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HB 728/95 - W&M

1996 Regular Session
6r0730
CF 6r0612

By: Delegates Barve and Exum

Introduced and read first time: February 1, 1996
Assigned to: Appropriations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 23, 1996

CHAPTER ____

1 AN ACT concerning

2 ~~Transportation Funding - Grants for Local Paratransit Service~~ Services - Fiscal
3 Assistance

4 FOR the purpose of requiring the Department of Transportation to provide annual
5 grants to local jurisdictions for paratransit service that complements fixed route
6 service in compliance with the federal Americans with Disabilities Act; requiring
7 the amount of the grants to be determined in accordance with certain paratransit
8 plans ~~and to fully cover the cost of providing paratransit services in compliance with~~
9 ~~the federal Act; altering the limitation on the total amount of the grants that may be~~
10 provided statewide; altering a termination date applicable to a certain provision
11 providing for refunds of the motor fuel tax paid on certain motor fuel used by
12 certain nonprofit organizations that operated a system of transportation for elderly,
13 handicapped, or low income individuals; providing for the termination of this Act;
14 and generally relating to ~~grants for local paratransit~~ certain fiscal assistance for
15 certain transportation services.

16 BY repealing and reenacting, with amendments,
17 Article - Transportation
18 Section 2-103.5
19 Annotated Code of Maryland
20 (1993 Replacement Volume and 1995 Supplement)

21 BY repealing and reenacting, without amendments,
22 Article - Tax - General
23 Section 13-901(f)(1)(ii)5
24 Annotated Code of Maryland
25 (1988 Volume and 1995 Supplement)

1 BY repealing and reenacting, with amendments,
2 Chapter 176 of the Acts of the General Assembly of 1995
3 Section 3

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

6 **Article - Transportation**

7 2-103.5.

8 (a) Subject to the appropriation requirements and budgetary provisions of §
9 3-216 of this article and upon receipt of an approval of a grant application in the form or
10 detail that the Secretary reasonably requires, ~~[for Fiscal Year ~~1996~~ 1997 AND EACH~~
11 ~~FISCAL YEAR THEREAFTER,~~ the Department shall provide ANNUAL grants for
12 paratransit service provided by county or local governments, that is complementary to
13 fixed route service as required under the federal Americans with Disabilities Act.

14 (b) The amount of the grants ~~SHALL:~~

15 (1) ~~1~~ Shall be ~~1~~ ~~BE~~ determined in accordance with multiyear paratransit
16 plans approved by the Department or the Federal Transit Administration;and

17 (2) ~~1~~ May not exceed a total of ~~\$3.45~~ \$4 million statewide in ANY Fiscal
18 Year ~~1996~~ ~~EQUAL 100% OF THE COST OF PROVIDING PARATRANSIT SERVICES IN~~
19 ~~COMPLIANCE WITH THE FEDERAL AMERICANS WITH DISABILITIES ACT.~~

20 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
21 read as follows:

22 **Article - Tax - General**

23 13-901.

24 (f) (1) A claim for refund of motor fuel tax may be filed by a claimant who pays
25 the tax on:

26 (ii) motor fuel, as defined in § 9-101 of this article, that:

27 5. is used by a system of transportation based in the State, in a
28 vehicle that is used to provide transportation to elderly, handicapped, or low income
29 individuals, if the system is operated by a nonprofit organization that:

30 A. is exempt for federal income tax purposes under § 501(c) of
31 the Internal Revenue Code;

32 B. is funded to provide transportation to elderly, handicapped,
33 or low income individuals;

34 C. receives part of its operating funding from the Maryland
35 Department of Transportation or the Maryland Department of Health and Mental
36 Hygiene;

1 D. has stated in its charter or bylaws that operating
2 transportation services for elderly, handicapped, or low income individuals is one of the
3 purposes for which it was established; and

4 E. is actively operating a system of transportation for elderly,
5 handicapped, or low income individuals.

6 **Chapter 176 of the Acts of 1995**

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 1995. Section 2 of this Act shall remain effective [for a period of 1 year and, at]
9 UNTIL the end of June 30, [1996] 1999, AND, with no further action required by the
10 General Assembly, Section 2 of this Act shall be abrogated and of no further force and
11 effect.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 1996.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 1996. It shall remain effective for a period of 3 years and, at the end of June 30,
16 1999, with no further action required by the General Assembly, this Act shall be
17 abrogated and of no further force and effect.