

# SENATE BILL 260

R1, R2

2lr1443  
CF 2lr2498

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By: **Senators Glassman, Jacobs, Jennings, and Pipkin**

Introduced and read first time: January 25, 2012

Assigned to: Budget and Taxation and Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Cecil–Harford Highway Impact Revenue Account**

3 FOR the purpose of creating a Cecil–Harford Highway Impact Revenue Account in the  
4 Transportation Authority Fund; specifying the purpose of the Account;  
5 establishing the composition of the Account; providing for the use of funds in the  
6 Account; providing for the transfer of certain funds in the Transportation  
7 Authority Fund to the Account under certain circumstances; and generally  
8 relating to the Cecil–Harford Highway Impact Revenue Account.

9 BY repealing and reenacting, with amendments,  
10 Article – Transportation  
11 Section 4–313  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2011 Supplement)

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

16 **Article – Transportation**

17 4–313.

18 (a) (1) All rentals, rates, fees, tolls, and other charges and revenues  
19 derived from any transportation facilities project shall be set aside in a fund known as  
20 the “Transportation Authority Fund”, except to the extent that they are pledged under  
21 an applicable trust agreement to secure either:

22 (i) Revenue bonds issued under this subtitle if the trust  
23 agreement or bond authorizing resolution expressly provides that this section does not  
24 apply to those bonds; or

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(ii) Revenue bonds of prior issues.

(2) The Transportation Authority Fund shall be pledged to and charged with the payment of:

(i) The interest on bonds issued under this subtitle as it falls due;

(ii) The principal of the bonds as it falls due;

(iii) The necessary charges of paying agents for paying principal and interest; and

(iv) The redemption price or purchase price of bonds retired by call or purchase as provided in the bond authorizing resolution or trust agreement.

(b) (1) The pledge is valid and binding from the time it is made.

(2) Rentals, rates, fees, tolls, and other charges and revenues or other money so pledged and later received by the Authority immediately shall be subject to the lien of the pledge without physical delivery or any further act.

(3) The lien of the pledge is valid and binding as against all parties having any claims of any kind in tort, contract, or otherwise against the Authority, whether or not these parties have notice of the pledge.

(4) Notwithstanding any law to the contrary, neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded other than in the records of the Authority.

(c) (1) **(I) [Any] FROM THE amount set aside in the Transportation Authority Fund that is not needed to provide for the payment of the items specified in subsections (a)(2) and (b) of this section, A PORTION SHALL BE CREDITED TO THE CECIL-HARFORD HIGHWAY IMPACT REVENUE ACCOUNT IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION.**

**(II) ANY AMOUNT REMAINING IN THE TRANSPORTATION AUTHORITY FUND THAT IS NOT NEEDED FOR THE PURPOSES SPECIFIED IN SUBSECTION (D)(4) OF THIS SECTION** may be transferred, upon the recommendation of the Secretary and after the approval of the Board of Public Works, to the Transportation Trust Fund to be used as appropriated by the General Assembly unless prohibited by any applicable resolution or trust agreement.

(2) The use and disposition of money to the credit of the Transportation Authority Fund is subject to the provision of the applicable bond authorizing resolution or trust agreement.

1           **(D) (1) THERE IS A CECIL-HARFORD HIGHWAY IMPACT REVENUE**  
2   **ACCOUNT IN THE TRANSPORTATION AUTHORITY FUND.**

3           **(2) THE PURPOSE OF THE ACCOUNT IS TO PROVIDE FUNDING**  
4   **FOR THE CONSTRUCTION, RECONSTRUCTION, AND MAINTENANCE OF HIGHWAYS**  
5   **IN HARFORD COUNTY AND CECIL COUNTY THAT ARE SUBJECT TO**  
6   **ACCELERATED DETERIORATION DUE TO INCREASED TRAFFIC RESULTING FROM**  
7   **EFFORTS OF MOTORISTS TO AVOID TOLL INCREASES AT THE THOMAS J. HATEM**  
8   **MEMORIAL BRIDGE AND THE MILLARD E. TYDINGS MEMORIAL BRIDGE.**

9           **(3) THE AUTHORITY SHALL CREDIT TO THE ACCOUNT A PORTION**  
10   **OF TOLLS COLLECTED FROM THE THOMAS J. HATEM MEMORIAL BRIDGE AND**  
11   **THE MILLARD E. TYDINGS MEMORIAL BRIDGE SUFFICIENT TO FUND PROJECTS**  
12   **UNDER PARAGRAPH (4) OF THIS SUBSECTION.**

13           **(4) IN EACH FISCAL YEAR, THE DEPARTMENT SHALL BUDGET**  
14   **FROM FUNDS IN THE ACCOUNT AN AMOUNT SUFFICIENT TO FUND NECESSARY**  
15   **HIGHWAY CONSTRUCTION, RECONSTRUCTION, OR MAINTENANCE PROJECTS IN**  
16   **HARFORD COUNTY AND CECIL COUNTY.**

17           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18   October 1, 2012.