

THIS SECTION DOES NOT CREATE A CONDITION PRECEDENT TO OR OTHERWISE LIMIT IN ANY WAY THE POWER TO CONDEMN PROPERTY UNDER THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 89B, §21.

The terms "political subdivision" and "agency of state or local government" are substituted, for brevity, for the present list of governmental units.

The present list of property interests that may be acquired under this section is deleted as unnecessary in light of the definition of "property" in §1-101 of this article.

8-304. CHANGE OF STATUS OF STATE HIGHWAYS AND COUNTY ROADS.

(A) POWER TO CHANGE STATUS.

THE ADMINISTRATION AND ANY COUNTY POLITICAL SUBDIVISION MAY AGREE TO TRANSFER TITLE TO, JURISDICTION OVER, OR RESPONSIBILITY FOR MAINTENANCE OF:

(1) A COUNTY ROAD TO THIS STATE; OR

(2) A STATE HIGHWAY TO THE COUNTY POLITICAL SUBDIVISION.

(B) UTILITY RELOCATION.

IF THE ADMINISTRATION ACQUIRES TITLE TO A COUNTY ROAD, IT SHALL PAY NECESSARY RELOCATION ASSISTANCE TO ANY PUBLIC SERVICE COMPANY THAT, BECAUSE OF THE EXERCISE OF ITS FRANCHISE, HAS OCCUPIED THE ROAD OR ACQUIRED ANY INTEREST IN IT AND IS REQUIRED TO RELOCATE ITS FACILITIES.

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from Art. 89B, §79.

The limitation in present §79 that the transfer is made "(f)or the purpose of reducing the cost of road maintenance" is deleted as essentially obsolete and as inconsistent with other provisions of Art. 89B, such as §21 (now §8-303 of this subtitle), which do not contain similar limitations. See, also, §8-204(d) of this title, which broadly authorizes the Administration to enter into contracts and agreements with other governmental agencies in furtherance of its duties.

The present reference to a "change" in the