

# SENATE BILL 650

R2, R1

0lr1675

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By: **Senator Pipkin**

Introduced and read first time: February 5, 2010

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Transportation Authority – Proposed Toll or Fee Charges – Public**  
3 **Comments**

4 FOR the purpose of requiring certain staff of the Maryland Transportation Authority  
5 to receive and maintain written comments submitted by the public regarding  
6 proposed toll or fee charges for certain transportation facilities projects;  
7 requiring the staff to provide the members of the Authority with copies of the  
8 written comments; and generally relating to public comments submitted to the  
9 Maryland Transportation Authority regarding certain proposed toll or fee  
10 charges.

11 BY repealing and reenacting, without amendments,  
12 Article – Transportation  
13 Section 4–101(h)  
14 Annotated Code of Maryland  
15 (2008 Replacement Volume and 2009 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Transportation  
18 Section 4–312  
19 Annotated Code of Maryland  
20 (2008 Replacement Volume and 2009 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**

24 4–101.

25 (h) “Transportation facilities project” includes:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (1) The Susquehanna River Bridge, the Harry W. Nice Memorial  
2 Potomac River Bridge, the William Preston Lane, Jr. Memorial Chesapeake Bay  
3 Bridge and parallel Chesapeake Bay Bridge, the Baltimore Harbor Tunnel, the Fort  
4 McHenry Tunnel, the Francis Scott Key Bridge, and the John F. Kennedy Memorial  
5 Highway, together with their appurtenant causeways, approaches, interchanges,  
6 entrance plazas, toll stations, and service facilities;

7           (2) A vehicle parking facility located in a priority funding area as  
8 defined in § 5-7B-02 of the State Finance and Procurement Article;

9           (3) Any other project for transportation facilities that the Authority  
10 authorizes to be acquired or constructed; and

11           (4) Any additions, improvements, or enlargements to any of these  
12 projects, whenever authorized.

13 4-312.

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

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

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

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

26           **(3) THE EXECUTIVE SECRETARY OF THE AUTHORITY OR OTHER**  
27 **APPROPRIATE STAFF DESIGNATED BY THE CHAIRMAN OF THE AUTHORITY**  
28 **SHALL:**

29                   **(I) RECEIVE AND MAINTAIN ALL WRITTEN COMMENTS**  
30 **SUBMITTED BY THE PUBLIC CONCERNING ANY PROPOSAL TO FIX, REVISE, OR**  
31 **CHARGE A TOLL OR FEE FOR A TRANSPORTATION FACILITIES PROJECT; AND**

32                   **(II) PROMPTLY PROVIDE EACH MEMBER OF THE**  
33 **AUTHORITY WITH COPIES OF THE WRITTEN COMMENTS RECEIVED FROM THE**  
34 **PUBLIC CONCERNING THE PROPOSAL.**

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

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

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

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

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

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

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

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

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

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

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

35 (iii) The proposed commuter discount rates.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2    October 1, 2010.