
By: **Delegates Hurson and Madaleno**
Introduced and read first time: February 11, 2003
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Light Rail Projects - State Funds - Restrictions**

3 FOR the purpose of prohibiting the Department of Transportation from using State
4 funds for the construction of certain light rail projects; providing for the
5 construction of this Act; and generally relating to light rail projects.

6 BY repealing and reenacting, without amendments,
7 Article - Transportation
8 Section 7-102.1(a)
9 Annotated Code of Maryland
10 (2001 Replacement Volume and 2002 Supplement)

11 BY adding to
12 Article - Transportation
13 Section 7-102.1(f)
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2002 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 7-102.1.

20 (a) (1) In this subsection, "net project costs" means that part of the capital
21 costs that is incurred in constructing and acquiring transit facilities eligible for
22 assistance under the federal Urban Mass Transportation Act of 1964 and that cannot
23 be reasonably financed from revenues.

24 (2) It is the policy of this title that:

25 (i) Consistent with the alleviation of traffic congestion in the
26 District and the attainment of a balanced transportation system using each mode of
27 transportation to its best advantage, all costs incurred to construct, acquire, operate,

1 and maintain transit facilities for the regional transit system shall be covered, as far
2 as practicable, by fares charged for the services performed by the transit facilities
3 owned or controlled by the Administration;

4 (ii) For light rail projects, at least 10 percent of the net project costs
5 shall be paid by grants contributed by the federal government; and

6 (iii) At least two-thirds of the net project costs for all other transit
7 facilities shall be paid by grants contributed by the federal government.

8 (F) THE DEPARTMENT MAY NOT SPEND ANY STATE FUNDS FOR THE
9 CONSTRUCTION OF A PORTION OF A LIGHT RAIL PROJECT THAT IS:

10 (1) PARTIALLY FEDERAL AND STATE FUNDED;

11 (2) TO BE BUILT WITHIN 300 FEET OF RESIDENTIAL PROPERTY;

12 (3) TO BE BUILT AT NATURAL GRADE; AND

13 (4) INTENDED TO UTILIZE RIGHTS-OF-WAY THAT COULD HAVE BEEN
14 USED FOR THE FEDERAL RAILS-TO-TRAILS ACT.

15 (G) NOTHING IN SUBSECTION (F) OF THIS SECTION PREVENTS THE
16 DEPARTMENT FROM USING STATE FUNDS FOR THE ENHANCEMENT OR
17 IMPROVEMENT OF EXISTING LIGHT RAIL PROJECTS.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 June 1, 2003.