

(3) The findings from the audit shall be used as a benchmark for the annual performance reports.

[(4) A preliminary baseline audit shall be completed by December 1, 2000, with a final baseline audit to be completed by December 1, 2001.]

(e) The determinations of the Secretary, Administration, or Maryland Transportation Authority as to the type of service performed or the rentals, rates, fees, fares, and other charges imposed are not subject to judicial review or to the processes of any court.

(f) Notwithstanding any other provision of this title or the Public Utility Companies Article, the Public Service Commission does not have any jurisdiction over transit facilities owned or controlled by the Administration or over any contractor operating these facilities.

(g) Except as provided in this title, the Administration does not have any jurisdiction over transportation in the District by private carriers.

10-207.

(a) (1) In this section, the following words have the meanings indicated.

(2) "Eligible local bus service":

(i) Means the number of annual platform miles and annual platform hours of fixed route, scheduled local bus service, that previously replaced comparable service operated by the Washington Metropolitan Area Transit Authority, plus the number of annual platform miles and annual platform hours of any new fixed route, scheduled local bus service added after June 30, 1989; and

(ii) Is limited to service operated by or on behalf of and in Montgomery County or Prince George's County.

(3) "Costs" means operating costs of eligible local bus service, plus operating costs under § 10-205 of this subtitle.

(4) "Service deficit" means costs less:

(i) The greater of:

1. Revenues collected under this section and § 10-205(b) of this subtitle; or

2. 40 percent of the costs; and

(ii) All federal operating assistance.

(b) (1) Subject to the appropriation requirements and budgetary provisions of § 3-216 of this article and upon receipt of an approval of a grant application in the form or detail as the Secretary shall reasonably require, the Department shall provide for annual grants to Prince George's County and Montgomery County for eligible local bus service as defined in this section. The amount of these grants shall be equal to: