

SUPPLANT DISPLACE OR LIMIT COMPETITION IN THE AWARD OF CONCESSIONS ON, OVER OR UNDER PROPERTY OWNED OR LEASED BY THE COUNTY, AND IN THE LEASING OR SUBLEASING OF PROPERTY OWNED OR LEASED BY THE COUNTY IN ORDER TO UTILIZE PROPERLY THE ASSETS OF THE COUNTY FOR THE BEST PUBLIC PURPOSE; TO PROVIDE NECESSARY OR DESIRABLE GOVERNMENTAL SERVICES AT THE LOWEST POSSIBLE COST; TO PROTECT THE PUBLIC FROM UNSCRUPULOUS BUSINESS PRACTICES AND EXCESSIVE PRICES; TO PROVIDE FOR THE ACCESSIBILITY TO PUBLIC PROPERTY BY AS MANY CITIZENS AS POSSIBLE; AND TO PROMOTE THE GENERAL WELFARE BY UTILIZING PUBLIC PROPERTY FOR THE BENEFIT OF THE CITIZENS OF THE COMMUNITY.

(2) THE COUNTY COMMISSIONERS OF EACH COUNTY HAVE THE AUTHORITY TO SUPPLANT DISPLACE OR LIMIT COMPETITION BY GRANTING ONE OR MORE FRANCHISES FOR ANY CONCESSION ON, OVER OR UNDER PROPERTY OWNED OR LEASED BY THE COUNTY ON AN EXCLUSIVE OR NONEXCLUSIVE BASIS, TO CONTROL PRICES AND RATES FOR SUCH FRANCHISES, TO ESTABLISH RULES AND REGULATIONS TO GOVERN THE OPERATION OF THE FRANCHISES, TO PROVIDE FOR THE ENFORCEMENT OF ANY SUCH MEASURE, AND TO LEASE OR SUBLEASE PUBLICLY OWNED OR LEASED LAND IMPROVEMENTS TO LAND OR BOTH ON TERMS TO BE DETERMINED BY THE COUNTY WITHOUT REGARD TO ANY ANTICOMPETITIVE EFFECT.

(D) THE POWERS GRANTED TO ANY COUNTY PURSUANT TO THIS SECTION SHALL NOT BE CONSTRUED:

(1) TO GRANT TO SUCH COUNTY POWERS IN ANY SUBSTANTIVE AREA NOT OTHERWISE GRANTED TO SUCH COUNTY BY OTHER PUBLIC GENERAL OR PUBLIC LOCAL LAW;

(2) TO RESTRICT SUCH COUNTY FROM EXERCISING ANY POWER GRANTED TO SUCH COUNTY BY OTHER PUBLIC GENERAL OR PUBLIC LOCAL LAW OR OTHERWISE; NOR

(3) TO AUTHORIZE SUCH COUNTY OR ITS OFFICERS TO ENGAGE IN ANY ACTIVITY WHICH IS BEYOND THEIR POWER UNDER OTHER PUBLIC GENERAL LAW, PUBLIC LOCAL LAW OR OTHERWISE--; OR

(4) TO PREEMPT OR SUPERSEDE THE REGULATORY AUTHORITY OF ANY STATE DEPARTMENT OR AGENCY UNDER ANY PUBLIC GENERAL LAW.

Article 25A - Chartered Counties of Maryland

5A.

(A) (1) IT HAS BEEN AND SHALL CONTINUE TO BE THE POLICY OF THE STATE TO AUTHORIZE EACH CHARTERED COUNTY TO SUPPLANT DISPLACE OR LIMIT COMPETITION IN THE AREA OF PUBLIC TRANSPORTATION IN ORDER TO PROVIDE FOR ADEQUATE, ECONOMICAL, AND EFFICIENT DELIVERY OF TRANSPORTATION SERVICES; TO PROTECT ITS CITIZENS FROM INCONSISTENT AND EXCESSIVE PRICES; TO PROVIDE NECESSARY AND DESIRED SERVICES IN ALL AREAS OF THE COUNTY; TO ENABLE THE COUNTY TO PROVIDE PUBLIC TRANSPORTATION IN ORDER TO CONSERVE ENERGY AND REDUCE AIR POLLUTION, CONGESTION, TRAFFIC HAZARDS AND ACCIDENTS;