

SENATE BILL 1126

R2, L6

4lr3461
CF HB 924

By: **Senator King**

Introduced and read first time: February 9, 2024

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – Regional Transportation Authorities**

3 FOR the purpose of establishing the Baltimore Region, Capital Region, and Southern
4 Maryland Region transportation authorities to develop and implement certain
5 congestion relief plans; establishing the Baltimore Region, Capital Region, and
6 Southern Maryland Region congestion relief funds as special, nonlapsing funds;
7 requiring interest earnings of the funds to be credited to the funds; requiring the
8 Department of Transportation, in consultation with the Comptroller, to study and
9 report on the feasibility of creating local–option transportation revenues to fund the
10 regional transportation authorities; and generally relating to regional transportation
11 authorities.

12 BY repealing and reenacting, without amendments,
13 Article – State Finance and Procurement
14 Section 6–226(a)(2)(i)
15 Annotated Code of Maryland
16 (2021 Replacement Volume and 2023 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – State Finance and Procurement
19 Section 6–226(a)(2)(ii)189. and 190.
20 Annotated Code of Maryland
21 (2021 Replacement Volume and 2023 Supplement)

22 BY adding to
23 Article – State Finance and Procurement
24 Section 6–226(a)(2)(ii)191., 192., and 193.
25 Annotated Code of Maryland
26 (2021 Replacement Volume and 2023 Supplement)

27 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Transportation

Section 10.5–101 through 10.5–310 to be under the new subtitle title “Title 10.5.
Regional Transportation Authorities”

Annotated Code of Maryland

(2020 Replacement Volume and 2023 Supplement)

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

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless
inconsistent with a federal law, grant agreement, or other federal requirement or with the
terms of a gift or settlement agreement, net interest on all State money allocated by the
State Treasurer under this section to special funds or accounts, and otherwise entitled to
receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply
to the following funds:

189. the Teacher Retention and Development Fund; [and]

190. the Protecting Against Hate Crimes Grant Fund;

**191. THE BALTIMORE REGION CONGESTION RELIEF
FUND;**

192. THE CAPITAL REGION CONGESTION RELIEF FUND;

AND

**193. THE SOUTHERN MARYLAND CONGESTION RELIEF
FUND.**

Article – Transportation

TITLE 10.5. REGIONAL TRANSPORTATION AUTHORITIES.

SUBTITLE 1. BALTIMORE REGION TRANSPORTATION AUTHORITY.

10.5–101.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “AUTHORITY” MEANS THE BALTIMORE REGION TRANSPORTATION AUTHORITY.

(C) “BALTIMORE REGION” MEANS ANNE ARUNDEL COUNTY, BALTIMORE COUNTY, AND BALTIMORE CITY.

(D) “TRANSPORTATION FACILITY” HAS THE MEANING STATED IN § 3-101 OF THIS ARTICLE.

10.5-102.

(A) THERE IS A BALTIMORE REGION TRANSPORTATION AUTHORITY.

(B) THE AUTHORITY IS A BODY POLITIC AND CORPORATE AND IS AN INSTRUMENTALITY OF THE STATE.

(C) THE EXERCISE BY THE AUTHORITY OF A POWER UNDER THIS SUBTITLE IS THE PERFORMANCE OF AN ESSENTIAL GOVERNMENTAL FUNCTION.

10.5-103.

THE PURPOSE OF THE AUTHORITY IS TO PREPARE AND IMPLEMENT A REGIONAL CONGESTION RELIEF PLAN FOR THE BALTIMORE REGION.

10.5-104.

(A) THE AUTHORITY CONSISTS OF THE FOLLOWING MEMBERS:

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

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

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

(4) ONE ELECTED OFFICIAL FROM EACH MUNICIPALITY WITHIN THE BALTIMORE REGION, APPOINTED BY THE GOVERNING BODY OF THE MUNICIPALITY;

(5) ONE MEMBER OF THE SENATE OF MARYLAND WHO RESIDES
WITHIN THE BALTIMORE REGION, APPOINTED BY THE PRESIDENT OF THE SENATE;

(6) TWO MEMBERS OF THE HOUSE OF DELEGATES WHO RESIDE
WITHIN THE BALTIMORE REGION, APPOINTED BY THE SPEAKER OF THE HOUSE;
AND

(7) TWO MEMBERS WITH EXPERIENCE IN TRANSPORTATION
PLANNING, FINANCE, ENGINEERING, CONSTRUCTION, OR MANAGEMENT,
APPOINTED BY THE GOVERNOR.

(B) THE SECRETARY SHALL SERVE AS A NONVOTING, EX OFFICIO MEMBER.

(C) (1) THE TERM OF A MEMBER IS 4 YEARS.

(2) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL
A SUCCESSOR IS APPOINTED AND QUALIFIES.

(D) FROM AMONG ITS MEMBERS, THE AUTHORITY SHALL ELECT A CHAIR
AND A VICE CHAIR.

(E) THE AUTHORITY SHALL ADOPT RULES AND REGULATIONS NECESSARY
FOR THE CONDUCT OF ITS AFFAIRS.

10.5–105.

(A) (1) THE AUTHORITY SHALL EMPLOY AN EXECUTIVE DIRECTOR TO
SERVE AS THE CHIEF EXECUTIVE OFFICER OF THE AUTHORITY.

(2) THE EXECUTIVE DIRECTOR SHALL SERVE AT THE PLEASURE OF
THE AUTHORITY.

(B) THE AUTHORITY MAY EMPLOY OR RETAIN OFFICERS, STAFF, AND
AGENTS, INCLUDING ENGINEERING, ARCHITECTURAL, FISCAL, AND CONSTRUCTION
EXPERTS AND ATTORNEYS, AND SET THEIR COMPENSATION.

10.5–106.

(A) THE AUTHORITY MAY:

(1) ADOPT BYLAWS FOR THE CONDUCT OF ITS BUSINESS;

(2) ADOPT A SEAL;

1 **(3) MAINTAIN OFFICES AT A PLACE IT DESIGNATES IN THE STATE;**

2 **(4) ACCEPT LOANS, GRANTS, OR ASSISTANCE OF ANY KIND FROM THE**
3 **FEDERAL OR STATE GOVERNMENT, A LOCAL GOVERNMENT, A COLLEGE OR**
4 **UNIVERSITY, OR A PRIVATE SOURCE;**

5 **(5) ENTER INTO CONTRACTS AND OTHER LEGAL INSTRUMENTS;**

6 **(6) SUE OR BE SUED;**

7 **(7) ACQUIRE, PURCHASE, HOLD, LEASE AS LESSEE, AND USE:**

8 **(I) A FRANCHISE, PATENT, OR LICENSE;**

9 **(II) STOCK OR OTHER FORMS OF OWNERSHIP INTERESTS IN**
10 **CORPORATIONS, LIMITED LIABILITY COMPANIES, PARTNERSHIPS, OR OTHER**
11 **ENTITIES, WHETHER OPERATED FOR PROFIT OR NOT FOR PROFIT;**

12 **(III) ANY REAL, PERSONAL, MIXED, TANGIBLE, OR INTANGIBLE**
13 **PROPERTY; OR**

14 **(IV) AN INTEREST IN A PROPERTY LISTED UNDER THIS ITEM;**

15 **(8) SELL, LEASE AS LESSOR, TRANSFER, LICENSE, ASSIGN, OR**
16 **DISPOSE OF PROPERTY OR A PROPERTY INTEREST THAT IT ACQUIRES;**

17 **(9) FIX AND COLLECT RATES, RENTALS, FEES, ROYALTIES, AND**
18 **CHARGES FOR SERVICES AND RESOURCES IT PROVIDES OR MAKES AVAILABLE;**

19 **(10) CREATE, OWN, CONTROL, OR BE A MEMBER OF A CORPORATION,**
20 **LIMITED LIABILITY COMPANY, PARTNERSHIP, OR OTHER ENTITY, WHETHER**
21 **OPERATED FOR PROFIT OR NOT FOR PROFIT;**

22 **(11) EXERCISE POWER USUALLY POSSESSED BY A PRIVATE**
23 **CORPORATION IN PERFORMING SIMILAR FUNCTIONS UNLESS TO DO SO WOULD**
24 **CONFLICT WITH STATE LAW; AND**

25 **(12) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT THE**
26 **POWERS GRANTED BY THIS SUBTITLE.**

(B) THE AUTHORITY MAY DELEGATE ANY POWER OR DUTY IT CONSIDERS APPROPRIATE TO A MEMBER, AN OFFICER, AN AGENT, OR AN EMPLOYEE OF THE AUTHORITY.

10.5–107.

(A) (1) THE AUTHORITY SHALL PREPARE A REGIONAL CONGESTION RELIEF PLAN FOR THE BALTIMORE REGION THAT INCLUDES TRANSPORTATION IMPROVEMENTS OF REGIONAL SIGNIFICANCE.

(2) THE AUTHORITY MAY REVISE THE REGIONAL CONGESTION RELIEF PLAN.

(B) AFTER THE ADOPTION OF A REGIONAL CONGESTION RELIEF PLAN, THE AUTHORITY MAY CONSTRUCT OR ACQUIRE, BY PURCHASE, LEASE, CONTRACT, OR OTHERWISE, THE TRANSPORTATION FACILITIES SPECIFIED IN THE REGIONAL CONGESTION RELIEF PLAN.

10.5–108.

THE AUTHORITY SHALL HAVE THE FOLLOWING DUTIES AND RESPONSIBILITIES:

(1) GENERAL OVERSIGHT OF REGIONAL PROGRAMS INVOLVING CONGESTION MITIGATION;

(2) LONG-RANGE REGIONAL PLANNING FOR THE BALTIMORE REGION, BOTH FISCALLY CONSTRAINED AND UNCONSTRAINED;

(3) RECOMMENDING TO STATE, REGIONAL, AND FEDERAL AGENCIES REGIONAL TRANSPORTATION PRIORITIES, INCLUDING PUBLIC-PRIVATE TRANSPORTATION PROJECTS, AND FUNDING ALLOCATIONS;

(4) ALLOCATING TO PRIORITY REGIONAL TRANSPORTATION PROJECTS ANY FUNDS MADE AVAILABLE TO THE AUTHORITY AND, AT THE DISCRETION OF THE AUTHORITY, DIRECTLY OVERSEEING THE PROJECTS;

(5) RECOMMENDING TO THE DEPARTMENT PRIORITY REGIONAL TRANSPORTATION PROJECTS FOR RECEIPT OF FEDERAL AND STATE FUNDS;

(6) RECOMMENDING TO THE DEPARTMENT USE OR CHANGES IN USE OF TOLLS OR CHARGES FOR FACILITIES IN THE BALTIMORE REGION;

(7) GENERAL OVERSIGHT OF REGIONAL TRANSPORTATION ISSUES OF A MULTIJURISDICTIONAL NATURE, INCLUDING INTELLIGENT TRANSPORTATION SYSTEMS, SIGNALIZATION, AND PREPARATION FOR AND RESPONSE TO EMERGENCIES;

(8) SERVING AS AN ADVOCATE FOR THE TRANSPORTATION NEEDS OF THE BALTIMORE REGION BEFORE THE STATE AND FEDERAL GOVERNMENTS; AND

(9) APPLYING TO AND NEGOTIATING WITH THE FEDERAL GOVERNMENT AND THE STATE FOR GRANTS AND ANY OTHER FUNDS AVAILABLE TO CARRY OUT THE PURPOSES OF THIS SUBTITLE.

10.5–109.

(A) IN THIS SECTION, “FUND” MEANS THE BALTIMORE REGION CONGESTION RELIEF FUND.

(B) THERE IS A BALTIMORE REGION CONGESTION RELIEF FUND.

(C) THE PURPOSE OF THE FUND IS TO FINANCE TRANSPORTATION FACILITIES IN THE BALTIMORE REGION.

(D) THE EXECUTIVE DIRECTOR OF THE AUTHORITY SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(2) INTEREST EARNINGS; AND

(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) THE FUND MAY BE USED ONLY FOR THE FINANCING OF TRANSPORTATION FACILITIES IN THE BALTIMORE REGION.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(J) MONEY EXPENDED FROM THE FUND FOR FINANCING TRANSPORTATION FACILITIES IN THE BALTIMORE REGION IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR TRANSPORTATION FACILITIES IN THE BALTIMORE REGION.

10.5–110.

ON OR BEFORE JANUARY 1, 2025, AND EACH JANUARY 1 THEREAFTER, THE AUTHORITY SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, ON THE ACTIVITIES OF THE AUTHORITY DURING THE PRIOR YEAR.

SUBTITLE 2. CAPITAL REGION TRANSPORTATION AUTHORITY.

10.5–201.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “AUTHORITY” MEANS THE CAPITAL REGION TRANSPORTATION AUTHORITY.

(C) “CAPITAL REGION” MEANS FREDERICK COUNTY, MONTGOMERY COUNTY, AND PRINCE GEORGE’S COUNTY.

(D) “TRANSPORTATION FACILITY” HAS THE MEANING STATED IN § 3–101 OF THIS ARTICLE.

10.5–202.

(A) THERE IS A CAPITAL REGION TRANSPORTATION AUTHORITY.

(B) THE AUTHORITY IS A BODY POLITIC AND CORPORATE AND IS AN INSTRUMENTALITY OF THE STATE.

1 **(C) THE EXERCISE BY THE AUTHORITY OF A POWER UNDER THIS SUBTITLE**
2 **IS THE PERFORMANCE OF AN ESSENTIAL GOVERNMENTAL FUNCTION.**

3 **10.5-203.**

4 **THE PURPOSE OF THE AUTHORITY IS TO PREPARE AND IMPLEMENT A**
5 **REGIONAL CONGESTION RELIEF PLAN FOR THE CAPITAL REGION.**

6 **10.5-204.**

7 **(A) THE AUTHORITY CONSISTS OF THE FOLLOWING MEMBERS:**

8 **(1) THE COUNTY EXECUTIVE OF FREDERICK COUNTY, OR THE**
9 **COUNTY EXECUTIVE'S DESIGNEE;**

10 **(2) THE COUNTY EXECUTIVE OF MONTGOMERY COUNTY, OR THE**
11 **COUNTY EXECUTIVE'S DESIGNEE;**

12 **(3) THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY, OR THE**
13 **COUNTY EXECUTIVE'S DESIGNEE;**

14 **(4) ONE MEMBER OF THE SENATE OF MARYLAND WHO RESIDES**
15 **WITHIN THE CAPITAL REGION, APPOINTED BY THE PRESIDENT OF THE SENATE;**

16 **(5) TWO MEMBERS OF THE HOUSE OF DELEGATES WHO RESIDE**
17 **WITHIN THE CAPITAL REGION, APPOINTED BY THE SPEAKER OF THE HOUSE;**

18 **(6) ONE REPRESENTATIVE OF THE MUNICIPALITIES IN FREDERICK**
19 **COUNTY, DESIGNATED BY THE MUNICIPALITIES IN FREDERICK COUNTY;**

20 **(7) ONE REPRESENTATIVE OF THE MUNICIPALITIES IN**
21 **MONTGOMERY COUNTY, DESIGNATED BY THE MUNICIPALITIES IN MONTGOMERY**
22 **COUNTY;**

23 **(8) ONE REPRESENTATIVE OF THE MUNICIPALITIES IN PRINCE**
24 **GEORGE'S COUNTY, DESIGNATED BY THE MUNICIPALITIES IN PRINCE GEORGE'S**
25 **COUNTY; AND**

26 **(9) TWO MEMBERS WITH EXPERIENCE IN TRANSPORTATION**
27 **PLANNING, FINANCE, ENGINEERING, CONSTRUCTION, OR MANAGEMENT,**
28 **APPOINTED BY THE GOVERNOR.**

(B) THE SECRETARY SHALL SERVE AS A NONVOTING, EX OFFICIO MEMBER.

(C) (1) THE TERM OF A MEMBER IS 4 YEARS.

(2) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(D) FROM AMONG ITS MEMBERS, THE AUTHORITY SHALL ELECT A CHAIR AND A VICE CHAIR.

(E) THE AUTHORITY SHALL ADOPT RULES AND REGULATIONS NECESSARY FOR THE CONDUCT OF ITS AFFAIRS.

10.5-205.

(A) (1) THE AUTHORITY SHALL EMPLOY AN EXECUTIVE DIRECTOR TO SERVE AS THE CHIEF EXECUTIVE OFFICER OF THE AUTHORITY.

(2) THE EXECUTIVE DIRECTOR SHALL SERVE AT THE PLEASURE OF THE AUTHORITY.

(B) THE AUTHORITY MAY EMPLOY OR RETAIN OFFICERS, STAFF, AND AGENTS, INCLUDING ENGINEERING, ARCHITECTURAL, FISCAL, AND CONSTRUCTION EXPERTS AND ATTORNEYS, AND SET THEIR COMPENSATION.

10.5-206.

(A) THE AUTHORITY MAY:

(1) ADOPT BYLAWS FOR THE CONDUCT OF ITS BUSINESS;

(2) ADOPT A SEAL;

(3) MAINTAIN OFFICES AT A PLACE IT DESIGNATES IN THE STATE;

(4) ACCEPT LOANS, GRANTS, OR ASSISTANCE OF ANY KIND FROM THE FEDERAL OR STATE GOVERNMENT, A LOCAL GOVERNMENT, A COLLEGE OR UNIVERSITY, OR A PRIVATE SOURCE;

(5) ENTER INTO CONTRACTS AND OTHER LEGAL INSTRUMENTS;

(6) SUE OR BE SUED;

1 **(7) ACQUIRE, PURCHASE, HOLD, LEASE AS LESSEE, AND USE:**

2 **(I) A FRANCHISE, PATENT, OR LICENSE;**

3 **(II) STOCK OR OTHER FORMS OF OWNERSHIP INTERESTS IN**
4 **CORPORATIONS, LIMITED LIABILITY COMPANIES, PARTNERSHIPS, OR OTHER**
5 **ENTITIES, WHETHER OPERATED FOR PROFIT OR NOT FOR PROFIT;**

6 **(III) ANY REAL, PERSONAL, MIXED, TANGIBLE, OR INTANGIBLE**
7 **PROPERTY; OR**

8 **(IV) AN INTEREST IN A PROPERTY LISTED UNDER THIS ITEM;**

9 **(8) SELL, LEASE AS LESSOR, TRANSFER, LICENSE, ASSIGN, OR**
10 **DISPOSE OF PROPERTY OR A PROPERTY INTEREST THAT IT ACQUIRES;**

11 **(9) FIX AND COLLECT RATES, RENTALS, FEES, ROYALTIES, AND**
12 **CHARGES FOR SERVICES AND RESOURCES IT PROVIDES OR MAKES AVAILABLE;**

13 **(10) CREATE, OWN, CONTROL, OR BE A MEMBER OF A CORPORATION,**
14 **LIMITED LIABILITY COMPANY, PARTNERSHIP, OR OTHER ENTITY, WHETHER**
15 **OPERATED FOR PROFIT OR NOT FOR PROFIT;**

16 **(11) EXERCISE POWER USUALLY POSSESSED BY A PRIVATE**
17 **CORPORATION IN PERFORMING SIMILAR FUNCTIONS UNLESS TO DO SO WOULD**
18 **CONFLICT WITH STATE LAW; AND**

19 **(12) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT THE**
20 **POWERS GRANTED BY THIS SUBTITLE.**

21 **(B) THE AUTHORITY MAY DELEGATE ANY POWER OR DUTY IT CONSIDERS**
22 **APPROPRIATE TO A MEMBER, AN OFFICER, AN AGENT, OR AN EMPLOYEE OF THE**
23 **AUTHORITY.**

24 **10.5–207.**

25 **(A) (1) THE AUTHORITY SHALL PREPARE A REGIONAL CONGESTION**
26 **RELIEF PLAN FOR THE CAPITAL REGION THAT INCLUDES TRANSPORTATION**
27 **IMPROVEMENTS OF REGIONAL SIGNIFICANCE.**

28 **(2) THE AUTHORITY MAY REVISE THE REGIONAL CONGESTION**
29 **RELIEF PLAN.**

1 **(B) AFTER THE ADOPTION OF A REGIONAL CONGESTION RELIEF PLAN, THE**
2 **AUTHORITY MAY CONSTRUCT OR ACQUIRE, BY PURCHASE, LEASE, CONTRACT, OR**
3 **OTHERWISE, THE TRANSPORTATION FACILITIES SPECIFIED IN THE REGIONAL**
4 **CONGESTION RELIEF PLAN.**

5 **10.5-208.**

6 **THE AUTHORITY SHALL HAVE THE FOLLOWING DUTIES AND**
7 **RESPONSIBILITIES:**

8 **(1) GENERAL OVERSIGHT OF REGIONAL PROGRAMS INVOLVING**
9 **CONGESTION MITIGATION;**

10 **(2) LONG-RANGE REGIONAL PLANNING FOR THE CAPITAL REGION,**
11 **BOTH FISCALLY CONSTRAINED AND UNCONSTRAINED;**

12 **(3) RECOMMENDING TO STATE, REGIONAL, AND FEDERAL AGENCIES**
13 **REGIONAL TRANSPORTATION PRIORITIES, INCLUDING PUBLIC-PRIVATE**
14 **TRANSPORTATION PROJECTS, AND FUNDING ALLOCATIONS;**

15 **(4) ALLOCATING TO PRIORITY REGIONAL TRANSPORTATION**
16 **PROJECTS ANY FUNDS MADE AVAILABLE TO THE AUTHORITY AND, AT THE**
17 **DISCRETION OF THE AUTHORITY, DIRECTLY OVERSEEING THE PROJECTS;**

18 **(5) RECOMMENDING TO THE DEPARTMENT PRIORITY REGIONAL**
19 **TRANSPORTATION PROJECTS FOR RECEIPT OF FEDERAL AND STATE FUNDS;**

20 **(6) RECOMMENDING TO THE DEPARTMENT USE OR CHANGES IN USE**
21 **OF TOLLS OR CHARGES FOR FACILITIES IN THE CAPITAL REGION;**

22 **(7) GENERAL OVERSIGHT OF REGIONAL TRANSPORTATION ISSUES OF**
23 **A MULTI JURISDICTIONAL NATURE, INCLUDING INTELLIGENT TRANSPORTATION**
24 **SYSTEMS, SIGNALIZATION, AND PREPARATION FOR AND RESPONSE TO**
25 **EMERGENCIES;**

26 **(8) SERVING AS AN ADVOCATE FOR THE TRANSPORTATION NEEDS OF**
27 **THE CAPITAL REGION BEFORE THE STATE AND FEDERAL GOVERNMENTS; AND**

28 **(9) APPLYING TO AND NEGOTIATING WITH THE FEDERAL**
29 **GOVERNMENT AND THE STATE FOR GRANTS AND ANY OTHER FUNDS AVAILABLE TO**
30 **CARRY OUT THE PURPOSES OF THIS SUBTITLE.**

31 **10.5-209.**

1 (A) IN THIS SECTION, “FUND” MEANS THE CAPITAL REGION CONGESTION
2 RELIEF FUND.

3 (B) THERE IS A CAPITAL REGION CONGESTION RELIEF FUND.

4 (C) THE PURPOSE OF THE FUND IS TO FINANCE TRANSPORTATION
5 FACILITIES IN THE CAPITAL REGION.

6 (D) THE EXECUTIVE DIRECTOR OF THE AUTHORITY SHALL ADMINISTER
7 THE FUND.

8 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
9 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

10 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
11 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

12 (F) THE FUND CONSISTS OF:

13 (1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

14 (2) INTEREST EARNINGS; AND

15 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
16 THE BENEFIT OF THE FUND.

17 (G) THE FUND MAY BE USED ONLY FOR THE FINANCING OF
18 TRANSPORTATION FACILITIES IN THE CAPITAL REGION.

19 (H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND
20 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

21 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
22 THE FUND.

23 (I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE
24 WITH THE STATE BUDGET.

25 (J) MONEY EXPENDED FROM THE FUND FOR FINANCING TRANSPORTATION
26 FACILITIES IN THE CAPITAL REGION IS SUPPLEMENTAL TO AND IS NOT INTENDED
27 TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR
28 TRANSPORTATION FACILITIES IN THE CAPITAL REGION.

1 **10.5–210.**

2 **ON OR BEFORE JANUARY 1, 2025, AND EACH JANUARY 1 THEREAFTER, THE**
3 **AUTHORITY SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH §**
4 **2–1257 OF THE STATE GOVERNMENT ARTICLE, ON THE ACTIVITIES OF THE**
5 **AUTHORITY DURING THE PRIOR YEAR.**

6 **SUBTITLE 3. SOUTHERN MARYLAND REGION TRANSPORTATION AUTHORITY.**

7 **10.5–301.**

8 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
9 **INDICATED.**

10 **(B) “AUTHORITY” MEANS THE SOUTHERN MARYLAND REGION**
11 **TRANSPORTATION AUTHORITY.**

12 **(C) “SOUTHERN MARYLAND REGION” MEANS CALVERT COUNTY, CHARLES**
13 **COUNTY, AND ST. MARY’S COUNTY.**

14 **(D) “TRANSPORTATION FACILITY” HAS THE MEANING STATED IN § 3–101 OF**
15 **THIS ARTICLE.**

16 **10.5–302.**

17 **(A) THERE IS A SOUTHERN MARYLAND REGION TRANSPORTATION**
18 **AUTHORITY.**

19 **(B) THE AUTHORITY IS A BODY POLITIC AND CORPORATE AND IS AN**
20 **INSTRUMENTALITY OF THE STATE.**

21 **(C) THE EXERCISE BY THE AUTHORITY OF A POWER UNDER THIS SUBTITLE**
22 **IS THE PERFORMANCE OF AN ESSENTIAL GOVERNMENTAL FUNCTION.**

23 **10.5–303.**

24 **THE PURPOSE OF THE AUTHORITY IS TO PREPARE AND IMPLEMENT A**
25 **REGIONAL CONGESTION RELIEF PLAN FOR THE SOUTHERN MARYLAND REGION.**

26 **10.5–304.**

27 **(A) THE AUTHORITY CONSISTS OF THE FOLLOWING MEMBERS:**

(1) ONE MEMBER APPOINTED BY THE GOVERNING BODY OF CALVERT COUNTY;

(2) ONE MEMBER APPOINTED BY THE GOVERNING BODY OF CHARLES COUNTY;

(3) ONE MEMBER APPOINTED BY THE GOVERNING BODY OF ST. MARY'S COUNTY;

(4) ONE ELECTED OFFICIAL FROM EACH MUNICIPALITY WITHIN THE SOUTHERN MARYLAND REGION, APPOINTED BY THE GOVERNING BODY OF THE MUNICIPALITY;

(5) ONE MEMBER OF THE SENATE OF MARYLAND WHO RESIDES WITHIN THE SOUTHERN MARYLAND REGION, APPOINTED BY THE PRESIDENT OF THE SENATE;

(6) TWO MEMBERS OF THE HOUSE OF DELEGATES WHO RESIDE WITHIN THE SOUTHERN MARYLAND REGION, APPOINTED BY THE SPEAKER OF THE HOUSE; AND

(7) TWO MEMBERS WITH EXPERIENCE IN TRANSPORTATION PLANNING, FINANCE, ENGINEERING, CONSTRUCTION, OR MANAGEMENT, APPOINTED BY THE GOVERNOR.

(B) THE SECRETARY SHALL SERVE AS A NONVOTING, EX OFFICIO MEMBER.

(C) (1) THE TERM OF A MEMBER IS 4 YEARS.

(2) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(D) FROM AMONG ITS MEMBERS, THE AUTHORITY SHALL ELECT A CHAIR AND A VICE CHAIR.

(E) THE AUTHORITY SHALL ADOPT RULES AND REGULATIONS NECESSARY FOR THE CONDUCT OF ITS AFFAIRS.

10.5-305.

(A) (1) THE AUTHORITY SHALL EMPLOY AN EXECUTIVE DIRECTOR TO SERVE AS THE CHIEF EXECUTIVE OFFICER OF THE AUTHORITY.

1 **(2) THE EXECUTIVE DIRECTOR SHALL SERVE AT THE PLEASURE OF**
2 **THE AUTHORITY.**

3 **(B) THE AUTHORITY MAY EMPLOY OR RETAIN OFFICERS, STAFF, AND**
4 **AGENTS, INCLUDING ENGINEERING, ARCHITECTURAL, FISCAL, AND CONSTRUCTION**
5 **EXPERTS AND ATTORNEYS, AND SET THEIR COMPENSATION.**

6 **10.5-306.**

7 **(A) THE AUTHORITY MAY:**

8 **(1) ADOPT BYLAWS FOR THE CONDUCT OF ITS BUSINESS;**

9 **(2) ADOPT A SEAL;**

10 **(3) MAINTAIN OFFICES AT A PLACE IT DESIGNATES IN THE STATE;**

11 **(4) ACCEPT LOANS, GRANTS, OR ASSISTANCE OF ANY KIND FROM THE**
12 **FEDERAL OR STATE GOVERNMENT, A LOCAL GOVERNMENT, A COLLEGE OR**
13 **UNIVERSITY, OR A PRIVATE SOURCE;**

14 **(5) ENTER INTO CONTRACTS AND OTHER LEGAL INSTRUMENTS;**

15 **(6) SUE OR BE SUED;**

16 **(7) ACQUIRE, PURCHASE, HOLD, LEASE AS LESSEE, AND USE:**

17 **(I) A FRANCHISE, PATENT, OR LICENSE;**

18 **(II) STOCK OR OTHER FORMS OF OWNERSHIP INTERESTS IN**
19 **CORPORATIONS, LIMITED LIABILITY COMPANIES, PARTNERSHIPS, OR OTHER**
20 **ENTITIES, WHETHER OPERATED FOR PROFIT OR NOT FOR PROFIT;**

21 **(III) ANY REAL, PERSONAL, MIXED, TANGIBLE, OR INTANGIBLE**
22 **PROPERTY; OR**

23 **(IV) AN INTEREST IN A PROPERTY LISTED UNDER THIS ITEM;**

24 **(8) SELL, LEASE AS LESSOR, TRANSFER, LICENSE, ASSIGN, OR**
25 **DISPOSE OF PROPERTY OR A PROPERTY INTEREST THAT IT ACQUIRES;**

1 **(9) FIX AND COLLECT RATES, RENTALS, FEES, ROYALTIES, AND**
2 **CHARGES FOR SERVICES AND RESOURCES IT PROVIDES OR MAKES AVAILABLE;**

3 **(10) CREATE, OWN, CONTROL, OR BE A MEMBER OF A CORPORATION,**
4 **LIMITED LIABILITY COMPANY, PARTNERSHIP, OR OTHER ENTITY, WHETHER**
5 **OPERATED FOR PROFIT OR NOT FOR PROFIT;**

6 **(11) EXERCISE POWER USUALLY POSSESSED BY A PRIVATE**
7 **CORPORATION IN PERFORMING SIMILAR FUNCTIONS UNLESS TO DO SO WOULD**
8 **CONFLICT WITH STATE LAW; AND**

9 **(12) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT THE**
10 **POWERS GRANTED BY THIS SUBTITLE.**

11 **(B) THE AUTHORITY MAY DELEGATE ANY POWER OR DUTY IT CONSIDERS**
12 **APPROPRIATE TO A MEMBER, AN OFFICER, AN AGENT, OR AN EMPLOYEE OF THE**
13 **AUTHORITY.**

14 **10.5–307.**

15 **(A) (1) THE AUTHORITY SHALL PREPARE A REGIONAL CONGESTION**
16 **RELIEF PLAN FOR THE SOUTHERN MARYLAND REGION THAT INCLUDES**
17 **TRANSPORTATION IMPROVEMENTS OF REGIONAL SIGNIFICANCE.**

18 **(2) THE AUTHORITY MAY REVISE THE REGIONAL CONGESTION**
19 **RELIEF PLAN.**

20 **(B) AFTER THE ADOPTION OF A REGIONAL CONGESTION RELIEF PLAN, THE**
21 **AUTHORITY MAY CONSTRUCT OR ACQUIRE, BY PURCHASE, LEASE, CONTRACT, OR**
22 **OTHERWISE, THE TRANSPORTATION FACILITIES SPECIFIED IN THE REGIONAL**
23 **CONGESTION RELIEF PLAN.**

24 **10.5–308.**

25 **THE AUTHORITY SHALL HAVE THE FOLLOWING DUTIES AND**
26 **RESPONSIBILITIES:**

27 **(1) GENERAL OVERSIGHT OF REGIONAL PROGRAMS INVOLVING**
28 **CONGESTION MITIGATION;**

29 **(2) LONG-RANGE REGIONAL PLANNING FOR THE SOUTHERN**
30 **MARYLAND REGION, BOTH FISCALLY CONSTRAINED AND UNCONSTRAINED;**

1 **(3) RECOMMENDING TO STATE, REGIONAL, AND FEDERAL AGENCIES**
2 **REGIONAL TRANSPORTATION PRIORITIES, INCLUDING PUBLIC-PRIVATE**
3 **TRANSPORTATION PROJECTS, AND FUNDING ALLOCATIONS;**

4 **(4) ALLOCATING TO PRIORITY REGIONAL TRANSPORTATION**
5 **PROJECTS ANY FUNDS MADE AVAILABLE TO THE AUTHORITY AND, AT THE**
6 **DISCRETION OF THE AUTHORITY, DIRECTLY OVERSEEING THE PROJECTS;**

7 **(5) RECOMMENDING TO THE DEPARTMENT PRIORITY REGIONAL**
8 **TRANSPORTATION PROJECTS FOR RECEIPT OF FEDERAL AND STATE FUNDS;**

9 **(6) RECOMMENDING TO THE DEPARTMENT USE OR CHANGES IN USE**
10 **OF TOLLS OR CHARGES FOR FACILITIES IN THE SOUTHERN MARYLAND REGION;**

11 **(7) GENERAL OVERSIGHT OF REGIONAL TRANSPORTATION ISSUES OF**
12 **A MULTI JURISDICTIONAL NATURE, INCLUDING INTELLIGENT TRANSPORTATION**
13 **SYSTEMS, SIGNALIZATION, AND PREPARATION FOR AND RESPONSE TO**
14 **EMERGENCIES;**

15 **(8) SERVING AS AN ADVOCATE FOR THE TRANSPORTATION NEEDS OF**
16 **THE SOUTHERN MARYLAND REGION BEFORE THE STATE AND FEDERAL**
17 **GOVERNMENTS; AND**

18 **(9) APPLYING TO AND NEGOTIATING WITH THE FEDERAL**
19 **GOVERNMENT AND THE STATE FOR GRANTS AND ANY OTHER FUNDS AVAILABLE TO**
20 **CARRY OUT THE PURPOSES OF THIS SUBTITLE.**

21 **10.5-309.**

22 **(A) IN THIS SECTION, “FUND” MEANS THE SOUTHERN MARYLAND REGION**
23 **CONGESTION RELIEF FUND.**

24 **(B) THERE IS A SOUTHERN MARYLAND REGION CONGESTION RELIEF**
25 **FUND.**

26 **(C) THE PURPOSE OF THE FUND IS TO FINANCE TRANSPORTATION**
27 **FACILITIES IN THE SOUTHERN MARYLAND REGION.**

28 **(D) THE EXECUTIVE DIRECTOR OF THE AUTHORITY SHALL ADMINISTER**
29 **THE FUND.**

30 **(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
31 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(2) INTEREST EARNINGS; AND

(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) THE FUND MAY BE USED ONLY FOR THE FINANCING OF TRANSPORTATION FACILITIES IN THE SOUTHERN MARYLAND REGION.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(J) MONEY EXPENDED FROM THE FUND FOR FINANCING TRANSPORTATION FACILITIES IN THE SOUTHERN MARYLAND REGION IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR TRANSPORTATION FACILITIES IN THE SOUTHERN MARYLAND REGION.

10.5-310.

ON OR BEFORE JANUARY 1, 2025, AND EACH JANUARY 1 THEREAFTER, THE AUTHORITY SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE ACTIVITIES OF THE AUTHORITY DURING THE PRIOR YEAR.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before July 1, 2025, the Department of Transportation, in consultation with the Comptroller, shall report to the General Assembly, in accordance with § 2-1257 of the State Government Article, on the feasibility of creating local-option transportation revenues for the purpose of raising funds to provide revenue for the regional transportation authorities established under Section 1 of this Act.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2024.