

1, 1962, the pension of the deceased judge shall be calculated at the rates prescribed by [§ 49 of Article 26] §55 OF THIS ARTICLE, as of that date, notwithstanding that the judge may have died prior thereto.

SECTION 16. AND BE IT FURTHER ENACTED, That Section 43 of Article 89B - State Roads, of the Annotated Code of Maryland (1969 Replacement Volume and 1973 Supplement) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article 89B - State Roads

43.

No opening shall be made in any such highway, nor shall any structure be placed thereon, nor shall any structure which has been placed thereon be changed or renewed except in accordance with a permit from the Commission, which shall exercise complete control over such highways, except as herein otherwise provided. No State highway shall be dug up for laying or placing pipes, sewers, poles or wires or railways, or for other purposes, and no trees shall be planted or removed or obstructions placed thereon without the written permit of the State Roads Commission, or its duly authorized agent, and then only in accordance with the regulations of said Commission; and the work shall be done under the supervision and to the satisfaction of said Commission; and the entire expense of replacing the highway in as good condition as before shall be paid by the person to whom the permit was given or by whom the work was done; provided, however, that any municipal corporation not now by law required to obtain a permit as herein provided shall not be required to obtain a permit under the provisions of this section; provided, however, that no electric railway company in operation upon any public or private road or existing or abandoned turnpike, when acquired hereunder shall be disturbed in its operation or in the maintenance of its roadbed and overhead construction, and all necessary repairs, together with the maintenance of the space between its tracks and two feet on each side thereof shall be performed by such railroad company under the supervision and to the satisfaction of said Commission. And provided further, that whenever any State highway shall be constructed over or through any portion of any street or highway of any incorporated city or town of this State, such construction shall be in conformity with the grade or grades of such street or highway, as shall be approved by the municipal authorities of said city or town. Any violation of any provision of this section shall be a misdemeanor, and the person or corporation violating the same shall be liable to prosecution at the instance of said Commission, or at the instance of any taxpayer, and