



House Bill 762

State Highway Administration – Entrance to State Highway – Permit Process

MACo Position: **SUPPORT**

Date: March 12, 2015

To: Environment and Transportation Committee

From: Leslie Knapp, Jr. and Andrea Mansfield

The Maryland Association of Counties (MACo) **SUPPORTS** HB 762. The bill would bring clarity and more certainty to the process under which the State Highway Administration (SHA) grants entrance permits to certain State highways.

HB 762 would require the SHA to grant or deny specified commercial or industrial highway entrance permit requests within 45 days of the receipt of a request. If SHA denies a permit request, SHA must provide a written notice and explanation of the reasons for denying a permit request. An applicant whose permit was denied may file a petition for judicial review in circuit court.

As the bill's fiscal note indicates, SHA responds to most permit applications within a reasonable amount of time. However, there are circumstances where a response seems unnecessarily delayed or it is not clear why a permit was denied. This can cause both local governments and developers to expend needless time and resources while waiting for an answer that is often not accompanied by any explanation. HB 762 would address these concerns in a reasonable manner.

This committee has previously heard similar legislation (HB 621 of 2015) that also addresses the problems of access permits with residential subdivisions. Local governments and the development community are working with that bill's sponsor on amendments and MACo would also be supportive of working on comparable amendments to this bill, if needed.

HB 762 would ensure greater certainty and transparency regarding SHA's decisions on highway entrance permits and give local governments and developers greater certainty and understanding about whether a commercial or industrial property qualifies for a highway access permit, potentially saving valuable time and resources. Accordingly, MACo urges the Committee to adopt a **FAVORABLE** report for HB 762.