

CHAPTER 103
FORMERLY
SENATE BILL NO. 167

AN ACT RESTRICTING THE USE OF THE TRANSPORTATION TRUST FUND.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. The State irrevocably pledges and assigns and continuously appropriates the proceeds derived from a motor vehicle registration fee, a motor vehicle document fee, a motor fuel tax, a motor carrier road use tax and registration fee, and the operation of the Delaware Turnpike to a special fund known as the Transportation Trust Fund.

Section 2. The moneys in the Transportation Trust Fund may be appropriated and used for the following purposes:

(1) Capital expenditures on the public transportation system, including the road system, grants and allocations for investments in transportation, the transit system, and the support systems for public transportation.

(2) Payment of the interest and principal on all indebtedness incurred before or after the effective date of this Act, including the payment of all other obligations incurred pursuant to any trust agreement related to such indebtedness, and secured by moneys in the Transportation Trust Fund.

(3) Other transportation-related purposes, including operating expenses, to which moneys in the Transportation Trust Fund are authorized on the effective date of this Act.

Section 3. No moneys in the Transportation Trust Fund may be appropriated for a purpose not listed in Section 2 except by an act of the General Assembly adopted with the concurrence of three-fourths of all members of each House and separate from an annual budget act, bond and capital improvement act, or grants-in-aid act.

Section 4. If moneys in the Transportation Trust Fund cease to be appropriated for a purpose under paragraph (3) of Section 2, the moneys may not again be appropriated for a purpose under paragraph (3) of Section 2 except by an act of the General Assembly adopted with the concurrence of three-fourths of all members of each House and separate from an annual budget act, bond and capital improvement act, or grants-in-aid act.

Section 5. Revenues generated as a result of the enactment of House Bill No. 140, as amended, shall fund additional projects in the capital program categories of the Transportation Trust Fund such as Road System, Grants and Allocations, Transit System, and Support System. Revenues generated as a result of the enactment of House Bill No. 140, as amended, shall not fund the operating costs of the Department of Transportation.

Section 6. This Act shall sunset on November 8, 2016.

Approved July 15, 2015