

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 737.

This bill mandates that the Maryland Transportation Authority reconstruct, improve, and maintain a portion of Route 15 as a transportation facilities project in conformance with the Trust Agreement dated July 1, 1978, between the Authority and the Maryland National Bank securing the Authority's Transportation Facilities Projects Revenue Bonds, First Series (Refunding).

I acknowledge and agree with the General Assembly's determination that the reconstruction of Route 15 is a high priority project. The existing two-lane section is inadequate in terms of traffic capacity and, more importantly, is a severe safety problem. It is for this reason that the Department has given Route 15 the highest priority it can, given current financial constraints.

Senate Bill 737, however, appears to be based upon a misconception that the Trust Agreement would permit the construction of a toll free facility. Officials of the Department of Transportation and counsel to the Transportation Authority have reviewed this matter and advise that the Agreement, which is designed to protect the interest of the bondholders, would not permit a toll free facility. The Trust Agreement specifically prohibits toll free passage, except under limited circumstances, and requires that toll revenues from each facility be equal to at least the maintenance and operating costs of that facility within five years after completion of the road.

In order to comply with these terms, Route 15 would have to be converted to a fully controlled access toll road. This would require bridges or interchanges at each intersecting road, connecting service roads, ramp toll facilities, and a major toll plaza. The time required to redesign the highway to meet these specifications, the added construction costs, and the inconvenience of local residents would all be substantial if the road were constructed as a toll facility.

I believe, therefore, that it is preferable to continue and complete the reconstruction of Route 15 as a normal State highway, funded by the Transportation Trust Fund, rather than embark upon a new, uncertain course of action that would require a toll facility. For these reasons, I am vetoing Senate Bill 737.

Sincerely,  
Harry Hughes  
Governor

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