

HB0372/594361/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 372
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Metro” and substitute “Metro/Transit”; strike beginning with “regarding” in line 11 down through “projects;” in line 12 and substitute “; requiring the Governor to withhold or reduce a certain portion of a certain appropriation under certain circumstances; requiring the Governor to release a certain portion of a certain appropriation under certain circumstances;”; in line 14, strike “motor vehicle excise tax revenue and certain other”; in the same line, after the semicolon insert “requiring the Governor to include a certain appropriation in the State budget from the Transportation Trust Fund to the Account;”; and strike beginning with “altering” in line 20 down through “revenue;” in line 21 and substitute “requiring the Governor to include a certain appropriation in the State budget from the Transportation Trust Fund to the Maryland Transit Administration; requiring the Administration to prepare a Central Maryland Regional Transit Plan in consultation with the Central Maryland Regional Transit Plan Commission; specifying the contents of the Plan; requiring the Plan to include certain details and be maintained and updated in a certain manner; establishing the Commission to assist the Administration with the preparation of the Plan; requiring the Administration to assess the ongoing, unconstrained capital needs of the Administration; specifying certain requirements for the assessment; requiring the Administration to submit the assessment to certain committees of the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; stating the intent of the General Assembly; providing for the application of this Act; requiring the Authority to undertake a certain study and report certain findings to certain entities on or before a certain date;”.

(Over)

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On page 2, in line 2, strike “capital”; in the same line, after “the” insert “Maryland Transit Administration and the”; in line 6, strike “and 8–402(a) and (b)”; after line 13, insert:

“BY adding to

Article - Transportation

Section 7-205, 7-301.1, and 7-309

Annotated Code of Maryland

(2015 Replacement Volume and 2017 Supplement)”;

and strike in their entirety lines 14 through 23, inclusive.

On page 3, strike in their entirety lines 7 through 21, inclusive.

On page 7, in lines 10, 20, and 25, strike “2.”, “3.”, and “4.”, respectively, and substitute “4.”, “8.”, and “9.”, respectively; in line 25, strike “2” and substitute “4”; and in line 26, after the period, insert “Section 2 of this Act shall remain effective for a period of 4 years and, at the end of June 30, 2022, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

AMENDMENT NO. 2

On page 5, strike in their entirety lines 22 through 30, inclusive, and substitute:

“(2) (1) THE GOVERNOR IS NOT REQUIRED TO MAKE THE APPROPRIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION IN A FISCAL YEAR UNLESS THE DEPARTMENT CERTIFIES TO THE GOVERNOR IN WRITING BEFORE THE BEGINNING OF THE IMMEDIATELY PRECEDING FISCAL YEAR THAT THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY HAS SUBMITTED TO THE DEPARTMENT:

**1. PERFORMANCE AND CONDITION ASSESSMENTS
AND REPORTS REGARDING:**

**A. THE SAFETY AND RELIABILITY OF RAPID HEAVY
RAIL AND BUS SYSTEMS;**

**B. THE FINANCIAL PERFORMANCE OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY AS IT RELATES TO
RAIL AND BUS OPERATIONS, INCLUDING FARE BOX RECOVERY, SERVICE PER
RIDER, AND COST PER SERVICE HOUR;**

**C. THE MONTHLY RIDERSHIP OF RAIL AND BUS
SYSTEMS BROKEN DOWN BY METRORAIL STATION, METRORAIL LINE, BUS STOP,
AND BUS LINE;**

**D. STRATEGIES TO REDUCE COSTS AND IMPROVE THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY'S OPERATIONAL
EFFICIENCY; AND**

**E. THE COMPARISON OF ANNUAL CAPITAL
INVESTMENTS AND APPROVED BUDGETS; AND**

**2. THE WASHINGTON METROPOLITAN AREA
TRANSIT AUTHORITY'S:**

A. ANNUAL CAPITAL BUDGET;

B. ANNUAL INDEPENDENT FINANCIAL AUDIT;

C. ANNUAL NATIONAL TRANSIT DATABASE PROFILE;

AND

D. INDIVIDUAL AUDIT REPORTS.

(II) IF THE COMMONWEALTH OF VIRGINIA OR THE DISTRICT OF COLUMBIA REDUCE THE AMOUNT OF DEDICATED CAPITAL FUNDING FOR THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY, THE GOVERNOR MAY REDUCE THE APPROPRIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION BY A PROPORTIONAL AMOUNT.

(III) 1. THE GOVERNOR SHALL WITHHOLD AND DEPOSIT IN A SPECIAL FUND 5% OF THE APPROPRIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION IF:

A. THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY HAS RECEIVED A MODIFIED AUDIT OPINION AS A RESULT OF AN ANNUAL INDEPENDENT AUDIT CONDUCTED IN ACCORDANCE WITH ARTICLE XVI, SECTION 70 OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY COMPACT UNDER § 10-204 OF THIS SUBTITLE; AND

B. THE DEPARTMENT HAS NOT CERTIFIED TO THE GOVERNOR IN WRITING BEFORE THE BEGINNING OF THE IMMEDIATELY PRECEDING FISCAL YEAR THAT THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY HAS SUBMITTED IN WRITING TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY BOARD OF DIRECTORS AND THE MARYLAND GENERAL ASSEMBLY A SATISFACTORY CORRECTIVE PLAN THAT ADDRESSES THE REASONS FOR THE MODIFIED AUDIT OPINION.

2. THE GOVERNOR SHALL RELEASE THE PORTION OF THE APPROPRIATION WITHHELD UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH IF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY SUBMITS IN WRITING TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY BOARD OF DIRECTORS AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE MARYLAND GENERAL ASSEMBLY A SATISFACTORY CORRECTIVE ACTION PLAN THAT ADDRESSES THE REASONS FOR THE MODIFIED AUDIT OPINION.”

AMENDMENT NO. 3

On page 6, strike in their entirety lines 4 and 5 and substitute:

“(I) THE APPROPRIATION REQUIRED UNDER PARAGRAPH (3)(I) OF THIS SUBSECTION; AND”;

in line 7, strike “TO” and substitute “FOR”; in line 8, after “(3)” insert:

“(I) THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FOR THE ACCOUNT OF \$150,000,000 FROM THE REVENUES AVAILABLE FOR THE STATE CAPITAL PROGRAM IN THE TRANSPORTATION TRUST FUND.

(II);

in line 9, strike “\$125,000,000” and substitute “\$150,000,000”; and in line 12, strike “(3)” and substitute “(3)(II)”.

AMENDMENT NO. 4

On pages 6 through 7, strike in their entirety the lines beginning with line 15 on page 6 through line 9 on page 7, inclusive.

(Over)

AMENDMENT NO. 5

On page 7, after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

7-205.

(A) FOR FISCAL YEAR 2020, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FROM THE TRANSPORTATION TRUST FUND FOR THE OPERATION OF THE ADMINISTRATION THAT IS EQUAL TO THE APPROPRIATION FOR THE OPERATION OF THE ADMINISTRATION IN THE FISCAL YEAR 2019 STATE BUDGET AS INTRODUCED, INCREASED BY AT LEAST 4.4%.

(B) FOR EACH OF FISCAL YEARS 2021 AND 2022, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FROM THE TRANSPORTATION TRUST FUND FOR THE OPERATION OF THE ADMINISTRATION THAT IS EQUAL TO THE APPROPRIATION FOR THE OPERATION OF THE ADMINISTRATION IN THE STATE BUDGET FOR THE IMMEDIATELY PRECEDING FISCAL YEAR, INCREASED BY AT LEAST 4.4%.

(C) (1) FOR EACH OF FISCAL YEARS 2020 THROUGH 2022, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FOR THE CAPITAL NEEDS OF THE ADMINISTRATION OF AT LEAST \$29,100,000 FROM THE REVENUES AVAILABLE FOR THE STATE CAPITAL PROGRAM IN THE TRANSPORTATION TRUST FUND.

(2) THE APPROPRIATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT SUPPLANT ANY OTHER CAPITAL FUNDING OTHERWISE AVAILABLE FOR THE ADMINISTRATION.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

7-301.1.

(A) IN THIS SECTION, “CORE SERVICE AREA” MEANS:

(1) AN AREA IN ANNE ARUNDEL COUNTY, BALTIMORE CITY, AND BALTIMORE COUNTY THAT IS SERVED BY LIGHT RAIL, METRO, OR FIXED BUS ROUTE SERVICE; AND

(2) AS DETERMINED BY THE DEPARTMENT, ANY OTHER AREA IN WHICH THE POPULATION COMMUTES TO AN AREA DESCRIBED IN ITEM (1) OF THIS SUBSECTION IN ORDER TO USE LIGHT RAIL, METRO, OR FIXED BUS ROUTE SERVICE.

(B) IN ADDITION TO THE REQUIREMENTS OF §§ 7-301 AND 7-302 OF THIS SUBTITLE, THE ADMINISTRATION SHALL, IN CONSULTATION WITH THE CENTRAL MARYLAND REGIONAL TRANSIT PLAN COMMISSION, PREPARE A CENTRAL MARYLAND REGIONAL TRANSIT PLAN TO MEET THE TRANSIT NEEDS OF THE CORE SERVICE AREA.

(C) THE CENTRAL MARYLAND REGIONAL TRANSIT PLAN SHALL:

(Over)

(1) DEFINE GOALS FOR OUTCOMES TO BE ACHIEVED THROUGH THE PROVISION OF PUBLIC TRANSPORTATION;

(2) IN ORDER TO BEST ACHIEVE THE GOALS DEFINED IN ITEM (1) OF THIS SUBSECTION, IDENTIFY OPTIONS FOR:

(I) IMPROVEMENTS TO EXISTING TRANSPORTATION ASSETS;

(II) IMPROVEMENTS TO LEVERAGE NON-ADMINISTRATION TRANSPORTATION OPTIONS AVAILABLE TO PUBLIC TRANSPORTATION; AND

(III) CORRIDORS FOR NEW PUBLIC TRANSPORTATION ASSETS;

(3) PRIORITIZE CORRIDORS FOR PLANNING OF NEW PUBLIC TRANSPORTATION ASSETS;

(4) EVALUATE THE PLAN'S CONSISTENCY WITH LOCAL LAND USE AND TRANSPORTATION PLANS AND THE MARYLAND TRANSPORTATION PLAN AND IDENTIFY OPPORTUNITIES FOR ACHIEVING GREATER CONSISTENCY;

(5) BE REVIEWED, REVISED, AND UPDATED AT LEAST EVERY 5 YEARS; AND

(6) ADDRESS A 30-YEAR TIME FRAME.

(D) (1) THERE IS A CENTRAL MARYLAND REGIONAL TRANSIT PLAN COMMISSION.

(2) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:

(i) THE COUNTY EXECUTIVE OF ANNE ARUNDEL COUNTY, OR THE COUNTY EXECUTIVE'S DESIGNEE;

(ii) THE MAYOR OF BALTIMORE CITY, OR THE MAYOR'S DESIGNEE;

(iii) THE COUNTY EXECUTIVE OF BALTIMORE COUNTY, OR THE COUNTY EXECUTIVE'S DESIGNEE; AND

(iv) THE FOLLOWING INDIVIDUALS APPOINTED BY THE GOVERNOR:

1. THREE REPRESENTATIVES FROM CENTRAL MARYLAND BUSINESS ORGANIZATIONS;

2. ONE REPRESENTATIVE FROM A CITIZEN ADVISORY COMMITTEE;

3. ONE REPRESENTATIVE FROM A DISABLED RIDERS GROUP; AND

4. ONE REPRESENTATIVE FROM THE MARC RIDERS ADVISORY COUNCIL.

(3) THE COMMISSION SHALL PARTICIPATE IN THE DEVELOPMENT OF:

(Over)

(I) A STRATEGY FOR MEANINGFUL PUBLIC INVOLVEMENT
IN THE CENTRAL MARYLAND REGIONAL TRANSIT PLAN; AND

(II) THE GOALS FOR OUTCOMES OF THE CENTRAL
MARYLAND REGIONAL TRANSIT PLAN.

7-309.

(A) THE ADMINISTRATION SHALL, AT LEAST EVERY 3 YEARS, ASSESS THE
ONGOING, UNCONSTRAINED CAPITAL NEEDS OF THE ADMINISTRATION.

(B) IN UNDERTAKING THE ASSESSMENT REQUIRED UNDER SUBSECTION
(A) OF THIS SECTION, THE ADMINISTRATION SHALL:

(1) COMPILE AND PRIORITIZE CAPITAL NEEDS WITHOUT REGARD
TO COST;

(2) IDENTIFY THE BACKLOG OF REPAIRS AND REPLACEMENTS
NEEDED TO ACHIEVE A STATE OF GOOD REPAIR FOR ALL ADMINISTRATION
ASSETS, INCLUDING A SEPARATE ANALYSIS OF THESE NEEDS OVER THE
FOLLOWING 10 YEARS; AND

(3) IDENTIFY THE NEEDS TO BE MET IN ORDER TO ENHANCE
SERVICE AND ACHIEVE SYSTEM PERFORMANCE GOALS.

(C) ON OR BEFORE JULY 1, 2019, AND ON OR BEFORE JULY 1 EVERY 3
YEARS THEREAFTER, THE ADMINISTRATION SHALL, IN ACCORDANCE WITH § 2-
1246 OF THE STATE GOVERNMENT ARTICLE, SUBMIT THE ASSESSMENT

REQUIRED UNDER SUBSECTION (A) OF THIS SECTION TO THE SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE.”.

AMENDMENT NO. 6

On page 7, strike in their entirety lines 11 through 13 and substitute:

“(a) Section 1 of this Act is contingent on:

(1) the Commonwealth of Virginia enacting legislation providing for dedicated capital funding for the Washington Metropolitan Area Transit Authority of at least \$150,000,000; and

(2) the District of Columbia enacting legislation providing for dedicated capital funding for the Washington Metropolitan Area Transit Authority of at least \$150,000,000.”.

AMENDMENT NO. 7

On page 7, after line 19 insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, after accounting for the capital funding dedicated to Metro by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia, the remainder of the Authority’s request for \$500,000,000 in additional dedicated annual capital funding be appropriated by the federal government.

SECTION 6. AND BE IT FURTHER ENACTED, That this Act may not be construed to limit the authority of the Governor to appropriate general funds to the Dedicated Purpose Account for transfer to the Transportation Trust.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(Over)

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(a) (1) The Authority shall study the costs and benefits of using capital funds to fund infrastructure improvements to enhance pedestrian and bicycle access to Metrorail stations and accelerate joint development at Metrorail stations in Maryland.

(2) The study required under paragraph (1) of this subsection shall include projections of increased ridership revenue derived from improved access and accelerated joint development, as well as the degree to which such infrastructure improvements would increase the value of real property owned by the Authority.

(b) (1) The Authority shall study the projected ridership of a new Metrorail station at National Harbor.

(2) The study required under paragraph (1) of this subsection shall identify the feasibility of an extension of a Metrorail line to National Harbor via the Woodrow Wilson Bridge and include the estimated operating and capital costs associated with the extension.

(c) (1) The Authority shall study the budget, powers, and limitations of its inspector general and compare the budget, powers, and limitations to those of other inspectors general in the federal government, other transit systems, and state and local governments.

(2) The report resulting from the study required under paragraph (1) of this subsection shall include:

(i) recommendations for strengthening the Authority's office of the inspector general; and

(ii) a discussion of whether any recommended reforms must be made through the Authority's board of directors or by amendment to the Authority Compact.

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(d) The Authority shall study the opportunities at each Metrorail station in Maryland:

(1) to reduce the parking lot and bus bay footprints:

(i) to expand pedestrian and bicycle access; and

(ii) for the development of commercial, residential, and office uses;

(2) to develop the air rights; and

(3) to attract various public uses, such as public schools.

(e) The Authority shall, in consultation with the Maryland Transit Administration and other locally operated transit systems and bus services, study opportunities to attract ridership in partnership with public school systems and institutions of higher education.

(f) On or before June 30, 2019, the Authority shall report the findings of each of the studies required under this section to the Authority board and each of the Compact signatories.”.