

paid from the Gasoline and Motor Vehicle Revenue Account of the Transportation Trust Fund to the political subdivisions; in this regard, see Subtitle 4 of this title. The Gasoline and Motor Vehicle Revenue Account is the successor to the Gasoline Tax Fund; see present Art. 94A, §11(k).

8-505. USE OF FEDERAL FUNDS BY ADMINISTRATION.

(A) POWER IN GENERAL.

IN ADDITION TO ITS OTHER POWERS, THE ADMINISTRATION, WITH FUNDS RECEIVED FROM THE FEDERAL GOVERNMENT OR ANY FEDERAL AGENCY, MAY:

(1) CONSTRUCT, RECONSTRUCT, IMPROVE, AND MAINTAIN THE STATE HIGHWAY SYSTEM; AND

(2) FOR THIS PURPOSE, AS AGREED TO BY THE ADMINISTRATION AND ANY AFFECTED RAILROAD COMPANY, SUBJECT TO COMPLIANCE WITH §8-639 OF THIS TITLE:

(I) CONSTRUCT, RECONSTRUCT, ALTER, REPAIR, OR RELOCATE ANY RAILROAD GRADE SEPARATION; AND

(II) OTHERWISE ELIMINATE ANY HIGHWAY HAZARD AT A RAILROAD GRADE CROSSING.

(B) TERMS TO BE DETERMINED BY FEDERAL GOVERNMENT.

ALL FEDERAL FUNDS ACCEPTED UNDER THIS SECTION SHALL BE ACCEPTED AND SPENT BY THE ADMINISTRATION ON THE TERMS AND CONDITIONS THAT THE FEDERAL GOVERNMENT REQUIRES.

(C) USE OF STATE FUNDS.

(1) EXCEPT AS OTHERWISE PROVIDED BY FEDERAL LAW, THE TOTAL COST OF ANY PROJECT UNDERTAKEN WITH FEDERAL FUNDS SHALL BE BORNE ENTIRELY BY THOSE FUNDS TO THE EXTENT THAT THEY ARE AVAILABLE.

(2) IF FEDERAL FUNDS FOR A PROJECT ARE INSUFFICIENT OR UNAVAILABLE TO PAY THE TOTAL COST OF THE PROJECT, THE EXCESS OF THE TOTAL COST OVER THE FEDERAL FUNDS RECEIVED SHALL BE BORNE AS PROVIDED BY LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 89B, §74.

In the introductory clause of subsection (a)(2) of this section, a cross-reference to §8-639 of this title is added for clarity. Also, in item (i) of that subsection, the defined term "railroad grade separation" is substituted for the present phrase "underpass or overhead bridge, under or over any railroad"; see §8-101 of this title.