

obsolete, and the present reference to the power of the Administration to relocate highways by "changing the lines, width, direction or location of such highway" is deleted as unnecessary in light of §8-204 of this title. The provisions of present §52 that limit the power of the Administration to repair only grade separations constructed "prior to the year 1927" are deleted as inconsistent with §8-601 of this subtitle. The present reference to the inapplicability of present §52 to "city street or suburban electric" railroads is deleted as obsolete.

**8-641. COSTS OF RELOCATION ASSISTANCE; DAMAGE TO ADJACENT PROPERTY.**

**(A) COSTS OF RELOCATION ASSISTANCE.**

THE ADMINISTRATION SHALL PAY THE COSTS OF RELOCATION ASSISTANCE TO ANY PUBLIC OR PRIVATE UTILITY WHOSE FACILITIES ARE ALTERED OR RELOCATED BECAUSE OF A RAILROAD GRADE CROSSING OR RAILROAD GRADE SEPARATION PROJECT. THE PLANS FOR THE ALTERATION OR RELOCATION SHALL BE APPROVED BY THE UTILITY.

**(B) DAMAGE TO ADJACENT PROPERTY.**

IF THE OWNER OF LAND ADJACENT TO ANY STATE HIGHWAY SUFFERS DAMAGES AS THE RESULT OF THE ELIMINATION OF A RAILROAD GRADE CROSSING OR RAILROAD GRADE SEPARATION FROM THAT HIGHWAY, THE OWNER MAY SUE THE ADMINISTRATION AND THE RAILROAD FOR THESE DAMAGES.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 89B, §§ 54, 55, and 56.

In subsection (a) of this section, the reference in present §56 to the opportunity for a hearing is deleted as unnecessary in light of the general hearing provisions of §8-639 of this subtitle.

In subsection (b) of this section, the reference in present §54 to the limited retroactivity of its provisions is deleted as obsolete, and the present statement that damages paid are part of the cost of the project is deleted as unnecessary. The cost apportionment provisions of present §§ 54 and 59, which provided for payment by the railroad of one-half of the damages suffered by an adjacent property owner, are deleted as in conflict with present §§ 53 and 61, now §8-642 of this subtitle. As originally enacted by Ch. 539, Acts of 1931, those sections also provided for payment of one-half of these