

HOUSE BILL 411

R7

7lr0728
CF 7lr2337

By: **Delegates West and Aumann**

Introduced and read first time: January 26, 2017

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **State Highway Administration – Traffic Control Devices – Installation at Large**
3 **Continuing Care Retirement Communities**

4 FOR the purpose of requiring the State Highway Administration to place and maintain
5 traffic control devices at certain entrances and exits of large continuing care
6 retirement communities that are located along highways under the Administration's
7 jurisdiction under certain circumstances; requiring the Administration to provide a
8 certain notice to the owner or manager of the large continuing care retirement
9 community within a certain period of time before installation of the traffic control
10 device is scheduled to begin; prohibiting the Administration from placing a traffic
11 control device if the owner or manager of the large continuing care retirement
12 community provides a certain written notice to the Administration, subject to a
13 certain exception; requiring that a traffic control device installed under this Act
14 conform to a certain manual and specifications; defining a certain term; and
15 generally relating to traffic control devices.

16 BY adding to
17 Article – Transportation
18 Section 25–106.2
19 Annotated Code of Maryland
20 (2012 Replacement Volume and 2016 Supplement)

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

23 **Article – Transportation**

24 **25–106.2.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(A) IN THIS SECTION, "LARGE CONTINUING CARE RETIREMENT COMMUNITY" MEANS A RETIREMENT COMMUNITY:

(1) WITH ACCOMMODATIONS FOR INDEPENDENT LIVING, ASSISTED LIVING, AND NURSING HOME CARE; AND

(2) THAT PROVIDES HOUSING FOR AT LEAST 100 RESIDENTS.

(B) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE STATE HIGHWAY ADMINISTRATION SHALL PLACE AND MAINTAIN A TRAFFIC CONTROL DEVICE AT THE MAIN ENTRANCE TO AND EXIT FROM EACH LARGE CONTINUING CARE RETIREMENT COMMUNITY IN THE STATE THAT:

(I) IS LOCATED ALONG A HIGHWAY UNDER THE STATE HIGHWAY ADMINISTRATION'S JURISDICTION; AND

(II) DOES NOT HAVE A SECONDARY ENTRANCE AND EXIT AT AN INTERSECTION WITH A TRAFFIC CONTROL DEVICE.

(2) BEFORE INSTALLING A TRAFFIC CONTROL DEVICE UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE STATE HIGHWAY ADMINISTRATION SHALL NOTIFY THE OWNER OR MANAGER OF THE LARGE CONTINUING CARE RETIREMENT COMMUNITY OF:

(I) THE PROPOSED INSTALLATION AT LEAST 30 DAYS BEFORE THE INSTALLATION IS SCHEDULED TO BEGIN; AND

(II) THE OPTION TO REFUSE THE INSTALLATION IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION.

(3) UNLESS CONSIDERED NECESSARY UNDER § 25-105 OF THIS SUBTITLE, THE STATE HIGHWAY ADMINISTRATION MAY NOT PLACE A TRAFFIC CONTROL DEVICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IF THE OWNER OR MANAGER OF THE LARGE CONTINUING CARE RETIREMENT COMMUNITY NOTIFIES THE STATE HIGHWAY ADMINISTRATION IN WRITING THAT THE TRAFFIC CONTROL DEVICE IS NOT NEEDED AT THE ENTRANCE OR EXIT.

(C) EACH TRAFFIC CONTROL DEVICE INSTALLED UNDER THIS SECTION SHALL CONFORM TO THE MANUAL AND SPECIFICATIONS OF THE STATE HIGHWAY ADMINISTRATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.