

HOUSE BILL 705

R1

1lr0826

By: **Delegate Ivey**

Introduced and read first time: January 26, 2021

Assigned to: Environment and Transportation and Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – I-270 and I-495 – Prohibition on Toll Lanes**
3 **(Stop Unnecessary Toll Lanes Act of 2021)**

4 FOR the purpose of prohibiting the Maryland Transportation Authority, or a private entity
5 participating in a public–private partnership, from imposing a toll for the use of
6 Interstate 495 or Interstate 270; and generally relating to prohibiting tolls.

7 BY repealing and reenacting, without amendments,

8 Article – Transportation

9 Section 4–312(a)(2) and (b)

10 Annotated Code of Maryland

11 (2020 Replacement Volume)

12 BY repealing and reenacting, with amendments,

13 Article – Transportation

14 Section 4–312(c)

15 Annotated Code of Maryland

16 (2020 Replacement Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Transportation**

20 4–312.

21 (a) (2) As to all or any part of any transportation facilities project, the
22 Authority may:

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

15 (3) Create reasonable reserves that are anticipated will be needed for these
16 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, fees,
20 tolls, and other charges and revenues are not subject to supervision or regulation by any
21 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 the
24 federal Urban Mass Transportation Act of 1964.

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

28 **(4) THE AUTHORITY, OR A PRIVATE ENTITY, AS DEFINED IN §**
29 **10A-101 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, PARTICIPATING IN**
30 **A PUBLIC-PRIVATE PARTNERSHIP, MAY NOT IMPOSE A TOLL FOR THE USE OF**
31 **INTERSTATE 495 OR INTERSTATE 270.**

32 **[(4)] (5)** Prior to fixing or revising tolls on any part of any transportation
33 facilities project, the Authority shall provide, in accordance with § 2-1257 of the State
34 Government Article, to the Senate Budget and Taxation Committee, Senate Finance
35 Committee, House Appropriations Committee, and House Ways and Means Committee

1 information on the proposed toll charges, including:

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

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
6 1, 2021.