

"status" of a State highway or county road is deleted in favor of a reference to a "transfer" of "title ..., jurisdiction..., or responsibility for maintenance...." This recognizes that title to the land on which the highway or road is located also may be transferred.

Subsection (b) of this section is new language derived from the next to the last clause of Art. 89B, §23. It is revised, in accordance with 49 Op. Att. Gen. 388 (1964), to require explicitly payment of relocation assistance when the transfer of a county road to the State interferes with the prior right of a public service company.

The remainder of present §23 is deleted as obsolete.

See, also, Title 12, Subtitle 2 of the Real Property Article and Subtitle 5 of this title for additional provisions relating to relocation.

8-305. RIGHT-OF-WAY REVOLVING FUND.

(A) FUND ESTABLISHED.

THERE IS A RIGHT-OF-WAY REVOLVING FUND IN THE TRANSPORTATION TRUST FUND.

(B) USES OF FUND.

(1) THE RIGHT-OF-WAY REVOLVING FUND MAY BE USED ONLY TO PAY THE COSTS OF ACQUIRING PROPERTY FOR:

(I) ANY FUTURE STATE HIGHWAY SYSTEM PROJECT THAT IS SCHEDULED FOR CONSTRUCTION OR RECONSTRUCTION WITHIN 5 YEARS AFTER THE FISCAL YEAR IN WHICH THE EXPENDITURE IS MADE FOR THE ACQUISITION;

(II) ANY STATE HIGHWAY SYSTEM PROJECT THAT IS AN EXPRESSWAY OR CONTROLLED ACCESS HIGHWAY AND THAT IS INCLUDED IN THE ADMINISTRATION'S 20-YEAR NEEDS STUDY AND ALSO IN THE DEPARTMENT'S MASTER PLAN OF HIGHWAYS APPROVED BY A POLITICAL SUBDIVISION; AND

(III) ANY FUTURE STATE POLICE POST SITE RELATED TO A PROJECT DESCRIBED IN THIS SUBSECTION.

(2) FOR PURPOSES OF THIS SUBSECTION, THE COSTS OF ACQUISITION INCLUDE:

(I) THE COST OF PRELIMINARY AND OTHER ENGINEERING OF THE PROJECT;

(II) THE CONSIDERATION, INCLUDING