
By: Delegate Fry

Introduced and read first time: February 16, 1996

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation - Mass Transit Administration - Fares and Other Revenues**

3 FOR the purpose of authorizing the Mass Transit Administration to exempt a mass
4 transit bus or rail service that has been in operation for less than a certain period of
5 time from certain calculations regarding Administration recovery of a certain
6 percentage of certain fares and operating revenues; prohibiting the annual costs for
7 all mass transit bus and rail service from exceeding the appropriation for a fiscal
8 year; providing for the effective date of this Act; and generally relating to fares,
9 revenues, and costs of mass transit bus and rail services.

10 BY repealing and reenacting, without amendments,
11 Article - Transportation
12 Section 7-101(a) and (b)
13 Annotated Code of Maryland
14 (1993 Replacement Volume and 1995 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article - Transportation
17 Section 7-208 and 7-902
18 Annotated Code of Maryland
19 (1993 Replacement Volume and 1995 Supplement)

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

22 **Article - Transportation**

23 7-101.

24 (a) In this title the following words have the meanings indicated.

25 (b) "Administration" means the Mass Transit Administration.

26 7-208.

27 (a) (1) Subject to the authority of the Secretary and, where applicable, the
28 Maryland Transportation Authority, the Administration has jurisdiction:

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1 (i) Consistent with the provisions of Division II of the State Finance
2 and Procurement Article, for planning, developing, constructing, acquiring, financing,
3 and operating the transit facilities authorized by this title; and

4 (ii) Over the services performed by and the rentals, rates, fees, fares,
5 and other charges imposed for the services performed by transit facilities owned or
6 controlled by the Administration.

7 (2) (i) 1. [For] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF
8 THIS PARAGRAPH, FOR fiscal years 1988 through 1992 and each fiscal year thereafter,
9 the Administration shall recover from fares and other operating revenues at least 50
10 percent of the total operating costs for the mass transit bus and rail services under its
11 jurisdiction. It is the intent of the General Assembly that the provisions of this paragraph
12 shall apply on a system-wide basis and not on an individual transit line basis. However,
13 given the anticipated efficiency of light rail technology, the Department is encouraged,
14 after 2 years of light rail operation, to recover from fares and other operating revenues at
15 least 60 percent of the total operating costs for light rail services.

16 [(ii)] 2. The Administration shall obtain the fare recovery ratio
17 through the establishment of reasonable fares in the Baltimore region and the
18 implementation of cost containment measures as deemed necessary to meet the standard
19 required under this paragraph.

20 (II) THE ADMINISTRATION MAY EXEMPT A MASS TRANSIT BUS OR
21 RAIL SERVICE THAT HAS BEEN IN OPERATION FOR LESS THAN 3 YEARS FROM THE
22 REQUIREMENTS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH.

23 (III) THE ANNUAL COST OF ALL MASS TRANSIT BUS AND RAIL
24 SERVICE, INCLUDING THE MASS TRANSIT BUS AND RAIL SERVICES DESCRIBED IN
25 SUBPARAGRAPH (II) OF THIS PARAGRAPH, MAY NOT EXCEED THE BUDGET
26 APPROPRIATION FOR THE FISCAL YEAR.

27 (b) The determinations of the Secretary, Administration, or Maryland
28 Transportation Authority as to the type of service performed or the rentals, rates, fees,
29 fares, and other charges imposed are not subject to judicial review or to the processes of
30 any court.

31 (c) Notwithstanding any other provision of this title or the Public Service
32 Commission Law, the Public Service Commission does not have any jurisdiction over
33 transit facilities owned or controlled by the Administration or over any contractor
34 operating these facilities.

35 (d) Except as provided in this title, the Administration does not have any
36 jurisdiction over transportation in the District by private carriers.

37 7-902.

38 (a) The Administration shall continue to operate the following passenger railroad
39 services at levels of service at least equivalent to the level of service established as of July
40 1, 1981:

41 (1) The CSX line between Brunswick and the District of Columbia;

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1 (2) The Amtrak line between Penn Station in Baltimore and the District of
2 Columbia; and

3 (3) The CSX line between Camden Station in Baltimore and the District of
4 Columbia.

5 (b) [The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE
6 Administration shall recover at least 50 percent of total operating costs for all passenger
7 railroad services under its control from fares and operating revenues. Notwithstanding §
8 7-208 of this title, the Mass Transit Administration shall calculate for passenger rail
9 services a separate farebox recovery ratio for the administrative purposes of determining
10 a separate cost recovery ratio for each of the aforementioned transit modes from the
11 calculation for mass transit, Metro, and light rail.

12 (C) THE ADMINISTRATION MAY EXEMPT A MASS TRANSIT BUS OR RAIL
13 SERVICE THAT HAS BEEN IN OPERATION FOR LESS THAN 3 YEARS FROM THE
14 REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION.

15 (D) THE ANNUAL COST OF ALL MASS TRANSIT BUS AND RAIL SERVICE,
16 INCLUDING THE MASS TRANSIT BUS AND RAIL SERVICES DESCRIBED IN SUBSECTION
17 (C) OF THIS SECTION, MAY NOT EXCEED THE BUDGET APPROPRIATION FOR THE
18 FISCAL YEAR.

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