

WHEREAS, With the advent of high-speed trains passing through Maryland the accident exposure factor at grade crossings has increased; and

WHEREAS, Existing jurisdiction and control over railroad grade crossings is divided among the State, counties and municipalities and the railroads; and

WHEREAS, For the purpose of promoting the public safety, convenience and enjoyment of travel on the highways and railroads in this State the General Assembly declares it to be a policy of the State to have centralized and uniform control of construction, reconstruction or other modification of railroad grade crossings and of changes in crossing protection equipment; now, therefore

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 208E be and it is hereby added to Article 41 - Governor-Executive and Administrative Departments, of the Annotated Code of Maryland (1971 Replacement Volume and 1973 Supplement) to read as follows:

Article 41 - Governor-Executive and Administrative
Departments

208E.

NOTWITHSTANDING ANY PROVISION OF ANY PUBLIC OR LOCAL LAW TO THE CONTRARY, NO RAILROAD MAY CONSTRUCT, RECONSTRUCT, IMPROVE, WIDEN, RELOCATE OR OTHERWISE ALTER A CROSSING AT GRADE OVER A STATE, COUNTY OR MUNICIPAL ROAD, OTHER THAN IN BALTIMORE CITY, OR OVER A PRIVATE ROAD, AND NO RAILROAD MAY CHANGE THE CROSSING PROTECTION EQUIPMENT AT SUCH A CROSSING, UNLESS APPLICATION IS MADE TO, AND APPROVAL GIVEN TO THE PROPOSED CROSSING, MODIFICATION OF CROSSING, OR CHANGE OF CROSSING PROTECTION EQUIPMENT BY THE SECRETARY OF TRANSPORTATION. THIS REQUIREMENT SHALL NOT APPLY TO TRACK SPURS OR SIDINGS TO INDUSTRIES.

NO PUBLIC OR PRIVATE ROAD MAY BE CONSTRUCTED, RECONSTRUCTED, IMPROVED, WIDENED, RELOCATED OR OTHERWISE ALTERED AT GRADE OVER A RAILROAD, NOR MAY THE CROSSING PROTECTION EQUIPMENT AT SUCH A CROSSING BE CHANGED, UNLESS APPLICATION IS MADE TO, AND APPROVAL GIVEN TO THE PROPOSED CROSSING, MODIFICATION OF CROSSING OR CHANGE OF CROSSING PROTECTION EQUIPMENT BY THE SECRETARY OF TRANSPORTATION.

UPON APPLICATION FOR APPROVAL, A HEARING SHALL BE HELD ON THE PROPOSED CROSSING, MODIFICATION OF CROSSING