

SENATE BILL 210

R1

(PRE-FILED)

5lr0227
CF HB 288

By: **Chair, Finance Committee (By Request – Departmental – Transportation)**

Requested: October 9, 2024

Introduced and read first time: January 8, 2025

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: February 2, 2025

CHAPTER _____

1 AN ACT concerning

2 **Maryland Transportation Authority – Tolls, Fees, and Other Charges**
3 **– Temporary Adjustments**

4 FOR the purpose of increasing the maximum duration of an emergency status
5 determination authorizing the temporary adjustment of tolls, fees, or other charges
6 by the Maryland Transportation Authority; and generally relating to temporary
7 adjustment of tolls, fees, and other charges by the Maryland Transportation
8 Authority.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 4–312(a)
12 Annotated Code of Maryland
13 (2020 Replacement Volume and 2024 Supplement)

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

16 **Article – Transportation**

17 4–312.

18 (a) (1) Notwithstanding the provisions of Section 3, § 20 and Section 4, § 16 of
19 Chapter 608 of the Acts of the General Assembly of 1976, tolls may continue to be charged

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



on the John F. Kennedy Memorial Highway and any project constructed under the provisions of Section 3 (Bridge, Tunnel, and Motorway Revenue Bonds) of Chapter 608 of the Acts of the General Assembly of 1976.

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

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

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

(3) (i) Before the Authority adopts an increase in tolls, fees, or other charges on any part of a fixed toll transportation facilities project or adopts an increase in mileage rate ranges, pricing periods, toll zones, fees, or other charges on a variably priced toll transportation facilities project, the Authority shall provide an opportunity for public review and comment on the proposed increase at one or more meetings held at a time and place of convenience to the public in each county in which the increase is proposed to be implemented.

(ii) At least 10 working days before the start of the first meeting under subparagraph (i) of this paragraph, the Authority shall provide to the public on the Authority's official website the proposed increase in tolls, fees, mileage rate ranges, pricing periods, toll zones, or other charges and information and studies used in its analysis to justify the proposed increase.

(iii) For a period of at least 10 working days after the last scheduled meeting for public review and comment under subparagraph (i) of this paragraph, the Authority shall provide the public with an opportunity to submit additional written comments on the proposal.

(iv) Within 10 days after the close of the written comment period under subparagraph (iii) of this paragraph, the Authority shall provide to the public on its official website and to the members of the Authority a summary and analysis of the comments received from the public on the proposal.

(4) Before the Authority votes on any proposal to increase tolls, fees, or other charges on any part of a fixed toll transportation facilities project or votes on an increase in mileage rate ranges, pricing periods, toll zones, fees, or other charges on any part of a variably priced toll transportation facilities project, the Authority shall:

(i) Provide in writing to all of the members of the Authority and, on request, to the public any recommendation of the Authority regarding the proposal;

1 (ii) For a period of at least 10 working days after making any
2 recommendation on the proposal, provide an opportunity for public review and written
3 comment on the recommendation;

4 (iii) Provide to the public on its official website:

5 1. Any recommendation of the Authority regarding the
6 proposal; and

7 2. The time, place, and date of the meeting at which the
8 Authority will vote on the proposal; and

9 (iv) Provide to each member of the Authority and provide to the
10 public on its official website a summary and analysis of any public comments received
11 under item (ii) of this paragraph by the Authority regarding the Authority's
12 recommendation.

13 (5) (i) At any meeting in which a recommendation to increase tolls, fees,
14 or other charges on a fixed toll transportation facilities project or a recommendation to
15 increase mileage rate ranges, pricing periods, toll zones, fees, or other charges on a variably
16 priced transportation facilities project is scheduled for consideration, the Authority shall
17 provide the public a reasonable amount of time to comment on the recommendation before
18 the Authority votes on the recommendation.

19 (ii) If the Authority amends its recommendation after receiving
20 public comment at the meeting under subparagraph (i) of this paragraph and then votes on
21 the amended recommendation at that meeting, the Authority is not required to provide an
22 additional opportunity for public comment under paragraph (4) of this subsection.

23 (6) (i) If the Authority determines that it must increase tolls, fees,
24 mileage rate ranges, pricing periods, toll zones, or other charges within a time period or in
25 a manner that will not permit compliance with paragraphs (3) and (4) of this subsection to
26 remain in compliance with the provisions of any trust agreement, escrow deposit
27 agreement, or resolution that provides for the payment of bonds issued by the Authority,
28 or to ensure that unforeseen circumstances do not adversely affect the continuity of
29 operations at one or more transportation facilities projects, the Authority shall determine
30 that an emergency status exists.

31 (ii) If the Authority determines that an emergency status exists
32 under subparagraph (i) of this paragraph, the Authority shall adopt temporary adjustments
33 to tolls, fees, mileage rate ranges, pricing periods, toll zones, or other charges that shall
34 take effect immediately on adoption by the Authority or on the effective date established
35 by the Authority.

36 (iii) If the Authority adopts any temporary adjustments to tolls, fees,
37 mileage rate ranges, pricing periods, toll zones, or other charges under subparagraph (ii) of
38 this paragraph, the Authority shall:

1 1. Provide notice to the public on the Authority's official
2 website of any temporary adjustment adopted under subparagraph (ii) of this paragraph;
3 and

4 2. Commence the public notice and comment procedures
5 under paragraphs (3) and (4) of this subsection immediately.

6 (iv) An emergency status determination may not exceed **[180] 300**
7 days and may be subject to one or more additional conditions imposed by the Authority.

8 (v) When the emergency status expires, the temporary adjustments
9 adopted under subparagraph (ii) of this paragraph shall end.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.