



AAA Mid-Atlantic News Release

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CRUCIAL TRANSPORTATION TRUST FUND AMENDMENT TO APPEAR ON MARYLAND BALLOT IN THE GENERAL ELECTION THIS NOVEMBER

Ballot Measure Creates Protections For The Transportation Trust Fund

TOWSON, MD (August 22, 2014) – A measure to protect Maryland’s often-raided Transportation Trust Fund is one of two key constitutional amendments appearing on the ballot in the general election in Maryland this November. If approved by the voters, the ballot measure will create constitutional protections for the state’s Transportation Trust Fund ([TTF](#)), which funds the construction and maintenance of highways and other transportation projects. The proposed amendment would place a so-called “[lock box](#)” on the dedicated transportation funds, explains AAA Mid-Atlantic, which championed the measure.

Earlier this week, the Secretary of State, John P. McDonough certified the [ballot language](#) for the Transportation Trust Fund constitutional amendment. Adoption of a constitutional amendment requires the state legislature to first pass legislation ([Senate Bill 829](#)), which it did in the 2013 session, and then requires the measure to be approved by voters, notes AAA Mid-Atlantic.

The constitutional protections will make it far more difficult for politicians to raid, divert or transfer dollars out of the fund for non-transportation uses, beginning in Fiscal Year 2015, explains the motorists’ organization. Going forward, any transfer from the TTF to the general fund could only occur with the Governor first declaring a fiscal emergency and then with a three-fifths vote in both Chambers of the Maryland General Assembly.

“This sorely needed and long-overdue constitutional amendment puts the ‘trust’ back in the Transportation Trust Fund, ensuring that the fund is no longer the state’s cookie jar,” said Ragina

Cooper-Averella, AAA Mid-Atlantic's Manager of Public and Government Affairs. "Amending the Maryland Constitution provides the very best protection for taxpayers' transportation dollars."

If passed, the amendment, in part, would add this language to the 47,000 word-long Maryland Constitution: "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." AAA Mid-Atlantic applauds the language that amends Article III of the Maryland Constitution.

In the past, hundreds of [millions](#) of dollars in revenues have been transferred from the TTF to the general fund to help balance the state's budget. It was a classic case of robbing Peter to pay Paul, contends AAA Mid-Atlantic. For example, more than a billion dollars were transferred from local Highway User Revenues (HUR) to the General Fund in the period from Fiscal Year (FY) 2003 to FY2012, according to the Maryland Blue Ribbon [Commission](#) on Maryland Transportation Funding. "None of that money has been repaid," according to AAA's Managing Director, Mahlon G. 'Lon' Anderson, who was a member of the Commission. "That's why this measure is so desperately needed."

The Commission explained, "the majority of transfers from MDOT [Maryland Department of Transportation] funds have been repaid. However, a large amount [approximately \$1.1 billion] of funds from the local government portion of the Highway Users Revenues [HUR] has not been, and is not scheduled to be, replenished." The report was issued in November 2011 when the state's transportation system was "on the verge of financial collapse."

To forestall this, the Blue Ribbon Commission recommended amending the "Maryland Constitution to prohibit transfers out of the Transportation Trust Fund for non-transportation purposes (except in declared fiscal emergencies)." AAA Mid-Atlantic served as a member of the Blue Ribbon Commission on Maryland Transportation Funding. The Transportation Trust Fund was "created in 1971 to establish a dedicated fund to support the Maryland Department of Transportation ([MDOT](#))."

The proposed Constitutional Amendment (Senate Bill 829) was principally sponsored by State Senator Thomas V. (Mike) [Miller](#), Jr. (D-Calvert), President of the Maryland Senate, and other key co-sponsors during the 2013 session of the Maryland General Assembly. More specifically, the language of the amendment that appears on the ballot this November "limits the use of Transportation Trust Funds to the payment of principal and interests on transportation bonds and for constructing and maintaining an adequate highway system or any other transportation-related purpose."

AAA Mid-Atlantic, which represents nearly 900,000 members in Maryland, is urging Maryland voters in the general election to vote in favor of the ballot question “to ensure that funds raised for transportation will be spent on transportation,” Cooper-Averella said. “This is a critical measure that adds transparency and ends the deceptions in transportation funding.”

The general election will be held this fall, Tuesday, November 4, 2014. Early voting will be available at early voting polling locations from Thursday, October 23, 2014 through Thursday, October 30, 2014.

What are its odds of passage? “Since 1994, an average of three measures has appeared on even-year ballots in Maryland. Therefore, 2014 is a below-average year based on the number of certified measures,” according to BallotPedia.com. “Since 1994, 28 of 32, or 88 percent, of Maryland ballot measures have been approved by voters. Conversely, four of 32, or 13 percent, of measures have been defeated.”

Historically, Maryland’s Constitution has been amended nearly 200 times and it was last amended in 2012. As a footnote, “Maryland has had four constitutions;” according to the Maryland State Archives. “At the time of the Revolutionary War, the first constitution was adopted by the Ninth Provincial Convention, meeting at Annapolis, in November 1776. Voters adopted the second constitution in June 1851. During the Civil War, the third constitution was adopted by the voters in October 1864. Voters adopted the fourth and last constitution under which Maryland government now functions in September 1867.”



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