

# HOUSE BILL 1151

R2

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By: **Delegates Ali, Bronrott, Gutierrez, Healey, Kaiser, Lee, McComas, Rice, Shewell, Sossi, and Taylor**

Introduced and read first time: February 19, 2007

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Department of Transportation – Telework Partnership with Employers**  
3 **Program – Budget**

4 FOR the purpose of requiring the Secretary of Transportation to budget certain funds  
5 for the Telework Partnership with Employers Program within the Department  
6 of Transportation for certain purposes; and generally relating to funding  
7 teleworking programs within the Department of Transportation.

8 BY repealing and reenacting, with amendments,  
9 Article – Transportation  
10 Section 3–216(c) and (d)  
11 Annotated Code of Maryland  
12 (2001 Replacement Volume and 2006 Supplement)

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

15 **Article – Transportation**

16 3–216.

17 (c) (1) There shall be maintained in the Transportation Trust Fund one or  
18 more sinking fund accounts to which shall be credited and from which shall be paid,  
19 from the proceeds of the taxes levied and imposed for that purpose or from any other  
20 funds of the Department, amounts sufficient at all times to meet the debt service on

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 all bonds of prior issues and consolidated transportation bonds from time to time  
2 outstanding and unpaid.

3 (2) (i) The Gasoline and Motor Vehicle Revenue Account, the  
4 Driver Education Account, and the Motorcycle Safety Program Account shall be  
5 maintained in the Transportation Trust Fund.

6 (ii) In each fiscal year, the Department shall budget from  
7 federal funds available to the Department, other funds in the Transportation Trust  
8 Fund, and any other funds available to the Department, an amount sufficient to fund  
9 projects and programs determined by the Secretary to be necessary to achieve the  
10 bicycle and pedestrian transportation goals identified for the fiscal year under Title 2,  
11 Subtitle 6 of this article.

12 **(III) IN EACH FISCAL YEAR, THE DEPARTMENT SHALL**  
13 **BUDGET FROM FEDERAL FUNDS AVAILABLE TO THE DEPARTMENT, OTHER**  
14 **FUNDS IN THE TRANSPORTATION TRUST FUND, AND ANY OTHER FUNDS**  
15 **AVAILABLE TO THE DEPARTMENT, AT LEAST \$100,000 FOR THE TELEWORK**  
16 **PARTNERSHIP WITH EMPLOYERS PROGRAM.**

17 (d) (1) After meeting its debt service requirements, the Department may  
18 use the funds in the Transportation Trust Fund for any lawful purpose related to the  
19 exercise of its rights, powers, duties, and obligations.

20 (2) Expenditures under this subsection shall be made in accordance  
21 with any appropriation provided for in any applicable budget bill or supplementary  
22 appropriation bill. However, an appropriation proposed to be made to any unit in the  
23 Department or proposed to be made for any designated transportation activity,  
24 function, or undertaking that has been reduced by the General Assembly may not be  
25 restored, for the same purpose as originally proposed, except in an emergency, by the  
26 budget amendment procedure of § 7-209 of the State Finance and Procurement  
27 Article, or otherwise if the General Assembly in striking or reducing the appropriation,  
28 prohibited its restoration. However, except for emergency capital projects, if the  
29 General Assembly explicitly reduces in the budget bill an appropriation proposed for a  
30 major capital project as defined in § 2-103.1(a)(4) of this article, the appropriation may  
31 not be restored for the same purpose as originally proposed by the budget amendment  
32 procedure of § 7-209 of the State Finance and Procurement Article or otherwise unless  
33 the General Assembly, in striking or reducing the appropriation, expressly authorized  
34 its restoration.

35 (3) (i) During the period of fiscal years 1988 through 1992 as  
36 included in the annual State Report on Transportation, the Department shall utilize

1 all of its share of the revenues attributable to the 5 cent increase of the motor fuel tax  
2 under the provisions of Chapter 291 of the Acts of 1987 and credited to the  
3 Transportation Trust Fund under § 2-1104 of the Tax – General Article and the  
4 proceeds of any increased indebtedness based on that revenue and credited to the  
5 Transportation Trust Fund to fund Department projects for the construction,  
6 reconstruction, and rehabilitation of the State highway system.

7 (ii) During the period of fiscal year 1988 through fiscal year  
8 1992 the total level of State funds appropriated to the State Highway Administration  
9 for construction, reconstruction and rehabilitation of the State highway system,  
10 including the revenues referred to in subparagraph (i) above, shall be at least 70  
11 percent of the total appropriation of State funds in the consolidated transportation  
12 capital program.

13 (iii) The Secretary of the Department shall submit, subject to §  
14 2-1246 of the State Government Article, to the Legislative Policy Committee and the  
15 Department of Legislative Services a report:

16 1. Prior to the beginning of each session through the  
17 1991 session, detailing the intended use of the new revenues; and

18 2. Prior to the beginning of each session beginning with  
19 the 1989 session and through the 1993 session, detailing the actual use of the new  
20 revenues in the prior fiscal year.

21 (4) Of the new revenues derived under the provisions of Chapter 291  
22 of the Acts of 1987 and credited to the Department, \$31,000,000 shall be transferred to  
23 the Maryland Emergency Medical Service System Fund at such time as determined by  
24 the Secretary of Budget and Management.

25 (5) For each fiscal year, the Department shall use the funds in the  
26 Transportation Trust Fund for the purposes specified in subsection (c)(2)(ii) of this  
27 section, which may include construction and maintenance of:

28 (i) Public bicycle areas as defined in § 21-101(o) of this article;

29 (ii) Bicycle ways as defined in § 21-101(d) of this article; and

30 (iii) Sidewalks as defined in § 21-101(w) of this article.

31 (6) Each year, before the General Assembly considers the proposed  
32 Maryland Transportation Plan and the Consolidated Transportation Program, the

1 Department shall report to the General Assembly, in accordance with § 2-1246 of the  
2 State Government Article, on:

3 (i) The expenditures made toward the attainment of the bicycle  
4 and pedestrian transportation goals during the preceding fiscal year under Title 2,  
5 Subtitle 6 of this article; and

6 (ii) The progress made toward attainment of the bicycle and  
7 pedestrian transportation goals identified for the fiscal year under Title 2, Subtitle 6 of  
8 this article.

9 (7) **FOR EACH FISCAL YEAR, THE DEPARTMENT SHALL USE THE**  
10 **FUNDS IN THE TRANSPORTATION TRUST FUND FOR THE PURPOSES SPECIFIED**  
11 **IN SUBSECTION (C)(2)(III) OF THIS SECTION, WHICH MAY INCLUDE THE COSTS**  
12 **ASSOCIATED WITH:**

13 (I) **PROMOTING TELEWORKING;**

14 (II) **PROVIDING INCENTIVES TO TELEWORK;**

15 (III) **PROVIDING GRANTS; AND**

16 (IV) **PROVIDING STAFFING NEEDED TO ADMINISTER THE**  
17 **TELEWORK PARTNERSHIP WITH EMPLOYERS PROGRAM.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2007.