

CHAIRMAN:  
Rob Scrivener  
VICE CHAIRMAN  
Brian Russell

**MARYLAND ASPHALT ASSOCIATION**



SECRETARY:  
David Slaughter  
TREASURER:  
Jeff Graf  
PRESIDENT:  
G. Marshall Klinefelter

March 8, 2022

Delegate Maggie McIntosh, Chair  
House Appropriations Committee  
Room 121 House Office Building  
Annapolis, Maryland 21401

**RE: HB 1322 – UNFAVORABLE – Operating Budget – Consolidated Transportation Program and Unanticipated Federal Funds**

Dear Chair McIntosh and Members of the House Appropriations Committee:

The Maryland Asphalt Association (MAA) is comprised of 18 producer members representing more than 47 production facilities, 24 contractor members, 24 consulting engineer firms and 41 other associate members. We proactively work with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland's multimodal transportation system.

House Bill 1322 prohibits the Governor from using the state budget amendment process to authorize the expenditure of federal funds provided through the Infrastructure Investment and Jobs Act (IIJA) except for a narrow list of approved items, such as projects included in the 2022 Consolidated Transportation Program (CTP), projects to replace lead pipes near facilities serving children, or projects located in underserved areas of the State. House Bill 1322 also requires the Maryland Department of Transportation (MDOT) to include a \$35 million line item in each year of its financial forecast in the annual Consolidated Transportation Program to serve as a reserve fund to accommodate for potential fluctuations in Transportation Trust Fund (TTF) revenues during that year.

MAA opposes House Bill 1322 because it hampers the Governor's ability to spend federal relief funds from the IIJA by imposing a narrow set of guardrails on the types of projects that would qualify for those funds, should the timing of the federal award force the State to implement them through the budget amendment process outside of the legislative session. Limiting qualifying transportation projects to those already in the CTP is narrow-minded because it prevents MDOT from considering new needs as they arise, and requiring the funds to be expended by the end of Fiscal Year 2023 is short-sighted because it prevents MDOT from considering more expansive, longer-term projects for this funding. In addition, MAA believes that requiring a \$35 million reserve in the TTF for each year of MDOT's financial forecast is unnecessary because it only serves to further limit the money available to fund critical repairs to the roads and bridges that form the backbone of Maryland's transportation infrastructure.

We appreciate you taking the time to address this important issue, and we urge an unfavorable report on House Bill 1322.

Thank you,

A handwritten signature in cursive script that reads "Marshall Klinefelter".

Marshall Klinefelter  
President  
Maryland Asphalt Association