

HOUSE BILL 1175

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SB 421/01 - B&T

2002 Regular Session  
2lr2777  
CF SB 406

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By: **Delegate DeCarlo**

Introduced and read first time: February 8, 2002

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Pedestrians and Bicycle Riders with Disabilities**

3 FOR the purpose of establishing an Advisory Committee on Pedestrians and Bicycle  
4 Riders with Disabilities; specifying the purpose and the membership of the  
5 Committee; providing for the appointment of a chairman of the Committee;  
6 providing for meetings of the Committee; providing for staffing of the  
7 Committee; declaring a certain policy of the State regarding pedestrians and  
8 bicycle riders with disabilities; requiring the Director of Bicycle and Pedestrian  
9 Access to propose certain strategies in the Statewide Bicycle-Pedestrian Master  
10 Plan and to consult regularly with the Committee; and generally relating to  
11 pedestrians and bicycle riders with disabilities.

12 BY repealing and reenacting, without amendments,  
13 Article - Transportation  
14 Section 2-601, 2-603, and 2-605  
15 Annotated Code of Maryland  
16 (2001 Replacement Volume)

17 BY repealing and reenacting, with amendments,  
18 Article - Transportation  
19 Section 2-602 and 2-604  
20 Annotated Code of Maryland  
21 (2001 Replacement Volume)

22 BY adding to  
23 Article - Transportation  
24 Section 2-608  
25 Annotated Code of Maryland  
26 (2001 Replacement Volume)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
28 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Transportation**

2 2-601.

- 3 (a) In this subtitle the following words have the meanings indicated.
- 4 (b) "Director" means the Director of Bicycle and Pedestrian Access.
- 5 (c) "Transit facility" has the meaning stated in § 3-101(k) of this article.
- 6 (d) "Transportation facility" has the meaning stated in § 3-101(l) of this  
7 article.

8 2-602.

9 The General Assembly finds that it is in the public interest for the State to  
10 include enhanced transportation facilities for pedestrians and bicycle riders as an  
11 essential component of the State's transportation system, and declares that it is the  
12 policy of the State that:

13 (1) Access to and use of transportation facilities by pedestrians and  
14 bicycle riders shall be considered and best engineering practices regarding the needs  
15 of bicycle riders and pedestrians shall be employed in all phases of transportation  
16 planning, including highway design, construction, reconstruction, and repair as well  
17 as expansion and improvement of other transportation facilities;

18 (2) The modal administrations in the Department shall ensure that the  
19 State maintains an integrated transportation system by working cooperatively to  
20 remove barriers, including restrictions on bicycle access to mass transit, that impede  
21 the free movement of individuals from one mode of transportation to another; [and]

22 (3) As to any new transportation project or improvement to an existing  
23 transportation facility, the Department shall work to ensure that transportation  
24 options for pedestrians and bicycle riders will be enhanced and that pedestrian and  
25 bicycle access to transportation facilities will not be negatively impacted by the  
26 project or improvement; AND

27 (4) THE SPECIAL SAFETY AND ACCESS CONCERNS OF PEDESTRIANS AND  
28 BICYCLE RIDERS WITH DISABILITIES SHALL BE CONSIDERED IN THE  
29 IMPLEMENTATION OF ALL ASPECTS OF THE POLICY STATED IN THIS SECTION.

30 2-603.

31 (a) There is a Director of Bicycle and Pedestrian Access in the Office of the  
32 Secretary.

33 (b) (1) The Director shall be appointed by the Secretary with the approval of  
34 the Governor.

1           (2)     The Director shall be a person with experience in transportation  
2 planning with specialized knowledge in matters relating to bicycle and pedestrian  
3 access to transportation facilities.

4       (c)     (1)     The Director serves at the pleasure of the Secretary and shall report  
5 directly to the Secretary.

6           (2)     Subject to the authority of the Secretary, the Director is responsible  
7 for carrying out:

8                   (i)     The powers and duties vested by law in the Director; and

9                   (ii)    Those powers and duties vested in the Secretary and delegated  
10 to the Director by the Secretary.

11       (d)     The Director is entitled to the salary provided in the State budget.

12 2-604.

13       (a)     The Director shall develop and coordinate policies and plans for the  
14 provision, preservation, improvement, and expansion of access to transportation  
15 facilities in the State for pedestrians and bicycle riders, including development, before  
16 October 1, 2002, of a Statewide 20-Year Bicycle-Pedestrian Master Plan that:

17           (1)     (i)     Identifies short-term and long-range goals that are consistent  
18 with the purposes of this subtitle; and

19                   (ii)    For each identified goal, includes:

20                           1.     Reasonable cost estimates for achieving the goal; and

21                           2.     For purposes of the annual report required under § 3-216  
22 of this article, objective performance criteria against which progress in achieving the  
23 goal can be measured;

24           (2)     Complies with applicable federal funding requirements;

25           (3)     Provides a model to guide political subdivisions of the State in  
26 enhancing bicycle and pedestrian access to transportation facilities;

27           (4)     Proposes long-term strategies for improving the State's highways to  
28 ensure compliance with the most advanced safety standards for pedestrians and  
29 bicycle riders, **INCLUDING SAFETY STANDARDS FOR PEDESTRIANS AND BICYCLE**  
30 **RIDERS WITH DISABILITIES, BY PROVIDING EQUIPMENT SUCH AS ACCESSIBLE**  
31 **SIGNALING DEVICES THAT ARE APPROPRIATELY PLACED, REACHABLE BY**  
32 **INDIVIDUALS USING WHEELCHAIRS, AND USABLE BY INDIVIDUALS WHO ARE BLIND;**  
33 and

34           (5)     After consultation with political subdivisions in the State, identifies  
35 bicycle-pedestrian priority areas to facilitate the targeting of available funds to those  
36 areas of the State most in need.

1 (b) To carry out the purposes of this subtitle, the Director shall:

2 (1) Participate in the planning of new transportation facilities and  
3 improvements to existing transportation facilities;

4 (2) Advise the Secretary on matters concerning bicycle and pedestrian  
5 access and any other matter as requested by the Secretary;

6 (3) Initiate a program of systematic identification of and planning for  
7 projects related to bicycle and pedestrian transportation that qualify for funds under  
8 Federal Highway Administration guidelines;

9 (4) Monitor State transportation plans, proposals, facilities, and services  
10 to ensure maximum benefits for pedestrians and bicycle riders in the State; and

11 (5) Consult regularly with:

12 (I) [the] THE Bicycle and Pedestrian Advisory Committee  
13 established under § 2-606 of this subtitle; AND

14 (II) THE ADVISORY COMMITTEE ON PEDESTRIANS AND BICYCLE  
15 RIDERS WITH DISABILITIES ESTABLISHED UNDER § 2-608 OF THIS SUBTITLE.

16 (c) The exercise of the powers and duties of the Director is subject to the  
17 authority of the Secretary.

18 2-605.

19 Subject to the limitations imposed by this subtitle, the Department, in  
20 consultation with the Director, may exercise all powers reasonably necessary to  
21 achieve the purposes of this subtitle, including the authority to:

22 (1) Adopt regulations to implement the provisions of this subtitle;

23 (2) Apply for and receive grants, gifts, payments, loans, advances,  
24 appropriations, property, and services from the federal government, the State, any of  
25 their agencies or political subdivisions, or any other public or private person; and

26 (3) Enter into agreements and contract for:

27 (i) Any studies, plans, demonstrations, or projects;

28 (ii) Planning, engineering, and technical services; and

29 (iii) Any purpose necessary for or incidental to the performance of  
30 its duties and the exercise of its powers under this subtitle.

1 2-608.

2 (A) THE GOVERNOR SHALL APPOINT AN ADVISORY COMMITTEE ON  
3 PEDESTRIANS AND BICYCLE RIDERS WITH DISABILITIES TO PROVIDE INFORMATION  
4 AND GUIDANCE TO STATE AGENCIES CONCERNING:

5 (1) THE SPECIAL SAFETY AND ACCESS CONCERNS OF PEDESTRIANS AND  
6 BICYCLE RIDERS WITH DISABILITIES;

7 (2) THE OPTIONS FOR ADDRESSING THE SAFETY AND ACCESS  
8 CONCERNS OF PEDESTRIANS AND BICYCLE RIDERS WITH DISABILITIES;

9 (3) FUNDING OF PROGRAMS RELATING TO PEDESTRIANS AND BICYCLE  
10 RIDERS WITH DISABILITIES; AND

11 (4) ANY OTHER ISSUE DIRECTLY RELATED TO PEDESTRIANS AND  
12 BICYCLE RIDERS WITH DISABILITIES.

13 (B) THE COMMITTEE SHALL CONSIST OF THE FOLLOWING MEMBERS:

14 (1) ONE REPRESENTATIVE FROM EACH OF THE FOLLOWING:

15 (I) THE DEPARTMENT OF TRANSPORTATION;

16 (II) THE DEPARTMENT OF STATE POLICE;

17 (III) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE; AND

18 (IV) THE AMERICAN COUNCIL OF THE BLIND OF MARYLAND AND  
19 THE NATIONAL FEDERATION OF THE BLIND OF MARYLAND;

20 (2) ONE MEMBER REPRESENTING WHEELCHAIR USERS;

21 (3) ONE MEMBER REPRESENTING SENIOR CITIZENS;

22 (4) ONE MEMBER WITH AN EXPERTISE IN THE SAFETY CONCERNS OF  
23 THE DISABLED; AND

24 (5) ONE MEMBER WITH AN EXPERTISE IN BICYCLE AND PEDESTRIAN  
25 SAFETY.

26 (C) THE GOVERNOR SHALL SELECT A CHAIRMAN FROM AMONG THE  
27 MEMBERS.

28 (D) THE COMMITTEE SHALL MEET AT LEAST QUARTERLY.

29 (E) THE STAFF FOR THE COMMITTEE SHALL BE PROVIDED BY THE EXECUTIVE  
30 BRANCH AS DIRECTED BY THE GOVERNOR.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 2002.

