

HOUSE BILL 489

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HB 1328/97 - W&M

1998 Regular Session
8lr0431

By: **Delegates Barve and Exum**

Introduced and read first time: February 4, 1998

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: March 13, 1998

CHAPTER _____

1 AN ACT concerning

2 **Transportation - Montgomery and Prince George's Counties - Grants for**
3 **Purchase of Buses**

4 FOR the purpose of requiring the Department of Transportation to provide an annual
5 capital grant to Montgomery County and Prince George's County for the
6 purchase of buses to be used to provide certain eligible local bus service;
7 providing that the grants made under this Act are in addition to any federal
8 funds received by the State for bus services provided by Montgomery and Prince
9 George's Counties; altering a certain definition; making a stylistic change; and
10 generally relating to grants for eligible local bus service in Montgomery and
11 Prince George's Counties.

12 BY repealing and reenacting, with amendments,
13 Article - Transportation
14 Section 10-207
15 Annotated Code of Maryland
16 (1993 Replacement Volume and 1997 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - Transportation
19 Section 10-207
20 Annotated Code of Maryland
21 (1993 Replacement Volume and 1997 Supplement)
22 (As enacted by Chapter 655 of the Acts of the General Assembly of 1996)

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

1 **Article - Transportation**

2 10-207.

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

4 (2) "Eligible local bus service":

5 (i) Means the number of annual platform miles and annual
6 platform hours of fixed route, scheduled local bus service, that previously replaced
7 comparable service operated by the Washington Metropolitan Area Transit Authority,
8 plus the number of annual platform miles and annual platform hours of any new
9 fixed route, scheduled local bus service added after June 30, 1989; and10 (ii) Is limited to service operated by or on behalf of and in
11 Montgomery County or Prince George's County.

12 (3) "Costs" means[:

13 (i) Operating] OPERATING costs of eligible local bus service, plus
14 operating costs under § 10-205 of this subtitle]; and15 (ii) An allowance for the replacement of buses used in eligible local
16 service, which shall equal the cost of such buses divided by their useful life].

17 (4) "Service deficit" means costs less:

18 (i) The greater of revenues collected under this section and §
19 10-205(b) of this subtitle or 50 percent of the costs; and

20 (ii) All federal operating assistance.

21 (b) Subject to the appropriation requirements and budgetary provisions of §
22 3-216 of this article and upon receipt of an approval of a grant application in the form
23 or detail as the Secretary shall reasonably require, the Department shall provide for
24 annual grants to Prince George's County and Montgomery County for eligible local
25 bus service as defined in this section. The amount of these grants shall be equal to:

26 (1) 100 percent of the service deficit attributable to each county; less

27 (2) Each county's share of the Department's annual grant to the
28 Washington Suburban Transit District as determined under § 10-205(b) of this
29 subtitle.30 (c) The Department's grant for any eligible local bus service may not be
31 greater than the operating grant that the Department would incur from the same bus
32 service if operated by the Washington Metropolitan Area Transit Authority. This
33 requirement shall be applied on a line by line basis.34 (d) Except with the specific approval of the Secretary, notwithstanding the
35 provisions of § 10-205 of this subtitle, the combined grants for bus service to each

1 county under this section and § 10-205(b) of this subtitle may not exceed the level of
 2 the combined grants for the prior fiscal year adjusted for inflation by the projected
 3 consumer price index CPI-U for the fiscal year in which the grant under this section
 4 is being awarded, using the actual consumer price index CPI-U at the close of the
 5 fiscal year. Adjustments shall be made to increase or decrease the combined grants in
 6 the subsequent fiscal year to reflect the actual inflation rate.

7 (e) Notwithstanding the provisions of subsection (b) of this [section]
 8 SECTION, the Secretary may authorize payment for the cost of new eligible local bus
 9 service that does not recover 50 percent of its operating costs for the first 2 years of its
 10 operation, provided that:

11 (1) The annual cost to the Department of new bus service added under
 12 this section and § 10-205 of this subtitle does not exceed 2 percent of the total annual
 13 cost of bus service provided under this section and § 205 of this subtitle;

14 (2) No more than 1 percent of the annual cost of bus service provided
 15 under this section and § 10-205 of this subtitle is added as new bus service in a single
 16 fiscal year; and

17 (3) The cost of new bus service may not cause the Department to exceed
 18 the legislative appropriation for Washington Metropolitan Area Operating Grants.

19 (F) (1) THE DEPARTMENT SHALL PROVIDE AN ANNUAL CAPITAL GRANT TO
 20 PRINCE GEORGE'S COUNTY AND MONTGOMERY COUNTY FOR THE PURCHASE OF
 21 BUSES TO BE USED IN ELIGIBLE LOCAL BUS SERVICE.

22 (2) GRANTS PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION
 23 SHALL BE IN ADDITION TO ANY FEDERAL FUNDS RECEIVED BY THE STATE FOR BUS
 24 SERVICES OPERATED BY PRINCE GEORGE'S COUNTY AND MONTGOMERY COUNTY.

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

27 **Article - Transportation**

28 10-207.

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

30 (2) "Eligible local bus service":

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

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

1 (3) "Costs" means[:

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

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

6 (4) "Service deficit" means costs less:

7 (i) The greater of revenues collected under this section and §
8 10-205(b) of this subtitle or 50 percent of the costs; and

9 (ii) All federal operating assistance.

10 (b) Subject to the appropriation requirements and budgetary provisions of §
11 3-216 of this article and upon receipt of an approval of a grant application in the form
12 or detail as the Secretary shall reasonably require, the Department shall provide for
13 annual grants to Prince George's County and Montgomery County for eligible local
14 bus service as defined in this section. The amount of these grants shall be equal to:

15 (1) 100 percent of the service deficit attributable to each county; less

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

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

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

31 (E) (1) THE DEPARTMENT SHALL PROVIDE AN ANNUAL CAPITAL GRANT TO
32 PRINCE GEORGE'S COUNTY AND MONTGOMERY COUNTY FOR THE PURCHASE OF
33 BUSES TO BE USED IN ELIGIBLE LOCAL BUS SERVICE.

34 (2) GRANTS PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION
35 SHALL BE IN ADDITION TO ANY FEDERAL FUNDS RECEIVED BY THE STATE FOR BUS
36 SERVICES OPERATED BY PRINCE GEORGE'S COUNTY AND MONTGOMERY COUNTY.

1 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
2 take effect on the taking effect of the termination provision specified in Section 8 of
3 Chapter 655 of the Acts of the General Assembly of 1996. If that termination provision
4 takes effect, Section 1 of this Act shall be void. This Act may not be interpreted to
5 have any effect on that termination provision.

6 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the provisions
7 of Section 3 of this Act, this Act shall take effect July 1, 1998.