

CONSIDERS DESIRABLE. HOWEVER, THE ADMINISTRATION MAY NOT DENY AN ABUTTING PROPERTY OWNER ALL ACCESS ALONG ANY STATE HIGHWAY OTHER THAN A PARKWAY OR FREEWAY.

REVISOR'S NOTE: This section presently appears as Art. 89B, §§ 44 and 45.

In subsection (a) of this section, the rule for determining average traffic volume is that which appears in present §44; for clarity, it has been made applicable to all traffic volumes to be determined under this section.

In subsection (b) (2) of this section, the actual penalty provided for in §8-646 (present §43) is substituted for the present cross-reference to it.

In subsection (c) (2) of this section, a reference to parkways is added in light of §8-619(c) of this subtitle.

The only other changes are in style.

8-626. INDUSTRIAL CROSSINGS.

(A) POWER TO ESTABLISH.

(1) SUBJECT TO THIS SECTION AND WITH THE ADVICE AND APPROVAL OF THE ADMINISTRATION, THE LEGISLATIVE BODY OF ANY COUNTY OR MUNICIPAL CORPORATION IN THIS STATE MAY DESIGNATE AN INDUSTRIAL CROSSING ACROSS ANY STATE HIGHWAY LOCATED WITHIN THE COUNTY OR MUNICIPAL CORPORATION.

(2) AN INDUSTRIAL CROSSING MAY NOT BE DESIGNATED IF IT WILL ENDANGER TRAFFIC ON THE HIGHWAY.

(B) PROCEDURE TO ESTABLISH; LIABILITY OF APPLICANT.

(1) ANY PERSON WHO DESIRES AN INDUSTRIAL CROSSING ACROSS A STATE HIGHWAY SHALL APPLY FOR DESIGNATION OF THE CROSSING TO THE LEGISLATIVE BODY OF THE COUNTY OR MUNICIPAL CORPORATION WHERE THE HIGHWAY IS LOCATED.

(2) AN INDUSTRIAL CROSSING MAY NOT BE DESIGNATED UNLESS THE APPLICANT PAYS OR AGREES TO PAY FOR:

(I) THE COSTS OF ANY IMPROVEMENT REQUIRED TO STRENGTHEN OR MODIFY THE HIGHWAY FOR USE AS AN INDUSTRIAL CROSSING;

(II) ANY DAMAGE TO THE HIGHWAY THAT RESULTS FROM ITS USE AS AN INDUSTRIAL CROSSING; AND

(III) THE COSTS OF MAKING, INSTALLING, AND