

SENATE BILL 60

R2

9lr0058

(PRE-FILED)

By: **Chair, Finance Committee (By Request – Departmental – Public Service Commission)**

Requested: October 29, 2008

Introduced and read first time: January 14, 2009

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 30, 2009

CHAPTER _____

1 AN ACT concerning

2 **Maryland Transit Administration – Mass Transit Service Alterations – Public**
3 **Service Commission and People’s Counsel Reporting and Representation**
4 **Requirements**

5 FOR the purpose of repealing a requirement that the People’s Counsel to the Public
6 Service Commission appear and represent the public interest at certain public
7 hearings; repealing a requirement that the Maryland Transit Administration
8 refer certain matters to the Public Service Commission and the People’s Counsel
9 to the Commission for consideration and recommendations prior to holding
10 certain public hearings; repealing a requirement that the Commission and the
11 People’s Counsel submit certain reports to the Administration relating to mass
12 transit; making conforming changes; and generally relating to reporting
13 requirements of the Public Service Commission and the People’s Counsel
14 relating to mass transit.

15 BY repealing and reenacting, without amendments,
16 Article – Transportation
17 Section 7–506(a)(1)
18 Annotated Code of Maryland
19 (2008 Replacement Volume)

20 BY repealing and reenacting, with amendments,
21 Article – Transportation
22 Section 7–506(e)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland
2 (2008 Replacement Volume)

3 BY repealing
4 Article – Transportation
5 Section 7–506(f) and 7–507
6 Annotated Code of Maryland
7 (2008 Replacement Volume)

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

10 **Article – Transportation**

11 7–506.

12 (a) (1) Except as provided in subsection (b) of this section, until a public
13 hearing is held on the matter, the Administration may not:

14 (i) Fix or revise any fare or rate charged the general public;

15 (ii) Establish or abandon any bus or rail route listed on a
16 published timetable;

17 (iii) Change a bus or rail route alignment listed on a published
18 timetable, unless the change is needed because of temporary construction or changes
19 in the road network; or

20 (iv) Establish or abandon a rail transit station.

21 (e) Before calling a hearing under this section, the Administration shall file
22 at its main office and make available for public inspection:

23 (1) Its report on the subject matter of the hearing; **AND**

24 (2) [Any report received from the Public Service Commission under §
25 7–507 of this subtitle; and

26 (3)] If the hearing was requested under subsection (c) of this section,
27 the written request for the hearing and all documents filed in support of it.

28 [(f) The People’s Counsel shall appear and represent the public interest at
29 each hearing called by the Administration under this section.]

30 [7–507.

1 (a) Except for temporary or emergency changes in matters affecting service,
2 the Administration shall refer to the Public Service Commission and the People's
3 Counsel to the Public Service Commission, for consideration and recommendations
4 before any hearing held under § 7-506 of this subtitle:

5 (1) Any matter that the Administration considers might affect the
6 operation of the publicly and privately owned or controlled transit facilities as a
7 coordinated regional transit system; and

8 (2) Any matter on which the Administration has called a hearing
9 under § 7-506 of this subtitle.

10 (b) (1) The Public Service Commission shall give a matter referred to it
11 under this section preference over any other matters pending before it and, as soon as
12 possible, shall prepare and send its report on the matter to the Administration. If the
13 People's Counsel to the Public Service Commission does not adopt the report of the
14 Public Service Commission, he may file a separate report at the time that the report of
15 the Public Service Commission is filed.

16 (2) The Administration may request the Public Service Commission or
17 the People's Counsel to reconsider any part of its report or to make any supplemental
18 report that the Administration considers necessary.

19 (3) All of these reports are advisory only.

20 (c) Any report that the Public Service Commission or the People's Counsel
21 submits to the Administration shall consider, among other things:

22 (1) The impact on the revenues of both public and private transit
23 facilities; and

24 (2) The probable effect of the referred matter on:

25 (i) The operation of the publicly and privately owned or
26 controlled transit facilities as a coordinated regional system;

27 (ii) Passenger movements;

28 (iii) Fare structures; and

29 (iv) Service.]

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2009.