HOUSE BILL 1077

R1   7lr1640

By: **Delegate O'Donnell**
Introduced and read first time: February 9, 2007
Assigned to: Ways and Means

A BILL ENTITLED

1   AN ACT concerning

2   **Calvert County – Highway User Revenues – Special Taxing Districts**

3   FOR the purpose of clarifying that no provision of law may be construed as prohibiting
4   Calvert County from accepting an easement for public travel on a highway in a
5   special taxing district, including in the county's inventory of county roads any
6   highway in a special taxing district in the county, or distributing a portion of
7   the county's highway user revenues to a special taxing district in the county;
8   clarifying that, for purposes of certain provisions of this Act, a certain highway
9   includes a gravel road; declaring the intent of the General Assembly that
10   Calvert County accept an easement for public travel on all highways in all
11   special taxing districts in the county, include in the county's inventory of county
12   roads all highways in all special taxing districts in the county, and distribute a
13   portion of the county's highway user revenues to all special taxing districts in
14   the county; and generally relating to highway user revenues and special taxing
15   districts in Calvert County.

16   BY repealing and reenacting, without amendments,
17   Article – Transportation
18   Section 8–404
19   Annotated Code of Maryland
20   (2001 Replacement Volume and 2006 Supplement)

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

23   **Article – Transportation**

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
     [Brackets] indicate matter deleted from existing law.

1   8–404.

2   (a)   Highway user revenues shall be allocated to the counties:

3   (1)   One half on a county road mileage basis, as provided in subsection
4   (b)(1) of this section; and

5   (2)   One half on a motor vehicle registration basis, as provided in
6   subsection (b)(2) of this section.

7   (b)   The Administration shall allocate for the account of each county, out of
8   the highway user revenues provided for under § 8–403 of this subtitle, its gross share,
9   to be determined by adding:

10   (1)   The amount that results from applying to one half of these
11   highway user revenues the ratio that, as of December 1 of the preceding calendar year,
12   the total mileage of county roads in the county bears to the total mileage of county
13   roads in all of the counties; and

14   (2)   The amount that results from applying to one half of these
15   highway user revenues the ratio that, as of December 1 of the preceding calendar year,
16   the total number of motor vehicles registered to owners having addresses in the county
17   bears to the total number of motor vehicles registered to owners in all the counties.

18   (c)   The allocation of highway user revenues to a county under subsection (b)
19   of this section may not be less than the amount allocated to the county from highway
20   user revenue sources in the fiscal year that began July 1, 1967.

21   (d)   From each county's share of highway user revenues determined under
22   this section, the Administration shall deduct the amount of highway user revenues
23   allocated to any municipality in the county under § 8–405 of this subtitle. The
24   resulting amount is the county's net share of highway user revenues.

25   SECTION 2. AND BE IT FURTHER ENACTED, That:

26   (a)   No provision of law may be construed as prohibiting Calvert County from:

27   (1)   Accepting an easement for public travel on a highway in a special
28   taxing district in the county;

1   (2)   For the calculation of the allocation of highway user revenues to
2 the county under § 8–404 of the Transportation Article, including in the county's
3 inventory of county roads any highway in a special taxing district in the county; or

4   (3)   Distributing a portion of the county's highway user revenues to a
5 special taxing district in the county.

6   (b)   A highway under subsection (a) of this section includes a gravel road.

7   SECTION 3. AND BE IT FURTHER ENACTED, That:

8   (a)   It is the intent of the General Assembly that Calvert County:

9   (1)   Accept an easement for public travel on highways in all special
10 taxing districts in the county;

11   (2)   For the calculation of the allocation of highway user revenues to
12 the county under § 8–404 of the Transportation Article, include in the county's
13 inventory of county roads all highways in all special taxing districts in the county; and

14   (3)   Distribute a portion of the county's highway user revenues to all
15 special taxing districts in the county.

16   (b)   A highway under subsection (a) of this section includes a gravel road.

17   SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 June 1, 2007.