

SEC. 7. *And be it further enacted*, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety, and having been passed by a ye and nay vote supported by three-fifths of the members elected to each of the two houses of the General Assembly, the same shall take effect from the date of its passage.

Approved April 24, 1961.

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CHAPTER 428

(Senate Bill 516)

AN ACT to repeal and re-enact, with amendments, Section 8 (a) of Article 89B of the Annotated Code of Maryland (1957 Edition), title "State Roads", sub-title "In General", relating to the acquisition of property by the State Roads Commission to protect highways, to provide in addition to the present provisions of said Section 8 (a),—that no motel, restaurant, gasoline or automobile service station shall be allowed, permitted, authorized or conducted on property acquired by the Commission.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 8 (a) of Article 89B of the Annotated Code of Maryland (1957 Edition), title "State Roads", sub-title "In General", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

8. (a) The State Roads Commission may acquire by gift, purchase, condemnation or otherwise, real property or any interest in such property for highway construction purposes and real property along or near any State highway, parkway or freeway, or any interest in such property, in order to protect the highway, parkway, or freeway, or scenery along or near it, or to provide parking and service areas along said highway, parkway, freeway and for similar purposes, provided, however, the State Roads Commission shall not have the right to acquire such property other than by purchase or gift unless the Commission, by appropriate resolution, shall determine that such property is necessary in its judgment for immediate or proposed construction of a State highway, parkway, freeway or parking or service areas in connection therewith; provided, however, that any such property acquired for such service areas shall only be adjacent to controlled or denied access highways as such highways are defined in this article. If the State Roads Commission shall determine by resolution that it is necessary to acquire such property by means other than purchase of gift, then it is authorized to acquire the same in accordance with the provisions of Section 40B of Article 3 of the Constitution of the State of Maryland, and Section 9 of this article.

*No motel, restaurant, gasoline or automobile service station shall*

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EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike out~~ indicates matter stricken out of bill.