

BY: Conference Committee

AMENDMENTS TO SENATE BILL NO. 884

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "facilities;" insert "providing for a Director of Bicycle and Pedestrian Access in the Department of Transportation; providing for the appointment, duties, and salary of the Director; establishing the duties and powers of the Director;"; and in line 10, strike "Department of Transportation" and substitute "Director".

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 "DIRECTOR OF BICYCLE AND PEDESTRIAN ACCESS AND THE"; in line 14, strike "2-604" and substitute "2-606"; after line 28, insert:

"(B) "DIRECTOR" MEANS THE DIRECTOR 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.

(A) THERE IS A DIRECTOR OF BICYCLE AND PEDESTRIAN ACCESS IN THE OFFICE OF THE SECRETARY.

(Over)

(B) (1) THE DIRECTOR 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 “DIRECTOR”.

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; in line 9, strike “§ 2-604” and substitute “§ 2-606”; after line 9, insert:

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

2-605.

SUBJECT TO THE LIMITATIONS IMPOSED BY THIS SUBTITLE, THE DEPARTMENT, IN CONSULTATION WITH THE DIRECTOR, 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; AND

(3) 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 SUBTITLE.”;

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

(Over)

AMENDMENT NO. 4

On page 8, after line 19, insert:

“(II) IN EACH FISCAL YEAR, THE DEPARTMENT SHALL BUDGET 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”.

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

(I) THE EXPENDITURES MADE TOWARD THE ATTAINMENT OF THE BICYCLE AND PEDESTRIAN TRANSPORTATION GOALS DURING THE PRECEDING FISCAL YEAR UNDER TITLE 2, SUBTITLE 6 OF THIS ARTICLE; 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”.