
By: **Delegates Mitchell, Glassman, Edwards, and Conway**
Introduced and read first time: February 11, 2000
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Mass Transit Administration - Reduction of Fare Recovery Ratio - Plan to**
3 **Offset Reduced Revenues**

4 FOR the purpose of requiring the Mass Transit Administration, in the event the
5 Department of Transportation or the Administration proposes the reduction of a
6 certain mandated fare recovery ratio for the funding of mass transit operations,
7 to submit to certain committees of the General Assembly a proposal to offset the
8 reduction in certain revenues with revenues from sources other than motor fuel
9 taxes, vehicle titling taxes, and vehicle registration fees; making a technical
10 change; and generally relating to mass transit funding.

11 BY repealing and reenacting, with amendments,
12 Article - Transportation
13 Section 7-208
14 Annotated Code of Maryland
15 (1993 Replacement Volume and 1999 Supplement)

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

18 **Article - Transportation**

19 7-208.

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

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

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

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

10 (ii) The Administration shall obtain the fare recovery ratio through
11 the establishment of reasonable fares in the Baltimore region and the implementation
12 of cost containment measures as deemed necessary to meet the standard required
13 under this paragraph.

14 (III) IF THE DEPARTMENT OR THE ADMINISTRATION PROPOSES A
15 REDUCTION OF THE 50 PERCENT FARE RECOVERY RATIO MANDATED UNDER THIS
16 SECTION FOR FISCAL YEAR 2001 OR ANY FISCAL YEAR THEREAFTER, THE
17 ADMINISTRATION SHALL PROVIDE TO THE COMMITTEES OF THE GENERAL
18 ASSEMBLY CONSIDERING THE PROPOSED REDUCTION, IN ACCORDANCE WITH §
19 2-1246 OF THE STATE GOVERNMENT ARTICLE, A DETAILED PROPOSAL FOR
20 OFFSETTING ANY REDUCTION IN REVENUES FROM FARES AND OTHER OPERATING
21 REVENUES WITH REVENUES FROM SOURCES OTHER THAN MOTOR FUEL TAXES,
22 VEHICLE TITLING TAXES, AND VEHICLE REGISTRATION FEES.

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

27 (c) Notwithstanding any other provision of this title or the Public Utility
28 Companies Article, the Public Service Commission does not have any jurisdiction over
29 transit facilities owned or controlled by the Administration or over any contractor
30 operating these facilities.

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

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 July 1, 2000.