



Coalition to Protect Maryland's Transportation Fund

Fact Sheet & Talking Points

What is the "Coalition to Protect Maryland's Transportation Funds"?

- The Coalition is a group of organizations and individuals supporting passage of a constitutional amendment on the 2014 Maryland General Election ballot to create a "lock box" to ensure that Maryland's dedicated transportation funds are used **for transportation purposes only**, and to prevent transportation dollars from being diverted for other purposes in the future.
- The Coalition **SUPPORTS** passage of "Question 1" on the 2014 General Election ballot.

What does Question 1 do?

- Question 1 proposes a constitutional amendment to prohibit any future diversion of funds from Maryland's Transportation Trust Fund for non-transportation-related purposes. Funds can only be diverted if the Governor issues an executive order declaring a fiscal emergency AND a three-fifths "supermajority" vote in both houses of the Maryland General Assembly concurs.
- Current law does not provide any barrier to such transfers, which have happened repeatedly, diverting hundreds of millions of dollars from state and local transportation improvements. While some has been paid back to the Trust Fund, over \$1 billion was diverted from local transportation projects and never refunded.
- Question 1 would **create a "lock box"** to ensure that current State revenues collected from Maryland fuel taxes, vehicle license and registration fees, transit fares, and other revenues that are dedicated to the Transportation Trust Fund under current law, are actually used to help improve safety, reduce congestion, and improve mass transit, air travel and port facilities for the people of Maryland.
- Question 1 would not have any effect on current or future tax rates or spending levels. It would just ensure that transportation funds are used for transportation purposes.
- The full text of the proposed Amendment is included below.

Why is it Important to SUPPORT Question 1?

- Maryland has some of the worst traffic conditions in the United States, a long list of roads and bridges in poor or sub-standard condition, and a long list of state and local transit and road improvements that would help reduce congestion, improve safety and reliability, create jobs, and boost our economy – but those projects could all be derailed if Maryland fails to protect the Transportation Trust Fund.
- Question 1 would help ensure adequate levels of transportation funding -- without raising taxes – by making sure that the funds we already dedicate to Maryland's Transportation Trust Fund can **ONLY** be used for transportation-related purposes.
- Question 1 would amend the Maryland Constitution to keep those transportation funds from being diverted to other uses. This makes the availability of funds for major projects like the Purple Line, the Red Line, and other road, bridge, transit, port and airport improvements more predictable and sustainable, and reduces uncertainty and delay that can dramatically drive up financing costs.

- Question 1 offers the strongest possible protection for the Transportation Trust Fund by amending the Maryland Constitution to prohibit future transfers. Legislative remedies are not enough: Even if the General Assembly passed legislation to prohibit future “raids” on the Transportation Trust Fund, that legislative language would not bind future legislators or future Governors, and could be undone at any time by simple majority vote. This is why we need a constitutional amendment (as Maryland already has in place to protect education funding).
- If there is a true fiscal emergency, this Amendment would allow State leaders the flexibility to manage the situation. However, the Governor would have to issue an executive order declaring a fiscal emergency, AND both houses of the General Assembly would have to approve any transfers by a three-fifths supermajority vote. Given the impact that declaring a fiscal emergency would have on bond rating agencies and investors, this is not something any Governor or General Assembly would do lightly.
- Question 1 puts the “trust” back in the Transportation Trust Fund. Without the constitutional protections it would provide, state leaders would continue to be able to simply divert our already-scarce transportation funds any time they wished, for any reason.

Who are the Coalition’s Members: (List is in formation)

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| - AAA Mid-Atlantic | - Maryland Chapter of the Associated General Contractors of America (Maryland AGC) |
| - Central Maryland Transportation Alliance | - Maryland Motor Truck Association, Inc. |
| - Corridor Cities Transitway Coalition | - Maryland Transportation Builders and Materials Association |
| - Dorchester Chamber of Commerce | - Montgomery County Chamber of Commerce |
| - Gaithersburg-Germantown Chamber of Commerce | - Owner-Operator Independent Drivers Association |
| - Garrett County Chamber of Commerce | - Purple Line Now |
| - Greater Baltimore Committee | - Red Line Now |
| - Greater Bethesda Chevy Chase Chamber of Commerce | - Suburban Maryland Transportation Alliance |
| - Greater Severna Park and Arnold Chamber of Commerce | - Talbot Chamber of Commerce |
| - Greater Silver Spring Chamber of Commerce | - United Brotherhood of Carpenters and Joiners |
| - Maryland Building Industry Association | - West Anne Arundel County Chamber of Commerce |
| - Maryland Motorcoach Association | - Vehicles for Change |
| - Maryland Association of Realtors | |
| - Maryland Chamber of Commerce | |

Full Text of the Proposed Constitutional Amendment (Question 1): As it will appear on the November 4, 2014 General Election ballot in Maryland.

**Question 1 – VOTE YES- Constitutional Amendment (Ch. 422 of the 2013 Legislative Session)
Transportation Trust Fund – Use of Funds
(Amending Article III by adding Section 53 to the Maryland Constitution)**

Limits the use of Transportation Trust Funds to the payment of principal and interest on transportation bonds and for constructing and maintaining an adequate highway system or any other transportation-related purpose. Also prohibits the transfer of Transportation Trust Funds into the General Fund or a special fund of the State, except for: (1) an allocation or use of highway user revenues for local governments or (2) a transfer of funds to the Maryland Transportation Authority or the Maryland Transportation Authority Fund. Transportation Trust Funds may be used for non-transportation related purposes or transferred to the general fund or a special fund only if the Governor declares a fiscal emergency and the General Assembly approves legislation, by a three-fifths vote of both houses, concurring with the use or transfer of the funds.

Vote November 4th:  FOR the Constitutional Amendment

For more information visit: www.VoteForMD1.com