

AND HAS GUARANTEED TO THE DEPARTMENT THE COST OF THE WORK. WHEN THE APPLICANT APPROVES A PLAN THE DEPARTMENT HAS PREPARED, AND THE APPLICANT HAS GUARANTEED PAYMENT OF THE COST IN A MANNER SATISFACTORY TO THE DEPARTMENT, THE DEPARTMENT SHALL PERFORM, OR CAUSE TO BE PERFORMED, THE SPECIFIED PLANTING, CARE, OR PROTECTION OF ROADSIDE TREES.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 361 of the Code, as amended by Chapter 290, Acts of 1972. The only changes made are in style.

(C) PAYMENT OF UNEXPENDED BALANCES.—THE DEPARTMENT, WITHOUT BEING REQUESTED AS PROVIDED IN SUBSECTION (A) OR GUARANTEED AS PROVIDED IN SUBSECTION (B), MAY PLANT, CARE FOR, AND PROTECT ROADSIDE TREES AND PAY FOR THE WORK OUT OF ANY UNEXPENDED BALANCE OF THE AMOUNT APPROPRIATED FOR THE PURPOSES OF THIS SUBTITLE. HOWEVER, NO TREE MAY BE PLANTED UNDER THE PROVISIONS OF THIS SECTION WITHOUT THE CONSENT AND APPROVAL OF THE OWNER OF THE LAND ON WHICH PLANTED.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 362 of the Code. The only changes made are in style.

5-404. ARREST WITHOUT WARRANT.

FOREST WARDENS AND OTHER PERSONS HAVING POLICE POWERS IN THE STATE, IN ADDITION TO THEIR REGULAR DUTIES, SHALL ENFORCE THE LAW FOR THE CARE AND PROTECTION OF ROADSIDE TREES. IN THE ENFORCEMENT OF THESE LAWS, THEY POSSESS THE SAME POWERS AS A PEACE OFFICER TO ARREST WITH A WARRANT.

REVISOR'S NOTE: This section presently appears as Article 66C, section 363 of the Code. The only changes made are in style.

5-405. PAYMENT FOR MAKING REQUIRED EXAMINATIONS; PLANTING AND CARE OF TREES.

FOR HIS SERVICES IN MAKING EXAMINATIONS, AS PROVIDED IN § 5-403(A), THE DEPARTMENT SHALL PAY THE FOREST WARDEN UPON PRESENTATION AND APPROVAL OF HIS ACCOUNTS WITH VOUCHERS, FOR SERVICES IN PLANTING ROADSIDE TREES, TRIMMING, SPRAYING, OR OTHERWISE CARING FOR EXISTING ROADSIDE TREES, AS PROVIDED IN § 5-403(B). THE APPLICANT WHO GUARANTEES THE COST OF