

WITH SECTION 12 OF THIS ARTICLE.

(G) IN LIEU OF THE PENALTY PROVIDED IN SUBSECTION (F) OF THIS SECTION THE COMMISSIONER MAY, IF APPROPRIATE, ORDER THE SURETY TO WRITE THE BOND IF, AT THE HEARING PROVIDED IN SUBSECTION (D), HE FINDS THE FOLLOWING FACTS TO BE PROVEN BY A PREponderANCE OF THE EVIDENCE:

(1) THAT THE VIOLATION OF SUBSECTIONS (A) OR (B) OF THIS SECTION WAS KNOWING AND WILLFULL AND,

(2) THAT THE VIOLATION OF SUBSECTION (A) OR (B) WAS THE BASIS FOR THE SURETY'S ACTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1978.

Approved May 16, 1978.

CHAPTER 495

(Senate Bill 725)

AN ACT concerning

Toll Facilities Construction - Certain Counties

FOR the purpose of requiring that any State agency, including the Maryland Transportation Authority, obtain the express consent of certain local authorities for the construction of certain toll facilities in certain counties.

BY adding to

Article 25 - County Commissioners  
Section 232  
Annotated Code of Maryland  
(1973 Replacement Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 25 - County Commissioners

232.

(A) A STATE AGENCY, INCLUDING THE MARYLAND TRANSPORTATION AUTHORITY, MAY NOT CONSTRUCT ANY TOLL ROAD, TOLL HIGHWAY, OR TOLL BRIDGE IN THE COUNTIES ENUMERATED IN THIS SECTION WITHOUT THE EXPRESS CONSENT OF ~~THE GOVERNMENT OF THE COUNTY~~ A MAJORITY OF THE GOVERNMENTS OF THE AFFECTED