

SENATE BILL 327

R1

71r1846

By: **Cecil County Senators**

Introduced and read first time: January 31, 2007

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Toll Collection – Hatem Bridge and JFK Memorial Highway – Rush Hour –**
3 **Exemption**

4 FOR the purpose of prohibiting the Maryland Transportation Authority from
5 collecting a certain charge during certain weekday hours at the toll stations for
6 the Thomas J. Hatem Memorial Bridge and the John F. Kennedy Memorial
7 Highway; requiring the Authority to take certain action to obtain a necessary
8 modification of a certain trust agreement; making a technical correction; and
9 generally relating to toll collection at the Thomas J. Hatem Memorial Bridge
10 and the John F. Kennedy Memorial Highway.

11 BY repealing and reenacting, with amendments,
12 Article – Transportation
13 Section 4–312
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2006 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 4–312.

20 (a) (1) Notwithstanding the provisions of § 20 of Section 3 and § 16 of
21 Section 4 of Chapter 608 of the Acts of the General Assembly of 1976, tolls may be

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 continued to be charged on the John F. Kennedy [Expressway] **MEMORIAL**
 2 **HIGHWAY** and any project constructed under the provisions of § 3 (bridge, tunnel, and
 3 motorway revenue bonds) of Chapter 608 of the Acts of the General Assembly of 1976.

4 (2) As to all or any part of any transportation facilities project, the
 5 Authority may:

6 (i) [Fix] **EXCEPT AS PROVIDED FOR IN PARAGRAPH (3) OF**
 7 **THIS SUBSECTION, FIX**, revise, charge, and collect rentals, rates, fees, tolls, and other
 8 charges and revenues for its use or for its services; and

9 (ii) Contract with any person who desires its use for any
 10 purpose and fix the terms, conditions, rentals, rates, fees, tolls, or other charges or
 11 revenues for this use.

12 (3) **EXCEPT ON A SATURDAY, SUNDAY, OR LEGAL HOLIDAY, THE**
 13 **AUTHORITY MAY NOT CHARGE OR COLLECT ANY RENTALS, RATES, FEES, TOLLS,**
 14 **OR OTHER CHARGES OR REVENUES AT THE TOLL STATIONS FOR THE THOMAS J.**
 15 **HATEM MEMORIAL BRIDGE OR THE JOHN F. KENNEDY MEMORIAL HIGHWAY**
 16 **DURING THE HOURS OF:**

17 (I) **6:30 A.M. THROUGH 9:00 A.M.; AND**

18 (II) **4:00 P.M. THROUGH 7:00 P.M.**

19 (b) The rentals, rates, fees, tolls, and other charges and revenues designated
 20 as security for any bonds issued under this subtitle shall be fixed and adjusted from
 21 time to time, either with respect to a particular transportation facilities project or in
 22 respect of the aggregate of the charges and revenues from other transportation
 23 facilities projects under the control of the Authority, as may be specified by law or in
 24 any applicable resolution or trust agreement, so as to provide funds that, together
 25 with any other available revenues, are sufficient as long as the bonds are outstanding
 26 and unpaid to:

27 (1) Pay the costs of maintaining, repairing, and operating the
 28 transportation facilities project or projects financed in whole or in part by one or more
 29 series of outstanding and unpaid bonds, to the extent that payment is not otherwise
 30 provided;

31 (2) Pay the principal of and the interest on these bonds as they become
 32 due and payable;

1 (3) Create reasonable reserves that are anticipated will be needed for
2 these purposes; and

3 (4) Provide funds for paying the cost of replacements, renewals, and
4 improvements.

5 (c) (1) Except as otherwise provided in this subsection, the rentals, rates,
6 fees, tolls, and other charges and revenues are not subject to supervision or regulation
7 by any instrumentality, agency, or unit of this State or any of its political subdivisions.

8 (2) This subtitle does not permit the exercise of any power or the
9 undertaking of any activity that would conflict with the provisions and limitations of
10 the federal Urban Mass Transportation Act of 1964.

11 (3) Tolls for the use of the bridge carrying the John F. Kennedy
12 Memorial Highway over the Susquehanna River may not be less than the comparable
13 tolls charged for the use of the Susquehanna River Bridge.

14 (4) Prior to fixing or revising tolls on any part of any transportation
15 facilities project, the Authority shall provide, in accordance with § 2-1246 of the State
16 Government Article, to the Senate Budget and Taxation Committee, Senate Finance
17 Committee, House Appropriations Committee, and House Ways and Means
18 Committee information on the proposed toll charges, including:

19 (i) The annual revenues generated by the toll charges;

20 (ii) The proposed use of the revenues; and

21 (iii) The proposed commuter discount rates.

22 **(5) IN ORDER TO COMPLY WITH THE PROVISIONS OF SUBSECTION**
23 **(A)(3) OF THIS SECTION, THE AUTHORITY SHALL TAKE WHATEVER ACTION MAY**
24 **BE NECESSARY TO OBTAIN A MODIFICATION OF ANY TRUST AGREEMENT**
25 **BETWEEN THE AUTHORITY AND A CORPORATE TRUSTEE THAT SECURES**
26 **REVENUE BONDS FOR THE THOMAS J. HATEM MEMORIAL BRIDGE AND THE**
27 **JOHN F. KENNEDY MEMORIAL HIGHWAY.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2007.