

**SENATE BILL 757**  
CONSTITUTIONAL AMENDMENT

Unofficial Copy  
Q5

2003 Regular Session  
3lr2656  
CF 3lr2631

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By: **Senators Giannetti and Kramer**  
Introduced and read first time: March 3, 2003  
Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Constitutional Amendment - Transportation Trust Fund**

3 FOR the purpose of proposing an amendment to the Maryland Constitution to  
4 establish a Transportation Trust Fund to be used only for certain purposes;  
5 providing for the crediting of certain revenues to the Transportation Trust Fund;  
6 submitting this amendment to the qualified voters of the State of Maryland for  
7 their adoption or rejection; and generally relating to a proposed amendment to  
8 the Maryland Constitution to establish a Transportation Trust Fund to be used  
9 only for certain purposes.

10 BY proposing an addition to the Constitution of Maryland  
11 Article III - Legislative Department  
12 Section 52A

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, (Three-fifths of all the members elected to each of the two Houses  
15 concurring), That it be proposed that the Constitution of Maryland read as follows:

16 **Article III - Legislative Department**

17 52A.

18 (1) THERE IS A TRANSPORTATION TRUST FUND.

19 (2) THE FUNDS IN THE TRANSPORTATION TRUST FUND MAY ONLY BE USED:

20 (I) FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON  
21 TRANSPORTATION BONDS AS THEY BECOME DUE AND PAYABLE; AND

22 (II) AFTER MEETING DEBT SERVICE REQUIREMENTS FOR  
23 TRANSPORTATION BONDS, FOR ANY LAWFUL PURPOSE RELATED TO THE  
24 CONSTRUCTION AND MAINTENANCE OF AN ADEQUATE HIGHWAY SYSTEM IN THE  
25 STATE OR ANY OTHER TRANSPORTATION-RELATED PURPOSE.

26 (3) (I) NO PART OF THE TRANSPORTATION TRUST FUND MAY REVERT OR BE  
27 CREDITED TO THE GENERAL FUNDS OF THIS STATE.

1 (II) NO PART OF THE TRANSPORTATION TRUST FUND MAY REVERT OR BE  
2 CREDITED TO A SPECIAL FUND OF THE STATE, UNLESS OTHERWISE PROVIDED BY  
3 LAW THAT WAS IN EFFECT ON OR BEFORE OCTOBER 1, 2003.

4 (4) THERE SHALL BE CREDITED TO THE TRANSPORTATION TRUST FUND ALL  
5 TAXES, FEES, CHARGES, AND REVENUES COLLECTED OR RECEIVED BY OR PAID,  
6 APPROPRIATED, OR CREDITED TO THE TRANSPORTATION TRUST FUND, INCLUDING:

7 (I) THE CASH PROCEEDS OF THE SALE OF CONSOLIDATED  
8 TRANSPORTATION BONDS, NOTES, OR OTHER EVIDENCES OF OBLIGATION ISSUED  
9 FOR TRANSPORTATION PURPOSES;

10 (II) ANY GENERAL FUND APPROPRIATIONS;

11 (III) THE PROCEEDS OF ANY STATE LOAN OR FEDERAL GRANT MADE FOR  
12 TRANSPORTATION PURPOSES;

13 (IV) ALL OF THE MOTOR FUEL TAX REVENUE;

14 (V) THE CORPORATE INCOME TAX REVENUE DISTRIBUTED TO THE  
15 TRANSPORTATION TRUST FUND UNDER § 2-614 OF THE TAX - GENERAL ARTICLE AS IT  
16 WAS IN EFFECT AS OF OCTOBER 1, 2003;

17 (VI) ALL OF THE MOTOR VEHICLE EXCISE TAX REVENUE;

18 (VII) THE SALES AND USE TAX REVENUES FROM SHORT-TERM RENTAL  
19 VEHICLES DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER § 2-1302.1 OF  
20 THE TAX - GENERAL ARTICLE AS IT WAS IN EFFECT AS OF OCTOBER 1, 2003; AND

21 (VIII) ALL VEHICLE REGISTRATION FEES.

22 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
23 determines that the amendment to the Constitution of Maryland proposed by this Act  
24 affects multiple jurisdictions and that the provisions of Article XIV, Section 1 of the  
25 Constitution concerning local approval of constitutional amendments do not apply.

26 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
27 proposed as an amendment to the Constitution of Maryland shall be submitted to the  
28 legal and qualified voters of this State at the next general election to be held in  
29 November, 2004 for their adoption or rejection in pursuance of directions contained in  
30 Article XIV of the Constitution of this State. At that general election, the vote on this  
31 proposed amendment to the Constitution shall be by ballot, and upon each ballot  
32 there shall be printed the words "For the Constitutional Amendment" and "Against  
33 the Constitutional Amendment," as now provided by law. Immediately after the  
34 election, all returns shall be made to the Governor of the vote for and against the  
35 proposed amendment, as directed by Article XIV of the Constitution, and further  
36 proceedings had in accordance with Article XIV.