## **SENATE BILL 606**

Q5, M1 (8lr2092)

## ENROLLED BILL

— Budget and Taxation/Environment and Transportation and Ways and Means — Introduced by Senators Edwards and Serafini

Read and	Examined	l by P	roof	reader	rs:			
							Proofre	eader.
							Proofre	eader.
Sealed with the Great Seal and	presented	d to	the	Gover	rnor,	for his	approva	l this
day of	at					_ o'cloc	k,	M.
							Pres	ident.
	CHAPTEI	R						
AN ACT concerning								
Off-Highway Recreational Recreat	Vehicles - ional Veh				_	x – Off–1	Highway	7
FOR the purpose of establishing the special, nonlapsing fund; special of Natural Resources to admit the Fund and the Comptroller Fund; specifying the purpose investment of money in and e to transfer a distribute certain tax imposed for certain certific vehicles to the Off–Highway I defining a certain term; making from the excise tax imposed or vehicles.	sifying the nister the r to account to account the for which expenditured percentage ates of title Recreationing a stylist	purpo Fund t for t n the es from ge per e issu al Vel tic cha	ose o ; rec ; rec Fur m th cent ied f hicle	of the F quiring Fund; s and may ne Fun tages of or cert e Trail e; and s	'und;  y the specif y be d; red f the ain of	requirin State Tre Lying the used; pre quiring the revenue ff—highw d in certa rally rela	g the Secretary to contents oviding for the Compt from the cay recrease in fiscal ting to re	retary o hold of the or the troller excise tional years; venue

## EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



TRANSPORTATION ARTICLE;

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1 2 3 4 5	BY adding to Article – Natural Resources Section 5–1011 Annotated Code of Maryland (2012 Replacement Volume and 2017 Supplement)
6 7 8 9 10	BY repealing and reenacting, without amendments, Article – Transportation Section 3–216(f)(2) Annotated Code of Maryland (2015 Replacement Volume and 2017 Supplement)
11 12 13 14 15	BY repealing and reenacting, with amendments, Article – Transportation Section 13–814 Annotated Code of Maryland (2012 Replacement Volume and 2017 Supplement)
16 17	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND That the Laws of Maryland read as follows:
18	Article - Natural Resources
19	5–1011.
20 21	(A) IN THIS SECTION, "FUND" MEANS THE OFF-HIGHWAY RECREATIONAL VEHICLE TRAIL FUND.
22	(B) THERE IS AN OFF-HIGHWAY RECREATIONAL VEHICLE TRAIL FUND.
23 24	(C) THE PURPOSE OF THE FUND IS TO MAINTAIN AND CONSTRUCT TRAILS FOR OFF-HIGHWAY RECREATIONAL VEHICLES.
25	(D) THE SECRETARY SHALL ADMINISTER THE FUND.
26 27	(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.
28 29	(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.
30	(F) THE FUND CONSISTS OF:
31	(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 13–814(B) OF THE

1 2	(2) Money appropriated in the State budget for the Fund; and
3 4	(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.
5 6 7	(G) THE FUND MAY BE USED ONLY TO MAINTAIN AND CONSTRUCT TRAILS FOR OFF-HIGHWAY RECREATIONAL VEHICLES ON LAND THAT IS OWNED OR LEASED BY THE DEPARTMENT.:
8 9 10	(1) MAINTAIN TRAILS FOR OFF-HIGHWAY RECREATIONAL VEHICLES ON STATE PARK LAND THAT WAS PURCHASED OR LEASED BY THE DEPARTMENT BEFORE JANUARY 1, 2017;
11 12 13	(2) MAINTAIN AND CONSTRUCT TRAILS FOR OFF-HIGHWAY RECREATIONAL VEHICLES ON STATE PARK LAND THAT IS PURCHASED OR LEASED BY THE DEPARTMENT ON OR AFTER JANUARY 1, 2017; AND
14 15 16	(3) MAINTAIN AND CONSTRUCT TRAILS FOR OFF-HIGHWAY RECREATIONAL VEHICLES ON ANY LAND THAT IS NOT STATE PARK LAND THAT IS PURCHASED OR LEASED BY THE DEPARTMENT.
17 18	(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.
19 20	(2) Any interest earnings of the Fund shall be credited to the General Fund of the State.
21 22	(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.
23 24 25 26 27	(J) MONEY EXPENDED FROM THE FUND FOR MAINTAINING AND CONSTRUCTING TRAILS FOR OFF-HIGHWAY RECREATIONAL VEHICLES IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR MAINTAINING AND CONSTRUCTING TRAILS FOR OFF-HIGHWAY RECREATIONAL VEHICLES.

## Article - Transportation

29 3–216.

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30 (f) (2) Except as provided in paragraphs (3) and (6) of this subsection, no part 31 of the Transportation Trust Fund may be transferred or diverted to a special fund of the

1 2 3 4 5 6	State, unless approved by the General Assembly through legislation passed by a three–fifths majority vote of the full standing committee assigned the legislation in each of the two Houses of the General Assembly and enacted into law. No part of the Transportation Trust Fund may be transferred or diverted to a special fund of the State pursuant to the provisions of § 7–209(e)(2) of the State Finance and Procurement Article, unless the requirements of this paragraph have been satisfied.
7	13–814.
8 9 10 11	(A) [Money] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, MONEY collected under this part shall be deposited in the State Treasury and accounted for on the records of the [State] Comptroller and transferred to the Transportation Trust Fund.
12 13 14 15 16 17	(B) THE COMPTROLLER SHALL TRANSFER 0.5% 50% OF OF THE REVENUE FROM THE EXCISE TAX IMPOSED FOR EACH CERTIFICATE OF TITLE ISSUED FOR AN OFF-HIGHWAY RECREATIONAL VEHICLE UNDER § 13–809 OF THIS SUBTITLE, THE COMPTROLLER SHALL DISTRIBUTE TO THE OFF-HIGHWAY RECREATIONAL VEHICLE TRAIL FUND ESTABLISHED UNDER § 5–1011 OF THE NATURAL RESOURCES ARTICLE:
18	(1) 25% IN FISCAL YEAR 2019; AND
19	(2) 50% IN FISCAL YEAR 2020 AND EACH YEAR THEREAFTER.
20 21	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2018.
	Approved:
	Governor.
	President of the Senate.

Speaker of the House of Delegates.