arundel County Economic Development Corporation, in
22 consultation with the Board of License Commissioners for Anne Arundel County:

23 (i) Shall conduct a comprehensive study of the impact of this
24 subsection on the economy of Anne Arundel County; and

25 (ii) On or before January 1, 2006, shall submit its findings and
26 recommendations to the Anne Arundel County House Delegation, the Anne Arundel
27 County Senate Delegation, the County Executive for Anne Arundel County, and the
28 Anne Arundel County Council.

29 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

30 9-807.

31 Notwithstanding the provisions of §§ 6-102, 7-211, and 7-401 of the Tax -
32 Property Article, for all private development that is not related to aviation on
33 State-owned land at THURGOOD MARSHALL Baltimore-Washington International
34 Airport in Anne Arundel County, the State shall reimburse Anne Arundel County on a
35 yearly basis a sum of money that is agreed upon by the Secretary of Transportation

1 and the Anne Arundel County Executive and does not exceed an amount equal to the
2 appropriate local property taxes that the private development would have paid to
3 Anne Arundel County if the private development was not constructed on State-owned
4 land.

5

Article - Public Utility Companies

6 10-209.

7 (b) (1) A taxicab driver may not solicit the patronage of a person who is at
8 the terminal of another common carrier or at an intermediate point along an
9 established route of that carrier to use that common carrier's service.

10 (2) Paragraph (1) of this subsection does not prohibit or interfere with a
11 response to a call for a taxicab whether the call is made by telephone or by signal from
12 a pedestrian.

13 (3) Taxicabs being operated in Baltimore City:

14 (i) may transport a passenger from Baltimore City into Baltimore
15 County and return to Baltimore County for the same passenger; but

16 (ii) may not solicit a passenger within Baltimore County at any
17 time.

18 (4) This subtitle may not impede the operation of taxicabs between
19 Baltimore City and THURGOOD MARSHALL Baltimore-Washington International
20 Airport in the manner allowed by law.

21

Article - Tax - Property

22 9-216.

23 (a) The governing body of a county or municipal corporation may grant a
24 property tax credit under this section against the applicable county or municipal
25 corporation property tax imposed on owner-occupied residential real property
26 situated entirely or in part within the 75 LDN noise contour as established by the
27 airport noise zone surrounding THURGOOD MARSHALL Baltimore-Washington
28 International Airport that has been most recently adopted by the Maryland Aviation
29 Administration as of the first day of the taxable year.

30 (b) The governing body of a county or of a municipal corporation may provide,
31 by law, for:

32 (1) the amount and duration of the property tax credit under subsection
33 (a) of this section; and

34 (2) any other provision necessary to carry out the property tax credit
35 under subsection (a) of this section.

1 **Article - Transportation**

2 4-208.1.

3 (a) The chief police officer of the Maryland Transportation Authority Police
4 Force may appoint employees of the Authority to exercise the powers specified in
5 subsection (b) of this section.

6 (b) (1) An employee appointed under this section may issue citations to the
7 extent authorized by the chief police officer for violations of those provisions of §
8 5-426 of this article relating to motor vehicle parking at THURGOOD MARSHALL
9 Baltimore-Washington International Airport.

10 (2) The issuance of citations under this section shall comply with the
11 requirements of Title 26, Subtitle 3 of this article.

12 (c) The chief police officer, in consultation with the Maryland Police Training
13 Commission, shall adopt regulations establishing:

14 (1) Qualifications for employees appointed under this section, including
15 prerequisites of character, training, experience, and education; and

16 (2) Standards for the performance of the duties assigned to employees
17 appointed under this section.

18 5-201.

19 (a) There is a Maryland Aviation Commission.

20 (b) The Commission shall:

21 (1) Establish policies directed toward the Maryland Aviation
22 Administration's ability to improve and promote the role of the THURGOOD
23 MARSHALL Baltimore-Washington International Airport as an airport of service to
24 the Washington-Baltimore metropolitan area;

25 (2) Approve regulations for the operation of the State-owned airports
26 prior to their adoption by the Executive Director;

27 (3) Direct the Administration in developing and implementing airport
28 management policy for all State-owned airports;

29 (4) Approve major capital projects, as defined in § 2-103.1(a)(4) of this
30 article, at any State-owned airport prior to the submission of those projects to the
31 Governor and General Assembly for approval;

32 (5) Exercise those powers granted to the Commission by this title or by
33 any other provision of law; and

1 (6) In carrying out the provisions of this subtitle, consider information
2 and advice from the air carrier industry, the airport concessionaire industry, the
3 airline support services industry, and citizen advisory groups.

4 5-413.

5 (a) Any person who is or becomes a full-time employee of the Maryland
6 Aviation Administration Fire Rescue Service on or before September 30, 1993 shall
7 remain or become a member of the Baltimore City Fire and Police Employees
8 Retirement System. The Administration shall reimburse the City for the employer's
9 cost of the pension coverage.

10 (b) Notwithstanding any public local or other law, the operator of a taxicab
11 authorized and licensed to operate in a political subdivision of this State may, without
12 being required to obtain an additional permit or license from any other political
13 subdivision:

14 (1) Transport passengers to THURGOOD MARSHALL
15 Baltimore-Washington International Airport from the political subdivision in which
16 the taxicab is authorized and licensed to operate; and

17 (2) After transporting passengers to the airport from that political
18 subdivision, pick up passengers at the airport and transport them to the political
19 subdivision on its return trip.

20 (c) The Administration may not begin construction of the new parallel
21 transport runway, identified in the Airport Master Plan as runway 10 R/28L, until:

22 (1) The Administration:

23 (i) 1. Reviews the current airport noise zone and abatement
24 procedures, such reviews to include an examination and an evaluation of runway
25 curfews; and

26 2. Updates the noise zone as proposed by the Administration
27 on February 25, 1987;

28 (ii) Adopts the proposed noise assistance programs for residential
29 areas within the airport noise zone including, but not limited to:

30 1. Extension of the voluntary acquisition program;

31 2. In cooperation with the Board of Airport Zoning Appeals
32 established by Subtitle 5 of this title, strengthening of zoning permit procedures as
33 necessary; and

34 3. Establishment of a homeowner assistance program; and

35 (iii) Implements a pilot program of homeowner assistance in fiscal
36 year 1988; and

1 (2) The State Highway Administration completes construction of the
2 following highway projects required in conjunction with airport improvements:

3 (i) Hammonds Ferry Road/Poplar Avenue intersection
4 improvements;

5 (ii) MD 170/Poplar Avenue intersection;

6 (iii) Poplar Avenue widening;

7 (iv) MD 176 widenings;

8 (v) MD 176/Hammonds Ferry Road intersection;

9 (vi) Nursery Road/MD 295 interchange; and

10 (vii) MD 3/MD 176 Interchange (auxiliary lane).

11 (d) The international terminal at THURGOOD MARSHALL
12 Baltimore-Washington International Airport shall be named the Governor William
13 Donald Schaefer International Terminal.

14 5-414.

15 (a) There is a Citizens Committee for the Enhancement of Communities
16 Surrounding THURGOOD MARSHALL Baltimore-Washington International Airport.

17 (b) (1) The Citizens Committee consists of 11 members who are appointed
18 by the Secretary after recommendation by the members of the legislative delegation
19 from legislative districts 12, 13, and 32 as follows:

20 (i) Two members of the Citizens Committee shall be recommended
21 by each of the delegates representing district 32;

22 (ii) One member of the Citizens Committee shall be recommended
23 by the delegates representing district 12;

24 (iii) One member of the Citizens Committee shall be recommended
25 by the delegates representing district 13; and

26 (iv) Three members of the Citizens Committee shall be
27 recommended by the senator representing district 32.

28 (2) The members shall be representatives of community associations
29 that are either wholly or partially situated:

30 (i) In the most recent certified noise zone, adopted under § 5-806
31 of this title, for THURGOOD MARSHALL Baltimore-Washington International Airport;
32 or

33 (ii) In a border extending 2 miles outside of the certified noise zone.

- 1 (c) (1) The term of a member of the Citizens Committee is 3 years.
- 2 (2) The terms of the members are staggered as required by the terms
3 provided for members of the Citizens Committee on October 1, 2001.
- 4 (3) At the end of a term, a member continues to serve until a successor is
5 appointed.
- 6 (4) A member who is appointed after a term has begun serves only for
7 the rest of the term and until a successor is appointed.
- 8 (d) From among the members of the Citizens Committee, the Secretary shall
9 appoint a chairman.
- 10 (e) (1) The Citizens Committee shall meet regularly at the call of the
11 chairman.
- 12 (2) The Secretary, or the Secretary's designee, shall meet with the
13 Citizens Committee at least quarterly.
- 14 (f) A member of the Citizens Committee may not receive compensation or
15 other reimbursement for expenses.
- 16 (g) The Citizens Committee shall:
- 17 (1) Evaluate issues of livability in the communities located in the area
18 described in subsection (b)(2) of this section and the unique impacts on livability in
19 these communities arising from their close proximity to THURGOOD MARSHALL
20 Baltimore-Washington International Airport;
- 21 (2) Develop projects designed to address transportation issues that affect
22 livability in the communities; and
- 23 (3) Make recommendations to the Secretary for the funding of projects
24 designed to address transportation issues that affect livability in the communities.
- 25 (h) (1) The Secretary shall consider the recommendations of the Citizens
26 Committee.
- 27 (2) The Secretary may make grants-in-aid, under § 2-103(i)(2) of this
28 article, to fund transportation related projects recommended by the Citizens
29 Committee.
- 30 (3) (i) The Secretary shall identify in the annual budget for the
31 Department an amount designated for the grants-in-aid authorized under this
32 subsection.
- 33 (ii) In making a budget designation under this paragraph, the
34 Secretary shall consider the number of aircraft operations at THURGOOD MARSHALL
35 Baltimore-Washington International Airport for the most recent available calendar
36 year.

1 (iii) A budget amount designated under this paragraph shall include
2 an amount equal to at least one dollar for every takeoff and landing of an aircraft that
3 occurs at THURGOOD MARSHALL Baltimore-Washington International Airport for the
4 most recent available calendar year.

5 (i) Staff support for the Citizens Committee shall be provided by the
6 Department.

7 5-509.

8 (a) In this section, "district" means the land area established for THURGOOD
9 MARSHALL Baltimore-Washington International Airport delineated by and contained
10 within a circle the radius of which is 4 miles from a point the Maryland grid
11 coordinates of which are E893,909.99 -- N490,279.30.

12 (b) (1) Except as otherwise provided in this subtitle, a structure may not be
13 erected, altered, or maintained and a tree or other vegetation may not be allowed to
14 grow or be maintained at a height greater than the height limit established for the
15 district.

16 (2) The Administration shall adopt regulations establishing the
17 maximum height limit any structure, tree, or other vegetation may be allowed to grow
18 or be maintained in the district, consistent with applicable federal aviation
19 regulations.

20 (3) The Administration shall file in the land records of Anne Arundel
21 County, Baltimore County, and Howard County a map depicting the district
22 established by this section.

23 5-822.

24 (a) Appeals to the Board of Airport Zoning Appeals may be taken in the
25 manner set forth in § 5-814 of this subtitle by any aggrieved person or by any officer
26 or agency of a political subdivision affected by the decision of the Administration.

27 (b) The Board of Airport Zoning Appeals may grant variances for State owned
28 airports in the manner set forth in § 5-815 of this subtitle.

29 (c) The Board of Airport Zoning Appeals shall condition any variance
30 prerequisite to the grant of a permit required by § 5-821 of this subtitle so as to
31 require the applicant to:

32 (1) Construct the proposed structure so as to comply with all applicable
33 noise insulation regulations promulgated by the administration; and

34 (2) Grant to the Administration an avigation easement as defined by §
35 5-1201(h) of this title, such easement including a provision relinquishing any right to
36 receive remuneration or other compensation or benefit under any program of this
37 State designed to allay, abate, or compensate for the effects of aircraft noise and

1 emissions in connection with the operation of THURGOOD MARSHALL
2 Baltimore-Washington International Airport.

3 (d) After consultation with the Board of Airport Zoning Appeals and affected
4 local governments, the Administration shall adopt regulations to further the intent of
5 this section and to meet the sound insulation goals set forth in § 5-815(a) of this
6 subtitle.

7 (e) Any aggrieved person or any officer or agency of an affected political
8 subdivision may appeal from a decision of the Board of Airport Zoning Appeals in the
9 manner set forth in § 5-816 of this subtitle.

10 (f) Upon timely application, an affected political subdivision may intervene in
11 any appeal taken under this subtitle to the Board of Airport Zoning Appeals or to a
12 court of competent jurisdiction.

13 5-824.

14 (a) If the State purchases real property within the noise zone of THURGOOD
15 MARSHALL Baltimore-Washington International Airport for noise mitigation
16 purposes with federal, State, or local funds, the Administration may not use the real
17 property to construct or extend any terminal, fuel farm, runway, or taxiway.

18 (b) This section does not preclude the Administration from purchasing real
19 property for noise mitigation purposes or for projects to promote the public safety as
20 it is affected by existing or future airport operations and facilities.

21 5-1201.

22 (a) In this subtitle the following words have the meanings indicated.

23 (b) "Airport" means THURGOOD MARSHALL Baltimore-Washington
24 International Airport.

25 (c) "Board" means the Board of Airport Zoning Appeals established under
26 Subtitle 5 of this title.

27 (d) "Cumulative noise exposure" means a calculated or measured value for the
28 exposure to aircraft noise in a 24-hour period, using the annual day-night (average)
29 sound level (LDN) methodology.

30 (e) "Annual day-night (average) sound level" means the annual average
31 aircraft noise level occurring during a 24-hour period, the calculation of which
32 includes the addition of a 10 decibel penalty to noises occurring between 10 p.m. and
33 7 a.m. daily.

34 (f) "Noise zone" means an area of land surrounding the airport within which
35 the cumulative noise exposure is equal to or greater than the lowest limit for
36 cumulative noise exposure established by the Executive Director, under Subtitle 8 of
37 this title.

1 (g) "Homeowner" means an owner of residentially used real property situated
2 within the airport noise zone.

3 (h) "Avigation easement" means a written privilege granted by a homeowner
4 related to aircraft overflight, noise, and associated effects which may arise in the
5 ordinary operation of the airport.

6 (i) "School" means a public or privately operated elementary, secondary,
7 postsecondary, or noncollegiate institution, with facilities in use on or before April 1,
8 1987, which is:

9 (1) Located within the airport noise zone; and

10 (2) Certified or accredited by the State Board of Education.

11 10-203.

12 TITLE II

13 Compact Regulatory Provisions

14 Article XI

15 2. Solely for the purposes of this section and § 18 of this article:

16 (a) The Metropolitan District shall include that portion of Anne Arundel
17 County, Maryland, occupied by the THURGOOD MARSHALL Baltimore-Washington
18 International Airport; and

19 (b) Jurisdiction of the Commission shall apply to taxicab rates, charges,
20 regulations, and minimum insurance requirements for interstate transportation
21 between the THURGOOD MARSHALL Baltimore-Washington International Airport
22 and other points in the Metropolitan District, unless conducted by a taxicab licensed
23 by the State of Maryland or a political subdivision of the State of Maryland, or
24 operated under a contract with the State of Maryland.

25 SECTION 2. AND BE IT FURTHER ENACTED, That:

26 (a) Expenditures to implement this Act may not exceed \$250,000 in fiscal year
27 2006.

28 (b) (1) In fiscal year 2006, the Maryland Aviation Commission shall change
29 49% of the existing signs in the airport to reflect the renaming of
30 Baltimore-Washington International Airport to be the Thurgood Marshall
31 Baltimore-Washington International Airport.

32 (2) In fiscal year 2007, the Maryland Aviation Commission shall change
33 the remaining signs not changed under paragraph (1) of this subsection to reflect the
34 renaming of Baltimore-Washington International Airport to be the Thurgood
35 Marshall Baltimore-Washington International Airport.

1 (c) Letterhead, business cards, and other documents reflecting the renaming
2 of Baltimore-Washington International Airport to be the Thurgood Marshall
3 Baltimore-Washington International Airport may not be used until all letterhead,
4 business cards, and other documents already in print and reflecting the name of the
5 airport prior to the effective date of this Act have been used.

6 (d) In fiscal year 2006, funds intended for renaming Baltimore-Washington
7 International Airport to be the Thurgood Marshall Baltimore-Washington
8 International Airport may not be used to:

9 (1) replace highway signs that use the Baltimore-Washington
10 International Airport name or logo; or

11 (2) repaint buses that use the Baltimore-Washington International
12 Airport name or logo.

13 SECTION ~~2-3~~. AND BE IT FURTHER ENACTED, That this Act shall take
14 effect October 1, 2005.