

SUBTITLE 9 -AUTOMATED MAPPING—GEOGRAPHIC INFORMATION SYSTEMS

§ 10-901. Definitions

- (a) In this subtitle the following words have the meanings indicated.
- (b) "Cost of providing a system product" means the cost to create, develop, and reproduce the product in printed or hard copy form.
- (c) "Cost of providing a system service" means the actual cost of providing the service, including a reasonable share of the overhead costs of the system.
- (d) "Governmental unit" means:
- (1) The State or a political subdivision, unit, or instrumentality of the State;
 - (2) A unit or instrumentality of a political subdivision of the State;
 - (3) A bicounty agency; or
 - (4) A combination of the entities specified in items (1) through (3) of this subsection.
- (e) "Overhead costs of the system" includes the costs of:
- (1) Data gathering and entry;
 - (2) Data base maintenance and update;
 - (3) Hardware;
 - (4) Quality control;
 - (5) Software; and
 - (6) Indirect costs.
- (f)(1) "System" means an automated mapping-geographic information system in which geographically referenced data:
- (i) Are entered and stored electronically; and
 - (ii) Can be manipulated to display selected geographic data.
- (2) "System" includes data that define physical and nonphysical elements of geographically referenced areas.
- (g) "System products" means drawings, lists, maps, narrative descriptions, photographs, or other hard copy formats that depict spatial data.
- (h) "System services" means:
- (1) Electronic access to data in the system;
 - (2) On-line access to data in the system; and
 - (3) Software programs to access data in the system.

Acts 1991, c. 630.

§ 10-902. Findings of General Assembly

The General Assembly finds that:

- (1) Automated mapping-geographic information system products and system services have value to the general public; and

(2) Automated mapping-geographic information system services that are developed at public expense should not be unreasonably withheld from private commercial users of geographic information, but should not provide a public subsidy to private commercial users.

Acts 1992, c. 630.

§ 10-903. Application of particular provisions

(a) This subtitle is applicable to a system established or maintained by any governmental unit.

(b) Except as otherwise provided in this subtitle, to the extent of any inconsistency, §§ 10-611 through 10-628 of this article do not apply to this subtitle.

Acts 1992, c. 630.

§ 10-904. System product and service fees

(a) A governmental unit may adopt a fee structure for:

(1) System products that will:

(i) Make system products available at a cost consistent with the requirements of this subtitle; and

(ii) Cover the cost of providing system products; and

(2) System services that:

(i) Will cover the cost of providing system services, including a reasonable share of the overhead costs of the system; and

(ii) Will not discriminate among purchasers of system services.

(b) A governmental unit may sell system products to the general public for a fee that reasonably reflects the cost of creating, developing, and reproducing the product in whatever format is available.

(c) A governmental unit may sell system services to the general public, subject to subsection (d) of this section, for a fee that reflects the cost of providing the system services.

(d) A governmental unit:

(1) May reduce or waive the fees that it charges for system products and system services that are to be used for a public purpose; and

(2) Shall apply its reduction or waiver of the fees uniformly among persons who are similarly situated.

Acts 1992, c. 630.

§ 10-905. System access to geographic data

(a) Only a person who has entered into a contract with a governmental unit may have on-line access to the geographic data in a system under the terms of the contract.

(b) If copy privileges are granted, the contract shall specify in addition to other conditions as may be required:

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(1) The circumstances and conditions under which data can be copied; and

(2) The amount of compensation the governmental unit will receive for this privilege.

(c) On-line access:

(1) Shall be limited to read; and

(2) May not include:

(i) The ability to enter, alter, or delete data; or

(ii) Access to information that would be denied under §§ 10-615 through 10-619 of this article.

Acts 1992, c. 630.