

approval of plats of subdivision for interior subdivision roads, roads abutting the subdivision where it is necessary to create a new road as a part of the plan of subdivision to provide for traffic access to another subdivision road, and widening of existed platted or public roads abutting the subdivision where such widening is necessary in order to provide additional right of way adequate to serve additional traffic to be created by the subdivision but in such case no more dedication may be required than will produce a total right of way for a secondary road, as defined by the duly adopted Road Code, or by the appropriate County Ordinance or Regulation or for a primary road if an existing and duly adopted master plan of highways of the Commission designates such road as a primary or arterial road. In no case whatsoever shall dedication of a width wider than that for a primary road be required, and no more than that necessary for a secondary road unless an existing and duly adopted master plan of the Commission designates the road as a primary or arterial road provided, however, that in Prince George's County the said master plan for highways is approved by the District Council.‡

PROVIDED, HOWEVER, THAT IN LIEU OF THE ABOVE LANGUAGE, IN MONTGOMERY COUNTY THE COMMISSION SHALL HAVE THE POWER TO REQUIRE DEDICATION OF STREETS AND ROADS IN CONNECTION WITH THE APPROVAL OF PLATS OF SUBDIVISION *in accordance with such standards and limitations as may be set forth in the subdivision regulations. Such standards shall relate the area of dedication to the total size of the subdivision, the maximum street right-of-way or improvement required for that category of land use as established in the Road Code of the applicable jurisdiction, and to the increased traffic, lane, and right-of-way requirements which would be created by maximum utilization and development of the subject property in its present zone classification or that higher use shown on any adopted or approved Master Plan of the applicable jurisdictions. Subject to these standards, the subdivision regulations may require dedication to public use to the full extent of the required right of way in each case, except those roads classified in the local subdivision regulations as limited access and controlled highways wherein dedication may be required only for adequate traffic access to those subdivisions to which access is permitted.*

SEC. 2. *And be it further enacted, That this Act shall take effect July 1, 1968.*

Approved April 10, 1968.

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CHAPTER 420

(House Bill 60)

AN ACT to repeal and re-enact, with amendments, Subsections (15) (d) and (15) (h) of Section 108 of Article 52 of the Annotated Code of Maryland (1967 Supplement), title "Justices of the Peace," subtitle "Trial Magistrates System," to vest authority in the Chief Judge to determine whether the People's Court of Montgomery