

# HOUSE BILL 807

R1  
HB 942/17 – ENV

8lr2414  
CF SB 516

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By: **Delegates Beidle, Adams, Anderton, Arentz, Barve, Beitzel, Fraser–Hidalgo, Ghrist, Holmes, Hornberger, Jacobs, Jalisi, Lafferty, McCray, Morgan, Otto, Pena–Melnyk, Rose, Shoemaker, Stein, and Tarlau**

Introduced and read first time: February 1, 2018

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – Highway User Revenues – Distribution**

3 FOR the purpose of altering the percentages of highway user revenues that are required to  
4 be distributed to Baltimore City and municipalities in certain fiscal years; altering  
5 the percentages in certain fiscal years of highway user revenues that are required to  
6 be used as authorized under the Transportation Trust Fund; repealing certain  
7 obsolete distributions and transfers of highway user revenues for certain fiscal years;  
8 repealing certain obsolete distributions of highway user revenues to Baltimore City,  
9 counties, and municipalities for certain fiscal years; making certain conforming  
10 changes; and generally relating to the distribution of highway user revenues.

11 BY repealing and reenacting, with amendments,  
12 Article – Transportation  
13 Section 8–402 and 8–403  
14 Annotated Code of Maryland  
15 (2015 Replacement Volume and 2017 Supplement)

16 BY repealing and reenacting, without amendments,  
17 Article – Transportation  
18 Section 8–405  
19 Annotated Code of Maryland  
20 (2015 Replacement Volume and 2017 Supplement)

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

23 **Article – Transportation**

24 8–402.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) There is a Gasoline and Motor Vehicle Revenue Account in the Transportation  
2 Trust Fund.

3 (b) All revenues collected from the following, after deductions provided by law,  
4 shall be credited to the Gasoline and Motor Vehicle Revenue Account:

5 (1) All of the motor vehicle fuel tax;

6 (2) Except as otherwise provided by law, two-thirds of the vehicle titling  
7 tax;

8 (3) Except for revenues collected under Parts III and IV of Title 13, Subtitle  
9 of this article, vehicle registration fees;

10 (4) The revenue disbursed to this Account under § 2-614 of the Tax –  
11 General Article; and

12 (5) 80 percent of the funds distributed on short-term vehicle rentals under  
13 § 2-1302.1 of the Tax – General Article to the Transportation Trust Fund from the sales  
14 and use tax.

15 (c) [(1) Except as provided in paragraph (2) of this subsection, for each fiscal  
16 year] **THE ACCOUNT SHALL BE DISTRIBUTED AS FOLLOWS:**

17 [(i)] **(1) (I) [90.4%] FOR FISCAL YEAR 2020, 88%** of the  
18 revenue credited to the Account may be used as provided in § 3-216 of this article; and

19 **(II) FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR**  
20 **THEREAFTER, 86.8% OF THE REVENUE CREDITED TO THE ACCOUNT MAY BE USED**  
21 **AS PROVIDED IN § 3-216 OF THIS ARTICLE; AND**

22 [(ii)] **(2) [The] IN EACH FISCAL YEAR, THE** balance of the Account  
23 shall be used to pay the allocations of highway user revenues provided by this subtitle to  
24 the counties, municipalities, and Baltimore City.

25 [(2) For fiscal years 2010 through 2013, the Account shall be distributed as  
26 follows:

27 (i) A portion to the General Fund of the State for fiscal years 2010  
28 through 2012 as follows:

29 1. 19.5% for fiscal year 2010;

30 2. 23% for fiscal year 2011; and

1 3. 11.3% for fiscal year 2012;

2 (ii) A portion to be used as provided in § 3–216 of this article, as  
3 follows:

4 1. 70% for fiscal year 2010;

5 2. 68.5% for fiscal year 2011;

6 3. Subject to paragraph (3) of this subsection, 79.8% for fiscal  
7 year 2012; and

8 4. 90% for fiscal year 2013; and

9 (iii) The balance to be used to pay the allocations of highway user  
10 revenues provided under this subtitle to the counties, municipalities, and Baltimore City.

11 (3) For fiscal year 2012, from the amount allocated to the Transportation  
12 Trust Fund under paragraph (2)(i)3 of this subsection, \$40,000,000 shall be transferred  
13 from the Transportation Trust Fund to the Revenue Stabilization Account established  
14 under § 7–311 of the State Finance and Procurement Article.]

15 8–403.

16 (a) Subject to §§ 3–307 and 3–308 of this article, and except as provided in  
17 subsection (b) of this section, for each fiscal year, from the total highway user revenues:

18 (1) An amount equal to 7.7% of total highway user revenues shall be  
19 distributed to Baltimore City in monthly installments;

20 (2) An amount shall be distributed to the counties at the times specified in  
21 § 8–407 of this subtitle, to be allocated as provided in § 8–404 of this subtitle, equal to 1.5%  
22 of total highway user revenues; and

23 (3) An amount shall be distributed to the municipalities at the times  
24 specified in § 8–407 of this subtitle, to be allocated as provided in § 8–405 of this subtitle,  
25 equal to 0.4% of total highway user revenues.

26 (b) (1) For fiscal year ~~[2010]~~ **2020**:

27 (i) The amount distributed to Baltimore City under this subtitle  
28 shall equal ~~[8.6%]~~ **8.3%** of total highway user revenues;

29 (ii) The amount distributed to the counties under this subtitle shall  
30 equal 1.5% of total highway user revenues; and

31 (iii) The amount distributed to the municipalities under this subtitle

1 shall equal [0.4%] **2.2%** of total highway user revenues.

2 (2) For fiscal year [2011] **2021 AND EACH FISCAL YEAR THEREAFTER:**

3 (i) The amount distributed to Baltimore City under this subtitle  
4 shall equal [7.9%] **8.9%** of total highway user revenues;

5 (ii) The amount distributed to the counties under this subtitle shall  
6 equal [0.5%] **1.5%** of total highway user revenues; and

7 (iii) The amount distributed to the municipalities under this subtitle  
8 shall equal [0.1%] **2.8%** of total highway user revenues.

9 [(3) For fiscal year 2012:

10 (i) The amount distributed to Baltimore City under this subtitle  
11 shall equal 7.5% of total highway user revenues;

12 (ii) The amount distributed to the counties under this subtitle shall  
13 equal 0.8% of total highway user revenues; and

14 (iii) The amount distributed to the municipalities under this subtitle  
15 shall equal 0.6% of total highway user revenues.

16 (4) For fiscal year 2013:

17 (i) The amount distributed to Baltimore City under this subtitle  
18 shall equal 8.1% of total highway user revenues;

19 (ii) The amount distributed to the counties under this subtitle shall  
20 equal 1.5% of total highway user revenues; and

21 (iii) The amount distributed to the municipalities under this subtitle  
22 shall equal 0.4% of total highway user revenues.]

23 8-405.

24 (a) An eligible municipality may request its share of the highway user revenues  
25 provided under this subtitle from the Administration. The request shall be made in writing  
26 at least 6 months before the start of the fiscal year in which the funds are desired.

27 (b) Highway user revenues shall be allocated to the eligible municipalities:

28 (1) One half on a municipal road mileage basis, as provided in subsection  
29 (c)(1) of this section; and

1                   (2)     One half on a motor vehicle registration basis, as provided in subsection  
2 (c)(2) of this section.

3           (c)     The Administration shall allocate for the account of each eligible municipality,  
4 out of the highway user revenues to be distributed to the municipalities under § 8–403 of  
5 this subtitle the eligible municipality’s share, to be determined by adding:

6                   (1)     The amount that results from applying to one half of the available  
7 revenues the ratio that, as of December 1 of the preceding calendar year, the total mileage  
8 of county roads in the eligible municipality bears to the total mileage of county roads located  
9 in eligible municipalities in the State; and

10                   (2)     The amount that results from applying to one half of the available  
11 revenues the ratio that, as of December 1 of the preceding calendar year, the total number  
12 of motor vehicles registered to owners having addresses in the eligible municipality bears  
13 to the total number of motor vehicles registered to owners having addresses in eligible  
14 municipalities in the State.

15           (d)     For purposes of the mileage formula distributions under this section, each  
16 special improvement district in Prince George’s County in existence in January, 1953, shall  
17 be treated as a municipality, but the amounts distributed shall be:

18                   (1)     Paid to the county and retained by it as credits to the district; and

19                   (2)     Applied to the cost of maintaining the streets and roads in the district  
20 so long as the district has any indebtedness.

21           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
22 1, 2018.