

(1) ON STATE RIGHTS-OF-WAY LOCATED WITHIN A MUNICIPAL CORPORATION, WITH THE CONCURRENCE OF THE MUNICIPAL CORPORATION; AND

(2) ON STATE RIGHTS-OF-WAY LOCATED WITHIN AN UNINCORPORATED AREA, WITH THE CONCURRENCE OF THE COUNTY.

(F) (1) ON RECEIPT OF AN APPLICATION FOR A PERMIT TO ERECT A BUS PASSENGER SHELTER, THE ADMINISTRATION MAY ISSUE A PERMIT UNDER § 8-646 OF THIS TITLE AFTER DETERMINING THAT:

(I) THE LOCATION, DESIGN, AND CONSTRUCTION OF THE BUS PASSENGER SHELTER DO NOT INTERFERE WITH VEHICULAR OR PEDESTRIAN SAFETY; AND

(II) THE CONSTRUCTION OF THE BUS PASSENGER SHELTER, INCLUDING ANY COMMERCIAL ADVERTISING SIGNS DISPLAYED ON THE BUS PASSENGER SHELTER, CONFORMS WITH APPLICABLE STATE, LOCAL, AND FEDERAL LAW.

(2) A PERMIT FOR A BUS PASSENGER SHELTER SHALL:

(I) INCLUDE A PROVISION REQUIRING CONTINUED COMPLIANCE WITH THE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION;

(II) INCLUDE A PROVISION THAT THE STATE IS NOT RESPONSIBLE TO ANY PARTY TO AN AGREEMENT UNDER THIS SECTION FOR ANY COSTS RESULTING FROM ENFORCEMENT OF THE PERMIT; AND

(III) SERVE AS AN AGREEMENT WITH THE STATE AS MAY BE REQUIRED UNDER APPLICABLE FEDERAL REGULATION.

(3) THE ADMINISTRATION MAY NOT UNREASONABLY WITHHOLD APPROVAL OF A PERMIT UNDER THIS SUBSECTION TO A MUNICIPAL CORPORATION, COUNTY, OR TRANSIT OPERATOR THAT HAS COMPLIED WITH THE PROVISIONS OF THIS SECTION.

(G) NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, THE ADMINISTRATION MAY ENTER INTO AGREEMENTS TO CONSTRUCT, OPERATE, AND MAINTAIN BUS PASSENGER SHELTERS AT FIXED-ROUTE BUS STOPS USED BY THE MARYLAND TRANSIT ADMINISTRATION.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) This Act does not apply to a bus passenger shelter constructed, operated, or maintained under an agreement entered into by a municipal corporation, county, or transit operator before the effective date of this Act.

(b) A bus passenger shelter constructed, operated, or maintained under an agreement entered into by a municipal corporation, county, or transit operator before the effective date of this Act is subject to the authority of the State Highway Administration as the owner of the right-of-way.