

# SENATE BILL 438

R2

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By: **Senator Pugh (By Request) and Senators Conway, Della, Jones, Kasemeyer, and McFadden**

Introduced and read first time: February 2, 2007

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Transit Administration – Continuation of Passenger Railroad**  
3 **Service on Amtrak and CSX Lines**

4 FOR the purpose of requiring the Maryland Transit Administration to continue to  
5 operate passenger railroad service on certain lines at levels equivalent to the  
6 levels established as of certain dates; prohibiting the Administration from  
7 closing a station before a certain date, subject to an exception; requiring the  
8 Administration to hold a certain public hearing under certain circumstances;  
9 requiring the Administration to give a certain notice of the hearing; prohibiting  
10 the Administration from taking certain actions if inadequate notice is given;  
11 prohibiting the Administration from making certain policy changes during a  
12 certain time period; and generally relating to passenger railroad service on  
13 certain railroad lines.

14 BY repealing and reenacting, with amendments,  
15 Article – Transportation  
16 Section 7–902  
17 Annotated Code of Maryland  
18 (2001 Replacement Volume and 2006 Supplement)

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

21 **Article – Transportation**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 7-902.

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
3 MEANINGS INDICATED.

4 (2) "LEVEL OF SERVICE" INCLUDES THE NUMBER OF ROUND  
5 TRIPS OPERATED ON A ROUTE AND THE NUMBER OF STATIONS ALONG A ROUTE.

6 (3) "ROUTE" MEANS A PASSENGER RAILROAD SERVICE LINE  
7 DESCRIBED UNDER SUBSECTIONS (B) THROUGH (D) OF THIS SECTION.

8 [(a)] (B) The Administration shall continue to operate the following  
9 passenger railroad services at levels of service at least equivalent to the level of service  
10 established as of July 1, 1981:

11 (1) The CSX line between Brunswick and the District of Columbia;

12 (2) The Amtrak line between Penn Station in Baltimore and the  
13 District of Columbia; and

14 (3) The CSX line between Camden Station in Baltimore and the  
15 District of Columbia.

16 (C) THE ADMINISTRATION SHALL CONTINUE TO OPERATE THE  
17 PASSENGER RAILROAD SERVICE ON THE AMTRAK LINE BETWEEN PERRYVILLE  
18 AND PENN STATION IN BALTIMORE AT THE LEVEL OF SERVICE AT LEAST  
19 EQUIVALENT TO THE LEVEL OF SERVICE ESTABLISHED AS OF MAY 1, 1991.

20 (D) THE ADMINISTRATION SHALL CONTINUE TO OPERATE THE  
21 PASSENGER SERVICES ON THE CSX LINE BETWEEN FREDERICK AND POINT OF  
22 ROCKS AT THE LEVEL OF SERVICE AT LEAST EQUIVALENT TO THE LEVEL OF  
23 SERVICE ESTABLISHED AS OF DECEMBER 17, 2001.

24 [(b)] (E) The Administration shall recover at least 50 percent of total  
25 operating costs for all passenger railroad services under its control from fares and  
26 operating revenues. Notwithstanding § 7-208 of this title, the Maryland Transit  
27 Administration shall calculate for passenger rail services a separate farebox recovery  
28 ratio for the administrative purposes of determining a separate cost recovery ratio for  
29 each of the aforementioned transit modes from the calculation for mass transit, Metro,  
30 and light rail.

1            [(c)] (F)        (1)    [Except as provided in paragraph (2) of this subsection, the]  
2 **THE** Administration may not close a station on [a passenger railroad service line  
3 described in subsection (a) of this section] **ANY ROUTE** before [March 6, 2007] **JUNE**  
4 **30, 2008**.

5            (2)        [The] **NOTWITHSTANDING THE PROVISIONS OF THIS SECTION,**  
6 **THE** Administration may close the Jessup Station on the CSX line between Camden  
7 Station in Baltimore and the District of Columbia at any time if the Administration  
8 finds that the ridership at the Jessup Station does not warrant keeping the station  
9 open.

10           [(d)] (G)        The Administration shall adopt regulations to facilitate the  
11 transportation of bicycles on board passenger railroad services.

12           [(e)] (H)        Before closing a station on a passenger railroad service line  
13 described in subsection [(a)] (B) of this section, the [Mass] **MARYLAND** Transit  
14 Administration shall review and report, in accordance with § 2–1246 of the State  
15 Government Article, to the Governor and the General Assembly, on the following:

16           (1)        With respect to the Dickerson and Boyds MARC stations on the  
17 CSX line between Brunswick and the District of Columbia:

18                    (i)        The impact on traffic congestion along the Interstate 270,  
19 Md State Route 117, and Md State Route 28 corridors as a result of the station  
20 closures;

21                    (ii)       The impact of future growth in upper Montgomery and  
22 southern Frederick counties, particularly in Clarksburg over the next 5 years, and the  
23 projected ridership for the Boyds and Dickerson stations as a result of that future  
24 growth;

25                    (iii)      The impact of the projected growth in upper Montgomery  
26 and southern Frederick counties on traffic congestion along the Interstate 270, Md  
27 State Route 117, and Md State Route 28 corridors and the transit alternatives that are  
28 contemplated to meet any increased demand;

29                    (iv)      The methodology used to compute average daily ridership;

30                    (v)        The impact on projected ridership on the line if the stations  
31 are closed and later reopened due to impending growth;

1                   (vi) The projected ridership if train stops are increased from  
2 three stops each to nine stops each for trains arriving at Washington Union Station  
3 and from four stops each to ten stops each (to discharge passengers only) for trains  
4 departing Washington Union Station;

5                   (vii) Under an expanded schedule, the estimated increase in  
6 train service as a result of increasing the number of stops;

7                   (viii) Options to increase ridership at stations with low ridership,  
8 including investing in a ridership campaign to promote stations with low ridership;

9                   (ix) The projected ridership after investing in a ridership  
10 campaign to promote the stations;

11                   (x) The schedule for installing ticket vending machines at the  
12 stations and whether such vending machines have already been purchased;

13                   (xi) Whether a vending machine that is scheduled to be installed  
14 at another station could temporarily be used at either or both of these stations;

15                   (xii) The impact on riders boarding at these stations if vending  
16 machines are not installed at the stations;

17                   (xiii) An evaluation of potential increased bus service to the  
18 stations, and parking lot expansion near the stations, including any possible options  
19 for parking lot expansion;

20                   (xiv) Specific efforts undertaken to:

21                               1. Attract new riders on the lines and to retain riders  
22 already using the lines; and

23                               2. improve access for individuals with disabilities;

24                   (xv) Potential alternatives to closing stations that would achieve  
25 greater efficiency on the Brunswick and Camden CSX lines;

26                   (xvi) Potential sources of alternative funding for the operating  
27 and capital costs of keeping the stations open, including collaboration with local  
28 governments; and

1 (xvii) The description of the \$300,000 passenger warning system  
2 for the Dickerson Station and whether other possible, less costly, passenger warning  
3 systems were considered and the reasons why such systems were not employed; and

4 (2) With regard to the St. Denis Station on the CSX line between  
5 Camden Station in Baltimore and the District of Columbia:

6 (i) The information required under items (1)(vii) through (xvi)  
7 of this subsection;

8 (ii) The implications of closing a passenger railroad service  
9 facility that is a State or federally designated historic landmark or that is located in a  
10 State or federally designated historic district;

11 (iii) The impact on traffic congestion along the Interstate 95,  
12 Interstate 295, and Md State Route 100 corridors as a result of the station closure;

13 (iv) The effect of closing the St. Denis Station on ridership at the  
14 Halethorpe Station, including the effect on traffic and parking at the Halethorpe  
15 Station and in Arbutus;

16 (v) The projected ridership at the St. Denis Station if train stops  
17 are increased up to nine stops; and

18 (vi) The projected ridership at the St. Denis Station if service to  
19 and from Baltimore is resumed.

20 (I) (1) UNTIL A PUBLIC HEARING IS HELD ON THE MATTER, THE  
21 ADMINISTRATION MAY NOT ESTABLISH OR ABANDON A STATION ON A ROUTE.

22 (2) THE ADMINISTRATION SHALL GIVE NOTICE OF A HEARING AT  
23 LEAST 30 DAYS BEFORE THE HEARING.

24 (3) THE NOTICE SHALL BE:

25 (I) PUBLISHED ONCE A WEEK FOR 2 SUCCESSIVE WEEKS IN  
26 TWO OR MORE NEWSPAPERS OF GENERAL DAILY CIRCULATION THROUGHOUT  
27 EACH COUNTY THROUGH WHICH A ROUTE TRAVELS; AND

1                   **(II) POSTED IN ALL OF THE ADMINISTRATION'S OFFICES,**  
2 **STATIONS, AND TERMINALS AND ALL OF ITS VEHICLES AND ROLLING STOCK IN**  
3 **REVENUE SERVICE.**

4                   **(4) THE 30-DAY PERIOD BEGINS WHEN THE NOTICE FIRST**  
5 **APPEARS IN THE NEWSPAPER.**

6                   **(5) (I) IF THE ADMINISTRATION GIVES INADEQUATE NOTICE**  
7 **OF A PUBLIC HEARING ON A MATTER DESCRIBED IN PARAGRAPH (1) OF THIS**  
8 **SUBSECTION, THE ADMINISTRATION MAY NOT ESTABLISH OR ABANDON A**  
9 **STATION UNLESS A LEGALLY SUFFICIENT PUBLIC HEARING IS HELD.**

10                   **(II) FOR THE PURPOSES OF THIS PARAGRAPH, NOTICE**  
11 **SHALL BE CONSIDERED INADEQUATE IF:**

12                                 **1. THE ADMINISTRATION DOES NOT COMPLY WITH**  
13 **THE NEWSPAPER PUBLICATION REQUIREMENT UNDER PARAGRAPH (3)(I) OF**  
14 **THIS SUBSECTION; OR**

15                                 **2. AT LEAST 30% OF THE ADMINISTRATION'S**  
16 **FACILITIES ARE NOT POSTED AS REQUIRED UNDER PARAGRAPH (3)(II) OF THIS**  
17 **SUBSECTION.**

18                   **(6) THE ADMINISTRATION MAY IMPLEMENT A CHANGE OF POLICY**  
19 **ON A MATTER DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION ONLY**  
20 **DURING THE TIME PERIOD BEGINNING 6 WEEKS AFTER THE DATE OF THE**  
21 **PUBLIC HEARING AND ENDING 6 MONTHS AFTER THE DATE OF THE PUBLIC**  
22 **HEARING.**

23                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2007.