

~~BE, MAY AUTHORIZE THE ADMINISTRATION TO EXERCISE ANY OF THE POWERS AND DUTIES REFERRED TO IN PARAGRAPH (1) OF THIS SUBSECTION WITHOUT OBTAINING PRIOR APPROVAL.~~

BY REGULATION OR DIRECTIVE, THE SECRETARY OR, WHERE APPLICABLE, THE MARYLAND TRANSPORTATION AUTHORITY MAY REQUIRE THAT THE EXERCISE OF ANY POWER OR DUTY OF THE ADMINISTRATION BE SUBJECT TO THE PRIOR APPROVAL OF THE SECRETARY OR THE MARYLAND TRANSPORTATION AUTHORITY, AS THE CASE MAY BE.

(C) EXERCISE OF POWERS IS ESSENTIAL GOVERNMENTAL FUNCTION.

THE EXERCISE OF POWERS UNDER THIS TITLE IS AN ESSENTIAL GOVERNMENTAL FUNCTION OF THIS STATE.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 62B, §3.

The present reference to the Administration as an "instrumentality of the Department" is deleted as unnecessary in light of §§ 2-107 and 6-201 of this article.

In subsection (b) of this section, the catchlines to each of the referenced sections are added as an aid to the reader only; they are not intended to be part of the substantive law (cf., Art. 1, §18 of the Code) and, for this reason, are placed in brackets. As to this subsection and the like provisions of §7-203(b) of this article relating to the Mass Transit Administration, the General Assembly might consider adopting the simpler approach taken by §8-203(b) of this article as to the State Highway Administration or the still simpler approach taken by §§5-203 and 12-203 of this article as to the State Aviation Administration and the Motor Vehicle Administration; certainly, a consistent standard for all of these Administrations would be an improvement.

As to the authority of the Maryland Transportation Authority, see Title 4 of this article. Its jurisdiction extends to port facilities financed by its revenue bonds.

6-204. GENERAL POWERS OF ADMINISTRATION.

(A) IN GENERAL.

IN ADDITION TO THE SPECIFIC POWERS GRANTED UNDER THIS TITLE, THE ADMINISTRATION HAS THE POWERS GRANTED BY THIS SECTION.

REVISOR'S NOTE: This subsection presently appears as