

HOUSE BILL 622

L2

EMERGENCY BILL

1lr0810

By: **Prince George's County Delegation**

Introduced and read first time: January 22, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Land Use – Magnetic Levitation Transportation**
3 **System Siting**
4 **(Prince George's County Stop the Maglev Act of 2021)**

5 **PG 406–21**

6 FOR the purpose of prohibiting a person from constructing a magnetic levitation
7 transportation system within a certain distance of certain property in Prince
8 George's County; prohibiting units of State and local government from taking certain
9 actions related to the construction of a magnetic levitation transportation system
10 within a certain distance of certain property in the county; establishing that the
11 prohibitions under this Act do not apply under certain circumstances; authorizing
12 the Prince George's County Council to adopt local laws for the use of certain land
13 consistent with certain law; defining certain terms; making this Act an emergency
14 measure; and generally relating to land use related to magnetic levitation
15 transportation systems in Prince George's County.

16 BY repealing and reenacting, without amendments,
17 Article – Land Use
18 Section 25–101
19 Annotated Code of Maryland
20 (2012 Volume and 2020 Supplement)

21 BY adding to
22 Article – Land Use
23 Section 25–214
24 Annotated Code of Maryland
25 (2012 Volume and 2020 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Land Use

1
2 25–101.

3 This title applies only in Prince George’s County.

4 25–214.

5 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
6 INDICATED.

7 (2) “MAGNETIC LEVITATION TRANSPORTATION SYSTEM” INCLUDES A
8 FACILITY OR STRUCTURE INCIDENT TO THE CONSTRUCTION OR OPERATION OF A
9 MAGNETIC LEVITATION TRANSPORTATION SYSTEM.

10 (3) “PROTECTED PROPERTY” MEANS:

11 (I) A LOT WHERE A RESIDENCE IS LOCATED;

12 (II) A WATERFRONT PARK;

13 (III) PROPERTY OWNED BY THE FEDERAL GOVERNMENT;

14 (IV) A NATIONAL PARK; OR

15 (V) A FOREST PRESERVE.

16 (4) “WATERFRONT PARK” MEANS THE BLADENSBURG WATERFRONT
17 PARK, THE PATUXENT RIVER PARK, OR ANY OTHER PARK DESIGNATED AS SUCH IN
18 THE COUNTY.

19 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION:

20 (1) A PERSON MAY NOT CONSTRUCT A MAGNETIC LEVITATION
21 TRANSPORTATION SYSTEM THAT IS LOCATED WITHIN 2 MILES OF A PROTECTED
22 PROPERTY LOCATED IN THE REGIONAL DISTRICT IN THE COUNTY; AND

23 (2) A STATE, REGIONAL, OR LOCAL GOVERNMENTAL UNIT MAY NOT
24 APPROVE A PROPOSAL FOR THE CONSTRUCTION, OR APPROVE CONDEMNATION OF
25 PROPERTY FOR THE CONSTRUCTION, OF A MAGNETIC LEVITATION
26 TRANSPORTATION SYSTEM THAT IS LOCATED WITHIN 2 MILES OF A PROTECTED
27 PROPERTY LOCATED IN THE REGIONAL DISTRICT IN THE COUNTY.

1 **(C) SUBSECTION (B) OF THIS SECTION DOES NOT APPLY TO PROPERTY THAT**
2 **IS NOT PROTECTED PROPERTY BEFORE THE DATE THAT A PERSON OBTAINS ALL**
3 **REQUIRED APPROVALS UNDER FEDERAL, STATE, AND LOCAL LAW TO BEGIN**
4 **CONSTRUCTION OF A MAGNETIC LEVITATION TRANSPORTATION SYSTEM IN THE**
5 **REGIONAL DISTRICT IN THE COUNTY.**

6 **(D) THE COUNTY COUNCIL MAY ADOPT LOCAL LAWS FOR THE USE OF LAND**
7 **WITHIN 2 MILES OF A MAGNETIC LEVITATION TRANSPORTATION SYSTEM THAT IS**
8 **UNDER CONSTRUCTION OR IN OPERATION, CONSISTENT WITH THE AUTHORITY**
9 **GRANTED TO THE COUNTY COUNCIL IN THIS DIVISION.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
11 measure, is necessary for the immediate preservation of the public health or safety, has
12 been passed by a ye and nay vote supported by three-fifths of all the members elected to
13 each of the two Houses of the General Assembly, and shall take effect from the date it is
14 enacted.