

Department of Legislative Services
 Maryland General Assembly
 2017 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 411 (Delegates West and Aumann)
 Environment and Transportation

State Highway Administration - Traffic Control Devices - Installation at Large
 Continuing Care Retirement Communities

This bill requires the State Highway Administration (SHA) to install traffic control devices at the main entrance and exit of every continuing care retirement community (CCRC) that (1) is located along a highway under SHA’s jurisdiction; (2) does not have a secondary entrance and exit at an intersection with a traffic control device; (3) accommodates independent living, assisted living, and nursing home care; and (4) provides housing for at least 100 residents.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures increase by at least \$630,000 in FY 2018; this estimate assumes that SHA installs at least three traffic control devices. To the extent that more devices must be installed, TTF expenditures increase by \$210,000 for each additional traffic control device. Revenues are not affected.

(in dollars)	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	630,000	0	0	0	0
Net Effect	(\$630,000)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: The bill does not directly affect local governmental operations or finances.

Small Business Effect: None.

Analysis

Bill Summary: Before installing a device, SHA must notify the owner or manager of the CCRC at least 30 days prior to the scheduled installation. SHA must also inform the owner or manager of the option to refuse the installation if the owner or manager submits, in writing, that the traffic control device is not needed at an entrance or exit. SHA may not proceed with the installation if a refusal is received unless it considers the installation necessary to carry out the provisions of the Maryland Vehicle Law or to regulate, warn, or guide traffic. Each device installed must conform to SHA's manual and specifications.

Current Law/Background:

State Highway Administration Traffic Control Responsibilities

SHA is responsible for more than 5,200 miles or approximately 16,800 lane miles of road, 2,500 bridges, 3,500 small stream crossing structures, and 80 miles of sound barriers in the State. It also has responsibility for planning, designing, constructing, and maintaining these roads and bridges to safety and performance standards while considering sociological, ecological, and economic concerns.

On every highway under its jurisdiction, SHA is required to install and maintain the traffic control devices that it considers necessary to carry out the provisions of the Maryland Vehicle Law or to regulate, warn, or guide traffic. Each device installed must conform to SHA's manual and specifications. A local authority may only install or maintain a traffic control device in SHA's jurisdiction with SHA's permission and under its direction.

Continuing Care Retirement Communities

The Maryland Department of Aging (MDOA) is responsible for administering continuing care laws in the State. According to MDOA, there are currently 38 CCRCs in Maryland. In 2014, there were 37 CCRCs containing a total of 16,226 continuing care units (11,782 independent living units, 2,108 assisted living bed, and 2,108 nursing care beds). Generally, in continuing care communities:

- the consumer pays an entrance fee that is, at a minimum, three times the average monthly fee;
- the provider furnishes or makes available shelter and health-related services to persons 60 years of age or older; and
- the shelter and services are offered under a contract that lasts for a period of more than 1 year, usually for life.

State Expenditures: SHA is aware of three CCRCs that meet the bill's specifications; therefore, TTF expenditures increase by \$630,000 in fiscal 2018 to construct three traffic control devices at the affected CCRCs. This estimate includes \$10,000 for planning and engineering and \$200,000 for construction for each of the traffic control devices. The estimate assumes that the owner or manager of each affected CCRC does not refuse the installation. It also assumes that each affected intersection serves as both an entrance and an exit, so only one device per CCRC is needed. To the extent that more CCRCs meet the bill's specifications, TTF expenditures increase by \$210,000 for each additional traffic control device that must be installed.

Additional Information

Prior Introductions: None.

Cross File: SB 418 (Senator Brochin) - Finance.

Information Source(s): Maryland Department of Transportation; Maryland Department of Aging; Department of Legislative Services

Fiscal Note History: First Reader - February 13, 2017
mm/mcr

Analysis by: Richard L. Duncan

Direct Inquiries to:
(410) 946-5510
(301) 970-5510