

funds in the highway user fund distribution, a sub-division shall be permitted to use from its highway user fund distribution for general fund purposes a sum not in excess of its previous fiscal year allotment of "in lieu" funds. This provision to apply for a period of one year from July 1, 1968, after which for a period of four years a subdivision shall be permitted to use from its highway user fund distributions for general fund purposes in any fiscal year either (1) \$75,000 or (2) an amount equal to its share of the "in lieu" fees for the fiscal year immediately preceding the effective date of the new formula, whichever is less. The balance of the highway user revenues after providing sinking fund requirements for all State highway construction bonds shall be retained in the Transportation Trust Fund established under Article 94A of this Code to be expended as therein provided.

Provided, however, that no such distribution shall be made to said mayor and city council of Baltimore unless it shall have levied, in its current fiscal year, taxes sufficient to collect a minimum of one dollar per capita in revenue and unless it shall have certified a copy of said levy to the State Comptroller; and provided further, that any moneys, otherwise distributable under this section, which shall not be distributed at the close of the fiscal year of the mayor and city council of Baltimore because of failure of said mayor and city council to make such levy or certification, shall revert to the Transportation Trust Fund. Per capita revenue shall be computed for the purposes of this section by using the population figures furnished by the latest federal census or by an official local census, whichever is latest.

(b) As used herein "highway user revenues" shall mean the funds credited to the gasoline and motor vehicle fund account of the Transportation Trust Fund and shall include motor vehicle gasoline tax, motor vehicle titling tax, motor vehicle registration fees, fines credited to the Motor Vehicle Revenue Fund prior to July 1, 1971, operators' license fees, titling fees and miscellaneous revenues of the Department of Motor Vehicles credited to the Motor Vehicle Fund prior to July 1, 1971, and fees from overweight and oversized permits issued by the State [Roads Commission] *Highway Administration* after the deductions provided prior to July 1, 1971, in Article 56, Article 66-1/2 and Article 81 of the Annotated Code of Maryland (1957 Edition as amended.)

38B.

(a) Out of the highway user revenues, as defined in Section 38A(b) of this Article, which are allocated from the gasoline and motor vehicle revenue account of the Transportation Trust Fund, as provided for in Section 11(b) of Article 94A, to Baltimore City to be used for the purposes set forth in Section 33 of this Article, or to the several counties and municipalities of the State to be used for the purposes set forth in Section 34 of this Article, received by either Baltimore City, or the several counties and municipalities of the State, there shall MAY be expended reasonable amounts for the establishment and maintenance of footpaths and bicycle trails whenever a highway, road or street is being constructed, reconstructed or relocated and highway user revenues are being used for such construction, reconstruction or relocation. Highway user revenues may also be expended to establish and maintain footpaths and