

HOUSE BILL 535

R1, L6

8lr0847
CF SB 407

By: **Delegates Lierman, Ali, Angel, Clippinger, Ebersole, Fraser-Hidalgo, Hettleman, Hill, C. Howard, Korman, Lafferty, J. Lewis, R. Lewis, Luedtke, Morhaim, Platt, Sanchez, and P. Young**

Introduced and read first time: January 26, 2018

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – Complete Streets Program – Establishment**

3 FOR the purpose of establishing the Complete Streets Program; specifying the purpose and
4 goals of the Program; requiring the Governor to annually appropriate a certain
5 amount of funding for the Program; specifying the requirements for a local
6 government to be designated as a certified jurisdiction; authorizing a certified
7 jurisdiction to apply for grants from the Program; specifying the use of grant funds;
8 specifying certain requirements for a certified jurisdiction that receives a grant
9 under the Program; requiring the Secretary of Transportation to adopt certain
10 regulations; requiring the Department of Transportation to submit a certain report
11 to certain committees of the General Assembly on or before a certain date each year;
12 establishing a workgroup to assist the Department in developing and reviewing
13 certain regulations; providing that members of the workgroup may not receive
14 compensation but are entitled to reimbursement for expenses; providing for the
15 membership and chair of the workgroup; requiring the Department to consult with
16 the workgroup to develop certain regulations; requiring the Department to give the
17 workgroup a certain review and comment period on certain regulations; and
18 generally relating to the establishment of the Complete Streets Program.

19 BY adding to

20 Article – Transportation

21 Section 8–901 through 8–908 to be under the new subtitle “Subtitle 9. Complete
22 Streets Program”

23 Annotated Code of Maryland

24 (2015 Replacement Volume and 2017 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

26 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Transportation

SUBTITLE 9. COMPLETE STREETS PROGRAM.

8–901.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “CERTIFIED JURISDICTION” MEANS A LOCAL GOVERNMENT THAT HAS BEEN CERTIFIED BY THE DEPARTMENT IN ACCORDANCE WITH § 8–905 OF THIS SUBTITLE.

(C) “COMPLETE STREETS” MEANS STREETS THAT PROVIDE ACCOMMODATIONS FOR USERS OF MULTIPLE MODES OF TRANSPORTATION.

(D) “COMPLETE STREETS POLICY” MEANS A LAW, A BYLAW, AN ORDINANCE, OR AN ADMINISTRATIVE POLICY ADOPTED BY A LOCAL GOVERNMENT IN ACCORDANCE WITH § 8–905 OF THIS SUBTITLE.

(E) “ELIGIBLE PROJECT” MEANS A LOCAL GOVERNMENT OR STATE HIGHWAY, STREET, OR ROAD RETROFIT PROJECT THAT INCLUDES THE ADDITION OF OR SIGNIFICANT REPAIR TO FACILITIES THAT PROVIDE ACCESS FOR USERS OF MULTIPLE MODES OF TRANSPORTATION.

(F) “LOCAL GOVERNMENT” MEANS A COUNTY OR MUNICIPALITY IN THE STATE.

(G) “PROGRAM” MEANS THE COMPLETE STREETS PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

8–902.

THERE IS A COMPETITIVE GRANT PROGRAM WITHIN THE DEPARTMENT KNOWN AS THE “COMPLETE STREETS PROGRAM”.

8–903.

(A) THE PURPOSE OF THE PROGRAM IS TO PROVIDE GRANTS TO CERTIFIED JURISDICTIONS TO ENCOURAGE:

(1) THE REGULAR AND ROUTINE INCLUSION OF COMPLETE STREETS DESIGN ELEMENTS AND INFRASTRUCTURE DURING THE PLANNING, DESIGN, CONSTRUCTION, AND RECONSTRUCTION OF NEW OR EXISTING LOCALLY FUNDED

1 ROADS; AND

2 (2) THE ADOPTION OF URBAN ARTERIAL RETROFIT STREET
3 ORDINANCES DESIGNED TO PROVIDE SAFE ACCESS TO USERS OF MULTIPLE MODES
4 OF TRANSPORTATION.

5 (B) THE GOALS OF THE PROGRAM ARE TO:

6 (1) PROMOTE HEALTHY COMMUNITIES BY ENCOURAGING THE USE OF
7 MULTIPLE MODES OF TRANSPORTATION OTHER THAN SINGLE-OCCUPANCY MOTOR
8 VEHICLES;

9 (2) IMPROVE SAFETY BY DESIGNING MAJOR ARTERIAL STREETS TO
10 INCLUDE FEATURES SUCH AS:

11 (i) WIDER SIDEWALKS;

12 (ii) DEDICATED BIKE FACILITIES;

13 (iii) MEDIANS; AND

14 (iv) PEDESTRIAN STREETScape FEATURES;

15 (3) PROTECT THE ENVIRONMENT AND REDUCE CONGESTION BY
16 PROVIDING SAFE ALTERNATIVES TO SINGLE-OCCUPANCY MOTOR VEHICLE
17 DRIVING; AND

18 (4) PRESERVE COMMUNITY CHARACTER BY INVOLVING LOCAL
19 RESIDENTS AND STAKEHOLDERS IN PLANNING AND DESIGN DECISIONS.

20 8-904.

21 THE GOVERNOR SHALL ANNUALLY APPROPRIATE AT LEAST \$1,000,000 FROM
22 THE TRANSPORTATION TRUST FUND FOR THE PROGRAM.

23 8-905.

24 (A) A LOCAL GOVERNMENT THAT HAS ADOPTED A COMPLETE STREETS
25 POLICY IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION MAY APPLY TO THE
26 DEPARTMENT FOR DESIGNATION AS A CERTIFIED JURISDICTION.

27 (B) (1) A COMPLETE STREETS POLICY ADOPTED BY A LOCAL
28 GOVERNMENT SHALL:

1 (I) IDENTIFY THE BODY, ENTITY, OR INDIVIDUAL RESPONSIBLE
2 FOR IMPLEMENTING THE PROGRAM;

3 (II) REQUIRE THE DEVELOPMENT OF PROCEDURES TO FOLLOW
4 WHEN CONDUCTING COUNTY ROAD REPAIRS, UPGRADES, OR EXPANSION PROJECTS
5 TO INCORPORATE COMPLETE STREETS ELEMENTS;

6 (III) REQUIRE THE ESTABLISHMENT OF A REVIEW PROCESS FOR
7 PRIVATE DEVELOPMENT PROPOSALS TO ENSURE COMPLETE STREETS
8 COMPONENTS ARE INCORPORATED INTO NEW CONSTRUCTION ACCORDING TO
9 TERMS SPECIFIED BY THE LOCAL GOVERNMENT;

10 (IV) SET A 5-YEAR GOAL FOR AN INCREASED MODE SHARE OF
11 SPECIFIED MODES OF TRANSPORTATION OTHER THAN SINGLE-OCCUPANCY
12 VEHICLES;

13 (V) REQUIRE THE DEVELOPMENT OF A PROGRAM TO MEET THE
14 GOAL ESTABLISHED UNDER ITEM (IV) OF THIS PARAGRAPH;

15 (VI) COMPLY WITH ANY OTHER REQUIREMENTS THAT THE
16 DEPARTMENT CONSIDERS NECESSARY; AND

17 (VII) BE APPROVED BY THE DEPARTMENT.

18 (2) A LOCAL GOVERNMENT SHALL HOLD AT LEAST ONE PUBLIC
19 HEARING PRIOR TO THE ADOPTION OF A COMPLETE STREETS POLICY.

20 8-906.

21 (A) A CERTIFIED JURISDICTION MAY:

22 (1) APPLY FOR GRANTS FROM THE PROGRAM; AND

23 (2) USE GRANT FUNDS ONLY FOR COSTS ASSOCIATED WITH THE
24 DESIGN AND PLANNING OF ELIGIBLE PROJECTS.

25 (B) A CERTIFIED JURISDICTION THAT RECEIVES A GRANT SHALL:

26 (1) MAINTAIN AND UPDATE ITS COMPLETE STREETS POLICY;

27 (2) COORDINATE WITH THE DEPARTMENT TO CONFIRM THE
28 ACCURACY OF THE BASELINE INVENTORY OF PEDESTRIAN AND BICYCLE

1 ACCOMMODATIONS TO IDENTIFY PRIORITY PROJECTS;

2 (3) SUBMIT AN ANNUAL PROGRESS REPORT TO THE DEPARTMENT, IN
3 A FORM AND MANNER PRESCRIBED BY THE DEPARTMENT; AND

4 (4) COMPLY WITH ANY OTHER REQUIREMENTS THAT THE
5 DEPARTMENT CONSIDERS NECESSARY.

6 8-907.

7 THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.

8 8-908.

9 (A) ON OR BEFORE DECEMBER 31 EACH YEAR, THE DEPARTMENT SHALL
10 SUBMIT A REPORT TO THE SENATE FINANCE COMMITTEE, SENATE BUDGET AND
11 TAXATION COMMITTEE, HOUSE APPROPRIATIONS COMMITTEE, AND HOUSE
12 ENVIRONMENT AND TRANSPORTATION COMMITTEE, IN ACCORDANCE WITH §
13 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE STATUS OF THE PROGRAM.

14 (B) THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION
15 SHALL INCLUDE:

16 (1) THE STATUS OF ANY GRANT PROJECTS FUNDED BY THE
17 PROGRAM; AND

18 (2) A DISCUSSION OF WHETHER THERE IS A NEED TO REEVALUATE
19 THE PROGRAM TO ENSURE THAT IT IS MEETING THE GOALS STATED IN § 8-903(B)
20 OF THIS SUBTITLE.

21 (C) THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION
22 SHALL BE MADE AVAILABLE ON THE DEPARTMENT'S WEBSITE.

23 SECTION 2. AND BE IT FURTHER ENACTED, That:

24 (a) There is a workgroup to assist the Department of Transportation in
25 developing and reviewing the regulations required under § 8-907 of the Transportation
26 Article as enacted by this Act.

27 (b) A member of the workgroup:

28 (1) may not receive compensation as a member of the workgroup; but

29 (2) is entitled to reimbursement for expenses under the Standard State

1 Travel Regulations, as provided in the State budget.

2 (c) The workgroup shall consist of the following members:

3 (1) two members of the Senate of Maryland, appointed by the President of
4 the Senate;

5 (2) two members of the House of Delegates, appointed by the Speaker of
6 the House;

7 (3) the Secretary of Planning, or the Secretary's designee;

8 (4) the Secretary of the Environment, or the Secretary's designee;

9 (5) the Administrator of the Maryland Transit Administration, or the
10 Administrator's designee; and

11 (6) the following individuals appointed by the Governor:

12 (i) three individuals from different regional planning or
13 transportation agencies;

14 (ii) one individual from the Baltimore Metropolitan Council;

15 (iii) one individual from the Metropolitan Washington Council of
16 Governments;

17 (iv) one individual from the Maryland Municipal League;

18 (v) one individual from the Maryland Association of Counties; and

19 (vi) one individual from Bikemore or another bicycling advocacy
20 organization; and

21 (vii) one individual from the County Engineers Association of
22 Maryland.

23 (d) The President of the Senate and the Speaker of the House shall each designate
24 a cochair of the workgroup.

25 (e) (1) The Department of Transportation shall consult with the workgroup to
26 develop the regulations required under § 8–907 of the Transportation Article as enacted by
27 this Act.

28 (2) In addition to the requirement under paragraph (1) of this subsection,
29 at least 30 days before the submission of the regulations to the Joint Committee on
30 Administrative, Executive, and Legislative Review under § 10–110 of the State

1 Government Article, the Department shall transmit the regulations to the workgroup for
2 review and comment.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2018.