

of the State Roads Commission to be paid out of the receipts from the gasoline tax imposed by Section 242 of Article 56 of the Annotated Code of the Public General Laws.

1931, ch. 539, sec. 16.

**31.** The expense of removing, relaying or relocating any municipal county water or sewer pipes or other municipal or county pipes, conduits or subways, shall be borne by the railroads and the State Roads Commission as provided in Section 29. Plans under which these changes are to be made shall be approved by the owners of the structures involved.

1931, ch. 539, sec. 17.

**32.** Where the order of said State Roads Commission shall require changes in, or the removal of the property or construction of any telegraph, telephone, gas, electric, lighting, power, water, oil, pipe lines or other company or corporation, co-partnership or individual, they shall move or change the grade or location of their property or constructions in conformity with the order of the Commission. The cost of changing, removing or constructing the said lines shall be paid by the railroads and the State Roads Commission as provided in Section 29. Plans under which these changes are to be made shall be approved by the owners of the structures involved. They shall be deemed parties in interest and shall be given notice of hearing and opportunity to be heard.

1931, ch. 539, sec. 18.

**33.** The State Roads Commission may proceed with respect to any such crossing upon its own motion, or upon the petition of any railroad company or companies whose tracks cross or are crossed at grade, or upon the petition in writing of the Mayor and City Council or other governing body of any municipality, or of the County Commissioners of any county wherein any such crossing exists, setting forth the facts upon which relief under this Article is sought; whereupon said Commission shall fix a time and place for a hearing before it, and shall give such notice thereof as it shall deem reasonable to the municipality, County Commissioners and corporations, copartnerships or individuals interested therein, and after such hearing shall determine or order, what, if any, alterations or changes in or connected with such crossing and public highway shall be made.

See notes to secs. 27 and 48.

1931, ch. 539, sec. 19.

**34.** It shall be the duty of any railroad company or companies upon being required as herein provided to make such alterations, changes, relocation and/or opening, to proceed within the time and in the manner required by the State Roads Commission to make the same, and any railroad company or companies that shall fail, neglect or refuse to perform such duty shall be deemed guilty of a misdemeanor, and, upon conviction, subject to a fine of one hundred (\$100.00) dollars, for each day such company or companies shall fail, neglect or refuse to perform such duty. In addition to the penalty herein provided, any such company or companies shall be compelled by mandamus or other appropriate proceedings to make such alterations, changes, relocation and/or opening, or the Commission itself may make the same and charge such railroad company or companies with the entire expense thereof.