

Chapter 351

(Senate Bill 277)

AN ACT concerning

Maryland ~~Metro~~ Metro/Transit Funding Act

FOR the purpose of ~~establishing the Maryland Metro Dedicated Fund Account in the Transportation Trust Fund;~~ repealing a requirement that the Secretary of Transportation approve certain grants to the Washington Suburban Transit District; requiring the Secretary, under certain circumstances, to withhold a certain percentage of certain funds; requiring the Governor to include an appropriation in the annual State budget of at least a certain amount for the sole purpose of providing grants to the Washington Suburban Transit District to pay the capital costs of the Washington Metropolitan Area Transit Authority; providing that the Governor is not required to make a certain appropriation unless the Washington Metropolitan Area Transit Authority provides certain information to the Department of Transportation ~~regarding capital projects;~~ requiring the Governor to withhold or reduce a certain portion of a certain appropriation under certain circumstances; requiring the Governor to release a certain portion of a certain appropriation under certain circumstances; requiring a certain appropriation to be made from the Transportation Trust Fund; ~~providing that the Maryland Metro Dedicated Fund Account consists of certain motor vehicle excise tax revenue and certain other funds;~~ requiring the Governor to include a certain appropriation in the State budget for a certain purpose from the Transportation Trust Fund; requiring the Department of Transportation to provide an annual grant of at least a certain amount ~~from the Account~~ to the Washington Suburban Transit District to pay the capital costs of the Washington Metropolitan Area Transit Authority; ~~providing that the Account may be used only for the purpose of a certain grant to the Washington Suburban Transit District;~~ providing that a certain grant to the Washington Suburban Transit District is in addition to a certain appropriation; ~~altering the distribution of motor vehicle excise tax revenue;~~ requiring the Governor to include a certain appropriation in the State budget from the Transportation Trust Fund to the Maryland Transit Administration; requiring the Administration to prepare a Central Maryland Regional Transit Plan in consultation with the Central Maryland Regional Transit Plan Commission and the Baltimore Metropolitan Council; specifying the contents of the Plan; requiring the Plan to include certain details and be maintained and updated in a certain manner; establishing the Commission to assist the Administration with the preparation of the Plan; requiring the Administration to assess the ongoing, unconstrained capital needs of the Administration; specifying certain requirements for the assessment; requiring the Administration to submit the assessment to certain committees of the General Assembly on or before certain dates; providing for the termination of certain provisions of this Act; stating the intent of the General Assembly; providing for the application of this Act; requiring the Washington Metropolitan Area Transit Authority to undertake a certain study and report certain findings to certain entities on or before a certain date; making certain

provisions of this Act contingent on enactment of certain legislation by the Commonwealth of Virginia and the District of Columbia; requiring the Department of Transportation to notify the Department of Legislative Services when a certain contingency has been met; providing for the application of certain mandated appropriations to certain fiscal years; and generally relating to ~~capital~~ funding for the Maryland Transit Administration and the Washington Metropolitan Area Transit Authority.

BY repealing and reenacting, without amendments,
 Article – Transportation
 Section 3–216(a), (b), (c)(2)(i), and (d)(1) ~~and 8–402(a) and (b)~~
 Annotated Code of Maryland
 (2015 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,
 Article – Transportation
 Section ~~3–216(c)(2)(i) and~~ 10–205
 Annotated Code of Maryland
 (2015 Replacement Volume and 2017 Supplement)

BY adding to
Article – Transportation
Section 7–205, 7–301.1, and 7–309
Annotated Code of Maryland
(2015 Replacement Volume and 2017 Supplement)

~~BY repealing and reenacting, without amendments,
 Article – Transportation
 Section 13–809(b)(1)
 Annotated Code of Maryland
 (2012 Replacement Volume and 2017 Supplement)~~

~~BY repealing and reenacting, with amendments,
 Article – Transportation
 Section 13–814
 Annotated Code of Maryland
 (2012 Replacement Volume and 2017 Supplement)~~

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

Article – Transportation

3–216.

(a) There is a Transportation Trust Fund for the Department.

(b) Except as otherwise expressly provided by statute, there shall be credited to the Transportation Trust Fund for the account of the Department all taxes, fees, charges, and revenues collected or received by or paid, appropriated, or credited to the account of the Department or any of its units in the exercise of their rights, powers, duties, or obligations, including the cash proceeds of the sale of consolidated transportation bonds, notes, or other evidences of obligation issued by the Department, any General Fund appropriations, and the proceeds of any State loan or federal grant made for transportation purposes.

(c) (2) (i) The Gasoline and Motor Vehicle Revenue Account, the Driver Education Account, ~~and~~ the Motorcycle Safety Program Account, ~~AND THE MARYLAND METRO DEDICATED FUND ACCOUNT~~ shall be maintained in the Transportation Trust Fund.

(d) (1) After meeting its debt service requirements, the Department may use the funds in the Transportation Trust Fund for any lawful purpose related to the exercise of its rights, powers, duties, and obligations.

~~§ 402.~~

~~(a) There is a Gasoline and Motor Vehicle Revenue Account in the Transportation Trust Fund.~~

~~(b) All revenues collected from the following, after deductions provided by law, shall be credited to the Gasoline and Motor Vehicle Revenue Account:~~

~~(1) All of the motor vehicle fuel tax;~~

~~(2) Except as otherwise provided by law, two thirds of the vehicle titling tax;~~

~~(3) Except for revenues collected under Parts III and IV of Title 13, Subtitle 9 of this article, vehicle registration fees;~~

~~(4) The revenue disbursed to this Account under § 2-614 of the Tax General Article; and~~

~~(5) 80 percent of the funds distributed on short term vehicle rentals under § 2-1302.1 of the Tax General Article to the Transportation Trust Fund from the sales and use tax.~~

10-205.

(a) In accordance with and subject to the principle that, if there is substantial State financial support for the planned rapid rail mass transit system in one metropolitan

area of this State, there should be substantial State financial support for the planned rapid rail mass transit system in the other metropolitan area of this State, and subject to the appropriation requirements and budgetary provisions of § 3–216(d) of this article, the Department shall provide for grants to the Washington Suburban Transit District in an amount equal to the current expenditures required of the Washington Suburban Transit District in accordance with capital contributions agreements between the Washington Metropolitan Area Transit Authority, the Washington Suburban Transit District, and other participating jurisdictions. The Washington Suburban Transit District shall consult with the Secretary of Transportation prior to the execution of any capital contributions agreement. [Expenditures required of the Washington Suburban Transit District for projects and programs not included in the “Adopted Regional System – 1968” revised as of January 1, 1992, are only eligible for State funding in accordance with subsection (f) of this section.]

(b) (1) Subject to the appropriation requirements and budgetary provisions of § 3–216(d) of this article and upon receipt of an approval of a grant application in such form and detail as the Secretary shall reasonably require, the Department shall provide for annual grants to the Washington Suburban Transit District for a share of the operating deficits of the regional transit system for which the District is responsible. “Operating deficit” means operating costs less:

(i) The greater of operating revenues or 50 percent of the operating costs; and

(ii) All federal operating assistance.

(2) The Department’s share shall equal 100 percent of the operating deficit.

(3) (I) FOR ANY FISCAL YEAR IN WHICH THE TOTAL MARYLAND OPERATING ASSISTANCE PROVIDED IN THE APPROVED WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY BUDGET INCREASES BY MORE THAN 3% OVER THE TOTAL OPERATING ASSISTANCE PROVIDED IN THE PRIOR FISCAL YEAR’S APPROVED WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY BUDGET, THE SECRETARY SHALL WITHHOLD AN AMOUNT EQUAL TO 35% OF THE FUNDS AVAILABLE UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION.

(II) FOR PURPOSES OF CALCULATING A BUDGET INCREASE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE FOLLOWING ITEMS MAY NOT BE INCLUDED:

1. THE COST OF ANY SERVICE, EQUIPMENT, OR FACILITY THAT IS REQUIRED BY LAW;

2. A CAPITAL PROJECT APPROVED BY THE BOARD OF DIRECTORS OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY; AND

3. ANY PAYMENTS OR OBLIGATIONS ARISING FROM OR RELATED TO LEGAL DISPUTES OR PROCEEDINGS BETWEEN OR AMONG THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY AND ANY OTHER PERSON.

(c) Subject to the appropriation requirements and budgetary provision of § 3–216(d) of this article, the Department shall provide for grants to the Washington Suburban Transit District in an amount equal to 75 percent of the net debt service assigned to the Washington Suburban Transit District on bonds issued by the Washington Metropolitan Area Transit Authority. In no event shall the amount of net debt service, including the refinancing of any debt, required of the Washington Suburban Transit District exceed the amount presently assigned on a year by year basis to the Washington Suburban Transit District, and payable through the year 2014. Nothing in this article shall preclude the use of bond proceeds for capital improvements and replacements of the “Adopted Regional System – 1968” revised as of January 1, 1992.

(d) (1) In accordance with and subject to the principle that, if there is substantial State financial support for rapid rail and bus transit capital replacement costs in one metropolitan area of this State, there should be substantial State financial support for the costs of similar needs in the other metropolitan area of this State, and in recognition of the fact that timely replacement of capital facilities and equipment is essential to safe and reliable transit service, the Department shall provide grants to fully fund the Washington Suburban Transit District’s share of the Washington Metropolitan Area Transit Authority’s capital equipment replacement programs.

(2) The grants under this subsection:

(i) Shall be made subject to the appropriation and budgetary provisions of § 3–216(d) of this article;

(ii) Shall be included in the State budget beginning in fiscal year 2000;

(iii) Notwithstanding any other provision of law, may be funded with revenues derived from:

1. Any State–enacted transportation fees or taxes; or

2. Federal transportation grants available to the State to fund transit capital equipment replacement; and

(iv) Shall be contingent on the receipt of a request by the District to the Department, based on annual capital improvements programs adopted by the Washington Metropolitan Area Transit Authority.

(e) Subject to the appropriation requirements and budgetary provisions of § 3-216(d) of this article, the Department shall provide grants from amounts derived from the Transportation Trust Fund to the Washington Suburban Transit District for the purpose of funding Maryland's required share of local funds for the Washington Metropolitan Area Transit Authority to match any federal funds appropriated in any given year authorized under Title VI, § 601, P.L. 110-432.

(f) [A grant by the Department to the Washington Suburban Transit District in excess of the provisions of subsection (a) of this section may be made only after approval by the Secretary.]

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE AN APPROPRIATION IN THE ANNUAL BUDGET OF AT LEAST THE AMOUNT SPECIFIED IN PARAGRAPH (4) OF THIS SUBSECTION FOR THE SOLE PURPOSE OF PROVIDING GRANTS TO THE WASHINGTON SUBURBAN TRANSIT DISTRICT TO PAY THE CAPITAL COSTS OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.

~~**(2) THE GOVERNOR IS NOT REQUIRED TO MAKE THE APPROPRIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION IN A FISCAL YEAR UNLESS THE DEPARTMENT CERTIFIES TO THE GOVERNOR IN WRITING BEFORE THE BEGINNING OF THE IMMEDIATELY PRECEDING FISCAL YEAR THAT THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY HAS SUBMITTED TO THE DEPARTMENT A SUFFICIENTLY DETAILED DESCRIPTION OF ALL THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY CAPITAL PROJECTS TO BE FUNDED IN THE IMMEDIATELY PRECEDING FISCAL YEAR AND EACH OF THE SUBSEQUENT 5 FISCAL YEARS.**~~

(2) (1) THE GOVERNOR IS NOT REQUIRED TO MAKE THE APPROPRIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION IN A FISCAL YEAR UNLESS THE DEPARTMENT CERTIFIES TO THE GOVERNOR IN WRITING BEFORE THE BEGINNING OF THE IMMEDIATELY PRECEDING FISCAL YEAR THAT THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY HAS SUBMITTED TO THE DEPARTMENT:

1. PERFORMANCE AND CONDITION ASSESSMENTS AND REPORTS REGARDING:

A. THE SAFETY AND RELIABILITY OF RAPID HEAVY RAIL AND BUS SYSTEMS;

B. THE FINANCIAL PERFORMANCE OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY AS IT RELATES TO RAIL AND BUS OPERATIONS, INCLUDING FARE BOX RECOVERY, SERVICE PER RIDER, AND COST PER SERVICE HOUR;

C. THE MONTHLY RIDERSHIP OF RAIL AND BUS SYSTEMS BROKEN DOWN BY METRORAIL STATION, METRORAIL LINE, BUS STOP, AND BUS LINE;

D. STRATEGIES TO REDUCE COSTS AND IMPROVE THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY’S OPERATIONAL EFFICIENCY; AND

E. THE COMPARISON OF ANNUAL CAPITAL INVESTMENTS AND APPROVED BUDGETS; AND

2. THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY’S:

A. ANNUAL BUDGET;

B. ANNUAL INDEPENDENT FINANCIAL AUDIT;

C. ANNUAL NATIONAL TRANSIT DATABASE PROFILE;

AND

D. INDIVIDUAL AUDIT REPORTS.

(II) IF THE COMMONWEALTH OF VIRGINIA OR THE DISTRICT OF COLUMBIA REDUCE THE AMOUNT OF DEDICATED CAPITAL FUNDING FOR THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY, THE GOVERNOR MAY REDUCE THE APPROPRIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION BY A PROPORTIONAL AMOUNT.

(III) 1. THE GOVERNOR SHALL WITHHOLD 35% OF THE APPROPRIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION IF:

A. THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY HAS RECEIVED A MODIFIED AUDIT OPINION AS A RESULT OF AN ANNUAL INDEPENDENT AUDIT CONDUCTED IN ACCORDANCE WITH ARTICLE XVI, SECTION 70 OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY COMPACT UNDER § 10-204 OF THIS SUBTITLE; AND

B. THE DEPARTMENT HAS NOT CERTIFIED TO THE GOVERNOR IN WRITING BEFORE THE BEGINNING OF THE IMMEDIATELY PRECEDING FISCAL YEAR THAT THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY HAS SUBMITTED IN WRITING TO THE BOARD OF DIRECTORS OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY AND THE MARYLAND GENERAL ASSEMBLY A SATISFACTORY CORRECTIVE PLAN THAT ADDRESSES THE REASONS FOR THE MODIFIED AUDIT OPINION.

2. THE GOVERNOR SHALL RELEASE THE PORTION OF THE APPROPRIATION WITHHELD UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH IF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY SUBMITS IN WRITING TO THE BOARD OF DIRECTORS OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE MARYLAND GENERAL ASSEMBLY A SATISFACTORY CORRECTIVE ACTION PLAN THAT ADDRESSES THE REASONS FOR THE MODIFIED AUDIT OPINION.

(3) THE GOVERNOR SHALL MAKE THE APPROPRIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION FROM THE TRANSPORTATION TRUST FUND.

(4) (i) ~~THE~~ FOR THE FIRST FISCAL YEAR IN WHICH THE MANDATED APPROPRIATION UNDER THIS SUBSECTION APPLIES, THE APPROPRIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL EQUAL AT LEAST THE TOTAL AMOUNT PROVIDED IN THE IMMEDIATELY PRECEDING FISCAL YEAR FOR GRANTS TO THE WASHINGTON SUBURBAN TRANSIT DISTRICT TO PAY THE CAPITAL COSTS OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY, INCREASED BY 3% THE AMOUNT APPROPRIATED IN THE FISCAL YEAR 2019 STATE BUDGET AS ENACTED FOR THE WASHINGTON SUBURBAN TRANSIT DISTRICT TO PAY THE CAPITAL COSTS OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.

(ii) FOR EACH FISCAL YEAR AFTER THE FIRST FISCAL YEAR IN WHICH THE MANDATED APPROPRIATION UNDER THIS SUBSECTION APPLIES, THE APPROPRIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE EQUAL TO THE AMOUNT OF THE APPROPRIATION FOR THE PRECEDING FISCAL YEAR INCREASED BY 3%.

~~(6) (1) THERE IS A MARYLAND METRO DEDICATED FUND ACCOUNT IN THE TRANSPORTATION TRUST FUND.~~

~~(2) THE ACCOUNT CONSISTS OF:~~

~~(i) THE MOTOR VEHICLE EXCISE TAX REVENUE DISTRIBUTED TO THE ACCOUNT UNDER § 13-814 OF THIS ARTICLE; AND~~

~~(H) ANY OTHER MONEY APPROPRIATED IN THE STATE BUDGET TO THE ACCOUNT.~~

~~(3)~~

(G) (1) THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FOR THE PURPOSES SPECIFIED UNDER PARAGRAPH (2) OF THIS SUBSECTION OF \$167,000,000 FROM THE REVENUES AVAILABLE FOR THE STATE CAPITAL PROGRAM IN THE TRANSPORTATION TRUST FUND.

(2) THE DEPARTMENT SHALL PROVIDE AN ANNUAL GRANT OF AT LEAST ~~\$125,000,000~~ \$167,000,000 FROM THE ACCOUNT TO THE WASHINGTON SUBURBAN TRANSIT DISTRICT TO BE USED ONLY TO PAY THE CAPITAL COSTS OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.

~~(4) (3)~~ THE GRANT REQUIRED UNDER PARAGRAPH ~~(3)~~ (2) OF THIS SUBSECTION IS IN ADDITION TO THE APPROPRIATION REQUIRED UNDER SUBSECTION (F)(1) OF THIS SECTION.

~~13-809.~~

~~(b) (1) Except as otherwise provided in this part, in addition to any other charge required by the Maryland Vehicle Law, an excise tax is imposed:~~

~~(i) For each original and each subsequent certificate of title issued in this State for a motor vehicle, a trailer, a semitrailer, a moped, a motor scooter, or an off-highway recreational vehicle for which sales and use tax is not collected at the time of purchase; and~~

~~(ii) Except as provided in paragraph (2) of this subsection, for each motor vehicle, trailer, or semitrailer that is in interstate operation and registered under § 13-109(c) or (d) of this title without a certificate of title.~~

~~13-814.~~

~~(A) [Money] MOTOR VEHICLE EXCISE TAX REVENUE collected under this part shall be deposited in the State Treasury and accounted for on the records of the State Comptroller [and transferred to the Transportation Trust Fund].~~

~~(B) THE COMPTROLLER SHALL DISTRIBUTE:~~

~~(1) TWO THIRDS OF THE MOTOR VEHICLE EXCISE TAX REVENUE TO THE GASOLINE AND MOTOR VEHICLE REVENUE ACCOUNT IN THE TRANSPORTATION TRUST FUND;~~

~~(2) OF THE MOTOR VEHICLE EXCISE TAX REVENUE REMAINING AFTER THE DISTRIBUTION UNDER ITEM (1) OF THIS SUBSECTION, AT LEAST \$125,000,000 EACH FISCAL YEAR TO THE MARYLAND METRO DEDICATED FUND ACCOUNT IN THE TRANSPORTATION TRUST FUND; AND~~

~~(3) ALL OF THE MOTOR VEHICLE EXCISE TAX REVENUE REMAINING AFTER THE DISTRIBUTIONS UNDER ITEMS (1) AND (2) OF THIS SUBSECTION TO THE TRANSPORTATION TRUST FUND TO BE USED AS PROVIDED IN § 3-216 OF THIS ARTICLE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

7-205.

(A) FOR FISCAL YEAR 2020, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FROM THE TRANSPORTATION TRUST FUND FOR THE OPERATION OF THE ADMINISTRATION THAT IS EQUAL TO THE APPROPRIATION FOR THE OPERATION OF THE ADMINISTRATION IN THE FISCAL YEAR 2019 STATE BUDGET AS INTRODUCED, INCREASED BY AT LEAST 4.4%.

(B) FOR EACH OF FISCAL YEARS 2021 AND 2022, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FROM THE TRANSPORTATION TRUST FUND FOR THE OPERATION OF THE ADMINISTRATION THAT IS EQUAL TO THE APPROPRIATION FOR THE OPERATION OF THE ADMINISTRATION IN THE STATE BUDGET FOR THE IMMEDIATELY PRECEDING FISCAL YEAR, INCREASED BY AT LEAST 4.4%.

(C) (1) FOR EACH OF FISCAL YEARS 2020 THROUGH 2022, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FOR THE CAPITAL NEEDS OF THE ADMINISTRATION OF AT LEAST \$29,100,000 FROM THE REVENUES AVAILABLE FOR THE STATE CAPITAL PROGRAM IN THE TRANSPORTATION TRUST FUND.

(2) THE APPROPRIATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT SUPPLANT ANY OTHER CAPITAL FUNDING OTHERWISE AVAILABLE FOR THE ADMINISTRATION.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

7-301.1.

(A) IN THIS SECTION, “CORE SERVICE AREA” MEANS:

(1) AN AREA IN ANNE ARUNDEL COUNTY, BALTIMORE CITY, BALTIMORE COUNTY, HARFORD COUNTY, AND HOWARD COUNTY THAT IS SERVED BY LIGHT RAIL, METRO, OR FIXED BUS ROUTE SERVICE; AND

(2) AS DETERMINED BY THE DEPARTMENT, ANY OTHER AREA IN WHICH THE POPULATION COMMUTES TO AN AREA DESCRIBED IN ITEM (1) OF THIS SUBSECTION IN ORDER TO USE LIGHT RAIL, METRO, OR FIXED BUS ROUTE SERVICE.

(B) IN ADDITION TO THE REQUIREMENTS OF §§ 7-301 AND 7-302 OF THIS SUBTITLE, ON OR BEFORE OCTOBER 1, 2020, THE ADMINISTRATION SHALL, IN CONSULTATION WITH THE CENTRAL MARYLAND REGIONAL TRANSIT PLAN COMMISSION AND THE BALTIMORE METROPOLITAN COUNCIL, PREPARE A CENTRAL MARYLAND REGIONAL TRANSIT PLAN TO MEET THE TRANSIT NEEDS OF THE CORE SERVICE AREA.

(C) THE CENTRAL MARYLAND REGIONAL TRANSIT PLAN SHALL:

(1) DEFINE GOALS FOR OUTCOMES TO BE ACHIEVED THROUGH THE PROVISION OF PUBLIC TRANSPORTATION;

(2) IN ORDER TO BEST ACHIEVE THE GOALS DEFINED IN ITEM (1) OF THIS SUBSECTION, IDENTIFY OPTIONS FOR:

(I) IMPROVEMENTS TO EXISTING TRANSPORTATION ASSETS;

(II) IMPROVEMENTS TO LEVERAGE NON-ADMINISTRATION TRANSPORTATION OPTIONS AVAILABLE TO PUBLIC TRANSPORTATION; AND

(III) CORRIDORS FOR NEW PUBLIC TRANSPORTATION ASSETS;

(3) PRIORITIZE CORRIDORS FOR PLANNING OF NEW PUBLIC TRANSPORTATION ASSETS;

(4) EVALUATE THE PLAN’S CONSISTENCY WITH LOCAL LAND USE AND TRANSPORTATION PLANS AND THE MARYLAND TRANSPORTATION PLAN AND IDENTIFY OPPORTUNITIES FOR ACHIEVING GREATER CONSISTENCY;

(5) BE REVIEWED, REVISED, AND UPDATED AT LEAST EVERY 5 YEARS;
AND

(6) ADDRESS A ~~30-YEAR~~ 25-YEAR TIME FRAME.

(D) (1) THERE IS A CENTRAL MARYLAND REGIONAL TRANSIT PLAN COMMISSION.

(2) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:

(I) THE COUNTY EXECUTIVE OF ANNE ARUNDEL COUNTY, OR THE COUNTY EXECUTIVE’S DESIGNEE;

(II) THE MAYOR OF BALTIMORE CITY, OR THE MAYOR’S DESIGNEE;

(III) THE COUNTY EXECUTIVE OF BALTIMORE COUNTY, OR THE COUNTY EXECUTIVE’S DESIGNEE;

(IV) THE COUNTY EXECUTIVE OF HARFORD COUNTY, OR THE COUNTY EXECUTIVE’S DESIGNEE;

(V) THE COUNTY EXECUTIVE OF HOWARD COUNTY, OR THE COUNTY EXECUTIVE’S DESIGNEE;

(VI) ONE REPRESENTATIVE FROM A CENTRAL MARYLAND BUSINESS OR TRANSPORTATION ORGANIZATION, APPOINTED BY THE PRESIDENT OF THE SENATE;

(VII) ONE REPRESENTATIVE FROM A CENTRAL MARYLAND BUSINESS OR TRANSPORTATION ORGANIZATION, APPOINTED BY THE SPEAKER OF THE HOUSE; AND

(VIII) THE FOLLOWING INDIVIDUALS APPOINTED BY THE GOVERNOR:

1. ONE REPRESENTATIVE FROM A CENTRAL MARYLAND BUSINESS ORGANIZATION;

2. ONE REPRESENTATIVE FROM THE CITIZEN ADVISORY COUNCIL;

3. ONE REPRESENTATIVE FROM A DISABLED RIDERS GROUP; AND

4. ONE REPRESENTATIVE FROM THE MARC RIDERS ADVISORY COUNCIL.

(3) THE COMMISSION SHALL PARTICIPATE IN THE DEVELOPMENT OF:

(i) A STRATEGY FOR MEANINGFUL PUBLIC INVOLVEMENT IN THE CENTRAL MARYLAND REGIONAL TRANSIT PLAN; AND

(ii) THE GOALS FOR OUTCOMES OF THE CENTRAL MARYLAND REGIONAL TRANSIT PLAN.

7-309.

(A) THE ADMINISTRATION SHALL, AT LEAST EVERY 3 YEARS, ASSESS THE ONGOING, UNCONSTRAINED CAPITAL NEEDS OF THE ADMINISTRATION.

(B) IN UNDERTAKING THE ASSESSMENT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION, THE ADMINISTRATION SHALL:

(1) COMPILE AND PRIORITIZE CAPITAL NEEDS WITHOUT REGARD TO COST;

(2) IDENTIFY THE BACKLOG OF REPAIRS AND REPLACEMENTS NEEDED TO ACHIEVE A STATE OF GOOD REPAIR FOR ALL ADMINISTRATION ASSETS, INCLUDING A SEPARATE ANALYSIS OF THESE NEEDS OVER THE FOLLOWING 10 YEARS; AND

(3) IDENTIFY THE NEEDS TO BE MET IN ORDER TO ENHANCE SERVICE AND ACHIEVE SYSTEM PERFORMANCE GOALS.

(C) ON OR BEFORE JULY 1, 2019, AND ON OR BEFORE JULY 1 EVERY 3 YEARS THEREAFTER, THE ADMINISTRATION SHALL, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, SUBMIT THE ASSESSMENT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION TO THE SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE.

SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That:

~~(a) Section 1 of this Act is contingent on the Commonwealth of Virginia and the District of Columbia each enacting legislation providing for new dedicated capital funding for the Washington Metropolitan Area Transit Authority of at least \$125,000,000.~~

(a) Section 1 of this Act is contingent on:

(1) the Commonwealth of Virginia enacting legislation providing for dedicated capital funding for the Washington Metropolitan Area Transit Authority of at least \$154,000,000; and

(2) the District of Columbia enacting legislation providing for dedicated capital funding for the Washington Metropolitan Area Transit Authority of at least \$178,000,000.

(b) The Department of Transportation shall notify the Department of Legislative Services in writing within 5 days after both the Commonwealth of Virginia and the District of Columbia have enacted legislation that meets the requirements of subsection (a) of this section.

(c) Section 1 of this Act shall take effect on the date that the Department of Legislative Services receives notice under subsection (b) of this section.

SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, after accounting for the capital funding dedicated to Metro by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia, the federal government contribute a proportional amount to the Washington Metropolitan Area Transit Authority.

SECTION 6. AND BE IT FURTHER ENACTED, That this Act may not be construed to limit the authority of the Governor to appropriate general funds for transfer to the Transportation Trust Fund.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) (1) The Washington Metropolitan Area Transit Authority shall study the costs and benefits of using capital funds to fund infrastructure improvements to enhance pedestrian and bicycle access to Metrorail stations and accelerate joint development at Metrorail stations in Maryland.

(2) The study required under paragraph (1) of this subsection shall include projections of increased ridership revenue derived from improved access and accelerated joint development, as well as the degree to which such infrastructure improvements would increase the value of real property owned by the Authority.

(b) (1) The Authority shall study the projected ridership of a new Metrorail station at National Harbor.

(2) The study required under paragraph (1) of this subsection shall identify the feasibility of an extension of a Metrorail line to National Harbor via the Woodrow

Wilson Bridge and include the estimated operating and capital costs associated with the extension.

(c) (1) The Authority shall study the budget, powers, and limitations of its inspector general and compare the budget, powers, and limitations to those of other inspectors general in the federal government, other transit systems, and state and local governments.

(2) The report resulting from the study required under paragraph (1) of this subsection shall include:

(i) recommendations for strengthening the Authority's office of the inspector general; and

(ii) a discussion of whether any recommended reforms must be made through the Authority's board of directors or by amendment to the Authority Compact.

(d) The Authority shall study the opportunities at each Metrorail station in Maryland:

(1) to reduce the parking lot and bus bay footprints:

(i) to expand pedestrian and bicycle access; and

(ii) for the development of commercial, residential, and office uses;

(2) to develop the air rights; and

(3) to attract various public uses, such as public schools.

(e) The Authority shall, in consultation with the Maryland Transit Administration and other locally operated transit systems and bus services, study opportunities to attract ridership in partnership with public school systems and institutions of higher education.

(f) On or before June 30, 2019, the Authority shall report the findings of each of the studies required under this section to the Authority board and each of the Compact signatories.

SECTION ~~8~~ 8. AND BE IT FURTHER ENACTED, That, subject to § 10–205(f)(2) of the Transportation Article as enacted by Section 1 of this Act, the mandated appropriations in § 10–205(f) and (g) of the Transportation Article as enacted by Section 1 of this Act shall be applicable to the fiscal year that begins on the second succeeding July 1 after Section 1 of this Act takes effect, and to each subsequent fiscal year.

SECTION ~~4~~ 9. AND BE IT FURTHER ENACTED, That, subject to Section ~~2~~ 4 of this Act, this Act shall take effect June 1, 2018. Section 2 of this Act shall remain effective for a period of 4 years and 1 month and, at the end of June 30, 2022, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, April 25, 2018.