

CHAPTER 597

(House Bill 1262)

AN ACT concerning

State Highway Administration – Exchange of Land

FOR the purpose of authorizing the State Highway Administration to exchange land from completed or abandoned transportation projects for land of substantially equal value when the land is needed for a ~~present or future transportation purpose~~ certain current highway purposes; granting a certain person the first right of refusal to purchase land subject to an exchange except under certain circumstances; granting certain counties and municipalities the second right of refusal to purchase land subject to an exchange under certain circumstances; providing for a certain ~~period~~ periods of notification of the exchange or purchase of certain land; requiring prior approval of an exchange under this Act by the State Highway Administrator and the Board of Public Works; providing for the appraisal of properties involved in an exchange; requiring the Maryland Department of Transportation to submit certain periodic reports to certain committees of the General Assembly; and generally relating to the exchange of land from completed or abandoned transportation projects.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 8-309

Annotated Code of Maryland

(1993 Replacement Volume and 1994 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Transportation

8-309.

(a) The purpose of this section is to return unneeded land to the tax rolls of the counties and to make this land available for use by a county or municipality for any transportation purpose.

(b) (1) Notwithstanding any other statute to the contrary, if land acquired under this subtitle is not needed for present or future State, county, or municipal transportation purpose or other public purposes, the Administration shall dispose of the land as soon as practicable after the completion or abandonment of the project for which the land was acquired.

(2) (i) If the land is from a project that was abandoned, and the Secretary determines that the property is no longer needed for any State transportation purpose, a county or municipality may acquire the land for a transportation purpose, with the approval of the Secretary, on payment of an amount equal to the lesser of:

- 1. The appraised value of the land; or