

SB0182/663028/1

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 182, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 4, before “and” insert “prohibiting the Maryland Transportation Authority from fixing or revising a toll on any part of any transportation facilities project unless the General Assembly approves the toll through legislation; authorizing the Authority, on or after the effective date of this Act, to continue to charge and collect a toll of the same amount in effect before the effective date of this Act;”.

On page 1 of the Budget and Taxation Committee Amendments (SB0182/949533/1), in line 20 of Amendment No. 1, strike “and the financing of the Intercounty Connector”.

On page 2 of the Budget and Taxation Committee Amendments, in line 2 of Amendment No. 1, strike “and” and substitute “, 4-312, and”.

AMENDMENT NO. 2

On page 2 of the bill, in line 8, after “subtitle.” insert:

“4-312.

(a) (1) Notwithstanding the provisions of § 20 of Section 3 and § 16 of Section 4 of Chapter 608 of the Acts of the General Assembly of 1976, tolls may be continued to be charged on the John F. Kennedy Expressway and any project constructed under the provisions of § 3 (bridge, tunnel, and motorway revenue bonds) of Chapter 608 of the Acts of the General Assembly of 1976.

(Over)

(2) [As] EXCEPT WITH RESPECT TO TOLLS, AS to all or any part of any transportation facilities project, the Authority may:

(i) Fix, revise, charge, and collect rentals, rates, fees, [tolls,] and other charges and revenues for its use or for its services; and

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

(3) (I) THE AUTHORITY MAY NOT FIX OR REVISE A TOLL ON ANY PART OF ANY TRANSPORTATION FACILITIES PROJECT UNLESS THE GENERAL ASSEMBLY APPROVES THE TOLL THROUGH LEGISLATION.

(II) ON OR AFTER JULY 1, 2008, THE AUTHORITY MAY CONTINUE TO CHARGE AND COLLECT A TOLL ON ANY PART OF ANY TRANSPORTATION FACILITIES PROJECT IN AN AMOUNT EQUAL TO THE AMOUNT OF THE TOLL IN EFFECT BEFORE JULY 1, 2008.

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

(1) Pay the costs of maintaining, repairing, and operating the transportation facilities project or projects financed in whole or in part by one or more

series of outstanding and unpaid bonds, to the extent that payment is not otherwise provided;

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

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

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

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

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

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

(4) Prior to [fixing or revising tolls] **SUBMITTING TO THE GENERAL ASSEMBLY A REQUEST FOR LEGISLATION TO FIX OR REVISE A TOLL** on any part of any transportation facilities project, the Authority shall provide, in accordance with § 2-1246 of the State Government Article, to the Senate Budget and Taxation Committee, Senate Finance Committee, House Appropriations Committee, and House Ways and Means Committee information on the proposed toll charges, including:

(Over)

- (i) The annual revenues generated by the toll charges;
- (ii) The proposed use of the revenues; and
- (iii) The proposed commuter discount rates.”.