

(a) **[(d)]** *Service of state highway construction bonds.*

First, **[Next,]** to the extent required for debt service on state highway construction bonds pursuant to Sections 189 to 210, both inclusive, of this article.

(b) **[(e)]** *For construction.*

The balance, together with any monies transferred from the Motor Vehicle Revenue Fund under subsection (1) of Section 38 of this article, shall constitute a construction fund for the performance, to the extent necessary, of valid and subsisting contracts heretofore entered into by the Commission and for the construction or reconstruction of a project or projects as defined in this subtitle; provided that no expressway shall be constructed to serve a traffic volume of less than an average of 5,000 vehicles per day, and no controlled access arterial highway shall be constructed to serve a traffic volume of less than an average of 3,000 vehicles per day, such traffic volumes to have been determined over a period of one year prior to the initiation of the project by procedures heretofore used by the State Roads Commission to establish densities of traffic.

[(f) Transfer to Motor Vehicle Revenue Fund for maintenance purposes.—In any fiscal year when the distribution to the State Roads Commissions (Commission) (under Sec. 38 of Article 89-B of the Annotated Code of Maryland) from the Motor Vehicle Revenue Fund (created by Sec. 341 of Article 66½ of such Code) is insufficient to maintain properly the State highway system, the State Roads Commission, with the consent of the Governor, and under the provisions of Sec. 8 of Article 15A of such Code, may in any fiscal year, transfer from the Construction Fund described in this section, to the Motor Vehicle Revenue Fund, a sum not to exceed twelve million dollars (\$12,000,000.00) in such fiscal year, such funds, when so transferred, to be used for the maintenance and operation of the State highway system.]

(c) **[(g)]** The State Roads Commission with the consent of the Governor and under the provisions of Section 8 of Article 15A may, in any fiscal year, transfer from the Construction Fund prescribed in this section to a "County Highway Construction Fund," which is hereby established, a sum equal to such amount of Federal Aid Secondary Highway Funds that may become available from the Bureau of Public Roads and that may be allocated by the State Roads Commission to the several counties and that may subsequently be released by such counties to the State Roads Commission for use on the State Highway System. Such County Highway Construction Fund shall be subject to apportionment by the State Roads Commission and matching construction funds shall be required of each such county participating in such program. Such County Highway Construction Fund and such matching funds shall be expended only for highway construction and reconstruction projects under such rules and regulations as the Commission shall determine.

(d) **[(h-1)]** *Definitions.*

Municipality as used herein means any incorporated town, city or village within the State of Maryland entitled to receive Federal-Aid Urban Funds.