

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL NO. 884

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "facilities;" insert "establishing the Office of Bicycle and Pedestrian Access in the Department of Transportation; providing for the appointment, duties, and salary of the Director of the Office; establishing the duties and powers of the Office;"; in line 10, strike "Department of Transportation" and substitute "Office"; in line 14, after "Committee;" insert "establishing the Bicycle-Pedestrian Program Account in the Transportation Trust Fund;"; and strike beginning with "budget" in line 17 down through "Fund" in line 20 and substitute "credit to the Bicycle-Pedestrian Program Account an amount of funds sufficient to fund projects and programs to achieve certain bicycle and pedestrian transportation goals; requiring the Department to use the funds in the Bicycle-Pedestrian Program Account".

On page 2, in line 9, strike "2-604" and substitute "2-606"; in line 14, strike "2-603" and substitute "2-605"; and in line 20, strike "2-604" and substitute "2-606".

AMENDMENT NO. 2

On page 3, in line 4, strike "2-604" and substitute "2-606"; in line 12, after "the" insert "OFFICE OF BICYCLE AND PEDESTRIAN ACCESS IN THE DEPARTMENT AND THE"; in line 14, strike "2-604" and substitute "2-606"; after line 28, insert:

"(B) OFFICE" MEANS THE OFFICE OF PEDESTRIAN AND BICYCLE ACCESS.";

and in lines 30 and 32, strike "(B)" and "(C)", respectively, and substitute "(C)" and "(D)", respectively.

On page 4, after line 24, insert:

"2-603."

(Over)

(A) THERE IS AN OFFICE OF BICYCLE AND PEDESTRIAN ACCESS IN THE DEPARTMENT.

(B) (1) THE HEAD OF THE OFFICE IS THE DIRECTOR, WHO SHALL BE APPOINTED BY THE SECRETARY WITH THE APPROVAL OF THE GOVERNOR.

(2) THE DIRECTOR SHALL BE A PERSON WITH EXPERIENCE IN TRANSPORTATION PLANNING WITH SPECIALIZED KNOWLEDGE IN MATTERS RELATING TO BICYCLE AND PEDESTRIAN ACCESS TO TRANSPORTATION FACILITIES.

(C) (1) THE DIRECTOR SERVES AT THE PLEASURE OF THE SECRETARY AND SHALL REPORT DIRECTLY TO THE SECRETARY.

(2) SUBJECT TO THE AUTHORITY OF THE SECRETARY, THE DIRECTOR IS RESPONSIBLE FOR CARRYING OUT:

(I) THE POWERS AND DUTIES VESTED BY LAW IN THE OFFICE;  
AND

(II) THOSE POWERS AND DUTIES VESTED IN THE SECRETARY AND DELEGATED TO THE DIRECTOR BY THE SECRETARY.

(D) THE DIRECTOR IS ENTITLED TO THE SALARY PROVIDED IN THE STATE BUDGET.”.

On page 5, in line 5, strike “2-603.” and substitute “2-604.”; in lines 6 and 31, in each instance, strike “DEPARTMENT” and substitute “OFFICE”.

AMENDMENT NO. 3

On page 5, after line 31, insert:

“(1) PARTICIPATE IN THE PLANNING OF NEW TRANSPORTATION FACILITIES AND IMPROVEMENTS TO EXISTING TRANSPORTATION FACILITIES;

(2) ADVISE THE SECRETARY ON MATTERS CONCERNING BICYCLE AND PEDESTRIAN ACCESS AND ANY OTHER MATTER AS REQUESTED BY THE

SECRETARY;”.

On page 6, in lines 1, 5, and 8, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; after line 9, insert:

“(C) THE EXERCISE OF THE POWERS AND DUTIES OF THE OFFICE IS SUBJECT TO THE AUTHORITY OF THE SECRETARY.

2-605.

(A) SUBJECT TO THE LIMITATIONS IMPOSED BY THIS SUBTITLE, THE OFFICE MAY EXERCISE ALL POWERS REASONABLY NECESSARY TO ACHIEVE THE PURPOSES OF THIS SUBTITLE, INCLUDING THE AUTHORITY TO:

(1) ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SUBTITLE;

(2) APPLY FOR AND RECEIVE GRANTS, GIFTS, PAYMENTS, LOANS, ADVANCES, APPROPRIATIONS, PROPERTY, AND SERVICES FROM THE FEDERAL GOVERNMENT, THE STATE, ANY OF THEIR AGENCIES OR POLITICAL SUBDIVISIONS, OR ANY OTHER PUBLIC OR PRIVATE PERSON;

(3) APPOINT AND REMOVE ALL EMPLOYEES OF THE OFFICE, SUBJECT TO THE PROCEDURES AND STANDARDS THAT THE SECRETARY ADOPTS; AND

(4) ENTER INTO AGREEMENTS AND CONTRACT FOR:

(I) ANY STUDIES, PLANS, DEMONSTRATIONS, OR PROJECTS;

(II) PLANNING, ENGINEERING, AND TECHNICAL SERVICES; AND

(III) ANY PURPOSE NECESSARY FOR OR INCIDENTAL TO THE PERFORMANCE OF ITS DUTIES AND THE EXERCISE OF ITS POWERS UNDER THIS

(Over)

SUBTITLE.;

and in line 30, strike "2-604" and substitute "2-606".

AMENDMENT NO. 4

On page 8, in line 17, strike "and"; in the same line after the second "Account" insert ", AND THE BICYCLE PEDESTRIAN PROGRAM ACCOUNT"; after line 19, insert:

"(II) IN EACH FISCAL YEAR, THE DEPARTMENT SHALL CREDIT TO THE BICYCLE-PEDESTRIAN PROGRAM ACCOUNT, FROM FEDERAL FUNDS AVAILABLE TO THE DEPARTMENT, OTHER FUNDS IN THE TRANSPORTATION TRUST FUND, AND ANY OTHER FUNDS AVAILABLE TO THE DEPARTMENT, AN AMOUNT SUFFICIENT TO FUND PROJECTS AND PROGRAMS DETERMINED BY THE SECRETARY TO BE NECESSARY TO ACHIEVE THE BICYCLE AND PEDESTRIAN TRANSPORTATION GOALS IDENTIFIED FOR THE FISCAL YEAR UNDER TITLE 2, SUBTITLE 6 OF THIS ARTICLE."; and strike in their entirety lines 20 through 26, inclusive.

On page 9, in line 34, after "USE" insert "THE"; and in the same line, after the second "THE" insert "BICYCLE-PEDESTRIAN PROGRAM ACCOUNT IN THE".

On page 10, strike beginning with the first "THE" in line 6 down through "ARTICLE" in line 9 and substitute ":

(I) THE EXPENDITURES FROM THE BICYCLE-PEDESTRIAN PROGRAM ACCOUNT DURING THE PRECEDING FISCAL YEAR; AND

(II) THE PROGRESS MADE TOWARD ATTAINMENT OF THE BICYCLE AND PEDESTRIAN TRANSPORTATION GOALS IDENTIFIED FOR THE FISCAL YEAR UNDER TITLE 2, SUBTITLE 6 OF THIS ARTICLE".