

WHEREAS, The public safety and convenience and the proper regulation of the use of the streets require that when an improved pavement is laid on the remainder of the street an improved pavement should also be laid in the railway area; and

WHEREAS, The existence and use of railway or railroad tracks upon any public highway necessitates the paving of a much wider roadway to properly accommodate public travel than would be required if there were no tracks upon such highway; therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That there is hereby imposed upon every corporation occupying with railroad or street railway track or tracks any portion of any public highway in Baltimore City which shall hereafter be paved or repaved with improved paving by the Paving Commission of Baltimore City, the State Roads Commission, the City Engineer, the Annex Improvement Commission, or any other public commission, board or agency, the obligation to pay for the cost of such paving within the space covered by any such railroad or railway track or tracks and for a distance of two feet outside of each outer rail of such track or tracks. The cost of the paving, as herein used, shall be construed to include the cost of the removal of the old cobble or other paving, and all excavation, ballasting, grading, concreting and other work involved in such paving. This obligation shall apply whether the entire street be paved with the same kind of improved paving or whether one kind be put outside of the railway area and a different kind within the railway area, provided no more expensive material or construction be used in the railway area than is reasonably necessary, in the judgment of the Paving Commission or other agency doing such paving, for the proper construction of the paving of the entire street. The Paving Commission, or other public agency, having in charge the construction of such paving, may permit said corporation to do any part of the work within the railway area which said Commission or other agency may consider can be done by said corporation without detriment to the public welfare or the proper progress of the work. In order to give such corporation an opportunity to do any part or parts of the work which it may be authorized to do by said Commission or other agency, the said Commission or other agency, before beginning work upon any portion of a street occupied by a railroad or railway track or tracks, shall give to the corporation owning, operating and using such track or tracks reasonable notice of its intention to do such work and of the time when it proposes to begin such work on such street. The said Commission or other agency, shall keep an accurate account of the