

# HOUSE BILL 410

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CF 2lr0139

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By: **The Speaker (By Request – Administration) and Delegates Anderton, Boteler, Buckel, Chisholm, Ghrist, Griffith, Hartman, Hornberger, Howard, Jacobs, Kipke, Kittleman, Krebs, Mangione, Mautz, McComas, McKay, Metzgar, Morgan, Munoz, Novotny, Otto, Parrott, Reilly, Saab, Shoemaker, Szeliga, Thiam, and Wivell**

Introduced and read first time: January 19, 2022

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – Highway User Revenue – Distribution**

3 FOR the purpose of altering, beginning in a certain fiscal year, the amounts of certain  
4 capital grants calculated based on highway user revenues that are required to be  
5 appropriated to Baltimore City, counties, and municipalities; and generally relating  
6 to the distribution of highway user revenues.

7 BY repealing and reenacting, without amendments,  
8 Article – Transportation  
9 Section 8–401(a)  
10 Annotated Code of Maryland  
11 (2020 Replacement Volume and 2021 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – Transportation  
14 Section 8–401(d), 8–403, and 8–412  
15 Annotated Code of Maryland  
16 (2020 Replacement Volume and 2021 Supplement)

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

19 **Article – Transportation**

20 8–401.

21 (a) In this subtitle the following words have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) "Highway user revenues" means the capital grants appropriated to Baltimore  
2 City, counties, and municipalities under ~~§ 8-403(b)~~ **§ 8-403** of this subtitle.

3 8-403.

4 (a) [Subject to §§ 3-307 and 3-308 of this article, for fiscal year 2019, from the  
5 total highway user revenues:

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

8 (2) An amount shall be distributed to the counties at the times specified in  
9 § 8-407 of this subtitle, to be allocated as provided in § 8-404 of this subtitle, equal to 1.5%  
10 of total highway user revenues; and

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

14 (b) (1) Subject to [paragraph (3) of this subsection] **SUBSECTION (B) OF THIS**  
15 **SECTION**, for fiscal [years] **YEAR 2020 [through 2024] AND EACH FISCAL YEAR**  
16 **THEREAFTER**, capital grants shall be appropriated from the Transportation Trust Fund  
17 as provided in § 3-216 of this article based on the following calculations:

18 [(i)] **(1)** An amount equal to 8.3% of funds credited to the Gasoline  
19 and Motor Vehicle Revenue Account shall be appropriated to Baltimore City;

20 [(ii)] **(2)** An amount equal to 3.2% of funds credited to the Gasoline  
21 and Motor Vehicle Revenue Account shall be appropriated to the counties to be distributed  
22 as provided in § 8-404 of this subtitle; and

23 [(iii)] **(3)** An amount equal to 2.0% of funds credited to the Gasoline  
24 and Motor Vehicle Revenue Account shall be appropriated to the municipalities to be  
25 distributed as provided in § 8-405 of this subtitle.

26 [(2) Subject to paragraph (3) of this subsection, for fiscal year 2025 and each  
27 fiscal year thereafter, capital grants shall be appropriated from the Transportation Trust  
28 Fund as provided in § 3-216 of this article based on the following calculations:

29 (i) An amount equal to 7.7% of funds credited to the Gasoline and  
30 Motor Vehicle Revenue Account shall be appropriated to Baltimore City;

31 (ii) An amount equal to 1.5% of funds credited to the Gasoline and  
32 Motor Vehicle Revenue Account shall be appropriated to the counties to be distributed as  
33 provided in § 8-404 of this subtitle; and

1 (iii) An amount equal to 0.4% of funds credited to the Gasoline and  
2 Motor Vehicle Revenue Account shall be appropriated to the municipalities to be  
3 distributed as provided in § 8-405 of this subtitle.]

4 **[(3) (B)** The capital grants made under this subtitle shall be appropriated  
5 only if all debt service requirements and departmental operating expenses have been  
6 funded and sufficient funds are available to fund the capital program.

7 8-412.

8 (a) (1) On or before January 1 of each year, Baltimore City, each county, and  
9 each eligible municipality that received highway user revenues in the preceding fiscal year  
10 shall submit to the Administration an accounting report that:

11 (i) Shows the actual costs of the preceding fiscal year;

12 (ii) Shows the expenditure budget of the current fiscal year;

13 (iii) As to items (i) and (ii) of this paragraph, accurately identifies the  
14 costs for specific projects authorized in § 8-408 or § 8-409 of this subtitle;

15 (iv) Shows the amount of funds diverted from the general fund of the  
16 county or municipality to pay for specific projects authorized in § 8-408 or § 8-409 of this  
17 subtitle during the preceding fiscal year; and

18 (v) Lists specific projects authorized in § 8-408 or § 8-409 of this  
19 subtitle that have been delayed due to a lack of funding.

20 **(2) ON OR BEFORE JULY 1 EACH YEAR, BALTIMORE CITY, EACH**  
21 **COUNTY, AND EACH ELIGIBLE MUNICIPALITY THAT RECEIVED HIGHWAY USER**  
22 **REVENUES IN THE PRECEDING FISCAL YEAR SHALL SUBMIT TO THE**  
23 **ADMINISTRATION AN ACCOUNTING REPORT THAT, TO THE EXTENT PRACTICABLE:**

24 **(I) SHOWS THE ACTUAL COSTS FOR THE FIRST 6 MONTHS OF**  
25 **THE PRECEDING FISCAL YEAR;**

26 **(II) SHOWS THE EXPENDITURE BUDGET OF THE CURRENT**  
27 **FISCAL YEAR;**

28 **(III) AS TO ITEMS (I) AND (II) OF THIS PARAGRAPH, ACCURATELY**  
29 **IDENTIFIES THE COSTS FOR SPECIFIC PROJECTS AUTHORIZED IN § 8-408 OR §**  
30 **8-409 OF THIS SUBTITLE;**

1                   **(IV) SHOWS THE AMOUNT OF FUNDS DIVERTED FROM THE**  
2 **GENERAL FUND OF THE COUNTY OR MUNICIPALITY TO PAY FOR SPECIFIC PROJECTS**  
3 **AUTHORIZED IN § 8-408 OR § 8-409 OF THIS SUBTITLE DURING THE FIRST 6 MONTHS**  
4 **OF THE PRECEDING FISCAL YEAR; AND**

5                   **(V) LISTS SPECIFIC PROJECTS AUTHORIZED IN § 8-408 OR §**  
6 **8-409 OF THIS SUBTITLE THAT HAVE BEEN DELAYED DUE TO A LACK OF FUNDING.**

7                   **[(2)] (3)** On or before December 1 of each year, the Administration shall  
8 provide Baltimore City, each county, and each eligible municipality with an electronic copy  
9 of an accounting report form to be used to submit the information reported under  
10 **[paragraph (1)] PARAGRAPHS (1) AND (2)** of this subsection.

11                   (b) The Administration shall compile, summarize, and analyze the information  
12 reported by Baltimore City and each county and municipality under subsection (a)(1) **AND**  
13 **(2)** of this section in a single report that the Administration shall submit, on or before  
14 February 1 of each year, to the Governor and, in accordance with § 2-1257 of the State  
15 Government Article, the Senate Budget and Taxation Committee, the House  
16 Appropriations Committee, the House Environment and Transportation Committee, and  
17 the House Ways and Means Committee.

18                   (c) The Administration may not make a disbursement of highway user revenues  
19 under § 8-407 of this subtitle to any jurisdiction that has not submitted a report to the  
20 Administration as required under subsection (a)(1) **AND (2)** of this section.

21                   **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**  
22 **1, 2022.**