

## CHAPTER 351

(Senate Bill 282)

AN ACT to repeal and re-enact, with amendments, Section 38A of Article 89B of the Annotated Code of Maryland (1971 Supplement), title "State Roads," subtitle "Distribution and Use of Special Funds," and to add new Section 38B to Article 89B of the Annotated Code of Maryland (1971 Supplement), title "State Roads," subtitle "Distribution and Use of Special Funds," THE SAID ARTICLE AND SUBTITLE OF THE CODE to follow immediately after Section 38A thereof, ~~requiring~~ PERMITTING the State Highway Administration, Baltimore City, and the several counties and municipalities of the State to provide out of local "highway user revenues" as defined in Section 38A (b) of this Article reasonable amounts, ~~but not less than 1% in any one fiscal year~~, for the establishment and maintenance of foot paths and bicycle trails whenever a highway, road or street is being constructed, reconstructed or relocated through the use of funds received from highway user revenues.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 38A of Article 89B of the Annotated Code of Maryland (1971 Supplement), title "State Roads," subtitle "Distribution and Use of Special Funds," be and it is hereby repealed and re-enacted, with amendments, and that new Section 38B be and it is hereby added to Article 89B of the Annotated Code of Maryland (1971 Supplement), title "State Roads," subtitle "Distribution and Use of Special Funds," THE SAID ARTICLE AND SUBTITLE OF THE CODE to follow immediately after Section 38A thereof, all to read as follows:

## 38A.

(a) Where the provisions of Sections 29A through 38 and elsewhere in this article, relating to the distribution and use of highway user revenues, hereinafter defined, are in conflict with the provisions of this section, it is hereby declared to be the legislative intent that such inconsistency is only to the extent required to preserve pledges of revenues for the amortization of State highway construction bonds and county highway construction bonds heretofore authorized. Subject to the foregoing, all highway user revenues, as hereinafter defined in this section, shall be allocated as follows: A 17.5% share of the total highway user revenues shall be distributed monthly to the mayor and city council of Baltimore to be used for the purposes set forth in Sections 33 and 38B of this article. And 17.5% of the total highway user revenues after providing individual county sinking fund requirements for county highway construction bonds shall be distributed upon warrants of the State [Roads Commission] *Highway Administration*, to the several counties and municipalities of the State in accordance with the provisions of Sections 34 and 38B of this article as amended. Provided, however, that the total share so allocated to any county shall not be less than the dollar amount allocated to such individual county from highway user revenue sources in the fiscal year immediately preceding July 1, 1968. In order to permit time within which a subdivision may adjust its budgetary position with respect to the inclusion of "in lieu"