

SENATE BILL 201

Unofficial Copy
R7

2001 Regular Session
(11r0173)

ENROLLED BILL
-- Budget and Taxation/Appropriations --

Introduced by **The President (Administration) and Senators Ruben,
McFadden, and Conway**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Maryland Transportation Authority - Vehicle Parking Facilities**

3 FOR the purpose of authorizing the Maryland Transportation Authority to finance,
4 construct, operate, maintain, and repair certain vehicle parking facilities under
5 certain circumstances; requiring that certain revenues pay all
6 the debt service, operating, and maintenance costs for a certain period of time;
7 prohibiting moneys from the Transportation Authority Fund from being used as
8 a cash investment for a vehicle parking facility; requiring the Authority to give
9 priority to projects in a certain location; requiring the Authority to provide
10 certain information to the Senate Budget and Taxation Committee and the
11 House Appropriations Committee in a certain manner and by a certain time;
12 requiring the Authority to adopt certain regulations; altering the definition of a
13 certain term; and generally relating to transportation facilities projects of the
14 Maryland Transportation Authority.

15 BY repealing and reenacting, with amendments,

1 Article - Transportation
 2 Section 4-101
 3 Annotated Code of Maryland
 4 (1993 Replacement Volume and 2000 Supplement)

5 BY repealing and reenacting, without amendments,
 6 Article - Transportation
 7 Section 4-204
 8 Annotated Code of Maryland
 9 (1993 Replacement Volume and 2000 Supplement)

10 BY adding to
 11 Article - Transportation
 12 Section 4-311.1
 13 Annotated Code of Maryland
 14 (1993 Replacement Volume and 2000 Supplement)

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

17 **Article - Transportation**

18 4-101.

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

20 (b) "Authority" means the Maryland Transportation Authority.

21 (c) "Cost", as applied to any transportation facilities project, includes the cost
 22 of and all expenses incident to the construction, reconstruction, acquisition,
 23 improvement, extension, alteration, modernization, planning, maintenance, and
 24 repair of the project, including the cost and expenses of:

25 (1) All property acquired in connection with it;

26 (2) Financial, architectural, consulting, engineering, and legal services;

27 (3) Plans, specifications, surveys, estimates, feasibility reports, and
 28 direct and indirect labor, material, equipment, and administrative expenses; and

29 (4) Financing the project, including financing charges and interest
 30 before, during, and for 1 year after completion of construction.

31 (d) "Outstanding and unpaid" does not include:

32 (1) Bonds purchased and held in sinking funds by or for the Authority; or

33 (2) If the money for their payment or redemption has been provided:

- 1 (i) Matured bonds not presented for payment; or
- 2 (ii) Bonds called for redemption but not presented for redemption.

3 (e) "Refunding" means the retirement and cancellation of bonds, including
4 revenue bonds of prior issues, after their acquisition by or for the Authority, whether
5 before, at, or after maturity, either in exchange for other bonds or by payment,
6 purchase, or redemption with the proceeds of the sale of other bonds.

7 (f) "Resolution", as used with respect to the Authority, means a resolution
8 adopted by the affirmative vote of a majority of the appointed members of the
9 Authority and concurred in by the Chairman.

10 (g) "Revenue bonds of prior issues" means:

11 (1) "State of Maryland Bridge and Tunnel Revenue Bonds" dated as of
12 October 1, 1954;

13 (2) "State of Maryland Northeastern Expressway Revenue Bonds" dated
14 as of January 1, 1962;

15 (3) "State of Maryland Bridge and Tunnel Revenue Bonds":

16 (i) "(Series 1968)" dated as of October 1, 1968; and

17 (ii) "(Series 1975)" dated as of July 1, 1975; and

18 (4) Any other revenue bonds issued under the same provisions of law
19 that authorized the issuance of the bonds listed in this subsection.

20 (h) "Transportation facility" has the meaning stated in § 3-101 of this article.

21 (i) "Transportation facilities project" includes:

22 (1) The Susquehanna River Bridge, the Harry W. Nice Memorial
23 Potomac River Bridge, the William Preston Lane, Jr. Memorial Chesapeake Bay
24 Bridge and parallel Chesapeake Bay Bridge, the Baltimore Harbor Tunnel, the
25 Francis Scott Key Bridge, and the John F. Kennedy Memorial Highway, together with
26 their appurtenant causeways, approaches, interchanges, entrance plazas, toll
27 stations, and service facilities;

28 (2) A VEHICLE PARKING FACILITY LOCATED IN A PRIORITY FUNDING
29 AREA AS DEFINED IN § 5-7B-02 OF THE STATE FINANCE AND PROCUREMENT
30 ARTICLE;

31 [(2)] (3) Any other project for transportation facilities that the Authority
32 authorizes to be acquired or constructed; and

33 [(3)] (4) Any additions, improvements, or enlargements to any of these
34 projects, whenever authorized.

1 (J) "VEHICLE PARKING FACILITY" MEANS A CONTROLLED ENTRANCE AND
2 EXIT BUILDING, STRUCTURE, SURFACE LOT, AND OTHER FACILITY FOR PARKING
3 VEHICLES, FOR WHICH FEES OR CHARGES ARE ESTABLISHED FOR THE USE OF THE
4 FACILITY.

5 4-204.

6 (a) Acting on behalf of the Department, the Authority has those powers and
7 duties relating to the supervision, financing, construction, operation, maintenance,
8 and repair of transportation facilities projects as are granted to it by this title or any
9 other provisions of law.

10 (b) The Authority has general supervision over all transportation facilities
11 projects.

12 (c) The Authority shall finance, construct, operate, repair, and maintain in
13 good order all transportation facilities projects.

14 4-311.1.

15 (A) THIS SECTION APPLIES TO THE FINANCING OF A VEHICLE PARKING
16 FACILITY NOT LOCATED AT A TRANSPORTATION FACILITY, AS DEFINED IN § 3-101 OF
17 THIS ARTICLE.

18 (B) (1) REVENUES FROM A VEHICLE PARKING FACILITY SHALL BE USED TO
19 PAY ALL OPERATING AND MAINTENANCE COSTS AND THE SERVICE ON ANY DEBT
20 FOR EACH YEAR THE DEBT IS OUTSTANDING AND UNPAID.

21 (2) MONEYS FROM THE TRANSPORTATION AUTHORITY FUND MAY NOT
22 BE USED AS A CASH INVESTMENT FOR A VEHICLE PARKING FACILITY.

23 (3) THE AUTHORITY SHALL GIVE PRIORITY TO PROJECTS THAT ARE
24 LOCATED WITHIN A TRANSIT-ORIENTED DEVELOPMENT AREA.

25 (C) NOT LESS THAN 30 DAYS BEFORE ENTERING INTO ANY CONTRACT OR
26 AGREEMENT TO FINANCE A VEHICLE PARKING FACILITY, THE AUTHORITY SHALL
27 PROVIDE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO
28 THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE
29 APPROPRIATIONS COMMITTEE INFORMATION ON THE PROPOSED CONTRACT OR
30 AGREEMENT, INCLUDING THE LEVEL OF ANY STATE, LOCAL, AND PRIVATE
31 CONTRIBUTIONS.

32 (D) THE AUTHORITY SHALL ADOPT REGULATIONS SPECIFYING:

33 (1) THE TYPES OF VEHICLE PARKING FACILITIES FOR WHICH THE
34 AUTHORITY MAY PROVIDE FINANCING;

35 (2) THE BASIC STANDARDS AN ENTITY MUST MEET TO QUALIFY FOR
36 VEHICLE PARKING FACILITY FINANCING; AND

1 (3) THE CRITERIA UPON WHICH THE AUTHORITY SHALL BASE THE
2 FINANCING DECISIONS FOR VEHICLE PARKING FACILITIES.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
4 effect October 1, 2001.