

HOUSE BILL 761

R1, P2
HB 1233/12 – W&M

3lr1618

By: **Delegates Fisher, Afzali, Boteler, Dwyer, Eckardt, George, Haddaway–Riccio, Kach, Krebs, McComas, McConkey, W. Miller, Myers, Norman, Otto, Schuh, Smigiel, and Stukes**

Introduced and read first time: February 6, 2013

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **State Highway Administration – Privatization of Rest Areas and Welcome**
3 **Centers on State Highways**

4 FOR the purpose of requiring the State Highway Administration to initiate the
5 process to issue a request for proposals on or before a certain date to privatize
6 the operation and maintenance of rest areas and welcome centers within State
7 highway rights-of-way; providing that the request for proposals be issued in
8 accordance with certain procurement requirements; requiring that certain
9 money paid to the State be credited to the Transportation Trust Fund; and
10 generally relating to a request for proposals to privatize rest areas and welcome
11 centers within State highway rights-of-way.

12 BY repealing and reenacting, without amendments,
13 Article – Transportation
14 Section 8–204(h)
15 Annotated Code of Maryland
16 (2008 Replacement Volume and 2012 Supplement)

17 BY adding to
18 Article – Transportation
19 Section 8–204(j)
20 Annotated Code of Maryland
21 (2008 Replacement Volume and 2012 Supplement)

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

24 **Article – Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 8-204.

2 (h) By rules or regulations consistent with the safety and welfare of the
3 traveling public, the Administration may govern the control and use of rest areas,
4 scenic overlooks, roadside picnic areas, and other public use areas within State
5 highway rights-of-way.

6 (J) (1) ON OR BEFORE DECEMBER 31, 2013, THE ADMINISTRATION
7 SHALL INITIATE THE PROCESS TO ISSUE A REQUEST FOR PROPOSALS TO
8 PRIVATIZE THE OPERATION AND MAINTENANCE OF REST AREAS AND WELCOME
9 CENTERS WITHIN STATE HIGHWAY RIGHTS-OF-WAY.

10 (2) THE REQUEST FOR PROPOSALS SHALL INCLUDE PROVISIONS
11 THAT PROVIDE THAT IN EXCHANGE FOR THE PAYMENT TO THE STATE OF A
12 LUMP-SUM AMOUNT OR THE PAYMENT OF AN ANNUAL AMOUNT FOR A FIXED
13 PERIOD, THE SUCCESSFUL BIDDER RECEIVES, SUBJECT TO AN AGREEMENT
14 BETWEEN THE ADMINISTRATION AND THE BIDDER, THE RIGHT TO COLLECT
15 REVENUE GENERATED FROM THE USE OF THE REST AREAS AND WELCOME
16 CENTERS.

17 (3) THE REQUEST FOR PROPOSALS SHALL BE ISSUED IN
18 ACCORDANCE WITH THE REQUIREMENTS OF THE STATE FINANCE AND
19 PROCUREMENT ARTICLE.

20 (4) ALL MONEY PAID TO THE STATE BY A BIDDER UNDER THIS
21 SUBSECTION SHALL BE CREDITED TO THE TRANSPORTATION TRUST FUND
22 ESTABLISHED UNDER § 3-216 OF THIS ARTICLE.

23 (5) FUNDING TO PAY THE COSTS FOR THE ISSUANCE OF THE
24 REQUEST FOR PROPOSALS SHALL BE AS PROVIDED IN THE STATE BUDGET.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 June 1, 2013.