

tration, or the Administrator, or the Secretary of Transportation, or the Deputy Secretary of Transportation, or any officer or employee of the [Commission] Administration or office of the Secretary, shall be required to testify to any facts ascertained in, or information gained by reason of, his official capacity, or be required to testify as an expert witness in any suit, action or proceeding involving any aircraft.

34.

[There is hereby created a fund to be known as the "State Aviation Fund,"] All moneys received from registration fees, fines, licensing of airports, landing fields, air schools, or other licenses issued under the provisions of this article, shall be paid into the **[State treasury] Transportation Trust Fund pursuant to Article 94A, Section 11, of this Code, and credited to such fund.**

SEC. 5. *And be it further enacted, That Sections 3(b), 3(c), 3(d), 3(e), 3(f), 3(g), 3(h), 3(i), 3(j), 5(j), 5(n), 8B(k), 9, 20, 21(b) and 21(c) of Article 62B of the Annotated Code of Maryland (1957 Edition, 1968 Replacement Volume and 1969 Supplement), title "Maryland Port Authority" be and they are hereby repealed in their entirety, and that Sections 3(a), 4(b), 5(a), 5(h), 5(m), 5(o), and 13(a) of the same Article 62B be and they are hereby repealed and re-enacted with amendments, to be under the new title AND TO CHANGE THE TITLE OF ARTICLE 62B TO BE "Maryland Port Administration," all to read as follows:*

3.

[(a) Authority Created; State Instrumentality.—There is hereby created a body politic and corporate to be known as the "Maryland Port Authority." The **[Authority] Maryland Port Administration established pursuant to Article 41, Section 207C of this Code,** is hereby constituted an instrumentality of the *Department of Transportation* of the State of Maryland, and the exercise by the **[Authority] Department of Transportation and the Maryland Port Administration** of the powers conferred by this Article shall be deemed and held to be the performance of an essential governmental function of the State of Maryland.

The exercise of all powers, duties, and functions vested in the Maryland Port Administration by the provisions of this Article shall be subject to the authority of the Secretary of Transportation and the Maryland Transportation Authority set forth in Articles 41 and 94A of this Code or elsewhere in the laws of Maryland.

The powers, authority and functions vested in the Maryland Port Administration by the provisions of Sections 5(d), 5(f), 5(g), 5(h), 5(k), 5(l), 5(o), 5(s), 6(a), and 6(c) of this Article, shall be exercised or performed by the Administration subject to the approval of the Secretary of Transportation or, with respect to matters within the jurisdiction of the Maryland Transportation Authority, the approval of the Maryland Transportation Authority. However, the Secretary or the Maryland Transportation Authority, by regulations or directives, may dispense with such power of approval, and authorize the Administration to proceed pursuant to such sections without obtaining prior approval, to the extent that the Secretary or Authority deem appropriate.