

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 557

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Transportation - Fares and Other Revenues"; in line 3, strike "requiring" and substitute "authorizing"; in line 4, strike ", rail,"; in the same line, strike "passenger"; in the same line, strike "any" and substitute "certain"; in line 7, after "revenues" insert "; authorizing the Secretary of Transportation to authorize certain payments to the Washington Suburban Transit District for the cost of certain new bus and rail service under certain circumstances; providing for the inclusion of certain items in the calculation of certain operating costs under certain circumstances; requiring the Maryland Department of Transportation to provide certain information to the Department of Fiscal Services under certain circumstances; requiring the Maryland Department of Transportation to make a certain report to the General Assembly; stating the intent of the General Assembly that certain exclusions from farebox recovery requirements be approved on a pilot basis; providing for the termination of this Act; and generally relating to the exemption of the costs of new bus and rail service from certain revenue requirements"; and in line 10, strike "and 7-902" and substitute ", 10-205(a) and (b), and 10-207".

AMENDMENT NO. 2

On page 1, in line 25, after "(i)" insert:

"1. EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR";

in the same line, strike "[For"; in line 26, strike the bracket; and in the same line, strike "THE".

On page 2, in line 3, strike "(ii)" and substitute "2."; strike in their entirety lines 7 through 13, inclusive, and substitute:

"(II) 1. THE ADMINISTRATION MAY EXEMPT, FROM THE

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REQUIREMENTS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH, NEW LIGHT RAIL TRANSIT SERVICE THAT HAS BEEN IN OPERATION FOR LESS THAN 2 YEARS.

2. SUBJECT TO SUB-SUBPARAGRAPH 3 OF THIS SUBPARAGRAPH, THE ADMINISTRATION MAY EXEMPT, FROM THE REQUIREMENTS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH, NEW MASS TRANSIT BUS SERVICE THAT HAS BEEN IN OPERATION FOR LESS THAN 2 YEARS.

3. THE ANNUAL COST OF MASS TRANSIT BUS SERVICE EXEMPTED UNDER SUB-SUBPARAGRAPH 2 OF THIS SUBPARAGRAPH MAY NOT EXCEED, AS A PERCENTAGE OF THE TOTAL ANNUAL COST OF MASS TRANSIT BUS SERVICE, 1 PERCENT IN FISCAL YEAR 1997, 2 PERCENT IN FISCAL YEAR 1998, AND 2 PERCENT IN FISCAL YEAR 1999.”;

and in line 14, strike “(IV)” and substitute “(III)”.

AMENDMENT NO. 3

On page 2, in line 16, after the first “THE” insert “LEGISLATIVE”.

AMENDMENT NO. 4

On pages 2 and 3, strike in their entirety the lines beginning with line 28 on page 2 through line 12 on page 3, inclusive.

AMENDMENT NO. 5

On page 3, after line 12, insert:

“10-205.

(a) In accordance with and subject to the principle that, if there is substantial State financial support for the planned rapid rail mass transit system in one metropolitan area of this State, there should be substantial State financial support for the planned rapid rail mass transit system in the other metropolitan area of this State, and subject to the appropriation requirements and budgetary provisions of § 3-216(d) of this article, the Department shall provide for grants to the Washington Suburban Transit District in an amount equal to the current expenditures required of the Washington Suburban Transit District in accordance with capital contributions agreements between the Washington Metropolitan Area Transit Authority, the Washington Suburban Transit District, and other participating jurisdictions. The Washington Suburban Transit District shall consult with the Secretary of Transportation prior to the execution of any capital contributions agreement.

Expenditures required of the Washington Suburban Transit District for projects and programs not included in the "Adopted Regional System - 1968" revised as of January 1, 1992, are only eligible for State funding in accordance with subsection (d) of this section.

(b) (1) Subject to the appropriation requirements and budgetary provisions of § 3-216(d) OF THIS ARTICLE and upon receipt of an approval of a grant application in such form and detail as the Secretary shall reasonably require, the Department shall provide for annual grants to the Washington Suburban Transit District for a share of the operating deficits of the regional transit system for which the District is responsible. "Operating deficit" means operating costs less:

(i) The greater of operating revenues or 50 percent of the operating costs; and

(ii) All federal operating assistance.

(2) The Department's share shall equal 100 percent of the operating deficit.

(3) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION, THE SECRETARY MAY AUTHORIZE PAYMENTS FOR THE COST OF NEW BUS SERVICE THAT DOES NOT RECOVER 50 PERCENT OF ITS OPERATING COSTS FOR THE FIRST 2 YEARS OF ITS OPERATION PROVIDED THAT:

(I) THE ANNUAL COST TO THE DEPARTMENT OF NEW BUS SERVICE ADDED UNDER THIS SECTION AND § 10-207 OF THIS SUBTITLE DOES NOT EXCEED 2 PERCENT OF THE TOTAL ANNUAL COST OF BUS SERVICE PROVIDED UNDER THIS SECTION AND § 10-207 OF THIS SUBTITLE; AND

(II) NO MORE THAN 1 PERCENT OF THE ANNUAL COST OF BUS SERVICE PROVIDED UNDER THIS SECTION AND § 10-207 OF THIS SUBTITLE IS ADDED AS NEW SERVICE IN A SINGLE FISCAL YEAR.

(4) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION, THE SECRETARY MAY AUTHORIZE PAYMENTS FOR THE COST OF NEW

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SERVICE THAT DOES NOT RECOVER 50 PERCENT OF ITS OPERATING COSTS FOR THE FIRST 2 YEARS OF ITS OPERATION.

(5) THE COST OF NEW SERVICE MAY NOT CAUSE THE DEPARTMENT TO EXCEED THE LEGISLATIVE APPROPRIATION FOR WASHINGTON METROPOLITAN AREA TRANSIT OPERATING GRANTS.

10-207.

(a) (1) In this section, the following words have the meanings indicated.

(2) "Eligible local bus service":

(i) Means the number of annual platform miles and annual platform hours of fixed route, scheduled local bus service, that previously replaced comparable service operated by the Washington Metropolitan Area Transit Authority, plus the number of annual platform miles and annual platform hours of any new fixed route, scheduled local bus service added after June 30, 1989; and

(ii) Is limited to service operated by or on behalf of and in Montgomery County or Prince George's County.

(3) "Costs" means:

(i) Operating costs of eligible local bus service, plus operating costs under § 10-205 of this subtitle; and

(ii) An allowance for the replacement of buses used in eligible local service, which shall equal the cost of such buses divided by their useful life.

(4) "Service deficit" means costs less:

(i) The greater of revenues collected under this section and § 10-205(b) of this subtitle or 50 percent of the costs; and

(ii) All federal operating assistance.

(b) Subject to the appropriation requirements and budgetary provisions of § 3-216 of this article and upon receipt of an approval of a grant application in the form or detail as the Secretary shall reasonably require, the Department shall provide for annual grants to Prince George's County and Montgomery County for eligible local bus service as defined in this section. The amount of these grants shall be equal to:

(1) 100 percent of the service deficit attributable to each county; less

(2) Each county's share of the Department's annual grant to the Washington Suburban Transit District as determined under § 10-205(b) of this subtitle.

(c) The Department's grant for any eligible local bus service may not be greater than the operating grant that the Department would incur from the same bus service if operated by the Washington Metropolitan Area Transit Authority. This requirement shall be applied on a line by line basis.

(d) Except with the specific approval of the Secretary, notwithstanding the provisions of § 10-205 of this subtitle, the combined grants for bus service to each county under this section and § 10-205(b) of this subtitle may not exceed the level of the combined grants for the prior fiscal year adjusted for inflation by the projected consumer price index CPI-U for the fiscal year in which the grant under this section is being awarded, using the actual consumer price index CPI-U at the close of the fiscal year. Adjustments shall be made to increase or decrease the combined grants in the subsequent fiscal year to reflect the actual inflation rate.

(E) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (B) OF THIS SECTION, THE SECRETARY MAY AUTHORIZE PAYMENT FOR THE COST OF NEW ELIGIBLE LOCAL BUS SERVICE THAT DOES NOT RECOVER 50 PERCENT OF ITS OPERATING COSTS FOR THE FIRST 2 YEARS OF ITS OPERATION, PROVIDED THAT:

(1) THE ANNUAL COST TO THE DEPARTMENT OF NEW BUS SERVICE ADDED UNDER THIS SECTION AND § 10-205 OF THIS SUBTITLE DOES NOT EXCEED

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2 PERCENT OF THE TOTAL ANNUAL COST OF BUS SERVICE PROVIDED UNDER THIS SECTION AND § 10-205 OF THIS SUBTITLE;

(2) NO MORE THAN 1 PERCENT OF THE ANNUAL COST OF BUS SERVICE PROVIDED UNDER THIS SECTION AND § 10-205 OF THIS SUBTITLE IS ADDED AS NEW BUS SERVICE IN A SINGLE FISCAL YEAR; AND

(3) THE COST OF NEW BUS SERVICE DOES NOT CAUSE THE DEPARTMENT TO EXCEED THE LEGISLATIVE APPROPRIATION FOR WASHINGTON METROPOLITAN AREA OPERATING GRANTS.”.

AMENDMENT NO. 6

On page 3, before line 13, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That for the purposes of computing farebox recovery under Section 1 of this Act, the Mass Transit Administration may include as revenue the value of monthly transit passes provided to qualified participants in State-sponsored medical or social service programs.”.

AMENDMENT NO. 7

On page 3, strike in their entirety lines 13 and 14, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) On implementation of a new bus service to be excluded from farebox recovery under Section 1 of this Act, the Maryland Department of Transportation shall provide the Department of Fiscal Services with:

(1) a description of the route;

(2) the date of the implementation;

(3) an estimate of the annual cost; and

(4) an estimate of the cost recovery.

(b) The Department shall notify the Department of Fiscal Services on termination of the service or on inclusion of the service in the system-wide farebox recovery calculation.

SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that:

(a) new service excluded from farebox recovery requirements as provided in Section 1 of this Act be approved on a pilot basis; and

(b) on or before December 15, 1998, the Maryland Department of Transportation shall report to the General Assembly on the results of this pilot program for the development of new transit service.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1996. It shall remain effective for a period of 3 years and, at the end of June 30, 1999, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.