

ongoing transportation spending and shall constitute one-time only spending. The MdTA may transfer unencumbered reserves solely to support the MDOT capital program. In addition, any MdTA toll revenues transferred to support the 2001 transit initiative shall be used only to support capital expenses. The General Assembly does not support the use of MdTA toll revenues to support the department's operating budget.

The Maryland Department of Transportation (MDOT) shall not expend funds on any job or position of employment approved in this budget in excess of ~~9,317.5~~ 9,318.5 regular positions and 181.85 contractual full-time equivalents paid through special payments payroll (defined as the quotient of the sum of the hours worked by all such employees in the fiscal year divided by 2,080 hours) of the total authorized amount established in the budget for MDOT at any one time during fiscal 2004. The level of 181.85 contractual full-time equivalents may be exceeded only if MDOT notifies the budget committees of the need and justification for additional contractual personnel due to:

- (1) Business growth at the Port of Baltimore and Baltimore-Washington International Airport which demands additional personnel; or
- (2) Emergency needs which must be met (such as transit security or highway maintenance).

The Secretary shall use the authority under Sections 2-101 and 2-102 of the Transportation Article to implement this provision. However, any authorized job or position to be filled above the ~~9,317.5~~ 9,318.5 permanent position ceiling approved by the Board of Public Works shall count against the Rule of 250 imposed by the General Assembly. The