

(B) MANNER OF ACQUISITION.

UNLESS OTHERWISE EXPRESSLY PROVIDED IN THIS PART, PROPERTY ACQUIRED FOR ANY PURPOSE SPECIFIED IN THIS PART MAY BE ACQUIRED BY ANY OF THE MEANS AUTHORIZED BY §8-302 OF THIS SUBTITLE.

REVISOR'S NOTE: Subsection (a) of this section is new language added to clarify expressly that the purposes specified in this part are not necessarily exclusive. See, e.g., §8-302 (a) of this subtitle: "for any public purpose that [the Administration] considers necessary or desirable...."

Subsection (b) of this section is added to avoid unnecessary repetition in this part of the various means of acquisitions permitted. It also avoids problems such as that noted in the revisor's note to §8-313 of this subtitle as to §8-313 (b).

8-313. ACQUISITION OF LAND TO PROTECT HIGHWAYS.

(A) PURPOSES OF ACQUISITION.

(1) ANY LAND MAY BE ACQUIRED UNDER THIS SUBTITLE FOR ANY STATE HIGHWAY CONSTRUCTION PURPOSE.

(2) ANY LAND ALONG OR NEAR ANY STATE HIGHWAY MAY BE ACQUIRED UNDER THIS SUBTITLE:

(I) TO PROTECT THE HIGHWAY OR ANY SCENERY ALONG OR NEAR IT;

(II) FOR LANDSCAPING THE HIGHWAY;

(III) TO PROVIDE PARKING AND SERVICE AREAS ALONG THE HIGHWAY; OR

(IV) FOR ANY SIMILAR PURPOSE.

(B) LIMITATION ON MANNER OF ACQUISITION.

LAND MAY NOT BE ACQUIRED UNDER THIS SECTION BY CONDEMNATION UNLESS THE ADMINISTRATION DETERMINES THAT THE LAND IS NEEDED FOR IMMEDIATE OR PROPOSED CONSTRUCTION OF A STATE HIGHWAY OR A RELATED PARKING OR SERVICE AREA. HOWEVER, LAND MAY BE ACQUIRED FOR A RELATED PARKING OR SERVICE AREA ONLY IF IT IS ADJACENT TO A CONTROLLED ACCESS HIGHWAY.

(C) PROHIBITED USES.

(1) A MOTEL, RESTAURANT, OR GASOLINE OR AUTOMOBILE SERVICE STATION MAY NOT BE OPERATED OR PERMITTED BY THE ADMINISTRATION OR BY ANY OTHER AGENCY OR POLITICAL SUBDIVISION OF THIS STATE ON ANY HIGHWAY