

HOUSE BILL 334

Unofficial Copy
R7

2001 Regular Session
11r0174
CF 11r0173

By: **The Speaker (Administration) and Delegates Benson, Burns, C. Davis, Gladden, Healey, Hixson, A. Jones, Kirk, Marriott, Nathan-Pulliam, Oaks, and Paige**

Introduced and read first time: January 29, 2001
Assigned to: Appropriations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 20, 2001

CHAPTER 569

1 AN ACT concerning

2 **Maryland Transportation Authority - Vehicle Parking Facilities**

3 FOR the purpose of authorizing the Maryland Transportation Authority to finance,
4 construct, operate, maintain, and repair certain vehicle parking facilities under
5 certain circumstances; defining a term; altering the definition of a certain term;
6 requiring that certain revenues pay all debt service, operating, and maintenance
7 costs for a certain period of time; prohibiting moneys from the Transportation
8 Authority Fund from being used as a cash investment for a vehicle parking
9 facility; requiring the Authority to give priority to projects in a certain location;
10 requiring the Authority to provide certain information to the Senate Budget and
11 Taxation Committee and the House Appropriations Committee in a certain
12 manner and by a certain time; requiring the Authority to adopt certain
13 regulations; and generally relating to transportation facilities projects of the
14 Maryland Transportation Authority.

15 BY repealing and reenacting, with amendments,
16 Article - Transportation
17 Section 4-101
18 Annotated Code of Maryland
19 (1993 Replacement Volume and 2000 Supplement)

20 BY repealing and reenacting, without amendments,
21 Article - Transportation
22 Section 4-204
23 Annotated Code of Maryland

1 (1993 Replacement Volume and 2000 Supplement)

2 BY adding to

3 Article - Transportation

4 Section 4-311.1

5 Annotated Code of Maryland

6 (1993 Replacement Volume and 2000 Supplement)

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

9 **Article - Transportation**

10 4-101.

11 (a) In this title the following words have the meanings indicated.

12 (b) "Authority" means the Maryland Transportation Authority.

13 (c) "Cost", as applied to any transportation facilities project, includes the cost
14 of and all expenses incident to the construction, reconstruction, acquisition,
15 improvement, extension, alteration, modernization, planning, maintenance, and
16 repair of the project, including the cost and expenses of:

17 (1) All property acquired in connection with it;

18 (2) Financial, architectural, consulting, engineering, and legal services;

19 (3) Plans, specifications, surveys, estimates, feasibility reports, and
20 direct and indirect labor, material, equipment, and administrative expenses; and

21 (4) Financing the project, including financing charges and interest
22 before, during, and for 1 year after completion of construction.

23 (d) "Outstanding and unpaid" does not include:

24 (1) Bonds purchased and held in sinking funds by or for the Authority; or

25 (2) If the money for their payment or redemption has been provided:

26 (i) Matured bonds not presented for payment; or

27 (ii) Bonds called for redemption but not presented for redemption.

28 (e) "Refunding" means the retirement and cancellation of bonds, including
29 revenue bonds of prior issues, after their acquisition by or for the Authority, whether
30 before, at, or after maturity, either in exchange for other bonds or by payment,
31 purchase, or redemption with the proceeds of the sale of other bonds.

1 (f) "Resolution", as used with respect to the Authority, means a resolution
2 adopted by the affirmative vote of a majority of the appointed members of the
3 Authority and concurred in by the Chairman.

4 (g) "Revenue bonds of prior issues" means:

5 (1) "State of Maryland Bridge and Tunnel Revenue Bonds" dated as of
6 October 1, 1954;

7 (2) "State of Maryland Northeastern Expressway Revenue Bonds" dated
8 as of January 1, 1962;

9 (3) "State of Maryland Bridge and Tunnel Revenue Bonds":

10 (i) "(Series 1968)" dated as of October 1, 1968; and

11 (ii) "(Series 1975)" dated as of July 1, 1975; and

12 (4) Any other revenue bonds issued under the same provisions of law
13 that authorized the issuance of the bonds listed in this subsection.

14 (h) "Transportation facility" has the meaning stated in § 3-101 of this article.

15 (i) "Transportation facilities project" includes:

16 (1) The Susquehanna River Bridge, the Harry W. Nice Memorial
17 Potomac River Bridge, the William Preston Lane, Jr. Memorial Chesapeake Bay
18 Bridge and parallel Chesapeake Bay Bridge, the Baltimore Harbor Tunnel, the
19 Francis Scott Key Bridge, and the John F. Kennedy Memorial Highway, together with
20 their appurtenant causeways, approaches, interchanges, entrance plazas, toll
21 stations, and service facilities;

22 (2) A VEHICLE PARKING FACILITY LOCATED IN A PRIORITY FUNDING
23 AREA AS DEFINED IN § 5-7B-02 OF THE STATE FINANCE AND PROCUREMENT
24 ARTICLE;

25 [(2)] (3) Any other project for transportation facilities that the Authority
26 authorizes to be acquired or constructed; and

27 [(3)] (4) Any additions, improvements, or enlargements to any of these
28 projects, whenever authorized.

29 (J) "VEHICLE PARKING FACILITY" MEANS A CONTROLLED ENTRANCE AND
30 EXIT BUILDING, STRUCTURE, SURFACE LOT, AND OTHER FACILITY FOR PARKING
31 VEHICLES, FOR WHICH FEES OR CHARGES ARE ESTABLISHED FOR THE USE OF THE
32 FACILITY.

33 4-204.

34 (a) Acting on behalf of the Department, the Authority has those powers and
35 duties relating to the supervision, financing, construction, operation, maintenance,

1 and repair of transportation facilities projects as are granted to it by this title or any
2 other provisions of law.

3 (b) The Authority has general supervision over all transportation facilities
4 projects.

5 (c) The Authority shall finance, construct, operate, repair, and maintain in
6 good order all transportation facilities projects.

7 4-311.1.

8 (A) THIS SECTION APPLIES TO THE FINANCING OF A VEHICLE PARKING
9 FACILITY NOT LOCATED AT A TRANSPORTATION FACILITY, AS DEFINED IN § 3-101 OF
10 THIS ARTICLE.

11 (B) (1) REVENUES FROM A VEHICLE PARKING FACILITY SHALL BE USED TO
12 PAY ALL OPERATING AND MAINTENANCE COSTS AND THE SERVICE ON ANY DEBT
13 FOR EACH YEAR THE DEBT IS OUTSTANDING AND UNPAID.

14 (2) MONEYS FROM THE TRANSPORTATION AUTHORITY FUND MAY NOT
15 BE USED AS A CASH INVESTMENT FOR A VEHICLE PARKING FACILITY.

16 (3) THE AUTHORITY SHALL GIVE PRIORITY TO PROJECTS THAT ARE
17 LOCATED WITHIN A TRANSIT-ORIENTED DEVELOPMENT AREA.

18 (C) NOT LESS THAN 30 DAYS BEFORE ENTERING INTO ANY CONTRACT OR
19 AGREEMENT TO FINANCE A VEHICLE PARKING FACILITY, THE AUTHORITY SHALL
20 PROVIDE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO
21 THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE
22 APPROPRIATIONS COMMITTEE INFORMATION ON THE PROPOSED CONTRACT OR
23 AGREEMENT, INCLUDING THE LEVEL OF ANY STATE, LOCAL, AND PRIVATE
24 CONTRIBUTIONS.

25 (D) THE AUTHORITY SHALL ADOPT REGULATIONS SPECIFYING:

26 (1) THE TYPES OF VEHICLE PARKING FACILITIES FOR WHICH THE
27 AUTHORITY MAY PROVIDE FINANCING;

28 (2) THE BASIC STANDARDS AN ENTITY MUST MEET TO QUALIFY FOR
29 VEHICLE PARKING FACILITY FINANCING; AND

30 (3) THE CRITERIA UPON WHICH THE AUTHORITY SHALL BASE THE
31 FINANCING DECISIONS FOR VEHICLE PARKING FACILITIES.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
33 effect October 1, 2001.

